



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

ACFC/MR(2020)003

Meeting report

69th meeting (5-8 October 2020)

Approved by the Advisory Committee on 1 February 2021

Opening of the meeting

The Advisory Committee on the Framework Convention for the Protection of National Minorities held its 69th meeting from 5 to 8 October 2020 in Strasbourg and via video conference. Marie B. Hagsgård, acting President of the Advisory Committee, opened the meeting and welcomed the members of the Advisory Committee. As the first meeting of the new composition, all members were invited to take the floor in order to introduce themselves.

Adoption of the Agenda and Order of Business

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

Approval of the report of the 68th meeting of the Advisory Committee

Having examined the report of its 68th meeting, the Advisory Committee adopted the final text of the report as reproduced in document ACFC/MR(2020)002.

Report from the Bureau

The acting President informed the Advisory Committee about her participation in several events over the summer months, including a meeting with the Secretary General, an event under the Greek Presidency of the Committee of Ministers of the Council of Europe on public health in the context of a pandemic, a meeting of the Parliamentary Assembly Committee on Equality and Non-Discrimination, and an intervention before the Steering Committee on Anti-Discrimination, Diversity and Inclusion. She also informed of the positive experience of the recent follow-up event in Portugal.

The acting President updated the Committee on developments at the Committee of Ministers and its Rapporteur Group on Human Rights (GR-H), including the approval of the Committee's rules of procedure and elections of additional members in respect of Germany, Hungary and Spain.

Aliona Grossu reported on an OSCE HCNM Webinar on the Impact of COVID-19 on Minorities: Emerging Lessons about Risks and Good Practices in which she participated, and Antonija Petričušić reported on the Gender Equality Commission of the Council of Europe she attended as gender equality rapporteur.

The acting President also indicated that she will present the Advisory Committee's biennial activity report to the Committee of Ministers on 12 November.

Elections

The acting President informed the Committee that elections to the bureau would have to be postponed. The Advisory Committee agreed, based on Rules 7.2, 7.3 and 7.4 of its Rules of Procedure, that an interim bureau composed of Marie B. Hagsgård (as acting President), Aliona Grossu and Petter Wille, would serve until the next Advisory Committee plenary session in February 2021.

Update by the Secretariat

The Secretariat informed the Advisory Committee about developments in the Committee of Ministers, including the state of negotiations of several country resolutions, state reports to be treated, visits (including the visit to the Czech Republic 21-25 September) and follow-up activities. The Committee was informed that a visit to Germany would take place in early November, and of the postponement of the visit to Slovak Republic. Members were invited to follow the DG Democracy Twitter account [@CoEDemocracy](https://twitter.com/CoEDemocracy).

Exchange of Views

Following the *tour de table* at the 68th plenary session, the Advisory Committee held an exchange of views with the Committee of Experts on the European Charter for Regional or Minority Languages (Comex) and Stéphanie Cramer Marsal, the lead author of the study: 'COVID-19: An analysis of the anti-discrimination, diversity and inclusion dimensions in Council of Europe member states'. Ms Cramer Marsal explained the findings and recommendations of the study, before the floor was opened for questions. The Advisory Committee agreed that particular attention would need to be paid to the impact of COVID-19 on minorities in its upcoming monitoring work, and thanked Ms Cramer Marsal for her important contribution. Wolfram Bechtel, co-secretary to the Steering Committee on Anti-Discrimination, Diversity and Inclusion (CD-ADI) informed the Advisory Committee of the timeline and expected outcomes of the study, which the Advisory Committee will follow closely.

Working methods

The Advisory Committee approved the 'code of conduct' in the 'Guide for Members' (ACFC/DOC(2020)9). The completed version of the Guide is therefore approved, subject to final editorial revision.

Approval of draft opinions

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

- 5th opinion on Liechtenstein on 7th October 2020 (unanimously);
- 5th opinion on Croatia on 8th October 2020 (unanimously).

The Advisory Committee also decided to communicate these draft opinions to the authorities concerned, and to invite them, in the framework of the confidential dialogue, to provide written observations by 23 December 2020.

Adoption of final opinions

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

- 5th opinion on Malta on 5th October 2020 (unanimously).

Composition of Working Groups/Planning of visits

The Advisory Committee agreed on the composition of the working groups as reproduced in document ACFC/DOC(2020)11, for the Slovak Republic, Germany and Estonia. The Advisory Committee took note of the list of planned visits in 2021.

Thematic Work

The Advisory Committee will inform the Secretariat about paragraphs on opinions on Croatia, Liechtenstein and Malta that they would like to propose for the Source Book (ACFC/DOC(2020)10), once they receive the proofread version of the draft opinions.

Two former members of the Committee (Besarion Bokhashvili and Detlev Rein) presented the source book and explained that it attempts to synthesize general principles reflected in ACFC jurisprudence and to serve as an internal reference tool for Advisory Committee members and the Secretariat. Members expressed their appreciation of the work done, but also concerns about its length and the need to regularly review it. The Secretariat informed the

Committee that, in the future, the Source Book, like other documents, will no longer be sent to the Committee via email but be stored on an online platform with restricted access.

To complete the current working group on the source group composed of Goran Bašić and Aliona Grossu, the acting President invited particularly new members to express their interest in joining the working group. Emma Lantschner and Mikko Puumalainen expressed their interest. To support the working group in updating the Source Book, the acting President asked members to send to the Secretariat suggestions for extracts from opinions approved or adopted at the Plenary. Furthermore, the source book working group was encouraged to share individual sections of the source book with those Committee members who have expressed interest in the respective topic for comments.

New members of the Advisory Committee were informed about the existing FCNM Glossary (ACFC/DOC(2020)8) on terminology and phraseology. Aliona Grossu brought the Committee up to date on the progress made to revise and update the Glossary, highlighting the importance of consistent terminology both for the drafting of future opinions and for the translation of these opinions into French. Members with particular interest in this, taking into account linguistic capabilities and areas of expertise, were invited to express their interest in taking part in the Glossary working group. Alexandra Castro, Emilia Drumeva, Aliona Grossu and Harald Christian Scheu volunteered to form this working group, and bring the Committee up to date on its reflections at the next plenary meeting.

A group of members interested in religious minorities and the religious rights of national minorities, comprising Evis Alimehmeti, Nebojša Vučinić, and Petter Wille, has been invited to engage in a reflection with the Secretariat as to the treatment of religion in Advisory Committee opinions and during country visits. They were invited to bring the Committee up to date on its reflections on the approach to be taken at the next plenary meeting.

Any other business

The Advisory Committee adopted the dates of the following plenary meetings:

- 70th plenary: 1-5 February 2021;
- 71st plenary: 31 May-4 June 2021;
- 72nd plenary: 4-8 October 2021;
- 73rd plenary: 31 January-4 February 2022;
- 74th plenary: 23 May-27 May 2022.

The Advisory Committee decided to invite Pia Šlogar (vice-president of Youth of European Nationalities (YEN)) to participate in an exchange of views with the Advisory Committee at its next plenary session.

Appendix I – Agenda (ACFC/OB(2020)003).

Monday 5 October 2020

- 9.30 – 10.30 Introductory words and adoption of the 68th meeting report
- Adoption of the agenda
- Report from the Bureau
- Update by the Secretariat
- 10.30 – 11.30 Elections
- 12.00 – 14.30 Break
- 14.30 – 16.30 Monitoring: First reading of the draft opinion on Liechtenstein
- 16.30 – 18.00 Monitoring: Adoption of the final opinion on Malta

Tuesday 6 October 2020

- 9.00 – 12.00 First reading of the draft opinion on Croatia
- 12.00 – 14.30 Break
- 14.30 – 18.00 Monitoring (cont.): First reading of the draft opinion on Croatia

Wednesday 7 October 2020

- 9.00 – 10.15 Update on the Source Book
- 10.30 – 12.00 Exchange of Views with Stéphanie Cramer Marsal and COMEX.
- 12.00 – 14.30 Break
- 14.30 – 15.00 Update on the Glossary
- 15.00 – 18.00 Monitoring: Second reading of the draft opinion on Liechtenstein

Thursday 8 October 2020

- 9.00 – 10.00 Approval of the 'Guide for Members', including a code of conduct.
- 10.30 – 11.00 Approval of the country and thematic working groups
- 11.00 – 12.00 Monitoring: Second reading of the draft opinion on Croatia
- 12.00 – 14.00 Break
- 14.00 – 17.30 Monitoring (cont.): Second Reading of the draft opinion on Croatia
- 17.30 – 17.45 Closing words & list of decisions

Appendix II – List of participants

► Members of the Advisory Committee

- Evis ALIMEHMETI (Albania)
- Alexandra CASTRO (Portugal)
- Martin COLLINS (Ireland)
- Emilia DRUMEVA (Bulgaria)
- Melina GRIZO (North Macedonia)
- Aliona GROSSU (Moldova, Republic of)
- Marie B. HAGSGÅRD (Sweden) - Acting President
- Emma LANTSCHNER (Italy)
- Oliver LOODE (Estonia)
- Teymur MALIK-ASLANOV (Azerbaijan)
- Antonija PETRIČUŠIĆ (Croatia)
- Mikko PUUMALAINEN (Finland)
- Harald Christian SCHEU (Czech Republic)
- Nebojša VUČINIĆ (Montenegro)
- Petter WILLE (Norway)

Excused:

- Goran BAŠIĆ (Serbia)
- Arayik NAVOYAN (Armenia)
- Valery OVCHINNIKOV (Russian Federation)

► **Guests**

- Ms Stéphanie CRAMER MARSAL, consultant

► **Secretariat**

Head of Department, Anti-Discrimination Department, DGII: Democracy

- Hallvard GORSETH

Executive Secretary and Head of the National Minorities and Minority Languages Division

- Elise CORNU

Administrators

- Michaël GUET
- Jörg HORN
- Jean-Etienne KAUTZMANN
- Agnes Von MARAVIC

Assistants

- Katharina FOUQUET
- Brigitte ZWICKERT
- Ben FREEMAN

Trainee

- Meyeti PAYET

Co-Secretary to the Steering Committee on Anti-Discrimination, Diversity and Inclusion (CD-ADI)

- Wolfram BECHTEL