



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

ACFC/MR(2020)002
23 June 2020

Meeting report

68th meeting

Approved by the Advisory Committee on 5 October 2020

Opening of the meeting

The Advisory Committee on the Framework Convention for the Protection of National Minorities held its 68th meeting from 25 to 28 May 2020 by video conference. Mr Besarion Bokhashvili, President of the Advisory Committee, opened the meeting and welcomed the members of the Advisory Committee.

Adoption of the Agenda / Order of Business

The Agenda / Order of Business, as reproduced in Appendix I, was adopted without amendment.

Approval of the report of the 67th meeting of the Advisory Committee

Having examined the report of its 67th meeting, the Advisory Committee adopted the final text of the report as reproduced in document ACFC/MR(2020)001.

Report from the Bureau

The Advisory Committee was informed by the President that the draft Rules of Procedure have been submitted for examination to the Committee of Ministers' Rapporteur Group on Human Rights and for subsequent approval by the Committee of Ministers. However, due to the Covid-19 pandemic, this examination had to be postponed until now. The President informed the Advisory Committee that, on 27 May, the Committee of Ministers would elect experts in respect of the Czech Republic and the United Kingdom and would appoint 9 new ordinary members of the Advisory Committee.

Update by the Secretariat

The Advisory Committee was informed of recent developments linked to the Framework Convention since the previous meeting concerning the status of country visits, opinions published and submission of government comments. Several visits which had to be postponed due to the Covid-19 pandemic were being rescheduled for September-December.

An informal get-together meeting would be organised for the new ordinary members of the Advisory Committee by the end of June 2020, followed by an induction session to be held the first day of the next plenary meeting in October.

Tour de table on topical/urgent issues related to Covid-19

The President stressed that the Covid-19 pandemic has shed a sharp light on the need to strengthen responses against discrimination and prejudice against those who belong to minority groups. He recalled that the newly established Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI) has started a study on the anti-discrimination, diversity and inclusion dimensions of the response to COVID-19 and that all members of the Advisory Committee have received a questionnaire prepared by this steering committee. The situation of the Roma and Travellers communities and the specific challenges they faced during the pandemic was presented by Mr Michaël Guet, Secretariat member. Each member of the Advisory Committee then presented the impact of Covid-19 on national minorities and vulnerable groups in their respective countries.

The Advisory Committee instructed the Secretariat to prepare a draft statement on the Covid-19 pandemic and national minorities on the basis of this exchange of views. This statement was adopted unanimously on 28 May 2020 by the Advisory Committee.

The Advisory Committee agreed to invite representatives of the CDADI at its next plenary meeting to present the abovementioned study. It was also agreed that this exchange of views could be held jointly with the Committee of Experts of the European Charter for Regional or Minority Languages.

Working methods

The Advisory Committee examined a draft guidebook, describing the working methods of the Advisory Committee, including a set of practices on confidential dialogue to be included therein. The Committee asked to also include, *inter alia*, explanations about members' independence and impartiality and the role of national members. It also stressed the importance of the document being made known to new members and regularly referred to. The Committee approved the guidebook, conceived as a working document for the exclusive use of the members of the Advisory Committee, on 28 May 2020.

Approval of draft opinions

In application of Rule 37 of Resolution CM/Res(2019)49, the Advisory Committee:

- (a) approved the draft opinion on Malta, on 28 May 2020 (unanimous)
- (b) decided to communicate this draft opinion to the Maltese authorities, and to invite them to provide written observations by 7 September 2020.

Adoption of final opinions

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

- Bulgaria, on 26 May 2020 (unanimous);
- Hungary, on 26 May 2020 (unanimous); and
- Spain, on 27 May 2020 (unanimous).

Other draft opinions

The Committee held an exchange on a preliminary draft opinion on Croatia. The approval of the draft opinion on Croatia is scheduled for the next plenary meeting in October.

Biennial Report

The Committee examined the draft Biennial Report for the period June 2018 – May 2020 and in particular its substantive section “Trends and challenges for minority protection in Europe”, which focuses on the relevance of minority rights for the functioning of democracy. The Committee adopted the Biennial Report unanimously on 26 May 2020.

Source Book

The President informed the Committee that the working group has, after two years, almost finalised the retrospective selection of principles for the Source Book, with only Articles 11 and 12.3 and a foreword missing. As the mandates of all working group members are ending, the President welcomed that Aliona Grossu and Goran Basic have kindly accepted to carry on the work in the new composition. A third member is to be appointed at the first meeting of the new composition in October. The Committee warmly thanked all three members of the working group for the

development of the Source Book. Committee members also thanked the working group members for their readiness to assist in finalising the work during a transition period and encouraged them to do so until the new composition would take full ownership of the Source Book.

The Committee will inform the Secretariat about paragraphs on draft opinions on Bulgaria, Hungary and Spain that they would like to propose for the Source Book, once they receive the proofread version of the draft opinions.

Thematic Work

The Advisory Committee held an exchange about an outline on a possible Thematic Commentary on freedom of religion and the Framework Convention, prepared by a working group consisting of Evis Alimehmeti, Besarion Bokhashvili, Olga Butkevych and Detlev Rein. The exchange was preceded by the presentation, by the Secretariat, of an information document on the steps involved in developing Thematic Commentaries. The Committee welcomed the document, thanked the working group and agreed that the topic of religious rights was sensitive, but highly relevant in today's context. Different views were expressed as to when would be the best time to start developing a Thematic Commentary on this subject. Without prejudice to a decision on this matter to be taken by the next composition, the Committee agreed that issues related to religious rights of national minorities should be looked at attentively during the upcoming monitoring visits. Several remaining members expressed interest in continuing the thematic work on religious rights in the new composition, which will appoint the new members to the respective working group at its next plenary meeting.

Any other business

The next plenary meeting of the Advisory Committee will be held from 5 to 9 October 2020 in Strasbourg.

Appendix I – Agenda / Order of Business

Monday 25 May 2020

- 9.30 – 10.30 Introductory words and adoption of the 67th meeting report
 - Adoption of the agenda
 - Approval of the 67th meeting report
 - Report from the President
 - Update by the Secretariat
 - Update on the source book
- 10.30 – 12.00 Tour de table on topical/urgent issues related to Covid19
- 12.00 – 14.30 Break
- 14.30 – 16.00 First reading of the draft Biennial report 2018-2020
- 16.00 – 17.00 Monitoring: First reading of the draft opinion on Malta

Tuesday 26 May 2020

- 9.30 – 11.00 First exchange of views on the draft guidelines on confidential dialogue
- 11.00 – 12.00 Second reading and possible adoption of the Biennial report 2018-2020
- 12.00 – 14.30 Break
- 14.30 – 15.30 Monitoring: Adoption of the final opinion on Hungary
- 15.30 – 17.00 Monitoring: Adoption of the final opinion on Bulgaria

Wednesday 27 May 2020

- 9.30 – 10.30 Monitoring: Adoption of the final opinion on Spain
- 10.30 – 12.00 Possible working groups
- 12.00 – 14.30 Break

- 14.30 – 17.00 Exchange of views on the draft opinion on Croatia
 17.00 Distribution of the revised draft opinion on Malta

Thursday 28 May 2020

- 9.30 – 10.30 Monitoring: Second reading and possible adoption of the draft opinion on Malta
 (or finalisation of confidential dialogue phases)
 10.30 – 12.00 Approval of the guidelines on confidential dialogue
 (taking into account the first experience of Tuesday 26)
 12.00 – 14.30 Break
 14.30 – 15.30 Exchange of views on the outline of a paper on religious rights
 15.30 – 16.30 Decision on ACFC members guidebook
 16.30 – 17.00 Closing words

■ Appendix II – List of participants

- Ms Evis ALIMEHMETI (Albania)
- Mr Goran BAŠIĆ (Serbia)
- Mr Besarion BOKHASHVILI (Georgia) – President
- Ms Olga BUTKEVYCH (Ukraine)
- Mr Martin COLLINS (Ireland)
- Ms Laura-Maria CRĂCIUNEAN-TATU (Romania)
- Mr Bob DEEN (The Netherlands)
- Mr Giuseppe FALBO (Switzerland)
- Ms Melina GRIZO (North Macedonia)
- Ms Aliona GROSSU (Moldova, Republic of)
- Ms Marie HAGSGÅRD (Sweden) – Second Vice-President
- Mr Sławomir ŁODZIŃSKI (Poland)
- Mr Arayik NAVOYAN (Armenia)
- Ms Antonija PETRIČUŠIĆ (Croatia)
- Mr Detlev REIN (Germany)
- Ms Elisabeth SÁNDOR-SZALAY (Hungary)
- Mr Petter WILLE (Norway)
- Ms Edita ŽIOBIENĖ (Lithuania) – First Vice-President

Members of the Secretariat

- Ms Elise CORNU, Executive Secretary
- Mr Michael GUET, Administrator
- Mr Jörg HORN, Administrator
- Mr Jean-Etienne KAUTZMANN, Administrator
- Ms Agnes VON MARAVIC, Administrator