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## **High-level conference**

### ***Council of Europe norms and standards on national minority rights: Results and challenges***

**Strasbourg, 29 June 2021**

**Speech by Roeland Böcker,  
Ambassador, Chair of the Committee of Ministers' rapporteur group on Human Rights,  
Permanent Representative of the Netherlands to the Council of Europe**

Madam chair, ladies and gentlemen,

- It is a particular honour and a pleasure for me to contribute to this high-level conference organized by the Hungarian Council of Europe chairmanship in my capacity as chair of the Committee of Ministers' Rapporteur Group on Human Rights, or GR-H. Since my chairmanship of that group will effectively expire by the end of this week after two years, I feel sufficiently equipped to speak with at least some authority on a subject I was much less familiar with upon my arrival in Strasbourg a couple of years ago.
- Even though I was involved in the ratification of the Framework Convention for the protection of national minorities by the Kingdom of the Netherlands two decades ago, my awareness of the issue was limited by the fact that national minorities are hardly a political issue in the Netherlands. In fact, my country has exclusively qualified the Frisians as deserving of the protection of the Framework Convention. Controversies in that regard are extremely rare.

- The complex though fascinating history of Mittel-Europa and other regions has clearly led to a totally different picture in many of our member states, in which the Framework Convention has developed into a prominent legal and political tool. A tool which, given the transgressive and pan-European nature of the phenomenon, truly belongs to the Council of Europe's core business. It is one expression of the notion that, in genuine democracies, majority views may never be exploited to curtail the rights of minorities, whether national, ethnic, religious, sexual or other minorities.
- In that regard, I commend Hungary, not only for putting this issue high on its chairmanship agenda, but also for its pro-active stance in the execution of the Convention, both as respondent state and as kin-state of the Hungarian minorities in neighbouring countries.
- So, let me then turn to the issue I am expected to speak about first and foremost, recent developments under the Framework Convention's procedure.
- Progress has been made since the last large conference on minority rights, three years ago (June 2018). This conference entitled "Minorities and Minority Languages in a Changing Europe" was held under the Croatian CM Presidency to mark the 20th anniversary of the entry into force of the Framework Convention and the European Charter on Regional and Minority Languages. One of the conclusions of this conference was a call for more efficient monitoring procedures and increased synergies between the two mechanisms: <http://rm.coe.int/20th-anniversary-conclusions-by-philippe-boillat-19-june-2018-en/16808bbfc4>
- Thanks to the support by all member states, the Committee of Ministers agreed on reform packages for both the Framework Convention and the Language Charter's monitoring procedures. These reforms made the two mechanisms more efficient and effective, while their distinctive character was maintained.
- The reform of the Framework Convention ([CM/Res\(2019\)49](#)) entered into force in January 2020. It introduced the following five innovations:

1. a confidential dialogue phase, which has been used in respect of seven states so far;
  2. faster publication of opinions, four months after their transmission to the states for comments;
  3. new means to address reporting delays, notably a request to the Committee of Ministers to start a monitoring cycle in the absence of a state report after one-year delay;
  4. country visits and follow-up meetings; these are not so much innovations, but they are now codified as integral part of the monitoring procedures; since the entry into force of the reform, three follow-up meetings could be organised (Portugal, Lithuania and Serbia);
  5. finally, a rapid reaction procedure when a situation warrants urgent examination by the Advisory Committee.
- In May 2020, a new Division on National minorities and minority languages was created within the Department on Anti-Discrimination in DG II. This Division brings together the secretariats of the Framework Convention and the Language Charter under one administrative entity. The objective was to seize the potential for synergies between the two secretariats while maintaining the strict independence of each of the two monitoring bodies.
  - The COVID-19 pandemic is delaying the adoption of monitoring reports, the preparation of which requires on-the-spot visits and direct contact with persons belonging to minorities. To allow catching up with the backlog, the Committee of Ministers has granted exceptional measures for both monitoring mechanisms in the coming two years.
  - The reforms of the two monitoring mechanisms have demonstrated that the multilateral approach to minority rights still works. Despite all differences, member states managed to find a consensus that eventually benefits everyone. This is underpinned by the decreasing backlog of country resolutions on the implementation of the Framework Convention in the Committee of Ministers.

Thank you, Madam Chair.