

## Recommendations for the Europe-Central Asia Regional Forum on Minority Issues 2022

### **Moving Forward: Reforming the Protection and Implementation of the Minority Rights Framework**

#### Council of Europe -Framework Convention for the Protection of National Minorities

1- While this is Europe’s most comprehensive treaty protecting the rights of persons belonging to national minorities, it has only an Advisory role for the states which have signed and ratified it. The country-specific monitoring of the implementation of the Framework Convention for the Protection of National Minorities procedure is limited to the states which have signed and ratified it, leaving member states like Greece, that refuses the existence of any national minority on its territory, out of this obligation although there are many cases brought to the Council of Europe attention that such ethnic and linguistic minorities do exist in the country and need protection.

**Recommendation:** The Council of Europe should have at least one more Committee, besides the Advisory one, that could penalize any country which does not apply the Framework Convention for the Protection of National Minorities, or refuses to sign and ratify it, or/and breaches it. The Council of Ministers, coming from each one of the member states government, cannot have this role as the decisions are purely political and depend on the government of each country and its own policy toward ethnic minorities. A kind of “Implementation Committee”, that could be composed, for example, by experts both on International Law and on Minorities Protection laws, it is necessary in order for it to be able to propose sanctions against the countries that do not implement the Framework Convention for the Protection of National Minorities or refuse to sign and ratify it when there are obvious denunciations by the minorities themselves, with proof of discrimination, exclusion and refusal of the protection laws that should be applied to them.

#### EU Parliament and European Commission

2- The European Union, until the year 2000, had a very dynamic policy on the protection of minorities, both ethnic and linguistic, for all its member states. Especially the European Parliament had passed many resolutions in favor of Minority Rights and Minority Protection, before and after that year. However, the European Council never agreed on such resolutions and they never managed to become obligatory directives for all EU member states. On the contrary, the European Council, since the year 2000, became more negative on such issues and decisions were made to limit even those few rights intended to protect ethnic minorities and minority languages in the EU.

Whenever ethnic minority groups complained to the EU institutions about infringement of their rights in any EU member state, the answer by the Petition Committee was always the same: „this is a matter falling outside the Union’s field of activity”. Of course, it is always inadmissible a petition concerning Minority protection rights the moment this matter is considered an internal one of each EU member state. Even the cases of blatant discrimination and exclusion of ethnic minorities, are not considered matters that are in the field of activity of the EC! (Quote-*In certain areas, the EU can only support, coordinate or complement the action of member countries. It has no power to pass laws and may not interfere with member countries’ ability to do so. In these areas, the EU has what the treaties call supporting competences*). In the field of Justice and Fundamental rights – Combating discrimination, for instance, only cases of discrimination against Roma and LGBTI groups are mentioned but not the ethnic minorities, although they also are victims of discrimination and apartheid situations in some EU member states.

**Recommendation:** Protection of Human Rights and of Minority Rights must be seen as a universal obligation and never should be considered a purely internal state affair, as it happens today. Sovereignty of a state must always be respected, but not on issues concerning vulnerable groups of people like ethnic minorities, which could never protect themselves inside a state that does not respect them and is not willing to protect their diversity. In many cases, European states even persecute their ethnic minorities.

In the past, the European institutions were much more concerned to protecting ethnic minorities inside the Union, there were experts who worked on research and projects about them. It has been a long time, since then, and today the situation of ethnic minorities is mostly ignored, causing distress to millions of citizens in the European Union who fear that assimilation and extinction of traditional minority communities and their languages will be the result of such neglect.

Much more work must be done on research, statistics, projects to protect and promote all ethnic and linguistic minorities in the European Union because it is imperative to safeguard all our indigenous minority people who are bearers of traditions and values so important to our European civilization.

EU institutions and the Council of Europe are lacking behind, a lot, on these issues and on the relevant legislation. Time has come to start reforming the protection and implementation of the Minority Rights Framework.

