

Advisory Committee on the Framework Convention for the Protection of National Minorities



**Eleventh activity report
covering the period
from 1 June 2016
to 31 May 2018**

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Advisory Committee on the Framework Convention for the Protection of National Minorities

**Eleventh activity report
covering the period
1 June 2016
to 31 May 2018**

French edition:
*Comité consultatif de la Convention-cadre
pour la protection des minorités nationales
– Onzième rapport d'activités couvrant la
période du 1^{er} juin 2016 au 31 mai 2018*

*The opinions expressed in this work are
the responsibility of the authors and
do not necessarily reflect the official
policy of the Council of Europe.*

All requests concerning the reproduction
or translation of all or part of the document
should be addressed to the Directorate of
Communication (F-67075 Strasbourg Cedex
or publishing@coe.int).

All other correspondence concerning
this publication should be addressed
to the secretariat of the Council of
Europe Framework Convention for the
Protection of National Minorities

minorities.fcnm@coe.int
www.coe.int/minorities

Photos: Council of Europe
Cover and layout: Documents and
Publications Production Department
(SPDP), Council of Europe

© Council of Europe, September 2018
Printed at the Council of Europe

Contents

FOREWORD BY THE PRESIDENT OF THE ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES	5
INTRODUCTION	7
TRENDS AND CHALLENGES FOR MINORITY PROTECTION IN EUROPE	9
COUNTRY-SPECIFIC MONITORING BY THE ACFC	17
State reports	17
Country visits	19
Country-specific opinions	19
Resolutions of the Committee of Ministers	20
The ACFC	21
TRANSPARENCY OF THE PROCESS AND DIALOGUE	23
Publicity of the ACFC's opinions	23
Importance of follow-up activities	24
Outreach and media presence	25
THEMATIC WORK	27
Gender equality	27
Digitalisation	28
Media	28
Religion	29
Data collection, processing and presentation	29
CO-OPERATION WITH OTHER BODIES	31
Co-operation activities within the Council of Europe	31
Co-operation with other international institutions	32
Co-operation with civil society	33
APPENDIX 1	35
Signatures and ratifications of the Framework Convention for the Protection of National Minorities (ETS No. 157)	35
APPENDIX 2	37
Geographical scope of application of the Framework Convention for the Protection of National Minorities (ETS No. 157)	37
APPENDIX 3	39
Composition of the ACFC between 1 June 2016 and 31 May 2018	39
APPENDIX 4	41
Monitoring cycle: flow chart of monitoring arrangements under the Framework Convention and relevant Committee of Ministers' resolutions and decisions	41
APPENDIX 5	43
Participation in events related to the protection of minority rights (1 June 2016-31 May 2018)	43



Foreword by the President of the Advisory Committee on the Framework Convention for the Protection of National Minorities

During the past two years, the Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC) continued to help states parties to guarantee the effective equality of persons belonging to national minorities through the implementation of their human rights, as enshrined in the Framework Convention for the Protection of National Minorities (ETS No. 157, hereafter Framework Convention). The fourth monitoring cycle of the implementation of the Framework Convention covering the period between June 2016 and May 2018 is almost complete. The fourth cycle assessed the many positive legislative, institutional and policy-related changes which states have carried out as a result of recommendations received from the ACFC and the Committee of Ministers in accordance with the Framework Convention. While looking ahead to the fifth monitoring cycle, the ACFC examined how to understand the new and rapidly changing societal context and the needs of persons belonging to national minorities, including the most vulnerable, such as those belonging to the Roma.¹ In order to be able to provide pertinent advice on diversity management through minority rights, the ACFC had to assess the contemporary social, economic and security challenges in Europe and across the globe, ranging from migratory flows within countries, between European countries and from other parts of the world, to terrorist attacks in European cities, austerity policies and ageing populations.

1. The terms “Roma and Travellers” are being used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term “Gens du voyage”, as well as persons who identify themselves as Gypsies.

In such complex and dynamic circumstances, the ACFC has observed many (new) challenges in the process of implementing minority rights. Whereas decisive steps have at times been taken by some states, many others seem unprepared to address societal dynamics, which require policy adaptation and the effective participation of persons belonging to national minorities in decision-making processes so that they too contribute to the integration of diverse societies. The promise of the Framework Convention lies in the fact that integrated and inclusive societies are a guarantee of peace, democratic security and stability: the respect for and protection of minority rights and the acceptance of national minorities and persons belonging to them as an integral and valued part of society are the means to achieve this. As the President of the ACFC, I was often faced with those expressing fear towards minority rights, or towards “too many minority rights” for “too many individuals”. It is therefore important to stress that it is the denial of minority rights, rather than access to them, that states should fear. For it is the denial of the right to use one’s first language or the fear of freely expressing one’s affiliation that leads to divisions, grievances and fear. Implementation of minority rights is not a sign of disloyalty to the state; on the contrary, it is a sign of a state’s maturity and self-confidence that it is willing and able, by effectively protecting minority rights, to integrate society and thus value diversity as its integral part.

Under my presidency, the ACFC has redoubled its efforts to engage in discussions about how to best understand and address contemporary societal challenges and how to use its limited resources to achieve the greatest impact. To this effect, a number of follow-up round tables and seminars have been organised by states parties and I, together with both vice-presidents and other colleagues, attended various events addressing minority issues. These open exchanges of views have always been very rewarding. They have proven over and over again that inclusive discussion and continuous communication are the best ways to address current issues and thus guarantee the effective implementation of minority rights as an on-going process.

Dr Petra Roter
President of the ACFC (2016-2018)

Introduction

Having celebrated 20 years since its entry into force on 1 February 2018, the Framework Convention for the Protection of National Minorities remains the most comprehensive treaty designed to protect the rights of persons belonging to national minorities. States parties to the Framework Convention assume a legal obligation to promote the full and effective equality of persons belonging to national minorities in all areas of economic, social, political and cultural life, together with the conditions that will allow them to express, preserve and develop their cultures and identities.

There are currently 39 states parties to this treaty, and a special monitoring agreement related to Kosovo* was signed with the United Nations Interim Administration Mission in Kosovo (UNMIK) in 2004, while four Council of Europe member states have not signed the treaty and four member states have signed but not yet ratified it.² The ACFC very much welcomes the persistent efforts of the Parliamentary Assembly

*. All references 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.

2. The Framework Convention for the Protection of National Minorities was adopted by the Council of Europe in November 1994; it was opened for signature in 1995 and entered into force in 1998. It has been ratified by Albania, Armenia, Austria, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Hungary, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Malta, the Republic of Moldova, Montenegro, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, San Marino, Serbia, the Slovak Republic, Slovenia, Spain, Sweden, Switzerland, “the former Yugoslav Republic of Macedonia”, Ukraine and the United Kingdom. Four member states of the Council of Europe – Belgium, Greece, Iceland and Luxembourg – have also signed but not yet ratified it. Andorra, France, Monaco and Turkey have not signed the Framework Convention.

of the Council of Europe (PACE) to convince the eight remaining member states to accede to the Framework Convention.

The implementation of the Framework Convention is monitored by the Committee of Ministers, with the assistance of an independent and impartial expert committee, the ACFC. The monitoring procedure consists of a series of stages: submission of a state report by the authorities concerned; a country visit; adoption of an opinion by the ACFC; publication of the opinion – upon its receipt by the government concerned (which the ACFC encourages so as to increase transparency of the process) or upon transmission of government comments; publication of the comments (and the ACFC opinion if the latter had not been published upon its receipt by the government concerned); and adoption by the Committee of Ministers of a politically binding resolution. Set up in 1998 and composed of 18 independent experts appointed by the Committee of Ministers, the ACFC is specifically entrusted with monitoring that the rights contained within the Framework Convention in the relevant fields for persons belonging to national minorities are adequately implemented by all states parties.

This 11th activity report offers an overview of developments relating to the Framework Convention and the work of the ACFC between 1 June 2016 and 31 May 2018. It also provides a welcome opportunity to reflect on the major trends and challenges for minority protection in Europe today. All documents and information relevant to the two-year period covered by this report can be found at www.coe.int/minorities.

Part I

Trends and challenges for minority protection in Europe

On 1 February 2018 the Framework Convention celebrated the 20th anniversary of its entry into force. It was designed in turbulent times, with a view to helping states manage diversity through the protection of minority rights, and thereby seeking to achieve democratic security, peace and stability. In many respects, the Framework Convention's 20th anniversary was marked in similar times of upheaval as those that paved the way for its creation in the early 1990s. The ongoing conflict in Ukraine and the illegal annexation of Crimea, the claims for and declaration of independence by Catalonia, and Brexit, but also the arrival in Europe of a large number of migrants and refugees, have shaken the stability of both states and European institutions. Geopolitics has been on the rise, in Europe and globally, thus increasing security concerns in many states and affecting bilateral relations between them, in addition to, by implication, multilateral co-operation. Security concerns have been further fed by terrorism, including in several European capitals and other major cities, leading to fears and suspicions about possible perpetrators in society's midst. These rapid and rather unexpected developments and trends across Europe have affected the functioning of the human rights regime in general, and the implementation of the Framework Convention in particular. Worryingly, all this has contributed to the re-securitisation of minority politics, and to stronger and more frequent ad hoc bilateralisation of minority issues, as observed by the ACFC in its monitoring work.

As already mentioned by the Secretary General of the Council of Europe in his 2017 report on the state of democracy, human rights and the rule of law,³ two trends have been particularly marked over the past years: populism and nationalism. In

3. See "*State of democracy, human rights and the rule of law (2017)*", Report by the Secretary General of the Council of Europe.

the changing media environment, where the self-produced social media occupy an important place, rhetoric of a populist and nationalist kind (more) easily finds its way into the public sphere. Although very different processes and phenomena, they both have a strong common feature: a homogenising ideology that seeks to unite and protect “us” from “them”, be it the “common” public against elites, or “our” national, ethnic, linguistic or religious community against “other” communities and persons belonging to them. This homogenising ideology is based on a number of problematic assumptions, including on the inherent antagonism between “us” and “them”, the presumption of intra-group unity and the expectation that the latter provides the necessary conditions for security, which is understood as “our” protection vis-à-vis the “others”. As observed by the ACFC in its assessment of the implementation of minority rights, the popularity of both processes, coupled with the lack of effective (political) participation of all segments of the population, including the economically most vulnerable, as well as successful new media platforms, have created many (new) obstacles to access to minority rights.

Fundamental freedoms “of a universal nature”, such as the freedom of peaceful assembly, association and expression (stipulated in Article 7 of the Framework Convention) are recognised as “particularly relevant for the protection of national minorities”. Restrictions of these fundamental freedoms, for whatever reason, have had an impact on civil society. While assessing the implementation of the Framework Convention, the ACFC found that certain non-governmental organisations (NGOs) established by persons belonging to national minorities or dealing with minority issues have had to re-register, as they are no longer able to receive funds from abroad (and domestically available funds are insufficient or have not increased to compensate for the legislative changes on access to funds from abroad), reflecting the fact that there has been a reduction in the scope of their activities. In some states, they are perceived as foreign agents, and thus as institutions that are disloyal to the state in which they perform their activities. This is an additional obstacle that is adding to the overall trend towards diminishing the role and presence of non-governmental organisations and, consequently, the somewhat less active role which civil society plays in many states. The most recent financial crisis, coupled with the negative effects of populism, such as “dismantling democratic checks and balances, including the rule of law, parliamentary authority, free media and civil society”,⁴ has had an adverse effect on civil society organisations that support minority rights. Access to funds has become difficult for them and their work is often not appreciated; moreover they frequently face criticism that they focus on a “foreign population” or that they support “foreign interests”. Overall, the general climate in civil society has changed due to various pressures that reduce the scope for the free exercise of all fundamental freedoms, and this has also had an effect in the field of minority rights.

The ACFC has observed a similar trend in the field of the media: in the absence of sufficient media production in minority languages and by persons belonging to national minorities, information is provided through “alternative” means, including through various professional and semi-professional online media outlets or even via foreign media. This creates a situation of a divided media landscape that feeds

4. Ibid., page 6.

into societal divisions and creates parallel (media) realities. In general, the ACFC has emphasised how important it is that the mainstream media devote attention to minority-related issues and to the participation of persons belonging to national minorities in media production, with a view to seeking the integration of entire societies and thus presenting minorities as integral parts of those societies. In this context, it has to be emphasised that the media landscape is itself in a process of such a rapid change that national minorities and persons belonging to them risk being left behind. Many media outlets, including the larger ones, struggle with existential problems and limitations on freedom of expression, all of which also affects minority issues.

All these processes, which have been closely interlinked and typically strengthen one another, have had a profound impact, both directly and indirectly, on persons belonging to national minorities and the implementation of minority rights as enshrined in the Framework Convention. For instance, nationalism has manifested itself in exclusive nation-building policies, which are based on the ethnic understanding of the nation as a monoethnic community characterised by one language, one culture, one religion and one history. Policies adopted to strengthen the protection of a (dominant) nation, often adopted out of a fear for its existence as a result of open conflicts or a history of oppression, have had a negative effect on the implementation of minority rights. The ACFC has observed these trends most notably with respect to language policies and in education. Minority rights, including the right to speak minority languages, to express different forms of minority cultures and identities, or to participate effectively in decision-making processes, have been perceived in some cases as a threat to national security and stability.

Furthermore, the re-securitisation of minority rights worryingly resembles the understanding of minority rights before the adoption of the Framework Convention, whose fundamental principle, laid down in Article 1, is the recognition that minority rights are human rights and, as such, they belong to every person belonging to a national minority so that they can be equal in law and in practice. It is this effective equality that has been recognised by states parties to the Framework Convention as being a fundamental guarantee of peace, stability and security. It is thus the implementation of minority rights, rather than their denial, that provides the best guarantee of peace, stability and democratic security. Crucially, the Framework Convention affects entire societies and a number of its provisions have the broadest scope of application (as explained in the ACFC's fourth thematic commentary).⁵ This is because those who drafted the Framework Convention understood that access to minority rights depends on creating societal conditions of mutual respect and trust, prohibition of any form of discrimination and guaranteeing the possibility of achieving actual equality among all members of all diverse societies. The Framework Convention therefore focuses on minority rights as a way and a means of enabling the integration of diverse societies in which national minorities and persons belonging to them are perceived as an equal and integral part.

5. Thematic Commentary No. 4, "The Framework Convention: a key tool to managing diversity through minority rights. The scope of application of the Framework Convention for the Protection of National Minorities", adopted by the ACFC on 27 May 2016.

The ACFC has welcomed decisions by governments that have made it possible for more persons belonging to a larger number of national minorities to access their rights (for example, the ACFC has learned with great interest the developments on recognising the existence of minorities, such as Travellers and Egyptians, or diverse communities previously perceived as constituting only one national minority, for example, Yenish and Sinti/Manush). Crucially, the ACFC has observed decisions on expanding the scope of application of the Framework Convention to more national minority communities; equally, it has followed closely the work of participatory bodies such as minority councils in which minority representatives participate, including those of (territorially dispersed) communities existing as a result of wider and more recent migration processes. The ACFC has monitored with great interest new legislative developments, be it a new law on minority protection or a legislative change regarding the use of more than one official language. The ACFC has also noted several programmes, typically carried out in big cities, through which persons belonging to national minorities who have moved to major urban centres can continue to enjoy their minority rights, such as the right to learn their first language. Furthermore, the ACFC has observed that some states have been designing and implementing programmes, particularly in the context of intercultural dialogue and mutual respect and tolerance (issues that fall under Article 6 of the Framework Convention), which have been designed to address all persons belonging to minority communities and those belonging to the majority population, so as to enable the integration of societies. Some states have managed to address past crimes and injustices through an open public apology to the victims or their descendants and by the development of compensation schemes. Importantly, new ways of assuring the effective participation of persons belonging to national minorities in decision-making processes, such as the appointment of parliamentary advocates, have raised awareness and have led to the election of a member of parliament belonging to a national minority, or, elsewhere, the election of a president who affiliates with a national minority. The ACFC has also observed the important role played by community leaders, including religious leaders, who co-operate with the authorities in efforts to integrate societies through interreligious and intercultural dialogue and in the process of reconciliation, particularly in the context of post-conflict reconstruction.

The ACFC has put more effort into understanding intra-community diversity, in terms of gender, age, socio-economic status and urban–rural divides. Not only does such diversity create different needs, but it can also enable multiple, intersectional and compound forms of discrimination,⁶ all of which pose significant obstacles to the access of minorities to their rights – a situation that persons belonging to the most vulnerable national minorities, such as the Roma, still face across Europe (and perhaps even more so in the context of the austerity measures adopted during the financial crisis in the last decade). The ACFC has been pleased to learn that some national and local authorities have begun to evaluate access to minority rights from the perspective of gender equality, to adjust minority rights to the needs and interests of ageing populations (in the health sector, for example), and that they have realised that access to minority rights can only be enabled by firstly addressing socio-economic obstacles (for example, building infrastructure such as roads, schools

6. The ACFC adopted a gender equality checklist in June 2017.

and high-speed internet networks, so that distance e-learning language courses or online media outlets can actually be accessed by rural populations living in remote areas, and that minority youth living in those areas can satisfy their specific needs).

Despite these positive trends, however, the ACFC has observed a number of negative trends with respect to the implementation of minority rights. Access to teaching and learning in and of minority languages has diminished in many states; language proficiency requirements have been defined (more) strictly for various professions, thereby hindering persons belonging to national minorities in their access to the job market, particularly in the public sphere. Such policies, which the ACFC observed in several of the countries it visited during the past two years, have adversely affected access to minority rights directly (for example in the form of reduced teaching hours, prohibition of the use of minority languages for communication on school premises, loss of being able to choose the language in which to sit final exams, prohibition of minority languages in airports and bus or train stations), but they have also indirectly affected minority protection as such and integration across societies in general. The negative effects of these trends and policies stem from the symbolic value that is attributed to language, as the ACFC explained in greater detail in its third thematic commentary on the language rights of persons belonging to national minorities.⁷ The exclusive nation-building carried out as a set of policies that reduce opportunities for the use of minority languages, thus also implies the existence of language hierarchies and can put pressure on the right to free self-identification of persons belonging to national minorities. The negative implications of such policies should not be confused with providing better opportunities for learning the official language or languages, which persons belonging to national minorities should have so as to be able to participate equally in all spheres of life. As the ACFC consistently emphasises, minority language teaching and learning is not meant to replace official language teaching and learning, but needs to be provided in addition. This stems from the Framework Convention, and persons belonging to national minorities have expressed their dissatisfaction to the ACFC regarding situations in which opportunities for learning the official language(s) are limited and which may therefore result in difficulties in completing the full education cycle, including at tertiary level.

Exclusive nation-building has notably affected language policies, but it has also affected policies regarding religious matters. In particular, this policy is based on the idea of the coherence of certain ethnic, religious and linguistic identities as a pre-condition for belonging to the nation. This affects the principle of free self-identification as one of the core principles of the Framework Convention (as stipulated in Article 3) in paving the way for persons belonging to national minorities to enjoy their minority rights. The principle is significant for the implementation of the Framework Convention and therefore it should be fully respected, including for the purposes of data collection (during a census, for example). The ACFC has observed many problems in the implementation of this principle. It is important to recall that the principle of free self-identification includes the possibility of expressing multiple affiliations, in addition to the right not to self-identify in ethnic terms,

7. Thematic Commentary No. 3, "The Language rights of persons belonging to national minorities under the Framework Convention", adopted by the ACFC on 24 May 2012.

and the right to free self-identification with respect to different aspects of identity, including linguistic and religious dimensions (in this context, religious affiliation cannot be inferred from a specific linguistic or ethnic affiliation). Exclusive nation-building policies reduce the scope for such free self-identification, putting pressure on persons belonging to national minorities to demonstrate their loyalty to the state, and forcing individuals to choose one ethnic, linguistic and religious affiliation. All this happens, as the ACFC has observed, in societies that are typically, sometimes increasingly, multicultural, as a result of what are commonly referred to as “mixed marriages” and also the increase in migration, including intra-state migration from rural areas to urban centres. Any policies that put pressure on individuals to (self-) identify in a monocultural (monolingual) sense is thus contrary to the existing realities and the needs of multicultural societies and individuals. It is therefore very important that any data collection should reflect this so as to enable the formulation and implementation of policies on diversity management that will meet the needs of populations and thus address the social dynamics in a timely manner.

Notwithstanding the duty of the state to guarantee security, including human security, the ACFC has also observed a number of very worrying trends as a result of security concerns, including the scapegoating of persons belonging to national minorities, in particular migrants (not just those arriving from other states but often also internal migrants), for many contemporary concerns such as terrorist threats. This, combined with ever-increasing instances of hate speech, also in the mainstream media and among politicians, has often led to a significant increase in populism-driven hate crime, instances of racism, xenophobia, anti-Semitism and anti-Roma sentiment. Overall, in addressing societal diversity, many states have opted for a security-based approach to societal integration, which has been unfortunately understood as a one-way process, rather than a process based on mutual adaptation and recognition of national minorities and all individuals, regardless of their ethnic, linguistic or religious affiliations, as its integral and valuable part. In such a societal context, persons belonging to national minorities have often been viewed with suspicion and a sense of disloyalty when they access minority rights as enshrined in the Framework Convention, particularly language rights, in different domains of public life. This further significantly reduces the scope for successful integration policies that would lead to integrated societies where minorities are recognised as an equal and integral part.

All these processes have occurred in increasingly diverse societies in which sound political wisdom is needed, now more than ever, on how to manage the various old and new forms and trends in diversity in a way that would lead to integrated societies, and thus also to stable and secure societies. Such forms of diversity are broadly linked to three trends: firstly, widespread multiculturalism as a result of, among other factors, “mixed marriages” and the diversity experienced as part of everyday life; secondly, internal migration, often in the context of urbanisation and due to the lack of opportunities and insufficient investment in remote, rural areas, often populated by persons belonging to national minorities (typically the numerically smaller ones); and thirdly, recent immigrants who, for a variety of reasons, have moved from one European state to another or from another part of the world.

These processes have not only changed European societies, but they also pose a number of new challenges: the issue is one of how best to address them so that the principles of the Framework Convention are upheld and the goals of the treaty are achieved. These challenges are multifaceted, but several recent developments offer new opportunities for policy makers at all levels concerned with managing diversity. One such notable development is the process of digitalisation, which the ACFC has monitored in its various dimensions. To mention but one of its potentially beneficial effects on minority rights: digitalisation of media content can cater for the needs of minority populations at a lower cost and more widely than was the case with traditional media, which reached only a limited audience. It can enable persons belonging to national minorities who have moved internally to have access to relevant information, but also access to information in minority languages intended for the general population. Furthermore, internet access can enable teaching in and learning of minority languages through online courses and distance learning. Of course, this cannot replace traditional teaching and traditional media, but it can pave the way for persons belonging to national minorities who live in remote rural areas, or who are scattered across large territories, or those with particular needs and interests (minority youth, for example), to enjoy minority rights effectively as envisaged in the Framework Convention. At the same time, digitalisation and new technologies in general also pose new challenges – particularly for older populations – of which the authorities should be aware. Therefore, it cannot be expected that access to information can be provided through electronic media alone. The authorities will thus need to strike the right balance, in close consultation with persons belonging to national minorities, on how best to use the new technological opportunities, while at the same time effectively providing access to their rights for all persons belonging to national minorities. This means that attention needs to be paid to intra-group diversity (to gender-related or age-related issues, or to those related to socio-economic development).

In the context of dynamic European societies and the new challenges related to the general trends as observed by the ACFC over the past years, states parties have increasingly faced the need to address the issues in the sphere of education and in intercultural dialogue and mutual respect in a more comprehensive way, with new programmes, policies and action plans, but also with the necessary resources. The ACFC has provided comprehensive advice on how best to address these new realities and challenges through integrated (rather than segregated) education, through joint (rather than separate) media platforms, or through comprehensive (rather than folkloristic) cultural programmes. In the present political climate and with on-going geopolitical concerns, societal integration is perhaps needed more than it has ever been so as to prevent societal divisions that can be easily exploited by radicals to pit “us” against “them”, and instrumentalise those divisions in order to gain political power. All the general trends as observed by the ACFC thus pose comprehensive, multifaceted and intersectional challenges for the national, regional and local authorities in their efforts to manage diversity through minority rights in a way that allows the goals and aspirations of the Framework Convention to be achieved, not only at present, but also over the next two decades and beyond.



Part II

Country-specific monitoring by the ACFC

The monitoring procedure set up under the Framework Convention requires each state party to submit a first report within one year of the entry into force of the Framework Convention and, thereafter, a report every five years. Having examined the state report and visited the country in order to gather further information during meetings with the authorities, minority representatives and other stakeholders, the ACFC adopts its opinion on the implementation of the Framework Convention in the country. The opinion is forwarded to the authorities concerned, who provide their comments on the ACFC's findings. The opinion is published upon its receipt by the government, or four months after its transmission to the authorities, together with the government comments. Based on the ACFC's opinion, the Committee of Ministers adopts a resolution containing conclusions and recommendations in respect of the state concerned (see the flow chart in Appendix 4).

In the two years covered by the present report, the ACFC received 13 reports and adopted 15 opinions during a total of six plenary meetings. Members of the ACFC's working groups took part in 14 visits to states parties. In addition, three follow-up activities were organised in close partnership with the authorities concerned. Over the same period, the Committee of Ministers adopted resolutions in respect of 15 states parties to the Framework Convention.

State reports

The ACFC received a total of 13 state reports between 1 June 2016 and 31 May 2018. The third monitoring cycle is therefore almost complete, while a few reports from the fourth monitoring cycle are still outstanding. The following state reports were received between 1 June 2016 and 31 May 2018:

4th monitoring cycle

- ▶ Bulgaria, received in December 2017
- ▶ Ireland, received in July 2017
- ▶ Lithuania, received in February 2017
- ▶ Switzerland, received in February 2017
- ▶ Slovenia, received in January 2017

- ▶ Bosnia and Herzegovina, received in December 2016
- ▶ Russian Federation, received in December 2016
- ▶ Albania, received in November 2016
- ▶ Azerbaijan, received in October 2016
- ▶ Sweden, received in June 2016

3rd monitoring cycle

- ▶ Georgia, received in July 2017
- ▶ Montenegro, received in June 2017
- ▶ Latvia, received in December 2016.

The ACFC is still awaiting one third cycle state report:

- ▶ Netherlands, due in June 2016

and two fourth cycle reports:

- ▶ Poland, due in April 2017
- ▶ Serbia, due in September 2017.

Given the state of progress shown above, the fifth monitoring cycle will begin in 2019. To this end, in summer 2018 the states parties involved will receive information regarding the format and due date of the state report.⁸

As already stated in its 10th activity report, the ACFC welcomes the fact that state reports are generally thorough and informative. It also appreciates the fact that in many states parties, civil society stakeholders – national minority organisations, human rights NGOs and national independent experts – are widely involved in the preparatory and drafting processes. The ACFC invites those states parties that are not yet following such good practice to consider doing so in the fifth monitoring cycle. Further, the ACFC regrets that, according to civil society representatives, their views are not always reflected in the final version of the report.

It is concerning that not all states parties submit their report within the time frame set by the Framework Convention. Timely submission is important, not only in order to comply with obligations under the treaty. In particular, it enables the ACFC to better plan its work, which in turn eases the workload of the state party concerned with regard to the subsequent visit. Importantly, a late submission in one cycle does not extend the due date in the following cycle. The ACFC remains at the states parties' disposal for training on the preparation of state reports. One such training session was organised in the period covered by this activity report. This one-day event in Strasbourg, organised for a national delegation composed of public employees and officials responsible for the implementation of the Framework Convention in different national institutions, was deemed to have been beneficial for the authorities concerned, the ACFC and the secretariat.

8. On 23 May 2018, the Council of Europe's Committee of Ministers, through its Rapporteur Group on Human Rights (GR-H), was informed that the format for the fifth cycle state report would be identical to that of the fourth cycle state report, as already approved by the Committee of Ministers.

Country visits

Between 1 June 2016 and 31 May 2018, delegations of the ACFC carried out 14 visits:

4th monitoring cycle

- ▶ Albania, in March 2018
- ▶ Lithuania, in March 2018
- ▶ Switzerland, in March 2018
- ▶ Russian Federation, in October 2017
- ▶ Azerbaijan, in July 2017
- ▶ Bosnia and Herzegovina, in July 2017
- ▶ Romania, in April 2017
- ▶ Slovenia, in April 2017
- ▶ Sweden, in April 2017
- ▶ Ukraine, in November 2016
- ▶ UNMIK/Kosovo, in November 2016
- ▶ Austria, in June 2016
- ▶ Norway, in June 2016

3rd monitoring cycle

- ▶ Latvia, in November 2017.

Country visits have become an established and very useful practice and form an indispensable part of the monitoring process. By meeting with minority representatives, government officials, authorities at the central, regional and local levels, representatives of parliaments and relevant institutions, including ombudspersons, and civil society organisations and independent national experts, the ACFC acquires a better, more nuanced understanding of the situation in the country. Further, not only do visits generate a deeper insight into the country's situation, they also offer the possibility of establishing a dialogue with the authorities and civil society, including minority organisations and academics, which continues beyond the visit itself. To this end, the ACFC endeavours to visit not only the capital city of the state in question, so as to meet with government representatives and other stakeholders, but also areas populated by persons belonging to national minorities, so as to evaluate the situation of national minorities on the ground.

Country-specific opinions

Between 1 June 2016 and 31 May 2018, the ACFC adopted a total of 14 opinions:

4th monitoring cycle

- ▶ Lithuania, in May 2018
- ▶ Switzerland, in May 2018
- ▶ Russian Federation, in February 2018

- ▶ Azerbaijan, in November 2017
- ▶ Bosnia and Herzegovina, in November 2017
- ▶ Romania, in June 2017
- ▶ Slovenia, in June 2017
- ▶ Sweden, in June 2017
- ▶ Ukraine, in March 2017
- ▶ UNMIK/Kosovo, in March 2017
- ▶ Austria, in October 2016
- ▶ Malta, in October 2016
- ▶ Norway, in October 2016

3rd monitoring cycle

- ▶ Latvia, in February 2018.

In its fourth cycle, the ACFC has maintained the practice of formulating two sets of recommendations: a first set of three to five recommendations for immediate action, and a second, longer set of further recommendations, in addition to specific recommendations on an article-by-article basis. This arrangement aims at signalling to the state party where the priorities for action should lie. In its monitoring process, the ACFC keeps track of the measures implemented as a result of its recommendations and adapts its language to express progressive urgency in cases where a recommendation is repeatedly not followed up.

Resolutions of the Committee of Ministers

Between 1 June 2016 and 31 May 2018, the Committee of Ministers adopted a total of 15 resolutions:

4th monitoring cycle

- ▶ Armenia, in May 2018
- ▶ Norway, in May 2018
- ▶ United Kingdom, in February 2018
- ▶ Czech Republic, in November 2017
- ▶ Austria, in October 2017
- ▶ Hungary, in July 2017
- ▶ Italy, in July 2017
- ▶ Croatia, in May 2017
- ▶ Finland, March 2017
- ▶ Estonia, in October 2016
- ▶ San Marino, in September 2016
- ▶ Spain, in July 2016

3rd monitoring cycle

- ▶ Georgia, in May 2018
- ▶ Bulgaria, in February 2018
- ▶ Lithuania, in July 2016.

The adoption of a resolution by the Committee of Ministers formally completes the monitoring process in a given monitoring cycle. It is based on the opinion adopted by the ACFC and should therefore be read in conjunction with that opinion.

A fruitful dialogue has continued between the ACFC and the Committee of Ministers. The ACFC values in particular its constructive working relations with the Committee of Ministers' Rapporteur Group on Human Rights (GR-H). The GR-H invites the President of the ACFC to its meetings to present country-specific opinions. These meetings facilitate a direct assessment of how the opinions are perceived by states parties, and also provide an opportunity to exchange information on non-country-specific issues of particular importance to the Framework Convention and its monitoring mechanism. They also reaffirm the multilateral dimension of the process, thus transcending the scope of bilateral or interstate relations.

In parallel with its country-by-country monitoring activities, the ACFC has continued to pursue its thematic work. New developments, political, technological, societal or otherwise, require the ACFC to reflect on their impact on the enjoyment of minority rights. In 2017, the ACFC began to explore the effects of technological developments, in particular digitalisation, on matters relevant for persons belonging to national minorities, such as those in the fields of minority media and censuses. Further, in line with the Council of Europe's priorities, the ACFC has gradually introduced aspects of gender equality into its work. To this end, it adopted its gender equality action plan. Moreover, the ACFC has decided that gender equality will be mainstreamed into the fifth monitoring cycle, which will start in mid-2019.

The ACFC

At its 57th meeting in October 2016, the ACFC elected a new bureau: Ms Petra Roter (member in respect of Slovenia) as president (acting president as of 1 June 2016), Ms Brigitta Busch, (member in respect of Austria) as first vice-president and Mr Craig Oliphant (member in respect of the United Kingdom) as second vice-president.

The ACFC was deeply saddened by the passing of two of its members in 2017: Professor Dr Barbara Wilson, member in respect of Switzerland, and Professor Dr Oleksandr Zadorozhnyi, member in respect of Ukraine.

The ACFC works as a collegial body and its output, in particular its opinions and thematic commentaries adopted at its plenary sessions, are the outcome of extensive discussions and exchanges. As noted in the ACFC's previous activity reports, following the PACE meeting in April 2012 on the selection processes of experts of the monitoring mechanisms, the ACFC stressed that in line with the provisions of the Framework Convention and Committee of Ministers' Resolution (97) 10, independence, impartiality, experience, availability and expertise on minority issues are preconditions for appointment as an ACFC member. In addition, it is beneficial if a

variety of expertise, ranging from the fields of law, political science and international relations to history and anthropology, linguistics and sociology, is represented in the ACFC. Persons belonging to minority and majority communities, and those with experience in academia, civil society or the judiciary, serve in the ACFC and contribute to its collective expertise. Proficiency in at least one of the Council of Europe's official languages (English and French) is a prerequisite for serving on the ACFC and other factors, such as gender balance, may also need to be considered. These considerations need to be consistently taken into account in the selection of candidates and elections to the list of experts eligible to serve on the ACFC.

The ACFC also welcomes the election of a number of experts to the list of additional members of the ACFC during the period covered by the present activity report. This allows the ACFC to examine the implementation of the Framework Convention in most states parties in a composition that includes an independent expert member appointed in respect of the state party concerned. The ACFC encourages states parties to the Framework Convention to nominate experts for election to the list of experts eligible to serve on the ACFC, if they have not yet done so. It is to the benefit of both the ACFC and the states parties if ACFC membership rotates among experts from all states parties. Such rotation enhances the diversity of views, knowledge and understanding of national minority issues across Europe, which further enhances the quality of the ACFC's work.



Part III

Transparency of the process and dialogue

Publicity of the ACFC's opinions

Between 1 June 2016 and 31 May 2018, a total of 15 ACFC opinions were made public:

4th monitoring cycle

- ▶ Ukraine, in March 2018
- ▶ Romania, in February 2018
- ▶ Slovenia, in January 2018
- ▶ UNMIK/Kosovo, in December 2017
- ▶ Sweden, in October 2017
- ▶ Malta, in May 2017
- ▶ Armenia, in February 2017
- ▶ Norway, in February 2017
- ▶ Republic of Moldova, in February 2017

- ▶ United Kingdom, in February 2017
- ▶ “The former Yugoslav Republic of Macedonia”, in December 2016
- ▶ Finland, in October 2016
- ▶ Hungary, in September 2016
- ▶ Italy, in July 2016
- ▶ Czech Republic, in June 2016.

As noted in previous activity reports, a major procedural improvement was adopted in 2009:⁹ an ACFC opinion can now automatically be published four months after it has been sent to the state party concerned, irrespective of whether the Committee of Ministers has adopted the respective resolution. Between 1 June 2016 and 31 May 2018, some states parties published the opinion immediately upon receipt – a good practice that other states parties could take on board, as it ensures that the opinion is put into the public domain when it is most current and relevant. It also increases transparency of the monitoring process. Further, during the period under review, a good number of states parties translated the opinion into the official language(s) of the country, and into minority languages. Such translations contribute to a wider dissemination and a better understanding of the implementation of the Framework Convention by persons belonging to national minorities and the public at large. This is an important means of promoting dialogue at the national level on access to minority rights.

States parties have the opportunity to submit their written comments on the ACFC opinion within four months of the transmission of the opinion. The government comments are an important part of the monitoring process as they represent the continuation of the dialogue undertaken with the authorities during the visit. They provide answers to the ACFC’s findings, point out factual changes that have occurred since the adoption of the opinion and address any other relevant issues. If the opinion was not made public upon receipt by the respective state party, it is published together with the government comments in order to ensure transparency. Their timely publication ensures that the findings and recommendations are not outdated at the moment they are made public and allows the authorities to start work on implementing the recommendations as early as possible.

Importance of follow-up activities

Between 1 June 2016 and 31 May 2018, three follow-up events were held in cooperation with the ACFC:

4th monitoring cycle

- ▶ Albania, in January 2017
- ▶ Slovak Republic, in December 2017

9. Resolution CM/Res(2009)3 of 16 April 2009 amending Resolution(97)10 on the monitoring arrangements under Articles 24-26 of the Framework Convention for the Protection of National Minorities.

3rd monitoring cycle

- ▶ Montenegro, in January 2017.

The ACFC considers monitoring to be an open-ended process where each new cycle builds on the previous one. The ACFC has always encouraged states parties to organise follow-up activities in between cycles. Such activities typically consist of one- to two-day conferences or round tables bringing together minority representatives, national and local authorities, experts and civil society organisations. These meetings tend to lead to a better understanding of the Committee of Ministers' recommendations and those of the ACFC, including the available means with which to implement them. Furthermore, follow-up activities offer an opportunity for the ACFC to receive feedback on its work, to clarify its position, if necessary, and to offer comparative and impartial advice on the implementation of the Framework Convention.

In this biennium, the ACFC put more emphasis on the organisation of follow-up events and thus strengthened its communication with states parties. The three follow-up events organised between 1 June 2016 and 31 May 2018 confirmed the value of such activities as a platform for an open exchange between authorities, national minorities and other stakeholders. The ACFC will continue to seek support in the organisation of such activities and encourage states parties to (re-)introduce them as an essential step in the monitoring cycle.

Outreach and media presence

In the past two years, the ACFC and its bureau continued to devote considerable efforts to bringing the work of the ACFC to the attention of the general public through media platforms that are accessible to all. Through interviews broadcast in the media in specific countries on the occasion of visits or international events, members of the ACFC have in particular addressed topical questions of concern to national minorities and diversity more broadly, with the aim of making the issues at stake more accessible to the wider public and thus strengthening their knowledge of how the Framework Convention is applied in practice. Such occasions also provided opportunities to explain the benefits of the Framework Convention for persons belonging to national minorities and for societies as a whole.

In October 2016, the ACFC organised an international conference to present its fourth thematic commentary on the scope of application of the Framework Convention to an audience of around 200 persons, including academics, members of civil society and representatives of Council of Europe member states.

CONSEIL DE L'EUROPE

Le Conseil de l'Europe est la principale organisation de défense des droits de l'homme du continent. Il comprend 47 États membres, dont les 28 membres de l'Union européenne. Tous les États membres du Conseil de l'Europe ont signé la Convention européenne des droits de l'homme, un traité visant à protéger les droits de l'homme, la démocratie et l'État de droit. La Cour européenne des droits de l'homme contrôle la mise en œuvre de la Convention dans les États membres.

20^e anniversaire de la Convention-cadre pour la protection des minorités nationales

Déjà dans les années 90, les guerres et bouleversements politiques et économiques ont montré que la protection des minorités était une nécessité pour contribuer à la stabilité et à la paix. C'est dans ce contexte que le Conseil de l'Europe a élaboré la Convention-cadre pour la protection des minorités nationales.

Entrée en vigueur le 1^{er} février 1998, la Convention est le premier instrument multilatéral juridiquement contraignant consacré à la protection des minorités nationales au niveau mondial.

Les Parties à cette Convention s'engagent à promouvoir l'égalité pleine et effective des personnes appartenant à des minorités dans tous les domaines de la vie économique, sociale, politique et culturelle. Elle garantit entre autres la liberté de réunion pacifique, la liberté d'association, la liberté d'expression, la liberté de pensée, de conscience et de religion, l'accès aux médias, les libertés linguistiques.

En 20 ans, la Convention a contribué à la gestion de la diversité dans les sociétés européennes : des législations sur les droits des minorités ont été adoptées, les programmes scolaires ont été repensés pour offrir des espaces aux langues des minorités et de nouvelles formes de participation minoritaire.

Pour donner de la visibilité aux minorités nationales et favoriser leur intégration, la Convention est pour l'avenir une référence essentielle.



Part IV

Thematic work

Having adopted its fourth thematic commentary on the scope of application of the Framework Convention in May 2016, the ACFC continued its thematic work on a number of very pertinent issues during the period covered by this biannual report, including: gender equality in the context of the implementation of the Framework Convention; opportunities offered by digitalisation and its effects on minority rights; developments in the field of media and their implications for access to minority rights; the role of religion and freedom of religion in contemporary (increasingly diverse) societies; and data collection that would provide an adequate basis for policy making on minority rights.

Gender equality

With respect to the issue of gender equality, the ACFC recognises that discrimination against persons belonging to national minorities often affects women and men differently. In particular, women belonging to minorities can experience discrimination both as members of an ethnic, cultural, national, linguistic or religious community, and also as women. Factors such as stereotypes, cultural barriers and other societal and structural obstacles contribute to making gender-based discrimination for persons belonging to minorities a complex issue to address. While, in the past, gender equality was assessed in an ad hoc manner, mainly in connection with access to education (Article 12, early school leaving among girls affiliating with a national minority) and participation in the decision-making process (Article 15, the presence of women in minority consultative bodies), the ACFC decided in March 2017 to focus more systematically on gender-based discrimination with respect to, initially, the provisions in Articles 4, 12 and 15.

In line with the objectives of the Council of Europe Gender Equality Strategy 2014-2017, which aim, *inter alia* to integrate a gender equality dimension into the monitoring mechanisms, the ACFC prepared a checklist that includes key issues and questions that should be addressed by the ACFC during country visits and in the drafting of opinions, beginning within the fifth monitoring cycle. The checklist is neither exhaustive nor final. It takes a pragmatic and inclusive approach to gender equality that

addresses gender-based discrimination not only as sexual discrimination, but also as multidimensional discrimination compounded by structural vulnerabilities, such as health-based and educational disadvantages, lack of employment or other types of socio-economic exclusion, and also political violence inflicted in the past. The ACFC will assess legislative and policy frameworks in addition to factual benchmarks.

Digitalisation

The ACFC has elaborated a set of questions for the purpose of evaluating the effects of digitalisation on the rights of persons belonging to national minorities. As digitalisation has an impact on almost all spheres of daily life, it must be considered in connection with all articles of the Framework Convention. Some areas, such as e-government and e-administration, demand particular attention. Digitalisation offers new possibilities for accessing information and for communicating with authorities in the languages of national minorities at a relatively low cost. But offering such services in the languages of national minorities also implies the capacity to ensure regular updates of the websites concerned and the capacity to follow up any contact in those languages. Improving access to information, including in the languages of national minorities, can also facilitate participation. E-learning (such as online manuals, distance-learning courses, teach-yourself apps) may possibly complement teaching and learning in and of national minority languages, especially as far as persons belonging to small and dispersed minority communities and those living outside the areas traditionally inhabited by persons belonging to national minorities are concerned.

Improved one-to-one, one-to-many and many-to-many communication can facilitate networking and community building, including over significant geographical distances, thereby creating “linguascapes” or “ethnoscapes” in which minority cultures can be affirmed and developed. But this development also carries with it the risk of producing parallel and reciprocally exclusive semi-public spaces. To profit fully from the possible benefits offered by digitalisation, there needs to be access to, *inter alia* the necessary technical devices, some know-how in computer-assisted communication and reliable and powerful internet connections. Finally, this requires strict data protection in order to prevent any misuse of personal data that might affect the right to free self-identification. Attention needs to be paid to the effects of filtering information, either through the application of algorithms or geo-blocking.

Media

Since the entry into force of the Framework Convention there have been few other spheres that have seen as many fundamental changes as the media sector. Processes such as the multiplication of media outlets, the blurring of the differentiation between the roles of producer and audience, between public and private spheres and between formerly clear-cut media formats and genres, the multidirectionality of information flows, and the diversification of technical possibilities for the reception and production of media, have all led to fragmentation of media landscapes and to their decentring. Public service broadcasting and the traditional printed press,

which had a leading function in the past, are increasingly under pressure. These changes offer new possibilities for persons belonging to national minorities but they are not without their risks.

The ACFC participated in a process of reflection, together with the Committee of Experts of the European Charter for Regional or Minority Languages (COMEX), on how to respond to these challenges. It is still crucial to monitor the access of persons belonging to national minorities and their presence in public service broadcast media, especially when it comes to communication across differences and fostering intercultural dialogue, but minority protection and access to the private sector need equal attention. This is particularly relevant with regard to the distribution of frequencies and licences and support for community media, insofar as they ensure the plurality and the presence of minority languages in the media. In this increasingly decentred sector, questions regarding media literacy, the training of journalists and participation in media regulatory bodies and in bodies that monitor ethical questions and professional deontology, are more important than ever. The prevention and sanctioning of hate speech directed against persons belonging to national minorities in the public sphere and in semi-public forums are core concerns.

Religion

In the context of increasing and changing societal diversity, the ACFC considered it important to pay more concerted attention to issues related to religion (freedom of religion and the rights of persons belonging to religious minorities). Issues addressed included the scope of application of the Framework Convention (Articles 5, 6, 7 and 8) with respect to the religion or religious beliefs of persons belonging to minorities and manifestation of religion or belief by them: establishment and registration of religious organisations; protection of religious sites and the issuance of construction permits; funding of schemes supporting the renovation and upkeep of property, in addition to its restitution; religious issues related to education; celebration of religious holidays and preservation of religious traditions; wearing religious clothing and symbols in public places; and protecting other elements of minority cultures.

Data collection, processing and presentation

The ACFC has observed a notable lack of reliable data on persons affiliating with national minorities. As emphasised by the ACFC, such data are important for policy planning that will enable persons belonging to national minorities to access their rights. To this effect, the ACFC has called on the authorities to develop mechanisms for regular collection of up-to-date and reliable information on the number of persons belonging to national minorities and on their socio-demographic situation. In its work, the ACFC has observed two main problems regarding data collection: 1) a growing trend towards censuses based on mixed methodology (such as register-based censuses); and 2) there are still many woeful examples of data collection through censuses that do not fully respect the principle of free self-identification as enshrined in the Framework Convention (Article 3). The ACFC has emphasised the consequences of this principle for data collection – namely, data gathering on

persons belonging to national minorities should be based on the freedom to declare one's affiliation, including the possibility to declare more than one affiliation or not to declare any affiliation – in line with the Conference of European Statisticians Recommendations for the 2020 Censuses of Population and Housing, issued in 2015 by the United Nations Economic Commission for Europe.

The ACFC has called on the authorities to co-operate with minority representatives in respect of census methodology, the wording of the questions asked and safeguards for voluntary and informed answers, including the possibility of declaring multiple affiliations. In general, ethnic data collection should be conducted in close co-operation with national minority representatives and with full respect for the safeguards, notably those related to international standards on the protection of personal data, as laid down in the Committee of Ministers' Recommendation No. R (97) 18 concerning the protection of personal data collected and processed for statistical purposes. These questions about the collection of data on the situation of persons belonging to national minorities need to be carefully discussed, particularly when states shift from traditional to register-based and sample-survey censuses. The impact of sample-survey censuses on numerically smaller minorities should be carefully monitored. The ACFC has emphasised that it is important to supplement such data by making use of independent research when gathering information on national minorities and their members. Additionally, the ACFC has stressed that multiple ethnic and linguistic affiliations should be taken into account in the processing and presentation of statistical data, so as to reflect existing societal diversity. The categorisation and clustering of minority communities in official statistical data have to be subject to effective consultation of persons belonging to the communities concerned.

Part V

Co-operation with other bodies

Since the beginning of its activities, the ACFC has considered co-operation with other bodies, civil society and academia active in the field of minority protection, both within and outside the Council of Europe, to be of the utmost importance (see Appendix 5). Such co-operation is beneficial in terms of raising awareness of minority rights and in particular the Framework Convention, but also awareness of obstacles preventing access to minority rights and the best ways of addressing them. It thus also makes the work of the ACFC more effective.

Co-operation activities within the Council of Europe

The ACFC continues to participate in the Secretary General's annual informal meeting of the presidents of Council of Europe human rights monitoring bodies with the aim of supporting their work, strengthening co-operation and ensuring that effective follow-up is made with regard to their findings. Regular exchanges are also organised with the Council of Europe Commissioner for Human Rights, who in October 2016 addressed the audience during the international presentation of the ACFC's fourth thematic commentary. Collaboration with the PACE Committee on Equality and Non-Discrimination took the form of joint hearings with the Sub-Committee on the Rights of Minorities in 2016 in Paris and in 2017 in Bucharest on encouraging more states to ratify the Framework Convention. The ACFC also exchanged views with the PACE Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee).

The ACFC also continues its co-operation with the European Commission against Racism and Intolerance (ECRI), and with the Committee of Experts of the European Charter for Regional or Minority Languages (COMEX). In 2017, the ACFC and ECRI organised a parallel country visit to Latvia. Furthermore, for the first time, the ACFC,

ECRI and COMEX organised a tripartite parallel visit to Ukraine in 2016. Parallel monitoring exercises had already taken place in 2012 (Ireland), 2013 (Bulgaria), 2014 (Estonia) and 2015 (Georgia), following the encouragement of Council of Europe member states. While the delegations of ACFC and ECRI were composed of representatives of both monitoring mechanisms and their secretariats, each of the monitoring bodies subsequently adopted its findings separately following their own procedures, mandates and areas of interest. These parallel visits allow the authorities and civil society representatives to address issues of interest to both ECRI and the ACFC during a single visit. This approach can increase the effectiveness and consistency of the monitoring work, although it remains important that parallel visits are well planned if they are to be successful. However, it should be noted that experience has taught that a parallel visit does not necessarily reduce the workload for the state party concerned, for which reason certain member states choose not to request a parallel visit.

Further, in 2018 the bureaus of the ACFC, ECRI and COMEX met in Strasbourg to discuss ways of making the recommendations of the respective monitoring bodies more operational and therefore easier to implement.

The first steps have been made to enhance co-operation with both the European Court of Human Rights (“the Court”) and the European Commission for Democracy through Law (“Venice Commission”). As to the former, in November 2017, one of the Court’s vice-presidents held an exchange of views with the ACFC. Subsequently, via an exchange of letters between the President of the Court and the President of the ACFC, the two bodies agreed on a joint meeting to be organised in the near future. As to the Venice Commission, an expert with extensive knowledge of the Framework Convention joined the Venice Commission’s working group invited to assess the Ukrainian Law on Education. Deemed to be of mutual interest, this model of co-operation is to be pursued more frequently when the opportunity arises.

In order to raise awareness about minority rights, but also to benefit from the knowledge of others involved in diversity management, the ACFC sought involvement in Council of Europe activities such as the Intercultural Cities Programme (ICC). To this end, the ACFC also participated in events organised in the framework of certain projects, such as the joint European Union/Council of Europe project entitled Promoting Human Rights and Minority Protection in South East Europe.

Co-operation with other international institutions

The ACFC continued to co-operate regularly with other international institutions involved in minority rights protection, in particular the High Commissioner on National Minorities (HCNM) of the Organization for Security and Co-operation in Europe (OSCE). The HCNM addressed the ACFC during its February 2018 plenary session to take stock of common challenges and reflect on the way forward in implementing minority rights. Further, members of the ACFC continued to contribute to the normative work of the HCNM, such as the 2017 *Graz Recommendations on Access to Justice and National Minorities*, the upcoming guidelines on digitalisation and minority rights, and the revised *Oslo Recommendations regarding the Linguistic Rights of National Minorities*.

Regular and fruitful co-operation with institutions such as the European Union, the European Union Agency for Fundamental Rights, the Office of the United Nations High Commissioner for Human Rights (OHCHR), and UN treaty bodies, the UN Special Rapporteur on Minority Issues and the UN Forum on Minority Issues, also continues to be of key importance to the ACFC.

Co-operation with civil society

Co-operation with civil society organisations remains a key priority for the ACFC. The monitoring process offers the possibility for close co-operation with minority associations and human rights NGOs (through country visits and follow-up seminars, submission/reception of parallel (“shadow” or “alternative”) reports and replies to the ACFC’s specific questions, etc.).

Further, the ACFC considers that the parallel reports provided by civil society are useful for obtaining an overall picture of the national situation and specific issues of concern, and in general encourages civil society organisations to continue supporting the work of the ACFC by providing as much information as possible about the state of implementation of the Framework Convention in a state party.

Appendix 1

Signatures and ratifications of the Framework Convention for the Protection of National Minorities (ETS No. 157)

Treaty open for signature by Council of Europe member states and, until the date of entry into force, by any other state so invited by the Committee of Ministers.

Opening for signature

Place: Strasbourg

Date: 1/2/1995

Entry into force

Conditions: 12 Ratifications.

Date: 1/2/1998

Status as of: 31/5/2018

	Signature	Ratification	Entry into force	Notes	R.	D.	A.	T.	C.	O.
Albania	29/6/1995	28/9/1999	1/1/2000							
Andorra										
Armenia	25/7/1997	20/7/1998	1/11/1998							
Austria	1/2/1995	31/3/1998	1/7/1998			X				
Azerbaijan		26/6/2000 a	1/10/2000			X				
Belgium	31/7/2001				X					
Bosnia and Herzegovina		24/2/2000 a	1/6/2000							
Bulgaria	9/10/1997	7/5/1999	1/9/1999			X				
Croatia	6/11/1996	11/10/1997	1/2/1998							
Cyprus	1/2/1995	4/6/1996	1/2/1998							
Czech Republic	28/4/1995	18/12/1997	1/4/1998							
Denmark	1/2/1995	22/9/1997	1/2/1998			X				
Estonia	2/2/1995	6/1/1997	1/2/1998			X				
Finland	1/2/1995	3/10/1997	1/2/1998							
France										
Georgia	21/1/2000	22/12/2005	1/4/2006							
Germany	11/5/1995	10/9/1997	1/2/1998			X				
Greece	22/9/1997									
Hungary	1/2/1995	25/9/1995	1/2/1998							
Iceland	1/2/1995									
Ireland	1/2/1995	7/5/1999	1/9/1999							
Italy	1/2/1995	3/11/1997	1/3/1998							
Latvia	11/5/1995	6/6/2005	1/10/2005			X				
Liechtenstein	1/2/1995	18/11/1997	1/3/1998			X				
Lithuania	1/2/1995	23/3/2000	1/7/2000							
Luxembourg	20/7/1995					X				

	Signature	Ratification	Entry into force	Notes	R.	D.	A.	T.	C.	O.
Malta	11/5/1995	10/2/1998	1/6/1998		X	X				
Republic of Moldova	13/7/1995	20/11/1996	1/2/1998							
Monaco										
Montenegro		11/5/2001 a	6/6/2006	54						
Netherlands	1/2/1995	16/2/2005	1/6/2005			X		X		
Norway	1/2/1995	17/3/1999	1/7/1999							
Poland	1/2/1995	20/12/2000	1/4/2001			X				
Portugal	1/2/1995	7/5/2002	1/9/2002							
Romania	1/2/1995	11/5/1995	1/2/1998							
Russian Federation	28/2/1996	21/8/1998	1/12/1998			X				
San Marino	11/5/1995	5/12/1996	1/2/1998							
Serbia		11/5/2001 a	1/9/2001	54						
Slovak Republic	1/2/1995	14/9/1995	1/2/1998							
Slovenia	1/2/1995	25/3/1998	1/7/1998			X				
Spain	1/2/1995	1/9/1995	1/2/1998						X	
Sweden	1/2/1995	9/2/2000	1/6/2000			X				
Switzerland	1/2/1995	21/10/1998	1/2/1999			X				
“The former Yugoslav Republic of Macedonia”	25/7/1996	10/4/1997	1/2/1998			X				
Turkey										
Ukraine	15/9/1995	26/1/1998	1/5/1998							
United Kingdom	1/2/1995	15/1/1998	1/5/1998							

Total number of signatures not followed by ratifications: 4

Total number of ratifications/accessions: 39

Notes:

* Date of accession by the state union of Serbia and Montenegro.

a: accession; s: signature without reservation as to ratification; su: succession; r: signature “ad referendum”. R.: reservations; D.: declarations; A.: authorities; T.: territorial application; C.: communication; O.: objection

Source: Treaty Office on www.coe.int/en/web/conventions/home.

Kosovo* is subject to a specific monitoring arrangement in conformity with the 2004 Agreement between the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Council of Europe.

Appendix 2

Geographical scope of application of the Framework Convention for the Protection of National Minorities (ETS No. 157)

States parties to the Framework Convention

Albania	Estonia	Malta	Serbia
Armenia	Finland	Republic of Moldova	Slovak Republic
Austria	Georgia	Montenegro	Slovenia
Azerbaijan	Germany	Netherlands	Spain
Bosnia and Herzegovina	Hungary	Norway	Sweden
Bulgaria	Ireland	Poland	Switzerland
Croatia	Italy	Portugal	"The former Yugoslav Republic of Macedonia"
Cyprus	Latvia	Romania	Ukraine
Czech Republic	Liechtenstein	Russian Federation	United Kingdom
Denmark	Lithuania	San Marino	

States having signed but not ratified the Framework Convention

Belgium	Iceland
Greece	Luxembourg

States having neither signed nor ratified the Framework Convention

Andorra	Monaco
France	Turkey

Kosovo* is subject to a specific monitoring arrangement in conformity with the 2004 Agreement between the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Council of Europe.



20th anniversary of the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages

Appendix 3

Composition of the ACFC between 1 June 2016 and 31 May 2018

Ms Petra ROTER (Slovenia) – *President*

Ms Brigitta BUSCH (Austria) – *First Vice-President*

Mr Craig OLIPHANT (United Kingdom) – *Second Vice-President*

Mr Reinis ĀBOLTIŅŠ (Latvia)

Mr Neven ANĐELIĆ (Bosnia and Herzegovina)

Mr Besarion BOKHASHVILI (Georgia)

Mr Yiannis CHRYSOSTOMIS (Cyprus)

Ms Laura-Maria CRĂCIUNEAN-TATU (Romania)

Mr Giuseppe FALBO (Switzerland)

Mr Tomáš HRUSTIČ (Slovak Republic)

Mr Sławomir ŁODZIŃSKI (Poland)

Ms Tove H. MALLOY (Denmark)

Mr Detlev REIN (Germany)

Ms Marieke SANDERS-ten HOLTE (the Netherlands)

Ms Elisabeth SÁNDOR-SZALAY (Hungary)

Ms Carmen SANTIAGO REYES (Spain)

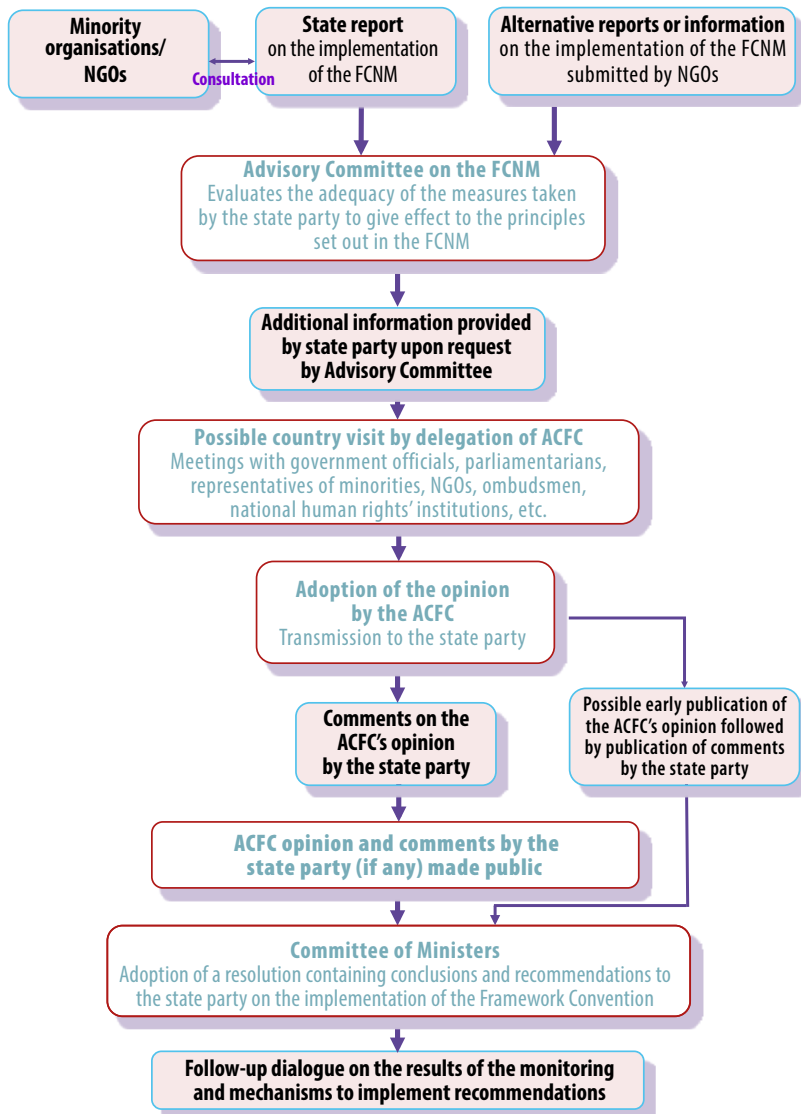
Ms Barbara WILSON (Switzerland)†

Mr Oleksandr ZADOROZHNIY (Ukraine)†

Ms Edita ŽIOBIENĖ (Lithuania)

Appendix 4

Monitoring cycle: flow chart of monitoring arrangements under the Framework Convention and relevant Committee of Ministers' resolutions and decisions



Appendix 5

Participation in events related to the protection of minority rights (1 June 2016-31 May 2018)

Joint European Union/Council of Europe project entitled Promoting Human Rights and Minority Protection in South East Europe, round table on the preparation of Albania's draft law on minorities, Tirana, Albania, June 2016;

Training on the drafting of a state report for Montenegrin officials, Strasbourg, France, 13-14 June 2016;

Seminar on the Protection and Promotion of Human Rights in Culturally Diverse Societies, Strasbourg, France, 13-14 June 2016;

Meetings with the Greek Ministry for Foreign Affairs, Athens, Greece, 9 September 2016;

Conference held by the Ecumenical Federation of Constantinopolitans, Athens, Greece, 10 September 2016;

European Network of Ombudspersons for Children (ENOC) 20th Annual Conference entitled Equal Opportunities for All Children in Education, Vilnius, Lithuania, 20 September 2016;

Participation in the meeting of the Committee on Equality and Non-Discrimination, Sub-Committee on the Rights of Minorities of the Parliamentary Assembly of the Council of Europe, Paris, France, 27 October 2016;

Conference jointly organised by the OSCE Mission to Skopje, the HCNM, the European Institute of Peace (EIP) and the Ministry of Education and Science, Skopje, "The former Yugoslav Republic of Macedonia", 1-2 November 2016;

Preparatory meeting with HCNM for Ukraine, The Hague, Netherlands, 7 November 2016;

Meeting of the presidents of ECRI, the ACFC and COMEX on the visit to Ukraine, Strasbourg, France, 14 November 2016;

Closing Regional Conference of the Joint European Union/Council of Europe regional project on Promoting Human Rights and Minority Protection In South East Europe, Tirana, Albania, 16-17 November 2016;

Office of the United Nations High Commissioner for Human Rights (OHCHR), 9th session of the Forum on Minority Issues, Geneva, Switzerland, 24-25 November 2016;

Meeting with the Serbian authorities about a future follow-up, Belgrade, Serbia, 17 January 2017;

Technical Assistance and Information Exchange (TALEX) workshop on The Right to Information of People Belonging to Minorities, Belgrade, Serbia, 18 January 2017;

Study visit to the European Parliament by parliamentarians from the Committee on Interethnic Relations and Human Rights of the Republic of Moldova, Brussels, Belgium, 6-7 February 2017;

Limassol event on Building Diverse Communities based on Shared Values – the Intercultural Cities Approach, Limassol, Cyprus, 27-28 March 2017;

Official meeting with Ms Leda Koursoumba, Law Commissioner, Nicosia, Cyprus, 29 March 2017;

Meeting of the Working Group on Media organised by COMEX, Brussels, Belgium, 6-7 April 2017;

High-level seminar entitled Freedom of Religion in Europe: Achievements and Perspectives, organised by the Permanent Representation of San Marino to the Council of Europe, Strasbourg, France, 28 April 2017;

The Norwegian contact forum between national minorities and the government, Oslo, Norway, 2 May 2017;

62nd Congress of the Federal Union of European Nationalities (FUEN), Cluj-Napoca, Romania, 19 May 2017;

OSCE HCNM workshop on Developing Recommendations on National Minorities and Access to Justice, Graz, Austria, 26 May 2017;

OSCE Parliamentary Assembly Retreat on National Minorities organised on the occasion of Austria's OSCE chairmanship, Villach, Austria, 29 May 2017;

Debate on the 10th Annual Report of the Committee of Ministers on the Supervision of the Execution of Judgments and Decisions of the European Court of Human Rights, Strasbourg, France, 1 June 2017;

Sixth International Roma Women Conference on Women and Political Representation: The Case of Roma and Traveller Women, Strasbourg, France, 6-7 November 2017;

Hearing on the ratification of the Framework Convention organised by the PACE Sub-Committee on the Rights of Minorities, Bucharest, Romania, 21 November 2017;

Intercultural Cities Milestone Event, Lisbon, Portugal, 28-29 November 2017;

10th UN Forum on Minority Issues, Geneva, Switzerland, 30 November-1 December 2017;

Public lecture entitled "Vivre dans une société multilingue. Les droits linguistiques au service de la cohésion sociale", Strasbourg, France, 21 February 2018;

Conference on the Framework Convention for the Protection of National Minorities: Taking Stock after 20 Years, Frankfurt, Germany, 13-14 March 2018;

Seminar with Equality Bodies to mark the launch of ECRI's General Policy Recommendation No. 2 (revised standards on equality bodies), Strasbourg, France, 24 May 2018.

www.coe.int

The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, 28 of which are members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.