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Portail de l'Assemblée en français | Council of Europe portal | Search

pace

Parliamentary Assembly  
Council of Europe

00 [HOME](#)

01 [News](#)  
[Press releases](#)  
[Newsletter](#)  
[Search](#)

02 [Quick overview](#)  
[Framework](#)  
[Working structure](#)  
[Procedure](#)  
[- Rules of Procedure and Complementary texts](#)  
[Secretariat](#)  
[Origins](#)  
[Download PACE Logo](#)

03 [Committees](#)  
*(Description, Terms of Reference, synopsis...)*  
[Reports under preparation](#)

04 [All meetings](#)  
[Sessions](#)  
  
[Standing Committee](#)  
  
[General Committees](#)  
[Conferences](#)

05 [Documents](#)  
[Adopted texts](#)  
[Working documents](#)  
[Verbatim records](#)


06 [President](#)  
[Curriculum Vitae](#)  
[Speeches](#)  
[Photographs](#)

07 [Secretary General of the Assembly](#)

08 [Assembly List](#)  
[Members](#)  
[Political groups](#)  
[Bureau](#)  
[Committees and Sub-Committees](#)  
[National delegations](#)  
*(member states, special guest, observers)*

09 [Political groups websites](#)  
[SOC](#)  
[EPP/CD](#)  
[ALDE](#)  
[EDG](#)  
[UEL](#)

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**Provisional edition**

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**Ratification of the Framework Convention for the Protection of National Minorities by the member states of the Council of Europe**

Recommendation 1766 (2006)<sup>1</sup>

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1. The Parliamentary Assembly recalls its [Recommendation 1492](#) (2001) and [Recommendation 1623](#) (2003), both concerning the rights of national minorities, and pays tribute to the fundamental role which the Framework Convention for the Protection of National Minorities (CETS No 157) (thereafter “Framework Convention”) has played over the past eight years in improving the protection of national minorities in Europe and promoting their rights.

2. To date, four states – Belgium, Greece, Iceland and Luxembourg – have signed the Framework Convention but have still not ratified it, and four others – Andorra, France, Monaco and Turkey – have neither signed nor ratified. The Assembly recalls that in [Recommendation 1492](#) (2001), it already called upon the above-mentioned states to sign and/or ratify as soon as possible and without reservations and declarations the Framework Convention. It deplores the derisory progress that has been made with regard to ratification since its last 2003 recommendation was adopted: only three new ratifications – by the Netherlands, Latvia and Georgia – have been recorded.

3. Considering that the protection of minorities is essential to maintaining social and political stability, to democratic security, to the prevention of social tensions and to promoting diversity of cultures and

**10** [Links](#)

[Council of Europe](#)  
[National parliaments](#)  
[International partners](#)

**11** [Communication Unit](#)

languages in Europe, as well as to ensuring full and effective equality of all people, the Assembly once again reiterates its appeal to all the member states to respond positively to the needs of national minorities and safeguard their rights, in particular as set forth in the Framework Convention.

4. It is important to recall in this framework that the principle of equality and non-discrimination constitutes a fundamental right of the human person. The Assembly is surprised that only 14 states have ratified Protocol No 12 to the European Convention on Human Rights (CETS No 177) and 21 have signed it.

5. The Assembly notes that Andorra, Belgium, France, Greece, Iceland, Monaco and Turkey are persisting in their refusal to sign or ratify the Framework Convention, on the ground that they respect the principle of non-discrimination in their domestic law. It is therefore surprised that they are still not parties to Protocol No 12 and would regard ratification of Protocol No 12 by these seven states as evidence of their desire to match their deeds to their words, and thus ensure effective protection for the rights of persons belonging to national minorities or to minority groups under the authority of the European Court of Human Rights.

6. The Assembly welcomes the fact that its recommendation calling for the reinstatement of the Committee of Experts on Issues relating to the Protection of National Minorities (DH-MIN) has been followed by the Committee of Ministers and underlines the important part which the DH-MIN plays in promoting the existing instruments.

7. Consequently, the Assembly recommends that the Committee of Ministers continues its efforts, in order to encourage:

7.1. those member states which have not yet done so to sign and ratify the Framework Convention, without reservations or restrictive declarations;

7.2. those member states which have signed but not yet ratified the Framework Convention to ratify that instrument, without reservations or restrictive declarations;

7.3. those states parties which have ratified the Framework Convention while entering restrictive declarations or reservations to withdraw the latter.

8. It also requests the Committee of Ministers to continue its efforts to encourage the speedy ratification of Protocol No 12 to the European Convention on Human Rights by those states which are not yet parties to it.

9. The Assembly also requests the Committee of Ministers to revisit the Framework Convention and initiate, where appropriate, the proper procedure

to review it in the light of experience gathered in its application, in order to:

9.1. clarify the reasons why some member states have not signed or ratified it or have ratified it with reservations or restrictive declarations;

9.2. make it more legally coherent and responsive to the actual European challenges by, *inter alia*, balancing the rights of minorities with their obligations and with the protection of the cultural diversity, the consolidation of intercultural solidarity, social cohesion and the civil nation's unity.

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<sup>1</sup>*Assembly debate* on 4 October 2006 (27<sup>th</sup> Sitting) (see [Doc.10961](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Boriss Cilevičs). *Text adopted by the Assembly* on 4 October 2006 (27<sup>th</sup> Sitting).