

North-South Centre of the Council of Europe



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President of the Executive Committee

FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES



WHAT IS _____
THE FRAMEWORK CONVENTION
FOR THE PROTECTION
OF NATIONAL MINORITIES?

THE FRAMEWORK CONVENTION, **which entered into force on 1 February 1998, is one of the most comprehensive treaties designed to protect the rights of persons belonging to national minorities.**

Parties to this Convention undertake to promote the full and effective equality of persons belonging to 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 culture and identity.



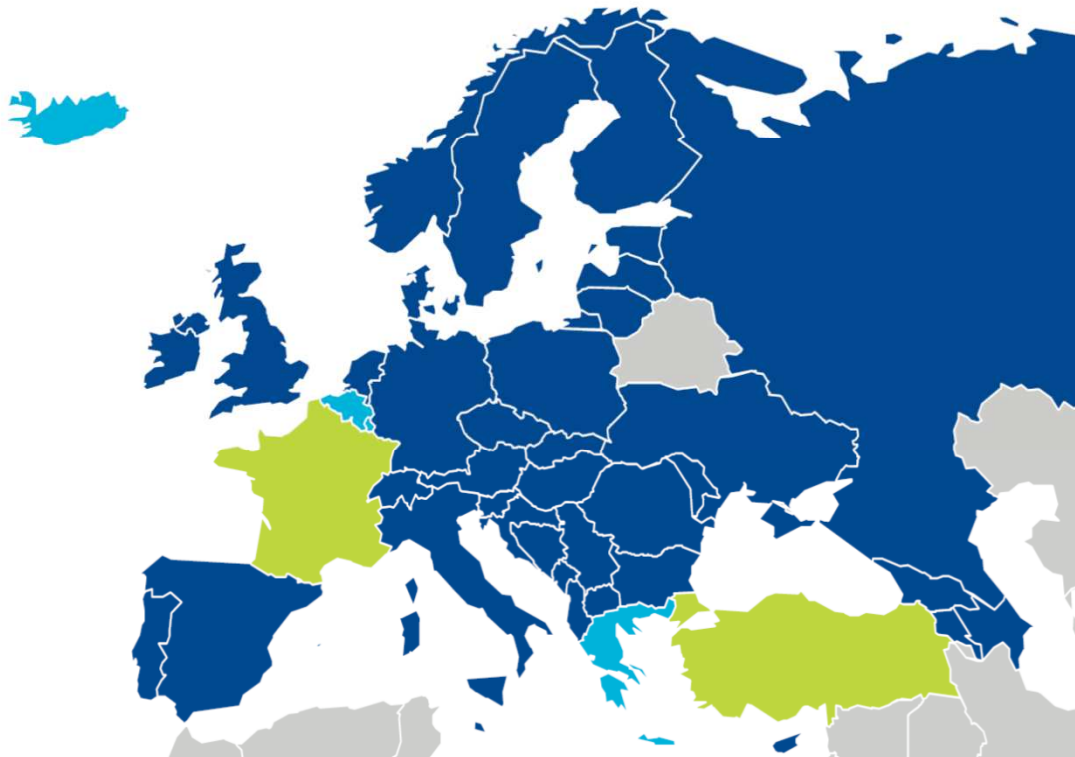
WHY IS IT CALLED
A 'FRAMEWORK' CONVENTION?

THE WORD 'FRAMEWORK' **highlights the scope for States to translate this Convention's provisions to their specific country situation through national legislation and appropriate governmental policies.**

This in no way detracts from its legally binding character.

Geographical reach of the FCNM/Couverture géographique de la FCNM

State parties to the Convention/Etats parties à la Convention



Albania/Albanie	28/09/1999
Armenia/Arménie	20/07/1998
Austria/Autriche	31/03/1998
Azerbaijan/Azerbaïdjan	26/06/2000
Bosnia and Herzegovina/ Bosnie-Herzégovine	24/02/2000
Bulgaria/Bulgarie	07/05/1999
Croatia/Croatie	11/10/1997
Cyprus/Chypre	04/06/1996
Czech Republic/ République tchèque	18/12/1997
Denmark/Danemark	22/09/1997
Estonia/Estonie	06/01/1997
Finland/Finlande	03/10/1997
Georgia/Géorgie	22/12/2005
Germany/Allemagne	10/09/1997
Hungary/Hongrie	25/09/1995
Ireland/Irlande	07/05/1999
Italy/Italie	03/11/1997
Latvia/Lettonie	06/06/2005
Liechtenstein	18/11/1997
Lithuania/Lituanie	23/03/2000
Malta/Malte	10/02/1998
Moldova	20/11/1996
Montenegro	06/06/2006
Netherlands/Pays-Bas	16/02/2005
Norway/Norvège	17/03/1999
Poland/Pologne	20/12/2000
Portugal	07/05/2002
Romania/Roumanie	11/05/1995
Russian Federation/Fédération de Russie	21/08/1998
San Marino/Saint-Marin	05/12/1996
Serbia/Serbie	11/05/2001
Slovak Republic/République slovaque	14/09/1995
Slovenia/Slovénie	25/03/1998
Spain/Espagne	01/09/1995
Sweden/Suède	09/02/2000
Switzerland/Suisse	21/10/1998
"The former Yugoslav Republic of Macedonia"	
"Lex-République yougoslave de Macédoine"	10/04/1997
Ukraine	26/01/1998
United Kingdom/Royaume-Uni	15/01/1998



WHAT IS A NATIONAL MINORITY?

THE FRAMEWORK CONVENTION **does not contain a definition of the concept of “national minority” as there is no general definition agreed upon by all Council of Europe member States. Each Party to the Framework Convention is therefore left room to assess which groups are to be covered by the Convention within their territory. This selection must, however, be made in good faith and in accordance with general principles of international law and the fundamental principles set out in Article 3 of the Framework Convention.**

In its opinions, the Advisory Committee on the Framework Convention examines this issue. It consistently emphasises that the implementation of the Framework Convention should not be a source of arbitrary or unjustified distinctions.

For the Advisory Committee, the Framework Convention is not an “all-or-nothing” instrument. This Advisory Committee has therefore adopted an article by article approach to the question of the groups covered by the Framework Convention, recognising that some articles in the Convention have a larger scope to include a wide range of groups than do others. For example, Article 6 on tolerance and inter-cultural dialogue lends itself to including within its scope a broader range of groups than Article 10 (2) which concerns use of language in relations with public authorities.

Certain persons may therefore benefit from some articles, but not necessarily all.

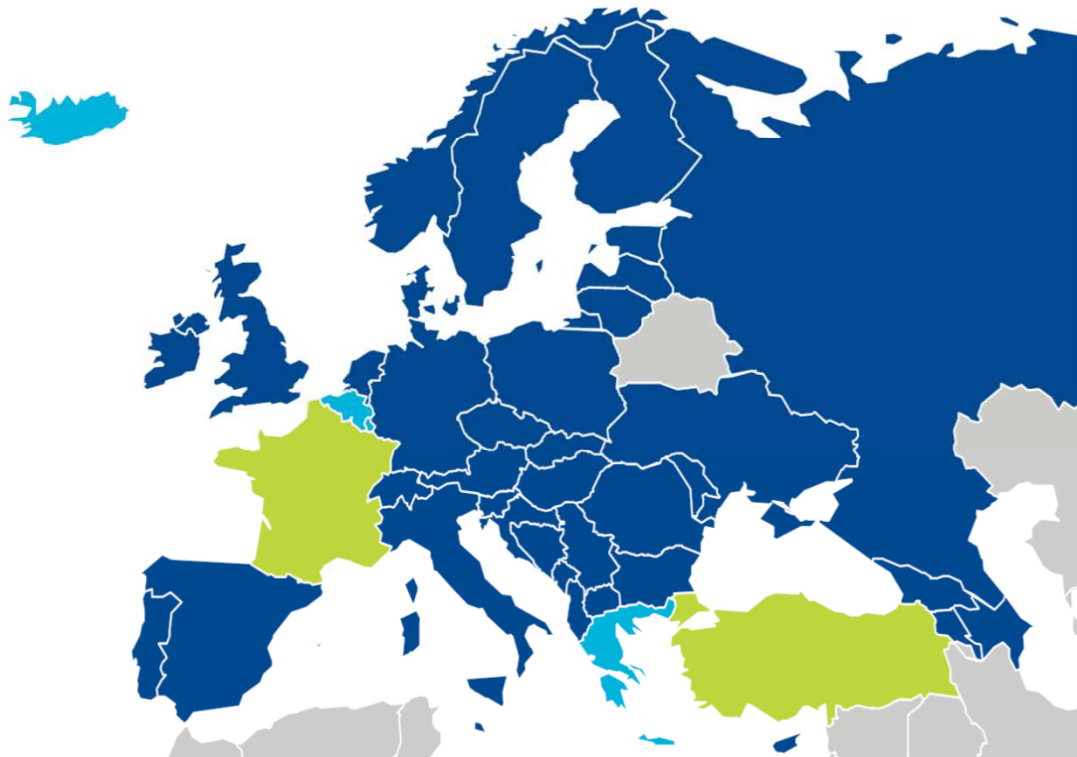
WHO DECIDES
WHETHER SOMEONE BELONGS
TO A NATIONAL MINORITY?

INDIVIDUALS ARE FREE **to decide whether or not they wish to be treated as belonging to a national minority.**

This does not mean that each person can arbitrarily choose to belong to any national minority. An individual's choice must be based on objective criteria connected with that person's identity, such as language, religion and culture.

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Signatory states/Etats signataires

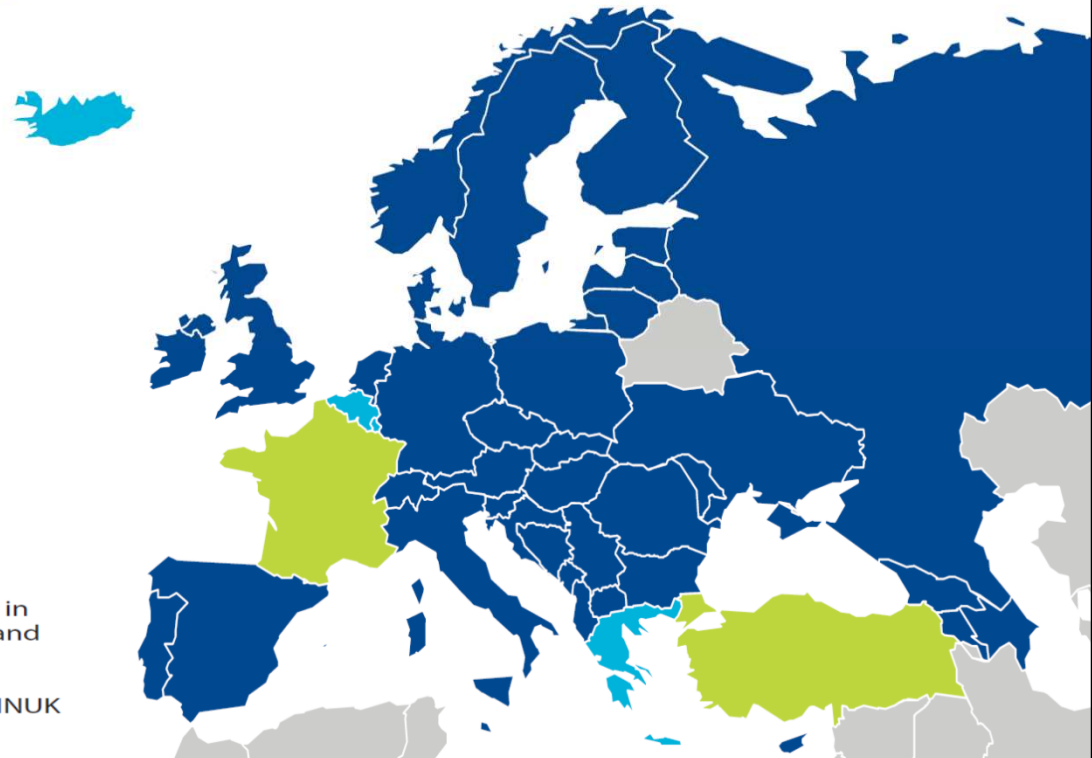
	Belgium/Belgique	31/07/2001
	Greece/Grèce	22/09/1997
	Iceland/Islande	01/02/1995
	Luxembourg	20/07/1995

Countries which have neither signed nor ratified the Convention/Etats qui n'ont ni ratifié, ni signé la Convention

	Andorra/Andorre
	France
	Monaco
	Turkey/Turquie

Specific monitoring arrangements/ Procédure de monitoring spécifique

Kosovo is subject to a specific monitoring arrangement in conformity with the 2004 Agreement between UNMIK and the Council of Europe.
Le Kosovo est soumis à une procédure de monitoring spécifique conformément à l'accord de 2004 entre la MINUK et le Conseil de l'Europe.



Q WHAT HAPPENS ONCE THE ADVISORY COMMITTEE HAS COMPLETED ITS ASSESSMENT?

Following its examination of a State report, the Advisory Committee adopts an Opinion that is transmitted to the State concerned. The Opinion is made public four months after transmission. State Parties have an opportunity to comment on this Opinion. In preparing their response, they may choose to hold further consultations with minority and other non-governmental organisations. The State's comments are to be submitted to the Council of Europe no later than four months after transmission of the Advisory Committee Opinion and can also be made public.

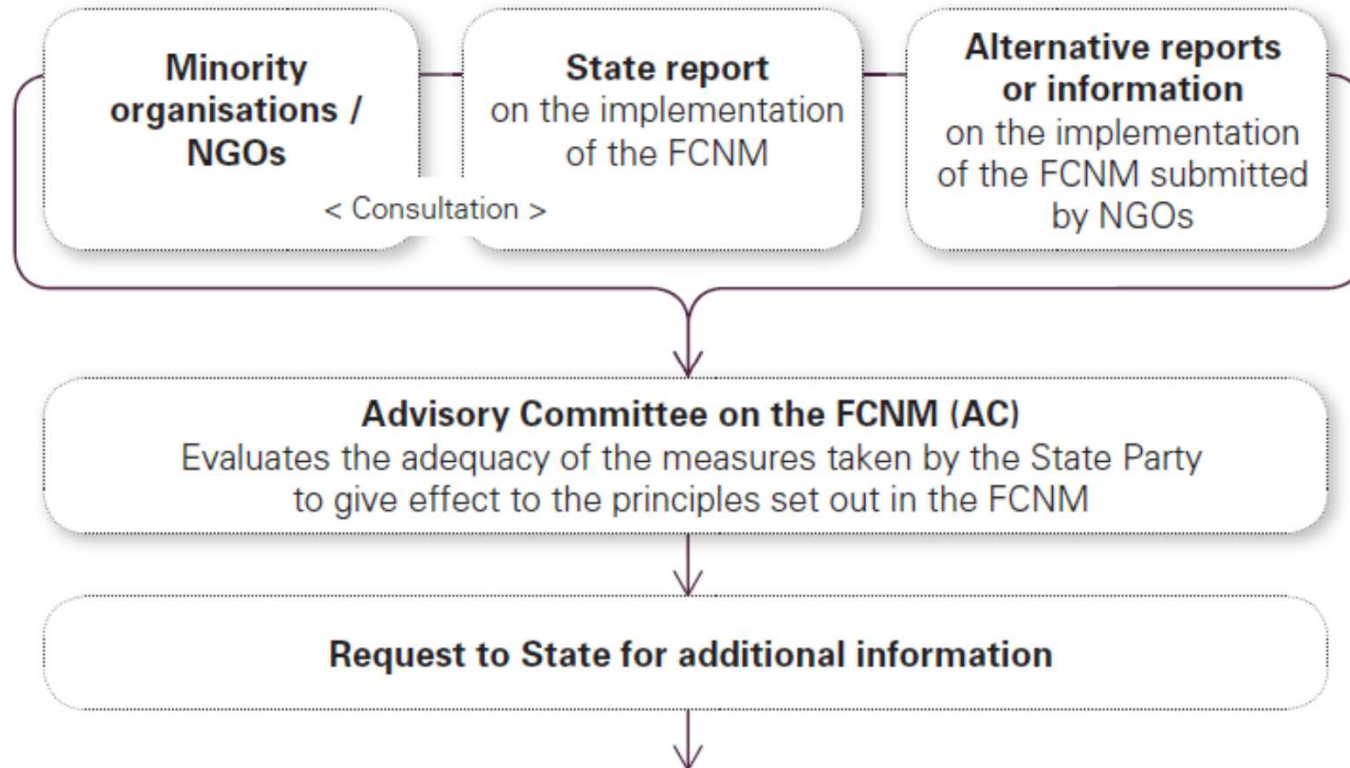
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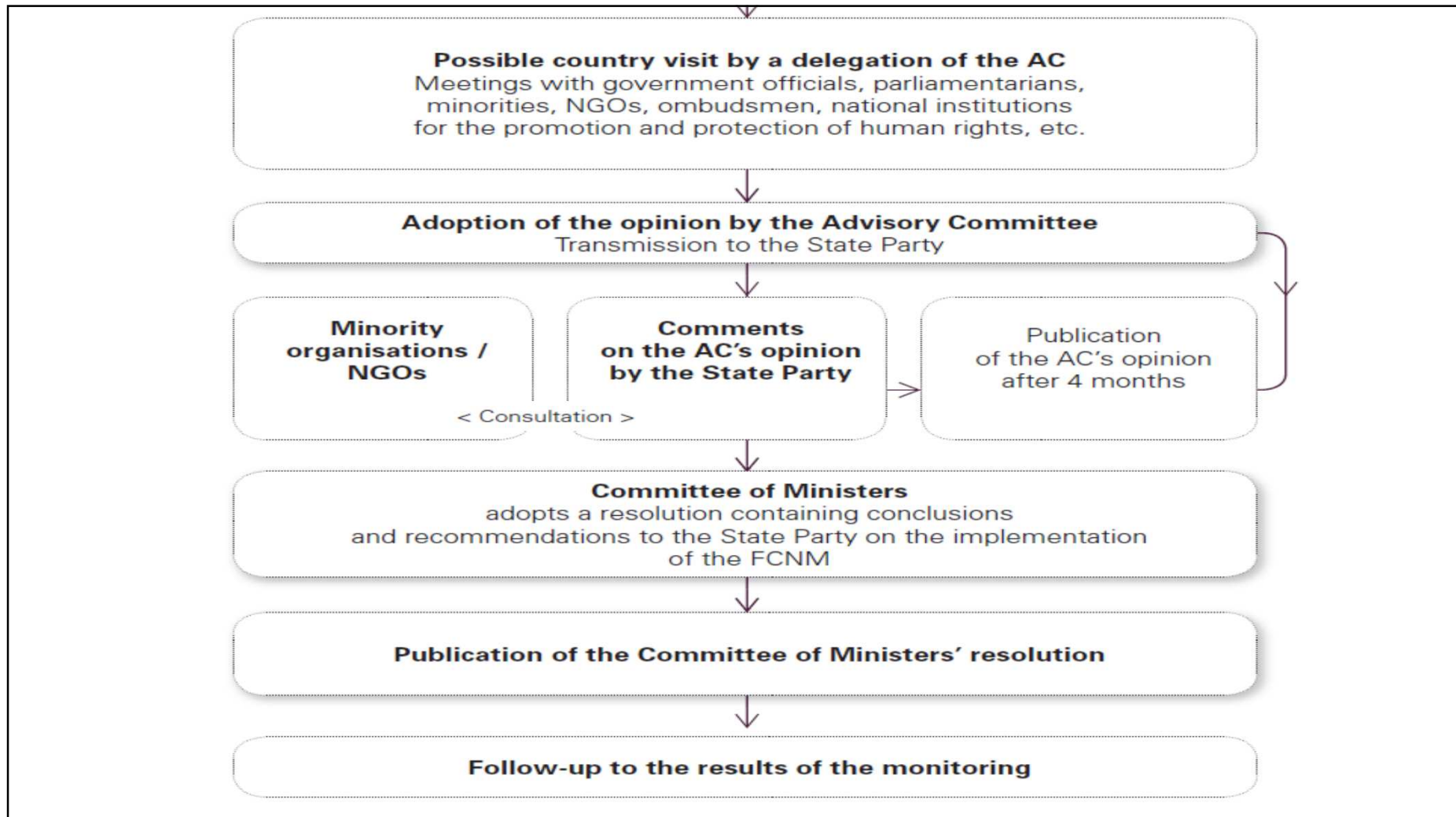
Next it is for the Committee of Ministers to adopt a resolution containing conclusions and recommendations to the State on the implementation of the Framework Convention. This resolution is made public upon its adoption.

Q WHAT KIND OF FOLLOW-UP ACTION IS TAKEN?

Governments are invited to keep the Advisory Committee regularly informed of the measures they have taken in response to the monitoring process. A wide range of actors are encouraged to undertake ongoing follow-up activities in order to promote effective implementation.

HOW IS STATE COMPLIANCE WITH THE CONVENTION MONITORED?





Q WHO IS RESPONSIBLE FOR MONITORING?

The Committee of Ministers and the Advisory Committee, made up of independent experts, are both involved in the monitoring of the Framework Convention.