

**ADVISORY COMMITTEE ON THE
FRAMEWORK CONVENTION FOR THE
PROTECTION OF NATIONAL MINORITIES**

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 25 April 2019

ACFC/MR(2019)001

**64th meeting
Strasbourg, 4-8 March 2019**

***Council of Europe – Agora building
Room G06***

MEETING REPORT

Item 1: Opening of the meeting

1. The Advisory Committee on the Framework Convention for the Protection of National Minorities held its 64th meeting from 4-8 March 2019 in Strasbourg. Mr Besarion Bokhashvili, President of the Advisory Committee, opened the meeting and welcomed the members of the Advisory Committee. A particularly warm welcome was given to Ms Olga Butkevych, Mr Bob Deen, Mr Arayik Navoyan, Ms Antonija Petričušić and Mr Petter Wille, all of whom were attending their first plenary.

Item 2: Adoption of the Order of Business

2. The Order of Business, as reproduced in Annex II, was adopted without amendments.

Item 3: Approval of the report of the 63rd meeting of the Advisory Committee

3. Having examined the report of its 63rd meeting, the Advisory Committee adopted the final text of the report as reproduced in document ACFC/MR(2018)003.

Item 4: Report from the Bureau

4. The President indicated that, based on Rule 10 of the ACFC's Rules of Procedure, between the October session and the March session the ACFC's Bureau took the following decisions:

- On the composition of the Working Groups on Finland, Portugal and Serbia;
- On the set-up of the informal brainstorming on the 5th monitoring cycle on 31 January 2019.

5. As to the latter event, the meeting was attended by representatives of six State Parties, the ACFC's Bureau as well as four Advisory Committee members, two academics, the CM GR-H president and several members of the CoE Secretariat. Amongst other things, the President indicated the express wish of all present to repeat this informal exchange in the future. The meeting report was disseminated amongst the members.

6. The President also made reference to the annual lunch held by the Secretary General for the Chairs of the CoE monitoring mechanisms on 4 February 2019, during which he gave a short introduction as regards the current challenges to minority rights. He also informed the Committee of his presentation of the opinions on Azerbaijan, Bosnia and Herzegovina, Latvia, Lithuania, the Russian Federation and Switzerland to the CM GR-H on 5 February 2019.

Item 5: Update by the Secretariat

7. The Secretariat gave an update on the financial situation of the CoE in general and the FCNM in particular. It was indicated that a contingency plan is currently under discussion in the Committee of Ministers and that the FCNM may be required to accept cuts to its budget. If that is the case, some of the 2019 programme may have to be reviewed.

8. As to staffing, Mr Michaël Guet has replaced Mr Krzysztof Zyman while Ms Katerina Chatzipetrou has left the Secretariat. The Advisory Committee members were also informed that Mr Guet would also act as Resource Person on Roma and Traveller Issues for the Antidiscrimination Department. Further, amongst other matters, the Secretariat informed the Committee that the reform of the Language Charter was finalised in November 2018 by the Committee of Ministers (CM/Del/Dec (2018)1330/10.4e). The Committee of Ministers agreed with an extension of the ECRML monitoring cycle from 3 to 5 years; the introduction of a confidential dialogue before the final adoption of the report by COMEX; the automatic publication of the report upon adoption by COMEX; the alignment of due dates of state reports for the ECRML and the FCNM; and a limitation to the length of the mandate for COMEX members.

Item 6: Follow-up events

9. Follow-ups took place to Sweden (13 November 2018) and Finland (11 December 2018). For 2019, follow-ups to Bosnia and Herzegovina, Slovenia and Switzerland are planned.

Item 7: Human Rights Database (HUDOC)

10. The Secretariat gave a demonstration of the working of the Human Rights Database (HUDOC). It noted that once HUDOC is operational, the article-by-article compilations on the FCNM website will be discontinued.

Item 8: Exchange on source book of ACFC principles

11. The Advisory Committee's working group on the FCNM Sourcebook informed the plenary about the progress made and demonstrated a sample of its work so far. The Advisory Committee welcomed the work done by the group and accepted the proposed procedure for updating the Sourcebook after each plenary.

Item 9: Preparations of the outline for the fifth cycle opinions

12. The format of the 5th monitoring cycle as presented by the Secretariat was adopted by the Advisory Committee; some slight adaptations will still be possible when the first opinion in this format will be adopted in June 2019.

Item 10: Gender Equality

13. The Advisory Committee's Gender Rapporteur presented the work done by the previous composition of the Advisory Committee on gender equality, based on the Council of Europe's subsequent Gender Equality Strategies, and in particular the gender equality checklist. Members suggested that the checklist should be used in the preparation of the list of questions sent to the authorities ahead of country visits, and that, in the framework of the Sourcebook exercise, an analysis of the existing ACFC "jurisprudence" on gender equality could be performed.

Item 11: 2018-2020 Biennial report/ Establishment of a preparatory Working Group

14. With reference to the 2016-2018 biennial report, in which the Advisory Committee published a substantive analysis on "Trends and challenges for minority protection in Europe", it was agreed that the Committee will publish a substantive analysis on a relevant theme in its 2018-2020 biennial report. Members will submit proposals for the substantive section before the June 2019 plenary and, based on the theme selected, a drafting group shall be established. The first draft of the substantive section should be ready for a first reading at the February 2020 plenary, while the adoption of the final text will follow at the May 2020 plenary.

Item 12: FCNM Reform

15. The Secretariat informed the Committee that, as initiated during the 18/19 June 2018 high level conference, reflections on possible improvements to the FCNM regulatory framework are on-going. On 30 April 2019, the GR-H will discuss a reflection paper produced by the CoE secretariat, which will contain a number of proposals, which were outlined to the Advisory Committee.

Item 13: Examination of draft opinions and their adoption

16. The Advisory Committee examined the draft 3rd cycle opinion on Georgia. During the plenary session, it decided on 7 March 2019 in the light of the final version of the draft opinion, to vote on the text.

17. The voting was organised in accordance with Rule 34 of the Advisory Committee's Rules of Procedure, stipulating that opinions should be adopted by a majority of ordinary Advisory Committee members.

18. The 3th cycle Opinion on Georgia was adopted unanimously on 7 March 2019.

19. The Advisory Committee examined the draft 3th cycle opinion on The Netherlands. During the plenary session, it decided on 6 March 2019, in the light of the final version of the draft opinion, to vote on the text.

20. The voting was organised in accordance with Rule 34 of the Advisory Committee's Rules of Procedure, stipulating that opinions should be adopted by a majority of ordinary Advisory Committee members.

21. The 3th cycle opinion on The Netherlands was adopted unanimously on 6 March 2019.
22. The Advisory Committee examined the draft 3th cycle opinion on Montenegro. During the plenary session, it decided on 7 March 2019, in the light of the final version of the draft opinion, to vote on the text.
23. The voting was organised in accordance with Rule 34 of the Advisory Committee's Rules of Procedure, stipulating that opinions should be adopted by a majority of ordinary Advisory Committee members.
24. The 3th cycle opinion on Montenegro was adopted unanimously on 7 March 2019.

Item 14: Composition of Working Groups/ Planning of visits

25. The Advisory Committee took note of the composition of the working groups for the opinions on Bulgaria, Cyprus, Denmark, Estonia, Germany, Hungary, Poland and Spain, as contained in ACFC/DOC2 (2019)64 with some modifications, as well as the planning for the remainder of 2019 and the beginning of 2020. It was noted that the planning was provisional and contingent on the reception of state reports, the finalisation of previous monitoring cycles as well as other conditions.

Item 15: Discussion about the upcoming opinions/ country visits

26. Given the presence of a national member, the Advisory Committee held an exchange on possible issues the working group on Serbia may want to consider during their upcoming country visit.

Item 16: Any Other business

27. The Advisory Committee decided to invite Ms Dunja Mijatovic, the CoE Human Rights Commissioner, for an exchange of views at its next plenary.
28. The Advisory Committee decided on the organisation of a brainstorming on a possible Thematic Commentary on Articles 7 and 8 of the FCNM in autumn 2019, in order to assess the interest and feasibility in developing a Thematic Commentary on these Articles.