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"Protection of national minorities and regional or minority languages

in Europe: Where do we stand?"

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10th Anniversary of the entry into force of the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages

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The protection and promotion of the human rights of non-dominant groups in Europe has always been at the heart of the work of my Office since its very early days, in 1999.

It is my strong belief that the two treaties whose 10th entry-into-force anniversary we celebrate today constitute two of the strongest pillars of European, democratic societies which, as the European Court of Human Rights has noted, should be characterized by *"pluralism, tolerance and broadmindedness"*.

I think that European societies have always been and will remain inherently pluralistic. What they have *not* always been is tolerant and broadminded.

During a number of my visits and contacts with European, central, regional or local, authorities I have had the feeling that the latter are not always well prepared to accept and effectively cope with the tensions which unavoidably come along with social pluralism, in other words, with the co-existence of dominant and non-dominant groups or languages.

One of my major tasks is the promotion of awareness of and effective respect for human rights, as embodied in the human rights instruments of the Council of Europe.

Both the Framework Convention and the European Charter provide excellent guidelines to European States' policies and practices. They provide for programmatic, as well as specific, action-oriented, substantive, standards, which correspond to a large number of positive, State obligations of utmost significance.

It is for these reasons that in my State visit reports I systematically refer to and use these two European treaties, as two of the major gauges of effective human rights protection at domestic level. In countries that have not as yet become parties to these treaties, I always highlight the value and significance of the standards therein for democratic European States.

My work in this field is indeed complementary to the supervisory work of the Committee of Ministers, aided by the two special Committees, the Framework Convention's Advisory Committee and the European Charter's Committee of Experts.

My added value in this politically so sensitive, but also so important, field, is that I am in a position - in fact I am *mandated* by the 1999 Committee of Ministers' Resolution instituting the

Commissioner's Office - to "act", that is, to examine human rights situations *in situ*, whenever I consider it necessary.

Member States always facilitate my Office's independent and effective performance. The mutual trust and confidence built between my Office and European States has proved invaluable for our efforts aimed at enhancing the protection of national minorities and regional or minority languages on the ground.

A major, pan-European minority with a particularly long history of continued discrimination and hostility, occasionally amounting to persecution, thus deserving particular mention, is that of Roma – a minority that nonetheless comprises approximately ten million people.

Even in countries where the Roma have been living for centuries, they are frequently viewed by the majority population as foreigners in their home countries. My first-hand experience has convinced me that more sustained, dynamic efforts are urgently needed for the effective protection of Roma throughout Europe.

In this respect, I should highlight the crucial role that regional and local authorities have and play. I regret to say that the non-integration and the hostilities with which Romas are faced in many European States nowadays originate in action or inaction of regional or local authorities. Human rights standards though do not bind only central authorities. Thus, the adoption of more, systematic measures are required, in particular in the context of national human rights action plans, for making regional and local authorities and societies more sensitive to human rights issues.

This brings me to a final remark relating to the, not sufficiently explored so far, role that National Human Rights Structures (Ombudsmen and National Human Rights Commissions) may well play in this area. NHRSs have immense potentials. They are independent, national authorities created by their own States in order to aid them in enhancing their national human rights policies and practices.

Their ability to communicate directly with marginalized, non-dominant communities and groups at national level make them invaluable to my work. Promoting rights and educating the public, as well as State organs, at national or local level, is also one of the major activities of NHRSs. I thus consider that further synergies of all stakeholders with these national institutions would be highly beneficial.

In conclusion, my personal answer to the question "where do we stand" 10 years after the entry into force of the Framework Convention and the European Charter would be that, despite the significant, positive steps made so far, there is still a long, challenging journey ahead for all of us.

From my side, I can assure you that the protection of non-dominant, national minority and linguistic, groups in Europe will remain on top of my agenda.