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COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

ACFC/MR(2023)1-prov

Meeting report

78th meeting

Approved by the Advisory Committee on 3 April 2023

Opening of the meeting

The Advisory Committee on the Framework Convention for the Protection of National Minorities held its 78th plenary meeting from 13 to 17 February 2023 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 77th meeting of the Advisory Committee

Having examined the report of its 77th meeting, the Advisory Committee approved it as produced in document ACFC/MR(2022)4prov without amendments.

Report from the Bureau

The President informed the Advisory Committee about a preliminary exchange in the Bureau on the revision of the thematic commentary on education (see below). She also informed the Advisory Committee of her participation in the 10th meeting of the Secretary General with the Heads of the Monitoring and Advisory Bodies on 17 January 2023 and her upcoming participation in a meeting with the PACE Committee on Equality and Non-Discrimination on 24 March 2023 in Paris.

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.

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 Albania on 16 February 2023,
- Fifth Opinion on the Republic of Moldova on 17 February 2023,
- Fifth Opinion on Austria on 17 February 2023.

The Advisory Committee also decided to communicate these draft opinions to the authorities concerned, and to invite the authorities of Albania, Austria and the Republic of Moldova to provide their respective written observations by 24 April 2023.

Adoption of final opinions

In application of Rule 25 of Resolution CM/Res(2019)49, the Advisory Committee unanimously adopted the following opinions:

- Fifth Opinion on Switzerland on 13 February 2023,
- Fifth Opinion on Kosovo* on 16 February 2023.

Thematic work

The Advisory Committee decided to set up a working group on the revision of the thematic commentary on education composed of Emma Lantschner, Petra Roter, Harald Scheu and David Smith. A first exchange on the thematic commentary is to be held at the Advisory Committee's online meeting on 3 April 2023.

* All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

The Advisory Committee took note of a presentation by the Secretariat of new terminology and phraseology proposed at recent plenaries and approved the updated version of the Glossary on terminology and phraseology relating to the Framework Convention and Advisory Committee's opinions.

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

The Advisory Committee agreed on the composition of working groups and planning of visits as listed in ACFC/DOC(2023)1. It also agreed to share relevant pieces of information on future country visits directly with the secretariat and members of the respective working groups.

■ **Update on standing working groups on the Russian Federation and on Ukraine**

The Advisory Committee took note of latest developments regarding the 5th cycle monitoring of the Russian Federation.

The standing working group on Ukraine and the Secretariat shared with the Advisory Committee information on the situation of Roma and Crimean Tatars in Ukraine, as well as on the newly adopted Law on National Minorities (Communities). The Advisory Committee decided to continue following the developments in Ukraine closely and invited members to share any relevant information and contacts with the Secretariat.

■ **Outline of 6th cycle opinions**

The Advisory Committee exchanged views and tentatively approved the draft outline for 6th cycle opinions and agreed to resume its examination in view of its final approval at its April 2023 online plenary meeting.

■ **Any other business**

Nebojša Vučinić presented to the Advisory Committee the following recent judgements adopted by the European Court of Human Rights with relevance to national minorities: *Paketova and Others v. Bulgaria*, judgment of 4 October 2022; *Bakirdzi and E.C. v. Hungary*, judgment of 10 November 2022; *Elmazova and Others v. North Macedonia*, judgment of 13 December 2022.

The Secretariat informed the Advisory Committee about latest developments in co-operation with the Registry of the European Court of Human Rights, including the Registry's intention to create a page on national minorities on the Court's Knowledge Sharing Platform (<https://ks.echr.coe.int/>).

The Advisory Committee welcomed the invitation made by Klaus Poier to hold the October 2023 plenary meeting in Graz (Austria), subject to the availability of funds.

■ **Next meetings:**

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 13 February 2023

- 10.30 – 10.30 Opening of the meeting
Adoption of the agenda & Order of Business
Approval of the 77th meeting report
Report from the Bureau
Recent developments
Update by the Secretariat
- 10.30 – 11.30 Reading and final adoption of the draft Fifth Opinion on Switzerland
- 11.30 – 12.30 First reading of the draft Fifth Opinion on Austria
- 12.30 – 14.00 Break
- 14.00 – 18.30 Monitoring: First reading of the draft Fifth Opinion on Austria (cont'd)

Tuesday 14 February 2023

- 9.00 – 12.30 Monitoring: First reading of the draft Fifth Opinion on Albania
- 12.30 – 14.00 Break
- 14.00 – 16.30 Monitoring: First reading of the draft Fifth Opinion on Albania
- 16.30 – 18.30 Monitoring: First reading of the draft Fifth Opinion on Austria (cont'd)

Wednesday 15 February 2023

- 9.00 – 12.00 Monitoring: First reading of the draft Fifth Opinion on the Republic of Moldova
- 12.00 – 14.30 Break
- 14.30 – 17.00 Monitoring: First reading of the draft Fifth Opinion on the Republic of Moldova (cont'd)
- 17.00 – 18.00 Outline for 6th cycle Opinions
Update on standing working groups on Ukraine and on the Russian Federation
Composition of Working groups/Planning of visits
Exchange about upcoming visits

Thursday 16 February 2023

- 9.00 – 12.00 Monitoring: Second reading and possible approval of the draft Fifth Opinion on Albania (cont'd)
- 12.00 – 14.00 Break
- 14.00 – 15.00 Monitoring: Reading and final adoption of the draft Fifth Opinion on Kosovo*
- 15.00 – 18.30 Monitoring: Second reading of the draft Fifth Opinion on Austria (cont'd)

Friday 17 February 2023

- 9.00 – 12:00 Endorsement of updated Glossary
Update by the members and reporting back on participation in external events
Monitoring: Second reading and possible approval of the draft Fifth Opinion on the Republic of Moldova (cont'd)
Monitoring: Second reading and possible approval of the draft Fifth Opinion on Austria (cont'd)
- 12.00 – 13.00 Any other business
List of decisions

Appendix II – List of participants

- Ordinary members:

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

- Additional member:

Ian FELDMAN (Republic of Moldova)

► 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
 Snežana LALIČIĆ, Administrative Assistant