



ACFC/MR(2022)4

# Meeting report

## 77<sup>th</sup> meeting

Approved by the Advisory Committee on 13 February 2023

## **Opening of the meeting**

The Advisory Committee on the Framework Convention for the Protection of National Minorities held its 77<sup>th</sup> plenary meeting from 5 to 8 December 2022 in Strasbourg and online. Petra Roter, President of the Advisory Committee, opened the meeting and welcomed the members of the Advisory Committee.

## **Adoption of the Agenda and Order of Business**

The Agenda and Order of Business, as reproduced in Appendix I, were adopted without amendments.

## **Approval of the report of the 76<sup>th</sup> meeting of the Advisory Committee**

Having examined the report of its 76<sup>th</sup> meeting, the Advisory Committee approved it as produced in document ACFC/MR(2022)3prov2, with one correction concerning the dates of the May 2024 plenary meeting.

## **Report from the Bureau**

The President informed the Committee of her participation in the Committee of Ministers' Rapporteur Group on Human Rights on 24 November 2022. She also indicated that the 6<sup>th</sup> monitoring cycle was scheduled to begin in 2023 and that a draft outline for the 6<sup>th</sup> cycle opinions would be prepared by the Secretariat in consultation with the Bureau and submitted to the ACFC at its next plenary meeting for approval.

## **Update by the Secretariat**

The Secretariat informed the Advisory Committee about the latest developments in the Committee of Ministers, including the state of negotiations of resolutions, as well as about State reports received.

The Advisory Committee was further informed that Katharina Fouquet, administrative assistant, would join the secretariat of the ECRML from 1 January 2023 and that Kristina Dedaj would take over her tasks relating to the preparation of plenary meetings.

## **Consequences of the Russian Federation's aggression against Ukraine on ACFC work**

The standing working group on Ukraine informed the Advisory Committee on the online meetings held with persons belonging to national minorities and other stakeholders in Ukraine on 21-22 November 2022. Following an exchange of views, the Advisory Committee concluded that whereas regular monitoring of Ukraine's implementation of the Framework Convention is not feasible in times of full-scale war, it will continue following the situation closely.

As regards the Russian Federation, the Advisory Committee took note of the information provided by the respective working group and decided to start evaluating the Fifth State Report within the 5<sup>th</sup> monitoring cycle.

## **Approval of draft opinions**

In application of Rule 37 of Resolution CM/Res(2019)49, the Advisory Committee unanimously approved the following draft opinions:

- Fifth Opinion on Romania on 7 December 2022,
- Fourth Opinion on the Netherlands on 8 December 2022.

The Advisory Committee also decided to communicate these draft opinions to the authorities concerned, and to invite the authorities of Romania and the Netherlands to provide their respective written observations by 20 February 2023.

## **Adoption of final opinions**

On 8 December 2022, in application of Rule 25 of Resolution CM/Res(2019)49, the Advisory Committee unanimously adopted the Fifth Opinion on the United Kingdom.

## **Thematic Work**

The Advisory Committee exchanged views on future thematic work. It was suggested to carry out a study on how the terms “vulnerable” and “vulnerability” are used by the ACFC and other Council of Europe bodies, including the European Court of Human Rights. Another proposal was to deepen the ACFC’s understanding of the issue of hate speech on social media, and, to this end, to invite to a hearing a representative of the No Hate Speech Unit of the Council of Europe and possibly one expert. Lastly, it was proposed to update Thematic Commentary No.1 on Education as needs and issues (for instance, online education and history teaching) in this field have evolved since the publication of the thematic commentary in 2006.

The President thanked the Advisory Committee members for all ideas and the discussion, and concluded that a proposal would be prepared by the Bureau on these different items in view of its consideration by the Advisory Committee at its February plenary meeting.

In relation to the approval of an updated FCNM Glossary on terminology and phraseology, the Advisory Committee took note of a presentation by the Secretariat of new terminology and phraseology proposed at recent plenaries for the FCNM Glossary and agreed to approve an updated version in February 2023, once the Working Group on the Glossary has met and the revised Glossary is shared with all members of the Advisory Committee before the plenary session.

## **Composition of Working Groups/Planning of visits**

A call for interest was made for visits to be carried in the second semester 2023 – first quarter 2024. The Advisory Committee took note of the composition of the working groups as reproduced in document ACFC\_DOC(2022)12. The President asked the Advisory Committee to take into account also the gender aspect so that all working groups ensure gender balance as far as possible.

## **Update by the members and reporting back on participation in external events**

Several members of the Advisory Committee reported on their participation in external events, including the participation of the First Vice-President in the meeting of the CDADI Working Group on National Minorities and in the hearing on the relations between the EU and the Council of Europe organised by the European Parliament’ Committee on Constitutional Affairs (AFCO); the participation of the President in the conference “The first twenty years of the Constitutional Law on the Rights of National Minorities”, in Zagreb; and the participation of the Second Vice-President and the Executive Secretary in the Fifteenth session of the UN Forum on Minority Issues, in Geneva.

## **Feedback on follow-up meetings**

The Advisory Committee heard reports on the follow-up meetings on the implementation of ACFC recommendations held in Croatia, Norway and Slovenia.

The Secretariat also reported on its online participation in the implementation conference on the Fifth ACFC Opinion on Germany organised by the German authorities.

## **Any other business**

The Advisory Committee decided on guests to invite at forthcoming meetings: the OSCE High Commissioner on National Minorities, the Council of Europe Commissioner for Human Rights and the Executive Director of the Council of Europe Observatory of History Teaching in Europe.

It was also agreed to hold an extra online meeting (half a day) in late March-early April (date to be decided) in order to adopt the final Fourth Opinion on the Netherlands and the Fifth Opinion on Romania.

**Next meetings:**

**2023:** 13-17 February 2023; 3 April 2023 (afternoon - extraordinary half-day online plenary meeting); 5 to 9 June 2023; 9 to 13 October 2023.

**2024:** 5 to 9 February 2024; 27 to 31 May 2024.

## Appendix I – Agenda and Order of Business

### Monday 5 December 2022

- 10.30 – 12.30    Opening of the meeting  
                      Adoption of the agenda & Order of Business  
                      Approval of the 76th meeting report  
                      Report from the Bureau  
                      Recent developments  
                      Monitoring: First reading of the draft 5th Opinion on Romania
- 12.30 – 14.00    Break
- 14.00 – 18.30    Monitoring: First reading of the draft 5th Opinion on Romania (cont'd)

### Tuesday 6 December 2022

- 9.00 – 12.30    Monitoring: First reading of the draft 4th Opinion on the Netherlands
- 12.30 – 14.30    Break
- 14.30 – 18.00    Monitoring: First reading of the draft 4th Opinion on the Netherlands (cont'd)

### Wednesday 7 December 2022

- 9.00 – 12.00    Consequences of the aggression of Ukraine by the Russian Federation on the ACFC work  
                      Preliminary exchange of view on future thematic work  
                      FCNM Glossary on terminology and phraseology  
                      Composition of Working groups/Planning of visits  
                      Recent developments  
                      Update by the members and reporting back on participation in external events  
                      Feedback on follow-up meetings in Croatia, Norway and Slovenia
- 12.00 – 14.30    Break
- 14.30 – 18.00    Monitoring: Second reading and possible approval of the draft Fifth Opinion on Romania (cont'd)

### Thursday 8 December 2022

- 9.00 – 13.00    Monitoring: Second reading and possible approval of the draft Fourth Opinion on the Netherlands (cont'd)  
                      Monitoring: Reading and final adoption of the Fifth Opinion on the United Kingdom  
                      List of decisions

## **Appendix II – List of participants**

- Ordinary members:

Pedro AGUILERA CORTÉS (Spain)  
Alexandra CASTRO (Portugal) – online  
Laura Maria CRACIUNEAN-TATU (Romania)  
Emilia DRUMEVA (Bulgaria)  
Tomáš HRUSTIČ (Slovak Republic)  
Emma LANTSCHNER (Italy) – First Vice-President  
Nicolas LEVRAT (Switzerland) – Second Vice-President  
Oliver LOODE (Estonia)  
Teymur MALIK-ASLANOV (Azerbaijan)  
Jørgen MØLLEKÆR (Denmark)  
Egly PANTELAKIS (Cyprus)  
Mārtiņš PAPARINSKIS (Latvia)  
Klaus POIER (Austria) - online  
Mikko PUUMALAINEN (Finland)  
Petra ROTER (Slovenia) – President  
Harald Christian SCHEU (Czech Republic)  
David SMITH (United Kingdom)  
Nebojša VUČINIĆ (Montenegro)

- Additional member:

Bob DEEN (Netherlands) - online

### **► Secretariat of the Council of Europe**

Elise CORNU, Executive Secretary and Head of the National Minorities and Minority Languages Division  
Lusine DRAMPYAN, Administrator  
Ben FREEMAN, Senior Project Officer  
Michaël GUET, Administrator, Policy Adviser  
Agnes Von MARAVIĆ, Administrator, Policy Adviser  
Kristina DEDAJ, Administrative Assistant  
Katharina FOUQUET, Administrative Assistant  
Brigitte ZWICKERT, Administrative Assistant  
Nikola XAVIEREFF-WECKWERTH, Trainee