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Bureau of the Advisory Committee – 2021-2022 – President Marie B. Hagsgård with the First Vice-President Aliona Grossu (right) and the Second Vice-President Mikko Puimalainen
Foreword by the President of the Advisory Committee on the Framework Convention for the Protection of National Minorities

During the past two years the situation for persons belonging to national minorities has been seriously affected by the two major crises which have struck Europe: the Covid-19 pandemic and the war in Ukraine.

The pandemic has affected all societies profoundly in areas such as health, education, the economy and democracy. Persons belonging to the most vulnerable national minorities such as Roma and Travellers  have been especially affected and discriminated against because of their ethnic origin. In too many member states, deeply rooted prejudice against Roma and Travellers has resulted in increased hate speech and harsher enforcement of lockdown measures on those living in informal or unauthorised settlements, where already reduced access to basic services have further impinged upon their right to health. Many Roma and Travellers have also lost their income to a greater extent during lockdown periods. For some, the economic situation has become so difficult that they report to us that they have struggled to put food on the table. In addition, Roma and Traveller children and youth have had more severe difficulties in following online education because of a lack of hardware or internet connection. The Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC) has stressed the importance of evaluating the situation for Roma and Travellers after the pandemic both on national and local levels and to do so in close co-operation with their associations in order to address the problems which now need to be solved.

The Russian Federation’s aggression against Ukraine has shocked Europe. In the most besieged and shelled multi-ethnic towns and cities in the east and south of Ukraine,

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1. The term “Roma and Travellers” is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Knale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term “Gens du voyage”, as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.
persons belonging to national minorities continue to suffer. It is profoundly disturbing that minority rights have been used as a pretext for the invasion – contradictory to the very aim of the Framework Convention for the Protection of National Minorities (Framework Convention), which is to create a climate of tolerance, dialogue and co-operation among all persons irrespective of their ethnic, cultural, linguistic or religious identity. It is also blatantly in contradiction with the principles of good neighbourliness, friendly relations and co-operation between states. The Russian Federation is no longer a member of the Council of Europe but remains a Contracting Party to the Framework Convention. This means that the ACFC will continue monitoring the situation of persons belonging to national minorities in Russia when the situation permits us to do so. Rather than discouraging us, this situation strengthens our resolve in the ACFC to uphold and protect the human rights of national minorities and the principles and values enshrined in the Framework Convention.

A third serious crisis has continued to affect Europe during the past two years: climate change. In Europe, the further north you go, the bigger the change in climate. This causes serious problems for traditional livelihoods such as reindeer herding, which is at the heart of the Sami culture. This past winter, enormous amounts of snow in combination with fast changes in temperature covered lichen – the main nourishment for reindeer during winter – with ice, making it impossible to reach. Sami reindeer herders were forced to watch their reindeer die from a lack of food. Reindeer herding now needs more targeted support, but climate change also has to be limited for this to have any effect. We already have the tools for this, should we listen to traditional Sami knowledge accumulated over centuries by reindeer herders, who know how to make use of natural resources without exhausting them.

The work of the ACFC has been challenging during the pandemic. Country visits have been limited in numbers because of travel restrictions and lockdowns, but we have used every opportunity given to us to go on country visits. The reason for this is that in order to monitor the respect for human rights of persons belonging to national minorities it is indispensable to meet them in person, where they live, and to listen to their experiences. It is also important to meet in person with representatives of local and state authorities to talk about ways forward so that persons belonging to national minorities can fully exercise their rights.

During the last two years we have worked hard to make follow-up meetings a forum for dialogue where persons belonging to national minorities sit together with representatives of the government to discuss what practical measures need to be taken in order to address the recommendations of the Committee of Ministers. This is one of our most important tasks; we try to facilitate the dialogue and enhance co-operation between persons belonging to national minorities and authorities and we share good practices from other state parties which can serve as inspiration. In my view this is a positive way of contributing to one of the key aims of the Framework Convention: encouraging and promoting intercultural dialogue, mutual respect, understanding and co-operation among all persons in a country.

Marie B. Hagsgård
Introduction

The Framework Convention for the Protection of National Minorities, opened for signature in February 1995, remains the most comprehensive treaty designed to protect the rights of persons belonging to national minorities. States Parties to the Framework Convention assume a legal obligation to protect and promote rights of persons belonging to national minorities in all areas of economic, social, political and cultural life. The ACFC has generated a wealth of case law on the implementation of minority rights in all these areas and continues to do so with every new country opinion.

The Framework Convention has been ratified by 39 states and a special monitoring agreement related to Kosovo* was signed with the United Nations Interim Administration Mission in Kosovo (UNMIK) in 2004. Four Council of Europe member states have not signed this treaty and four member states have signed but not yet ratified it. The ACFC very much welcomes the persistent efforts of the Parliamentary Assembly of the Council of Europe (PACE) to promote ratification of the Framework Convention by the eight remaining Council of Europe member states, as well as the prominence given to the Framework Convention and minority rights during events organised under the Hungarian Presidency of the Committee of Ministers of the Council of Europe (May-November 2021).

The implementation of the Framework Convention is monitored by the Committee of Ministers of the Council of Europe, with the assistance of the ACFC. Composed of 18 independent experts appointed by the Committee of Ministers, the ACFC is entrusted with monitoring the implementation by all states parties of the rights contained in the Framework Convention for persons belonging to national minorities.

* All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

2. The Framework Convention for the Protection of National Minorities was adopted by the Committee of Ministers of the Council of Europe in November 1994. It entered into force in 1998. It has been ratified by Albania, Armenia, Austria, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Hungary, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Malta, the Republic of Moldova, Montenegro, the Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, the Russian Federation, San Marino, Serbia, the Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Ukraine and the United Kingdom. Four member states of the Council of Europe – Belgium, Greece, Iceland and Luxembourg – have also signed but not yet ratified it. Andorra, France, Monaco and Türkiye have not signed the Framework Convention.

The monitoring procedure consists of a series of stages: submission of a state report by the authorities concerned, a country visit, the approval of a draft opinion by the ACFC and its final adoption after a phase of confidential dialogue between the state concerned and the ACFC, the publication of the opinion, and finally the adoption by the Committee of Ministers of a resolution containing recommendations to the state party concerned (see flow chart in Appendix 4). The organisation of follow-up activities to present and discuss the ACFC recommendations with the authorities and the minority representatives continues to be promoted by the ACFC as an integral part of the monitoring cycle.

Co-ordinated visit of the Advisory Committee with the Committee of Experts of the European Charter for Regional or Minority Languages to Norway, August 2021

During the 2020-22 biennium, the changes introduced by the 2019 reform of the Framework Convention’s monitoring mechanism have been implemented and have started to produce a positive impact on the work of the ACFC, by strengthening dialogue with states parties and by accelerating the monitoring process. Since 2020, better co-ordination has been developed with the monitoring mechanism of the European Charter for Regional or Minority Languages with the support of a joint division within the Secretariat of the Council of Europe for the two mechanisms: the Division for National Minorities and Minority Languages.

The monitoring work of the ACFC was, however, disrupted because of the Covid-19 pandemic which prevented it from carrying out all the visits required for the preparation of its opinions. The ACFC therefore appreciates the extra resources granted by the Committee of Ministers to allow it to catch up by working through this backlog in the coming years. Nevertheless, this period was an opportunity for the ACFC and its secretariat to reflect on their working methods and thematic work and to improve their efficiency through the continued

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4. For a description of these changes, see the 12th activity report. See also Resolution CM/Res(2019)49 on the revised monitoring arrangements under Articles 24 to 26 of the Framework Convention.
development of instruments for improved knowledge management (Human Rights Documentation (HUDOC) case law database, Source Book and Glossary) and for information sharing (new shared working space for the experts, new publications and new web pages).

This 13th activity report provides an overview of developments relating to the Framework Convention and the work of the ACFC between 1 June 2020 and 31 May 2022. It also offers a welcome opportunity to reflect on the major trends and challenges for minority protection in Europe today. All documents and information relevant to the two-year period covered by this report can be found at www.coe.int/minorities.
Part I
Trends and challenges for minority protection in Europe

Introduction

The Covid-19 pandemic has left an indelible mark on the two-year period covered by this activity report. While the global health crisis has been challenging for societies as a whole, the ACFC already saw in May 2020 how the pandemic had exacerbated the challenges of national minorities and deepened existing inequalities. Children and young people, including those belonging to national minorities, have suffered particularly from preventive measures taken during the pandemic. Their participation in education, as well as in public and cultural life has been seriously affected. Finally, the global health crisis has demonstrated our societies’ vulnerability to global threats and thus the importance of addressing another global challenge: climate change. Indigenous peoples and many persons belonging to national minorities have close links to their natural environment and territory, which make them particularly susceptible to this existential challenge.

The reporting period was further marked by the Russian Federation’s aggression against Ukraine, which has a devastating impact also on persons belonging to national minorities. The ACFC deplores in the strongest possible terms that the Russian authorities used issues of minority rights as a pretext for the invasion. The contradiction between this aggression and the principles of the Framework Convention could not be starker.
The aggression constitutes a serious violation of Russia’s obligations under Article 3 of the Statute of the Council of Europe and has resulted in the Russian Federation’s exclusion from the Organisation. The Russian Federation remains, however, a Contracting Party to the Framework Convention and consequently bound by its obligations and subject to its monitoring procedure.

The war in Ukraine has dire consequences for persons belonging to national minorities, including women and children, both among the population in the war-affected areas and among the immense number of internally displaced persons and refugees. Many of the most affected towns and cities in the east and south of Ukraine are multi-ethnic and home to Ukrainians as well as Russians, Bulgarians, Greeks, Jews and many other minorities. Crimean Tatars, who had been internally displaced to mainland Ukraine after Russia’s illegal annexation of Crimea in 2014, have had to flee from their homes for a second time in eight years. Roma are particularly vulnerable, also as refugees, because of widespread discrimination and poverty, and a lack of documentation. The ACFC will also follow closely the impact of the influx of refugees from Ukraine on the societies in the receiving countries.

The ACFC is also alarmed about the repercussions of the war on persons belonging to national minorities and interethnic relations in the Russian Federation. For instance, young men from minorities appear to be over-represented among fatalities in the Russian army and persons belonging to national minorities suffer from the severe restrictions on freedom of expression and cross-border co-operation.

Finally, the ACFC is deeply concerned that the war has exacerbated the situation for interethnic relations, deepening mistrust between persons identifying as ethnic Russians and the majority population in Ukraine. This will have an impact also on those who identify with other national minorities or as Ukrainian but use Russian as their main language of communication.

**The Covid-19 pandemic and national minorities**

Persons belonging to national minorities were exposed to the effects of the pandemic and the related health measures in a variety of ways. They lacked access to information in minority languages, encountered obstacles to participation in public affairs and socio-economic life as well as in carrying out cultural and cross-border activities, and had difficulties accessing healthcare and education.

For the successful management of a health crisis of this scale, it is essential that information about the disease and necessary prevention measures is accessible to everyone, including people speaking a minority language. In some countries, this was indeed the case, and the ACFC observed some good practices, where information in minority languages was made available speedily and updated regularly. It is unfortunate that this was not the case everywhere.

A lack of effective participation was another frequent problem. With government decisions on prevention measures being taken under time pressure, minorities found it difficult to make their voices heard. The effective involvement of persons belonging to national minorities proved crucial in the development of successful vaccination strategies and the related communication campaigns. Finally, the
consultation of persons belonging to national minorities on topics beyond the pandemic became more difficult for people lacking the necessary digital literacy or equipment, as well as in areas with insufficient digital infrastructure. On the other hand, online meeting formats sometimes enabled higher levels of participation as there was no need to travel.

Roma communities, who often live in substandard sanitary and housing conditions, have been particularly affected by the pandemic. Evidence collected during the monitoring visits indicates a disproportionate impact of the pandemic on Roma, especially in lower age groups and in segregated settlements. The ACFC was also informed of cases when health practitioners refused to visit Roma neighbourhoods, or when entire settlements were put under compulsory quarantine with no reasonable justification. There is also a hesitation against Covid-19 vaccinations among parts of the Roma population, resulting from mistrust in healthcare authorities due to decades of neglect, or even a history of severe violations of health ethics principles such as forced sterilisation. Their economic situation has seriously deteriorated since many Roma work in the informal sector and were not covered by state financial support during lockdown periods. Many lost their scarce sources of income due to the interruption of cultural and social activities such as concerts or fairgrounds. Not only Roma, but also other minority groups, have been scapegoated for spreading the virus, targeted by hate speech in the context of the pandemic or even subjected to police violence.

Minorities’ access to education was severely impacted by the pandemic. The biggest challenge related to the fact that children of more economically disadvantaged minorities or those living in isolated geographical areas had limited access to distance learning. Many families lacked computers or an internet connection, or had limited proficiency in the use of modern technologies. Immediate and hands-on support was often provided by non-governmental organisations (NGOs), while public authorities needed longer to respond, if they did at all. For Roma in particular, educational assistants played an important role in supporting pupils and their families during periods of home schooling. The lack of a quiet working place in large families living in inadequate housing conditions and the fact that parents were not in a position to help their children constituted further challenges. During its visits in autumn 2021, the ACFC learned that as a result not only education gaps but also drop-out rates had increased, which is likely to have long-term consequences for the affected children.

During the pandemic, cultural activities of national minorities came to a halt or were moved online. While this worked for some activities, others such as folk dancing or music groups were affected severely. Minority associations often run their activities on low budgets and depend on project-based funding. As a result of the funding cuts induced by the pandemic, some associations struggled to keep their structures afloat and avoid closing down permanently.

National minorities are often situated in border regions and maintain familial and economic links across the border. The closing of borders to limit the spread of the pandemic therefore affected many persons belonging to national minorities in their ability to cross borders for work, education, cultural activities or family reasons. Upon intervention by minority representatives, some countries introduced exceptions to
border restrictions. For example, Sami reindeer herders in Nordic countries were allowed, under certain conditions, to cross borders without quarantine.

Most European countries had a population and housing census scheduled for 2020 or 2021, an important exercise to gain data on ethnic and linguistic affiliation. Many countries decided to postpone the census due to the pandemic. Where the census was held, the circumstances of the pandemic made it more difficult to reach out to minority communities, both in terms of awareness raising and in the actual conducting of interviews during the census weeks.

The ACFC has repeatedly called for independent research to investigate the impact of the pandemic in all the above-mentioned fields on persons belonging to national minorities, especially those living in remote or segregated areas and socio-economically disadvantaged. A sound understanding of the situation is necessary to effectively address any potential long-term negative consequences of the pandemic or measures adopted in that context.

Opportunities and challenges for minority youth

Young people belonging to minorities experience particular challenges, for example when it comes to their participation in public life, as a study by the Council of Europe’s Steering Committee on Anti-Discrimination, Diversity and Inclusion found in 2021. At the same time, the role of young people is fundamental for national minority communities not only for the preservation of minority languages, but also for their development in political, economic and cultural terms. The ACFC has therefore increased its attention to the situation of young people belonging to national minorities over the last two years and will continue to do so in future. During country visits, for instance, the committee meets with children and youth belonging to national minorities to listen to their experiences and concerns.

Article 15 of the Framework Convention provides for effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs. States Parties to the Framework Convention are therefore expected to create the conditions necessary so persons belonging to national minorities can effectively participate in society. In doing so, due regard should be paid to the diversity within national minorities, be it in terms of gender, age, or other characteristics. With regard to minority youth, this implies the allocation of the necessary time, resources and capacity building to provide young people with real opportunities to influence decision making, the outcome of which should adequately reflect their needs.

Over the last two years, the ACFC has noted a number of positive trends regarding the attention paid to minority youth. Many minority associations, often supported with public funding, have youth groups and actively support them, for example as “language ambassadors”. Young Roma benefit from capacity building by ombudsperson institutions or municipalities in order to be able to participate in

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5. Council of Europe Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI) (2021), https://rm.coe.int/prems-101821-gbr-2530-study-on-the-active-political-participation-of-n/1680a3bb30
decision-making processes. The ACFC has also been pleased to observe programmes aimed at the effective participation of minority youth in socio-economic life such as targeted employment measures, youth mediators adopting a peer-to-peer approach with unemployed youth, and scholarships. There are also many good practices in the cultural field, such as traditional crafts courses, language institutes for young people, programmes for the promotion of intercultural dialogue, or independent youth media initiatives.

However, the ACFC also noted many deficiencies and challenges. For example, the existence of consultative mechanisms alone is no guarantee for effective influence of national minorities, including minority youth, on decision making. The ACFC reported on instances where such structures were limited to the sphere of culture, or were not balanced in terms of age or gender. Much more needs to be done also to enhance the socio-economic participation of young members of national minorities with very specific needs, such as Roma and Travellers or indigenous peoples. In the field of culture, it is important to note that national minorities’ cultures are not static and that the younger generation should not be restrained in its creativity and ability to develop them further. The ACFC has therefore repeatedly stressed that Article 5 of the Framework Convention requires states to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture and to preserve their identity. This implies the right for national minorities, including minority youth, to be able to decide how they want to maintain and develop their culture and the need for their effective involvement in decision making on funding lines and other public support.

**Climate change and national minorities**

The Covid-19 pandemic has also demonstrated the importance of addressing problems at a global level and the high costs of failing to tackle them in a collective manner. The most pressing global issue is undoubtedly climate change, which has a specific impact also on national minorities. Rising temperatures and decreasing biodiversity threaten ecosystems and thus the traditional livelihoods of many persons belonging to national minorities and indigenous peoples, who live in close connection with the natural environment. For a long time, the traditional environments of both national minorities, such as Sorbs in Germany, and indigenous people in the Nordic countries or the Russian Federation have been disrupted by fossil fuel production and mining. In urban areas, too, persons belonging to national minorities such as Roma are often disproportionally exposed to environmental hazards such as pollution through industrial plants or landfills.

Conversely, the ACFC also observed cases where the curbing of economic activities as part of the transition to a greener economy might lead to socio-economic challenges for persons belonging to national minorities, for instance through a loss of employment. Another example is the construction of wind farms and the extraction of minerals required in the manufacturing of components for renewable energy sources, which on the one hand are essential for the green transition, but on the other hand limit the use of traditional lands for reindeer herding by indigenous people. Concerns have been voiced over the impact of windfarms and mining on reindeer
herding, as well as regarding land and sea pollution. As the traditional use of land is an essential element of indigenous people’s identity and culture, this land traditionally used by persons belonging to certain groups, such as indigenous peoples, should be given particular and effective protection. With this in mind, the transition to a more sustainable development model should not lose sight of the socio-economic implications, including for persons belonging to national minorities, both equally important objectives enshrined in the United Nations’ Sustainable Development Goals (SDGs), namely SDG 8 “Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all” and SDG 13 “Take urgent action to combat climate change and its impacts”.

Thus, climate change has affected the situation of national minorities’ rural communities and indigenous peoples in two ways, as reflected in the opinions of the ACFC. On the one hand, climate change affects agriculture as well as traditional occupations such as reindeer herding, hunting, and fishing. This puts rural communities and indigenous peoples in a vulnerable position. On the other hand, measures to combat climate change can, in turn, negatively affect economic activities that are traditional for certain communities of national minorities and indigenous peoples. Therefore, certain communities of national minorities and indigenous peoples need assistance to adapt their economic activity to new situations to keep their community life, culture and language. In any event, it is indispensable that persons belonging to national minorities have the possibility to effectively participate in all decisions affecting them and have a substantial influence on decisions taken.

To conclude, many national minorities and indigenous people have led traditional ways of life in a sustainable manner for generations and are, therefore, hardly to be blamed for climate change. Yet many of them will suffer from its devastating effects. Rising sea levels, melting Arctic ice, and higher incidences of natural catastrophes, such as droughts, floods and forest fires, pose a particular danger to persons whose traditional way of life is so closely linked to a sustainable environment. While the indigenous people of the Arctic encounter the impacts of climate change at a higher and faster rate, the rising sea levels can pose an existential threat for example to other minorities living in coastal areas or on islands. Although not all the issues have been covered in the monitoring work so far, the ACFC is worried about the devastating impact of recent forest fires in the Mediterranean region, Scandinavia, and Siberia. Such environmental catastrophes exacerbate already existing social, economic, and political challenges for groups exposed to discrimination and inequality.

**Conclusion**

In the past two years, the ACFC has witnessed a number of significant threats for the protection of rights of persons belonging to national minorities in Europe. The Russian Federation’s aggression against Ukraine has caused a humanitarian catastrophe, including for persons belonging to national minorities, and is strongly condemned. The Covid-19 health crisis has both aggravated long-existing problems and created new challenges in healthcare, education, culture, employment and cross-border cooperation. Young people belonging to national minorities face particular challenges, both in the context of the pandemic and in their general participation in public life.
Finally, climate change and other environmental issues have a significant impact on national minorities and indigenous peoples and will require increased attention by the ACFC in its future monitoring. The ACFC remains steadfast in its conviction that the Framework Convention is well placed to be a guiding instrument in tackling these issues. The core principles of the Framework Convention – protection of minority identities, intercultural understanding and effective participation – provide a solid basis for addressing these multifaceted challenges.
Part II

Country-specific monitoring by the ACFC

In the two years covered by the present report, the ACFC received 17 reports and adopted 11 opinions during a total of seven plenary meetings. Two draft opinions were also approved (prior to the confidential dialogue phase). Members of the ACFC’s working groups took part in 12 country visits. In addition, seven follow-up activities were organised in close partnership with the authorities concerned. Over the same period, the Committee of Ministers adopted 22 resolutions in respect of States Parties to the Framework Convention.

Periodical state reports

With the receipt of a total of 17 state reports between 1 June 2020 and 31 May 2022, the 5th monitoring cycle is well under way and the 4th monitoring cycle is soon to be concluded with only four reports to be examined (Netherlands, Latvia, Georgia, and Montenegro).

The following state reports were received between 1 June 2020 and 31 May 2022:

5th monitoring cycle

- Armenia, received on 15 June 2020;
- North Macedonia, received on 24 June 2020;
- Liechtenstein, received on 13 July 2020;
- Norway, received on 14 September 2020;
- San Marino, received on 22 March 2021;
- Russian Federation, received on 13 April 2021;
- Albania, received on 5 May 2021;
- Sweden, received on 1 June 2021;
- Lithuania, received on 19 July 2021;
- Kosovo*, received on 15 September 2021;
- Austria, received on 30 September 2021;
- Switzerland, received on 1 October 2021;
As already stated in its 12th activity report, the ACFC welcomes the fact that state reports are generally thorough and informative. It also appreciates the fact that in many states parties, civil society stakeholders – national minority organisations, human rights NGOs and national independent experts – are widely involved in the preparatory and drafting process. The ACFC invites those states parties that are not yet following such good practice to consider doing so in the 5th and 6th monitoring cycles. Furthermore, the ACFC considers that the inclusion of the views of civil society representatives in the final version of the report is of added value and sends a positive signal.

The compliance with due dates for the submission of state reports remains a cause for concern. Timely submission is more than just a matter of complying with treaty obligations. It enables the ACFC to plan its work better, which in turn facilitates the task of the state party concerned. Moreover, late submission in a previous cycle does not extend the due date in the following one. The ACFC therefore appreciates that, despite the many disruptions caused by the pandemic of Covid-19, several states parties managed to submit their reports without significant delays. The ACFC restates its availability to provide the states parties with assistance in the preparation of state reports.

Country visits

Between 1 June 2020 and 31 May 2022, ACFC delegations carried out 12 visits despite the various travel restrictions linked to the Covid-19 pandemic:

5th monitoring cycle
- Czech Republic, in September 2020;
- Estonia, in July 2021;
- Germany, in August 2021;
- Norway, in August 2021;
- Slovak Republic, in September 2021;
- Slovenia, in October 2021;
- North Macedonia, in November 2021;
- Italy, in November 2021;
- Armenia, in February 2022;
Country visits form an indispensable part of the monitoring process. By meeting with minority representatives, authorities at the central, regional, and local levels, representatives of parliaments and relevant institutions, including ombudspersons and equality bodies, as well as civil society organisations and independent national experts, the ACFC gains a deeper insight into the country’s situation. Visits also offer an opportunity to establish dialogue with the authorities, minority organisations, and academics, which goes beyond the timeframe of the visit itself. To this end, the ACFC visits not only the capital city of each country but also areas populated by persons belonging to national minorities, which is crucial to evaluate the situation on the ground.

### Country-specific opinions

Between 1 June 2020 and 31 May 2022, the ACFC adopted a total of 11 opinions:

**5th monitoring cycle**
- Malta, on 5 October 2020;
- Croatia, on 1 February 2021;
- Liechtenstein, on 1 February 2021;
- Czech Republic, on 31 May 2021;
- San Marino, on 4 October 2021;
- Norway, on 2 February 2022;
- Slovak Republic, on 2 February 2022;
- Estonia, on 3 February 2022;
- Germany, on 3 February 2022;
- North Macedonia, on 18 May 2022;
- Slovenia, on 18 May 2022;

and approved the draft opinions on Italy and Armenia on 19 May and 20 May 2022 respectively.

Confidential dialogue has become a standard step in the monitoring process. The ACFC considers that it has contributed to deepening its dialogue with states parties and remains confident that this will serve to further improve the quality and impact of its monitoring work. However, this new phase in the monitoring process has also generated additional work for the ACFC, with two readings of the opinions instead of one, in a context where the Advisory Committee has intensified its work programme to start catching up with the delays caused by the pandemic of Covid-19. The ACFC has initiated a thorough examination of its working methods to ensure that sufficient time for discussion of each opinion is preserved, despite this increased workload.
In this respect, the ACFC considers it essential that the states parties strictly limit their observations to inaccuracies of a factual nature or elements requiring clarification, as provided for by Rule 37 of Resolution CM/Res(2019)49, and refrain from making comments of a substantial nature at this stage of the procedure.

The ACFC has maintained its practice regarding the formulation of recommendations in the fifth cycle: recommendations for immediate action should be given priority; nevertheless, other recommendations are equally important, especially in the long term. Encouragement may well become a recommendation for immediate action in a subsequent opinion. This arrangement is intended to indicate to the state party where the priority for action should lie, but also what serious problems can still be anticipated and dealt with in time. The ACFC keeps track of measures implemented as a result of its recommendations and adapts its language to express increasing levels of urgency in cases where a recommendation is repeatedly not followed up.

**Resolutions of the Committee of Ministers**

Between 1 June 2020 and 31 May 2022, the Committee of Ministers adopted a total of 22 resolutions:

**5th monitoring cycle**
- Denmark, on 21 October 2020;
- Cyprus, on 13 January 2021;
- Hungary, on 3 February 2021;
- Spain, on 3 February 2021;
- Malta, on 15 April 2021;
- Liechtenstein, on 7 July 2021;
- Czech Republic, on 8 December 2021;
- Croatia, on 23 February 2022;
- San Marino, on 6 April 2022;

**4th monitoring cycle**
- Portugal, on 17 June 2020;
- Poland, on 21 October 2020;
- Russian Federation, on 8 December 2020;
- Ukraine, on 8 December 2020;
- Albania, on 13 January 2021;
- Bulgaria, on 13 January 2021;
- Azerbaijan, on 3 February 2021;
- Serbia, on 15 April 2021;
- Romania, on 19 May 2021;
- Republic of Moldova, on 7 July 2021;
3rd monitoring cycle
► Georgia, on 17 June 2020;
► Latvia, on 3 March 2021;
► Montenegro, on 3 June 2021.

The adoption of a resolution by the Committee of Ministers formally completes a given monitoring cycle. It is based on the opinion adopted by the ACFC and should therefore be read in conjunction with the opinion. A significant achievement during this biennium has been the adoption of 22 resolutions, compared to 11 during the previous biennium. Among the resolutions adopted, several had been pending in the Committee of Ministers’ Rapporteur Group on Human Rights (GR-H) for more than two years. It is worth noting that the time needed to adopt resolutions prepared in accordance with the procedural changes introduced by the 2019 reform has significantly decreased. The ACFC welcomes this positive development which contributes to the efficiency and relevance of its monitoring work.

The ACFC and the Committee of Ministers pursued fruitful dialogue. The ACFC values, in particular, its constructive working relations with the GR-H. The President of the ACFC presents country-specific opinions to the GR-H, which provides an opportunity to exchange information on all issues of importance to the Framework Convention and its monitoring mechanism. This practice also reiterates the multilateral dimension of the monitoring mechanism, transcending the scope of bilateral or interstate relations.

The ACFC

At its 72nd meeting in February 2021, the ACFC elected a new Bureau: Marie B. Hagsgård (member in respect of Sweden) as President, Aliona Grossu (member in respect of the Republic of Moldova) as First Vice-President and Mikko Puumalainen (member in respect of Finland) as Second Vice-President.

The ACFC works as a collegial body, and its opinions and thematic commentaries, adopted at its plenary sessions, are the outcome of extensive discussions and exchanges. As stipulated in the Framework Convention and Resolution CM/Res(2019)49, independence, impartiality, experience, availability and expertise on minority issues are prerequisites for appointment as an ACFC member. In addition, a range of expertise is necessary for the ACFC to work efficiently, ranging from the legal field, political science and international relations to history and anthropology, linguistics, and sociology. Persons belonging to minority and majority communities, with experience in academia, civil society or the judiciary, serve on the ACFC and contribute to its collective expertise. Proficiency in at least one of the Council of Europe’s official languages (English and French) is a prerequisite, and other factors such as gender balance are also of importance. These considerations need to be consistently considered in the selection of candidates and elections to the list of experts eligible to serve on the ACFC.

The ACFC also welcomes the election of a number of experts to the list of additional members of the ACFC in the period covered by the present activity report. This
allows the ACFC to examine the implementation of the Framework Convention in most states parties in a composition which includes an independent expert member appointed in respect of the state party concerned. The ACFC encourages States Parties to the Framework Convention to nominate experts for election to the list of experts eligible to serve on the ACFC, if they have not yet done so.

The Advisory Committee’s 72nd plenary meeting in Strasbourg, October 2021
Part III

Transparency of the process and dialogue

Publicity of the ACFC’s opinions

Between 1 June 2020 and 31 May 2022, a total of nine opinions were made public:

5th monitoring cycle
► Hungary, on 12 October 2020;
► Spain, on 15 October 2020;
► Malta, on 18 February 2021;
► Croatia, on 10 June 2021;
► Liechtenstein, on 10 June 2021;
► Czech Republic, on 6 October 2021;
► San Marino, on 8 February 2022;
► Norway, on 19 May 2022;

4th monitoring cycle
► Bulgaria, on 12 October 2020.

The adoption of Resolution CM/Res(2019)49 changed the existing rules governing the publication of ACFC opinions. A state party may still consent to publication upon adoption of the opinion. Otherwise, the opinion will be made public when comments are received from the state party, but no later than four months after its transmission to the party. The ACFC shall take into account a reasoned request submitted in writing by the state party concerned to postpone the publication of the opinion, if necessary, but in any event for no longer than two months. The resolution also provides that the comments of the party concerned in relation to the opinion of the ACFC as well as the conclusions and recommendations of the Committee of Ministers shall be made public.
The publication of an opinion upon its adoption by the ACFC, or soon after, without waiting for the deadline for comments to expire is a good practice as it ensures that the opinion enters the public domain when it is most topical. It also makes the monitoring process more transparent. Furthermore, during the period under review, a summary of the opinions’ main findings has been systematically translated by the secretariat into the states’ official languages. Thanks to these translations, work to implement the Framework Convention has become more widely known and better understood by the persons belonging to national minorities and the public at large. This is an important means of promoting dialogue at national level on access to minority rights.

The governments’ final comments on the ACFC’s opinion are an important part of the monitoring process as they continue the dialogue engaged in with the authorities during the visit. They provide answers to some of the ACFC’s findings, point out factual changes, which may have occurred since the adoption of the opinion, and address any other relevant issues. The timely publication of opinions and government comments ensures that the findings and recommendations are not outdated when published and enables the authorities to quickly get down to work on implementing the recommendations.

### Follow-up activities

Between 1 June 2020 and 31 May 2022, seven follow-up events were held in cooperation with the ACFC:

#### 5th monitoring cycle
- Czech Republic, on 21 April 2022;
- Croatia, on 23 May 2022;

#### 4th monitoring cycle
- Portugal, on 29 September 2020;
- Lithuania, on 17 November 2020 (online);
- Serbia, on 16 June 2021;
- Poland, on 8 October 2021 (online);
- Ireland, on 7 December 2021 (online).

The ACFC considers monitoring as an open-ended process where each cycle builds on the previous one. The ACFC has always encouraged states parties to organise follow-up activities between cycles. Follow-up activities are an integral part of the monitoring cycles and provide a platform for dialogue between the ACFC and a multitude of stakeholders in the state party concerned. They offer an opportunity to discuss recommendations and to identify the most efficient ways of practically implementing them and for the ACFC to share good practices from its monitoring work. Follow-up meetings can also, where necessary, be an opportunity for the ACFC to clarify its position and for the national authorities to report progress already achieved in the implementation of the recommendations. Finally, they can
serve to raise awareness about the principles and the provisions of the Framework Convention and the functioning of its monitoring mechanism, including the possibility to provide shadow reports to the ACFC.

The seven follow-ups organised between 1 June 2020 and 31 May 2022 confirmed the value of such activities as a platform for open exchange between authorities, national minorities, and other stakeholders, especially when they are held in person. The ACFC will continue to seek support for organising them and encourage states parties to hold such events on a more regular basis as an essential step in the monitoring cycle.

**Outreach and media presence**

ACFC members, with the help of the secretariat, continued to devote considerable efforts to highlighting the ACFC’s monitoring work to the public. Through the second half of 2020, the Framework Convention website was redesigned for easier navigation, more useful information for a wider public and more functionalities.

For an increased outreach through social media, a Twitter campaign was launched in the second half of 2020, on the publication date of the 12th ACFC activity report, with the slogan #WhichMinority and an animated GIF. A second campaign was launched on the European Day of Languages (26 September). Both campaigns generated notable visibility.

In parallel, the biannual newsletter, “Minority rights in Europe”, was distributed to a growing number of subscribers, with three editions between June 2020 and May 2022.

Finally, the newly edited Framework Convention leaflet entitled “Questions & Answers” and clearly designed for the general public was launched in December 2020, translated into nine languages throughout 2021 (Croatian, English, French, German, Hungarian, Italian, Russian, Spanish and Ukrainian) and published on the website.
The Secretary General opening the conference “Council of Europe norms and standards on national minority rights: Results and challenges”, Strasbourg, 29 June 2021
Part IV
Other activities

The ACFC continued its thematic work in the period covered by this biennial report, in particular on youth, on the rights of persons belonging to religious minorities, and on gender mainstreaming. The ACFC’s gender equality checklist was updated to bring it in line with the Council of Europe Gender Equality Strategy 2018-2023 and reflect a shift in the debate from a focus on multiple discrimination towards intersectionality. Supported by two Gender Equality Rapporteurs, the ACFC strived to mainstream a gender perspective both during country monitoring visits and in its opinions.

Several tools have been developed during this biennium to continue improving the efficiency of the monitoring process and of the ACFC working methods. A glossary on terminology and phraseology relating to the Framework Convention and the work of the ACFC was finalised to help the Advisory Committee in ensuring a consistent use of its terminology in ACFC opinions. A shared working space was also set up to facilitate access by the experts to information and documents relating to the ongoing monitoring work.

The series of conferences organised by the Hungarian Presidency of the Committee of Ministers (May-November 2021) on minority-related issues has also contributed to increase the public and political attention paid to these issues.

On 29 June 2021, a high-level conference was co-organised on “Council of Europe norms and standards on national minority rights: Results and challenges”. This conference, opened by Secretary General Pejčinović Burić and Minister Gergely Gulyás, provided an opportunity to assess the achievements and to identify the remaining challenges in the field of minority rights protection in Europe. During the three panel discussions, speakers addressed current challenges facing national minorities, the functioning of the Council of Europe’s protection mechanisms for national minorities, as well as the results of the reforms of the two monitoring mechanisms on national minorities and minority languages carried out since 2018.

A second conference was co-organised and held on 7 September 2021 in Budapest at the Council of Europe Youth Centre on “The role of NGOs and research institutes in promoting Council of Europe norms and standards on national minority rights”.
It was dedicated to the contribution of non-governmental organisations and research institutes in promoting international standards for the protection of national minorities and the norms and standards of the Council of Europe, in particular. During the three panel discussions, representatives from NGOs, including youth organisations and civil society, as well as experts from various research institutes with a broad range of experience in different fields, shared their views on the role of international organisations in protecting national minorities, especially in the context of current challenges, and their experience on the involvement of civil society in the activities of multilateral fora. The new study of the Steering Committee on Anti-Discrimination, Diversity and Inclusion on the active political participation of national minority youth was presented on this occasion.
Part V

Co-operation with other bodies

The ACFC believes that co-operation with civil society and academia as well as with the Council of Europe and other international bodies active in the field of minority protection is of the utmost importance (see Appendix 5).

Co-operation activities within the Council of Europe

The ACFC participates in the Secretary General’s annual meeting of the Heads of Council of Europe monitoring and advisory bodies aimed at supporting their work, strengthening co-operation, and ensuring that effective follow-up is given to their findings. Regular exchanges are also pursued with the Parliamentary Assembly.

The ACFC also continues its co-operation with the European Commission against Racism and Intolerance (ECRI), as well as with the Committee of Experts (COMEX) of the European Charter for Regional or Minority Languages (ECRML). Three co-ordinated visits were organised during this biennium: in Estonia with ECRI and in Norway and Switzerland with the COMEX. In addition, the respective secretariats continued to work closely together, shared practical experiences and contacts, and co-ordinated the timing of their respective visits. An exchange of views with the ECRI Bureau was held on 31 May 2021 during which topics of common interest and working methods were discussed and some proposals to enhance complementarity and co-operation were made, such as more systematic cross-references in ECRI and ACFC respective texts, joint statements or follow-up meetings.

A selection of the case law of the European Court of Human Rights relating to minority rights has been prepared with the input of the Court focal point and ACFC reference person and was published in December 2021 on the Framework Convention website.6

The ACFC appointed a representative to the Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI) who contributed to the preparation of the study on

the active political participation of minority youth. Another CDADI study, “COVID-19: An analysis of the anti-discrimination, diversity and inclusion dimensions in Council of Europe member states”, was presented to the ACFC during a joint meeting with the COMEX. In addition, the Presidents of the ACFC and the COMEX participated together in an exchange of views with the CDADI on the impact of the reforms of the FCNM and ECRML monitoring mechanisms.

ACFC experts and the secretariat also regularly participated and contributed to the activities of the Committee of Experts on Roma and Traveller Issues (ADI-ROM) and of the Council of Europe Dialogue with Roma and Traveller organisations. On 29 April 2021, an ACFC member spoke at the 11th meeting of the Council of Europe Dialogue with Roma and Traveller civil society on “Combating antigypsyism”. He presented the ACFC’s approach towards combating antigypsyism and anti-nomadism in monitoring the Framework Convention and shared the main areas of concern as well as positive developments observed by the ACFC in its country monitoring reports.

Co-operation with other international institutions

The ACFC continued to regularly engage with other international institutions involved in minority rights protection, in particular the Office of the High Commissioner on National Minorities (HCNM) of the Organization for Security and Co-operation (OSCE).

An ACFC member participated on 29 June 2020 in an OSCE HCNM webinar “Impact of Covid-19 on minorities: emerging lessons about risks and good practices”, during which she expressed the concerns of the ACFC about the impact of the Covid-19 pandemic on persons belonging to national minorities, and in particular the consequences of the closing of borders and mobility restrictions on them.
An exchange of views was held in October 2021 between the ACFC and the HCNM, during which the HCNM drew attention to the accumulated wealth of good practices in a range of states, and the need for his office and the Council of Europe to unite efforts in spreading knowledge of them. During this exchange, an update of a publication issued in 2007 by the OSCE and Council of Europe (National minority standards – A compilation of OSCE and Council of Europe texts), which contained the basic texts of the two organisations in the field of minority protection, was suggested to mark the 30th anniversary of the institution of the High Commissioner and the 25th anniversary of the Framework Convention and ECRML, in 2023.

Marie B. Hagsgård, President of the ACFC, participated in the webinar, “Working together for Roma rights – online conference on Roma equality, inclusion and participation in the EU”, organised by Portugal’s Presidency of the Council of the European Union and by the General Secretariat of the Council on 15 April 2021. During this webinar, she highlighted the importance of teaching Roma and Traveller history in all schools and for all children, minority and majority alike, and referred to Council of Europe Recommendation CM/Rec(2020)2 of the Committee of Ministers on the inclusion of the history of Roma and/or Travellers in school curricula and teaching materials.

Co-operation with civil society

Co-operation with civil society organisations remains a key priority for the ACFC. The monitoring process provides an opportunity to widely engage with minority associations and human rights NGOs (country visits and follow-up seminars, submission of alternative/shadow reports and replies to the ACFC’s specific questions, etc.).

Furthermore, the ACFC considers the alternative/shadow reports provided by civil society as essential sources of information to gain an overview of the national situation as well as insight into specific areas of concern. The ACFC encourages civil society organisations to continue providing as much information as possible on the state of implementation of the Framework Convention in states parties.

In order to strengthen dialogue and co-operation with civil society organisations, a dedicated webpage on the role of NGOs as well as a special page on the contribution of minority youth organisations were added to the Framework Convention website in 2020.
## Appendix 1

**Signatures and ratifications of the Framework Convention for the Protection of National Minorities (ETS No. 157)**

Treaty open for signature by Council of Europe member states and up until the date of entry into force by any other state so invited by the Committee of Ministers.

**Opening for signature**
- Place: Strasbourg
- Date: 1/2/1995

**Entry into force**
- Conditions: 12 Ratifications.
- Date: 1/2/1998

### Status as of 12 July 2022

Member states of the Council of Europe

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Total number of signatures not followed by ratifications: 4
Total number of ratifications/accessions: 39

**Notes:**

* Date of accession by the state union of Serbia and Montenegro.

a: accession; s: signature without reservation as to ratification; su: succession; r: signature “ad referendum” R.: reservations; D.: declarations; A.: authorities; T.: territorial application; C.: communication; O.: objection


Kosovo is subject to a specific monitoring arrangement in conformity with the 2004 Agreement between the UNMIK and the Council of Europe.
Appendix 2

Geographical scope of application of the Framework Convention

States parties to the Framework Convention

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States having signed but not ratified the Framework Convention

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States having neither signed nor ratified the Framework Convention

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Kosovo* is subject to a specific monitoring arrangement in conformity with the 2004 Agreement between the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Council of Europe.
Appendix 3

Composition of the ACFC between 1 June 2020 and 31 May 2022

Ms Marie B. HAGSGÅRD (Sweden) – President
Ms Aliona GROSSU (Moldova, Republic of) – First Vice-President
Mr Mikko PUUMALAINEN (Finland) – Second Vice-President

Ms Evis ALIMEHMETI (Albania)
Mr Alexei AVTONOMOV (Russian Federation)
Mr Goran BAŠIĆ (Serbia)
Ms Alexandra CASTRO (Portugal)
Mr Martin COLLINS (Ireland)
Ms Emilia DRUMEVA (Bulgaria)
Ms Melina GRIZO (North Macedonia)
Ms Emma LANTSCHNER (Italy)
Mr Oliver LOODE (Estonia)
Mr Teymur MALIK-ASLANOV (Azerbaijan)
Mr Arayik NAVOYAN (Armenia)
Ms Antonija PETRIČUŠIĆ (Croatia)
Mr Harald SCHEU (Czech Republic)
Mr Nebojsa VUČINIĆ (Montenegro)
Mr Petter WILLE (Norway)
Appendix 4

Monitoring arrangements under the Framework Convention

1. Every five years, each state party submits a state report.

2. A delegation of the Advisory Committee conducts a country visit. Country visits include meetings with government officials, parliamentarians, representatives of minorities, NGOs, ombudspersons, national human rights institutions, academics, journalists, etc.

3. The Committee of Ministers of the Council of Europe adopts a resolution.

4. The Advisory Committee adopts an opinion. Once the 1st draft is approved, the confidential dialogue phase gives the state two months to present factual observations and clarifications. The final opinion is adopted at the following plenary meeting.

5. The state’s authorities can submit their final comments within four months. From the day the opinion is adopted, the state can request its publication. At the latest, the opinion becomes public on the day the four month deadline for comments expires.

The resolution contains recommendations, including for immediate action, addressed to the state concerned.

The Advisory Committee also collects information from other sources, including alternative reports from civil society organisations.

The Advisory Committee also collects information from other sources, including alternative reports from civil society organisations.
Appendix 5

Participation in events related to the protection of minority rights (1 June 2020-31 May 2022)

Videoconference of the Greek Presidency of the Committee of Ministers of the Council of Europe with the institutions of the Council of Europe on “Protection of human life and public health in the context of a pandemic”, on 17 June 2020

Webinar of the OSCE High Commissioner on National Minorities on the “Impact of COVID-19 on minorities: emerging lessons about risks and good practices”; on 29 June 2020

Seventeenth plenary meeting of the Council of Europe Gender Equality Commission, on 8-9 July 2020

First plenary meeting of the Council of Europe Steering Committee on Anti-Discrimination, Diversity and Inclusion (CD-ADI), Strasbourg, on 10 September 2020

Hearing of the Committee on Equality and Non-Discrimination of the Parliamentary Assembly of the Council of Europe in the context of the preparation of a report on “Preserving Europe’s linguistic, ethnic, cultural and national diversity”, on 11 September 2020

Webinar on cultural diversity in the era of a global pandemic, organised by the Permanent Observer Mission of Japan on the occasion of the 25th anniversary of being an Observer to the Council of Europe on 12 March 2021

Council of Europe online training for the State Service of Ukraine on Ethnic Policy and Freedom of Conscience on the monitoring mechanisms of the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages on 15 March 2021

Webinar on Covid-19 and Children’s Rights – overcoming education challenges, organised by the Council of Europe Children Rights Committee of Experts (CDENF) on 22 March 2021

Webinar on “Working together for Roma rights – online conference on Roma equality, inclusion and participation in the EU” organised by Portugal’s Presidency of the Council of the European Union and by the General Secretariat of the Council on 15 April 2021

Council of Europe 11th dialogue meeting with Roma and Traveller civil society organised via videoconferencing on 29-30 April 2021

High-level conference on “Council of Europe norms and standards on national minority rights: results and challenges” by the Hungarian Presidency of the Committee of Ministers and the Council of Europe on 29 June 2021, in Strasbourg
High-level conference on “The role of NGOs and research institutions in promoting Council of Europe norms and standards on national minority rights” by the Hungarian Presidency of the Committee of Ministers and the Council of Europe on 7 September 2021, in Budapest

High-level conference on “National minority identities in diverse societies: European perspectives” organised by the Hungarian Presidency of the Committee of Ministers of the Council of Europe on 19 October 2021, in Strasbourg

Conference on “National minorities in Hungary: Protection and passing on of national minority values” organised by the Hungarian Presidency of the Committee of Ministers of the Council of Europe on 4 November 2021, in Budapest

Training for Council of Europe Gender Equality Rapporteurs organised on 2-3 December 2021, in Strasbourg

4th plenary meeting of the Council of Europe Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI), videoconference on 8 December 2021

Exchange of views with the Intergroup for Traditional Minorities, National Communities and Languages of the European Parliament, videoconference on 20 January 2022
The protection of national minorities is a core issue for the Council of Europe, and one of the major achievements in this field is the Framework Convention for the Protection of National Minorities. The entry into force of the Framework Convention on 1 February 1998 was indeed an event of universal stature, for it is the first ever legally binding multilateral instrument devoted to the protection of national minorities in general.