

Strasbourg, 16 June 2021

**Observations of the Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI) on Parliamentary Assembly Recommendation 2198 (2021) on “Preserving national minorities in Europe”**

1. The Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI) takes note of the adoption of Parliamentary Assembly Recommendation 2198 (2021) on “Preserving national minorities in Europe”. The Committee concurs with the Parliamentary Assembly that all stakeholders should invest renewed efforts in fully implementing the recommendations of the relevant Council of Europe monitoring bodies and that the dialogue with civil society should be further strengthened.
2. Regarding paragraph 3.1. of the Recommendation, which calls for investing renewed efforts in implementing fully the recommendations of the Council of Europe monitoring bodies, the CDADI recalls that it has been established relatively recently to steer the Council of Europe’s intergovernmental work to promote equality for all. Among other things it has been given the mandate to contribute to safeguarding the rights of persons belonging to national minorities and the use of regional or minority languages. The CDADI, therefore, offers a new intergovernmental forum to work on the protection of national minority and language rights. During the first biennium of its work, the CDADI has tasked a working group to elaborate a study on the active political participation of national minority youth, which is now ready for discussion in the CDADI. The CDADI further welcomes the fact that national minority protection is one of the priorities of the ongoing Hungarian Presidency of the Committee of Ministers, and that a series of conferences will be organised on this topic during this Presidency. The CDADI stands ready to continue this work during the upcoming years. Furthermore, it welcomes the co-operation activities, through which the Council of Europe provides assistance to member States in implementing recommendations of the monitoring bodies, including in the framework of action plans and during follow-up meetings that are organised with States Parties after the adoption of recommendations.
3. With regard to paragraph 3.2. of the Recommendation on the swift adoption of resolutions under the Framework Convention for the Protection of National Minorities (FCNM), the CDADI welcomes the reforms of the monitoring mechanisms not only under the FCNM but also under the European Charter for Regional or Minority Languages (ECRML) in 2018 and 2019. New measures such as the introduction of a confidential dialogue with the States Parties have already shown positive effects: the resolutions on the implementation of the FCNM by States Parties have been adopted more swiftly and the backlog which existed in this respect has been significantly reduced. In this context, it should be recalled that delays in the adoption of the Committee of Ministers’ resolutions hamper the smooth operation of the monitoring process and delay the following monitoring cycle to the detriment of national minorities and their languages, for whose protection the Committee of Ministers bears, according to both treaties, a collective responsibility.

4. As regards paragraph 3.3. of the Recommendation on the co-operation between the Advisory Committee on the FCNM and the European Commission for Democracy through Law (Venice Commission), the CDADI welcomes that both regularly refer in their work to the other body and welcomes the exchange between them. While it should be kept in mind that both bodies are independent and have distinct mandates, they could be encouraged to explore ways to further strengthen their co-operation regarding the protection of persons belonging to national minorities.
5. In the field of co-operation with civil society (paragraph 3.4. of the Recommendation), the CDADI notes that, already today, non-governmental organisations (NGOs) have a large platform for contributing to the achievement of the Council of Europe objectives in the Conference of international non-governmental organisations (INGOs). According to Resolution CM/Res(2016)3, INGOs enjoying participatory status with the Council of Europe may be invited to contribute individually or through the Conference of INGOs to the work of intergovernmental committees, including the CDADI. The CDADI and its substructures have indeed involved civil society in an intense way in their work, including on the active political participation of national minority youth. In addition, the CDADI has scheduled, at its 3<sup>rd</sup> meeting, in June 2021, an exchange on how to further strengthen co-operation with civil society. Independently of this, the Council of Europe holds biannual Dialogue meetings with Roma and Traveller civil society that include exchanges on the FCNM and the ECRML, and where the importance of recognising Roma as a national minority enjoying the protection afforded by the FCNM has been highlighted.
6. NGOs furthermore have direct access to the monitoring bodies under the FCNM and the ECRML through a standing invitation to transmit shadow reports or any other information to those bodies and through their systematic invitation to meet the delegations of the bodies during their monitoring visits. A dedicated webpage on the role of NGOs in the monitoring processes under the FCNM and the ECRML can be found on the websites of both monitoring bodies. To further facilitate co-operation with civil society, the summary and main recommendations of the recent opinions of the Advisory Committee on the FCNM are systematically translated into official languages of the State Party concerned and efforts are made to make available also the reports of the Committee of Experts of the ECRML in official languages.
7. Given this large array of existing venues for co-operation with civil society, the CDADI considers that it deserves careful assessment whether concerns about the rights of persons belonging to national minorities can be most effectively addressed through the setting up of a new platform, or through the existing venues for co-operation.