What is the Framework Convention for the Protection of National Minorities?

The Framework Convention, which entered into force on 1 February 1998, is one of the most comprehensive treaties designed to protect the rights of persons belonging to national minorities. Parties to this Convention undertake to promote the full and effective equality of persons belonging to minorities in all areas of economic, social, political and cultural life together with the conditions that will allow them to express, preserve and develop their culture and identity.

Why is it called a “Framework” Convention?

The word “Framework” highlights the scope for States to translate this Convention’s provisions to their specific country situation through national legislation and appropriate governmental policies. This in no way detracts from its legally binding character.

This website contains updated information and documents on the various activities of the Secretariat of the Framework Convention. These include:

- updated news briefs about monitoring of the Framework Convention;
- basic legal texts;
- public reports and opinions produced during the monitoring process, such as Committee of Ministers Resolutions, Advisory Committee opinions and State Reports;
- descriptions of ongoing co-operation activities;
- links to websites dealing with the protection of persons belonging to national minorities.

What commitments do State Parties undertake when they ratify the Framework Convention?

The provisions of the Framework Convention cover a wide range of issues, including, inter alia:

- non-discrimination;
- promotion of conditions favouring the preservation and development of culture, religion, language and traditions;
- freedom of assembly, association, expression, thought, conscience and religion;
- access to and use of media;
- linguistic freedoms: use of the minority language in private and in public, as well as its use before administrative authorities, use of one’s own name in the minority language, display of information of a private nature in the minority language, toponymic names in the minority language;
- education: learning of and instruction in the minority language, freedom to set up educational institutions;
- transfrontier contacts;
- international and transfrontier co-operation;
- participation in economic, cultural and social life;
- participation in public life;
- prohibition of forced assimilation.
Who is responsible for monitoring?

The Committee of Ministers and the Advisory Committee, made up of independent experts, are both involved in the monitoring of the Framework Convention. The Advisory Committee on the FCNM (AC) adopts a resolution containing conclusions and recommendations to the State on the implementation of the Framework Convention. This resolution is made public upon its adoption.

What happens once the Advisory Committee has completed its assessment?

Following its examination of a State report, the Advisory Committee adopts an Opinion that is transmitted to the State Party. The Committee of Ministers and the Advisory Committee meet with government officials, parliamentarians, representatives of minorities, NGO's, Specialised Bodies and other relevant interlocutors. These reports are examined by the Advisory Committee, who make use of a wide variety of written sources of information from State and non-State actors.

The drafting of State reports often involves a process of consultation with minority and non-governmental organisations, who are also encouraged to submit alternative reports or information. The Advisory Committee also sends States written questionnaires. These reports are examined by the Committee of Ministers. Where it requires specific additional information, the Advisory Committee also sends States written questionnaires.

Request to State for additional information

The Committee of Ministers and the Advisory Committee, made up of independent experts, are both involved in the monitoring of the Framework Convention. The Advisory Committee on the Framework Convention for the Protection of National Minorities (FCNM) examines this issue. It consistently emphasises that the implementation of the Framework Convention should not be a source of arbitrary or unjustified distinctions.

Publication of the Committee of Ministers' resolution

The Committee of Ministers, The Council of Europe member States. Each Party to the Framework Convention is therefore left room to assess which groups are to be considered as national minorities and to give effect to the principles set out in the FCNM in the light of its own traditions and specific circumstances.

Publication of the Advisory Committee's report

The committee’s practices, based on a reporting system, the monitoring procedure requires each State to submit a first report within one year after 4 months for monitoring. The Committee of Ministers and the Advisory Committee, who adopt a resolution containing conclusions and recommendations to the State Party on the implementation of the Framework Convention. This resolution is made public upon its adoption.

How is information exchanged, the Advisory Committee also sends States written questionnaires.

The Committee of Ministers examines the State's report and comments on the implementation of the Framework Convention. It makes recommendations to the State Party.

A national minority?

Individuals are free to decide whether or not to belong to any national minority. An individual's choice must be based on objective criteria connected with that person's identity, such as language, religion and culture. This does not mean that each person can arbitrarily choose to be considered as belonging to a national minority. An individual's choice must be based on objective criteria connected with that person's identity, such as language, religion and culture.

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