



**OUTLINE FOR REPORTS TO BE SUBMITTED PURSUANT TO ARTICLE 25
PARAGRAPH 1 OF THE FRAMEWORK CONVENTION
FOR THE PROTECTION OF NATIONAL MINORITIES**

(Adopted by the Committee of Ministers on 30 September 1998
at the 642nd meeting of the Ministers' Deputies)

1. As follows from Article 25 paragraph 1 of the Framework Convention the report is to contain full information on the legislative and other measures taken to give effect to the principles set out in the Framework Convention. The aim of this outline is to facilitate both the work of those providing the information and that of the Committee of Ministers and the Advisory Committee.

2. This outline pertains only to the first reports to be submitted by Parties following the entry into force of the Framework Convention.

The report is to consist of two parts, and is to be submitted in one of the official languages of the Council of Europe as well as in the original language version. It should in its first part (Part I) contain an introduction on the way in which the Party has sought to implement the Framework Convention. This introduction should provide a coherent global overview and framework for understanding the specific information provided in the second part (Part II) of the report. Part I should therefore include:

- (a) recent general statement(s) on the policy of the State concerning the protection of national minorities;
- information on the status of international law in the domestic legal order;
- information on the unitary or federal character of the State;
- a summary overview of the relevant historical development of the country;
- relevant information on the demographic situation in the country;
- information on the existence of so-called minority-in-minority situations in certain areas;
- basic economic data such as Gross Domestic Product (GDP) and per capita income.

States are invited in this part to highlight measures, practices and policies which they consider to have worked particularly well in promoting the overall aim of the Framework Convention.

Furthermore States are requested to indicate the efforts they have made to promote awareness among the public and the relevant authorities about the Framework Convention.

States are also invited to indicate issues on which they would particularly welcome the support and advice of the Advisory Committee.

4. In Part II the report is to follow the order of the provisions of the Framework Convention. For each provision of the Framework Convention, full information on the measures adopted to ensure its implementation should be given. This information may be presented in five categories:

1. **narrative:** under this heading a short introductory description of State/government activity should be given, referring to the four categories of information mentioned below. This part should also make clear what developments have taken place over recent years, whether changes in policy or legislation are currently anticipated and should describe any difficulties that have been encountered or problems that have arisen with the implementation of the provision concerned.

2. **legal:** under this category the text of all relevant constitutional provisions, laws, regulations, decrees, judicial decisions and provisions of bilateral treaties should be provided. It should also be indicated whether legal remedies are available and, if so, which. These texts should be included in their original language form, accompanied by a translation of the most relevant provisions in one of the official languages of the Council of Europe.

3. **State infrastructure:** under this category a clear indication of which State/government authorities have competence and/or responsibilities in the field concerned is to be given. Where applicable information should also be included on State infrastructure at local and regional level.

4. **policy:** under this category policies, measures, programmes, statements and documents from government agencies should be set out. Furthermore information is to be given on relevant public expenditure and budgetary possibilities.

5. **factual:** under this category factual information enabling an evaluation of the effectiveness in practice of the measures taken to implement the Framework Convention should be provided, such as statistics and the results of surveys. It is understood that, where complete statistics are not available, governments may supply data or estimates based on ad hoc studies, specialised or sample surveys, or other scientifically valid methods, whenever they consider the information so collected to be useful.

5. To assist with the preparation of Part II of the report, all articles of Sections I, II and III of the Framework Convention are listed in the appendix and for each article it is indicated from which of the five categories identified above information is requested. Under some provisions further specific indications are given as to the information to be supplied. These specific indications do not replace, but are to be read in addition to the general description of the categories of information requested. Under some provisions, certain categories of information appear prima facie not to be relevant and no information is requested in respect of them. In these cases the category appears between brackets: [.....]. However, if it is felt that the category is relevant in the context of the specific circumstances of the country, information may, of course, be provided.

6. Where appropriate, the report may make cross-reference to information provided elsewhere in the report. There is no need to provide the same information twice.

7. Reports to other international organisations may, where appropriate, be referred to and extracts from these reports may be incorporated, provided that the full report is included in the appendices to the report under the Framework Convention in one of the official languages of the Council of Europe.

8. Any supplementary information the country would like to provide may be added to the report in the form of additional appendices.

9. Should any questions arise, the national authorities preparing the report under the Framework Convention are invited to contact the Minorities Unit of the Directorate of Human Rights.

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Appendix
OUTLINE FOR PART II OF THE REPORT

Article 1

The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation.

Information is requested from the State on its participation in and co-operation with international organisations in respect of the protection of national minorities, including a specification of the relevant international instruments to which it is party (for bilateral relations, see under Article 18). Information is also requested on how, pursuant to the rule of law, access to justice is guaranteed on issues of protection of persons belonging to national minorities.

Article 2

The provisions of this framework Convention shall be applied in good faith, in a spirit of understanding and tolerance and in conformity with the principles of good neighbourliness, friendly relations and co-operation between States.

Parties are invited to provide any information they consider relevant.

Article 3

1 Every person belonging to a national minority shall have the right freely to choose to be treated or not to be treated as such and no disadvantage shall result from this choice or from the exercise of the rights which are connected to that choice.

2 Persons belonging to national minorities may exercise the rights and enjoy the freedoms flowing from the principles enshrined in the present framework Convention individually as well as in community with others.

Paragraph 1 and 2

■ narrative:

In providing information under this heading please also address the following question:

- Are there any linguistic or ethnic groups, (whether they consist of citizens or of non-citizens living in the country), which are not considered a national minority? If so, please provide information on the different points of view in this respect.

■ legal:

In addition to the information to be provided please address the following questions:

- Is the notion of national minority defined under domestic law or is there an

enumeration in law of groups which are recognised as national minorities? If so, where?

■ state infrastructure

- is there a government agency responsible for collection of demographic data? If so, please give full details.

[■ policy]

■ factual:

In addition to the information to be provided please address the following questions:

- to which persons in your country have the provisions of the framework Convention been applied ?

- please provide information about the numbers and the places of settlement of the persons concerned and indicate how these data are collected.

Article 4

1 The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.

2 The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.

3 The measures adopted in accordance with paragraph 2 shall not be considered to be an act of discrimination.

paragraph 1

■ narrative

■ legal

■ state infrastructure

■ policy

■ factual

paragraph 2

■ narrative

■ legal

■ state infrastructure

■ policy

■ factual

paragraph 3

■ narrative

■ legal

[■ state infrastructure]

[■ policy]

[■ factual]

Article 5

1 The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.

2 Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation.

paragraph 1

■ narrative

■ legal

In providing information under this heading please address the following questions:

- is there a State religion in your country? If so, where is this laid down in law ?

- is there an enumeration in law of recognised religions ?

- are there one or more official languages in your country? If so, where is this laid down in law ?

■ state infrastructure

■ policy

In providing information under this heading please also address the following question:

- what is the policy of promotion of the conditions necessary for persons belonging to national minorities to maintain and develop their culture and how does it relate to the policy of the State in the field of culture in general?

■ factual

paragraph 2

- narrative

- legal

In providing information under this heading please also address the following question:

- if there is legislation explicitly pertaining to a "general integration policy", please provide details.

- state infrastructure

In providing information under this heading please also address the following question:

- is there a governmental infrastructure for integration policy ?

- policy

In addition to the information to be provided please address the following question:

- is there a general integration policy in your country ? If so, please give details.

- factual

Article 6

1. The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.

2 The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.

paragraph 1

States are requested to provide information on all relations between different ethnic, linguistic, cultural and religious communities, including evidence of inter-community relations and co-operation, as well as on attitudes and the role of civil society, including the role of the media.

- narrative

- legal

- state infrastructure

- policy

- factual

paragraph 2

- narrative

- legal

- state infrastructure

- policy

- factual

In providing information under this heading, please also provide statistics of reported cases and the success-rate in prosecution of acts of discrimination, hostility or violence as a result of persons' ethnic, cultural, linguistic or religious identity.

Article 7

The Parties shall ensure respect for the right of every person belonging to a national minority to freedom of peaceful assembly, freedom of association, freedom of expression, and freedom of thought, conscience and religion.

Under this Article please only provide information on the freedom of assembly and the freedom of association. Information on freedom of thought, conscience and religion may be provided under Article 8 and all information on freedom of expression may be provided under Article 9.

- narrative
- legal
- state infrastructure
- policy
- factual

Article 8

The Parties undertake to recognise that every person belonging to a national minority has the right to manifest his or her religion or belief and to establish religious institutions, organisations and associations.

- narrative
- legal
- state infrastructure
- policy

In providing information under this heading, please also address the following question: if there are there any religious institutions, organisations or associations that enjoy financial or other forms of direct or indirect support from the State, please provide details.

- factual

Article 9

1 The Parties undertake to recognise that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of

frontiers. The Parties shall ensure, within the framework of their legal systems, that persons belonging to a national minority are not discriminated against in their access to the media.

2 Paragraph 1 shall not prevent Parties from requiring the licensing, without discrimination and based on objective criteria, of sound radio and television broadcasting, or cinema enterprises.

3 The Parties shall not hinder the creation and the use of printed media by persons belonging to national minorities. In the legal framework of sound radio and television broadcasting, they shall ensure, as far as possible, and taking into account the provisions of paragraph 1, that persons belonging to national minorities are granted the possibility of creating and using their own media.

4 In the framework of their legal systems, the Parties shall adopt adequate measures in order to facilitate access to the media for persons belonging to national minorities and in order to promote tolerance and permit cultural pluralism.

paragraph 1

- narrative
- legal
- state infrastructure
- policy
- factual

paragraph 2

- narrative
- legal
- state infrastructure
- policy
- factual

paragraph 3

- narrative
- legal
- state infrastructure
- policy
- factual

paragraph 4

- narrative
- legal

- state infrastructure
- policy
- factual

Article 10

1 The Parties undertake to recognise that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing.

2 In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.

3 The Parties undertake to guarantee the right of every person belonging to a national minority to be informed promptly, in a language which he or she understands, of the reasons for his or her arrest, and of the nature and cause of any accusation against him or her, and to defend himself or herself in this language, if necessary with the free assistance of an interpreter.

paragraph 1

- narrative
- legal
- [■ state infrastructure]
- [■ policy]
- factual

paragraph 2

- narrative
- legal
- state infrastructure
- policy
- factual

paragraph 3

- narrative

- legal
- state infrastructure
- policy
- factual

Article 11

1 The Parties undertake to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them, according to modalities provided for in their legal system.

2 The Parties undertake to recognise that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.

3 In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour, in the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications.

paragraph 1

- narrative
- legal

In providing information under this heading, please also address the following question: Does domestic legislation provide for the possibility for the individual to maintain or to change his or her surname (patronym) and/or first names, or to revert to a former surname (patronym) and/or first names. If so, under which conditions?

- state infrastructure
- policy
- factual

paragraph 2

- narrative
- legal
- state infrastructure
- policy
- factual

paragraph 3

- narrative
- legal
- state infrastructure
- policy
- factual

Article 12

1 The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.

2 In this context the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.

3 The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.

paragraph 1

- narrative
- legal
- state infrastructure
- policy
- factual

paragraph 2

See also Article 6 paragraph 1.

- narrative
- legal
- state infrastructure
- policy
- factual

paragraph 3

- narrative
- legal
- state infrastructure

- policy
- factual

Article 13

1 Within the framework of their education systems, the Parties shall recognise that persons belonging to a national minority have the right to set up and to manage their own private educational and training establishments.

2 The exercise of this right shall not entail any financial obligation for the Parties.

paragraph 1

- narrative
- legal
- state infrastructure
- policy
- factual

paragraph 2

- [■ narrative]
- [■ legal]
- [■ state infrastructure]
- [■ policy]
- [■ factual]

Article 14

1 The Parties undertake to recognise that every person belonging to a national minority has the right to learn his or her minority language.

2 In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.

3 Paragraph 2 of this article shall be implemented without prejudice to the learning of the official language or the teaching in this language.

paragraph 1

- narrative
- legal
- state infrastructure
- policy
- factual

paragraph 2

- narrative
- legal
- state infrastructure
- policy
- factual

paragraph 3

- narrative
- legal
- state infrastructure
- policy
- factual

Article 15

The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.

In providing information please address the areas of cultural life, social and economic life and public affairs separately. Particularly information on institutional arrangements for participation in decision-making processes should be included (as the case may be, consultative councils, parliamentary arrangements and territorial or cultural autonomy). Please also indicate whether under certain conditions non-citizens have voting rights, and, if so, under which conditions.

- narrative
- legal
- state infrastructure
- policy
- factual

Article 16

The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities and are aimed at restricting the

rights and freedoms flowing from the principles enshrined in the present framework Convention.

Under this article please provide information on any changes that have been made in recent

years to municipal and regional and/or administrative borders as well as any changes in

competence of local or regional authorities that have been implemented.

- narrative
- legal
- state infrastructure
- policy
- factual

Article 17

1 The Parties undertake not to interfere with the right of persons belonging to national minorities to establish and maintain free and peaceful contacts across frontiers with persons lawfully staying in other States, in particular those with whom they share an ethnic, cultural, linguistic or religious identity, or a common cultural heritage.

2 The Parties undertake not to interfere with the right of persons belonging to national minorities to participate in the activities of non-governmental organisations, both at the national and international levels.

paragraph 1

- narrative
- legal
- [■ state infrastructure]
- policy
- factual

paragraph 2

- narrative
- legal
- [■ state infrastructure]
- policy
- factual

Article 18

1 The Parties shall endeavour to conclude, where necessary, bilateral and multilateral agreements with other States, in particular neighbouring States, in order to ensure the protection of persons belonging to the national minorities concerned.

2 Where relevant, the Parties shall take measures to encourage transfrontier co-operation.

paragraph 1

- narrative
- legal
- state infrastructure
- policy
- factual

paragraph 2

- narrative
- legal
- state infrastructure
- policy
- factual

Article 19

The Parties undertake to respect and implement the principles enshrined in the present framework Convention making, where necessary, only those limitations, restrictions or derogations which are provided for in international legal instruments, in particular the Convention for the Protection of Human Rights and Fundamental Freedoms, in so far as they are relevant to the rights and freedoms flowing from the said principles.

Information under this article need only be provided by Parties that have made limitations, restrictions or derogations. Where limitations, restrictions or derogations have been made information should, where applicable, also be provided under the relevant articles mentioned above.

- narrative
- legal
- state infrastructure
- policy
- factual

Article 20

In the exercise of the rights and freedoms flowing from the principles enshrined in the present framework Convention, any person belonging to a national minority shall respect the national legislation and the rights of others, in particular those of persons belonging to the majority or to other national minorities.

Parties are invited to provide any information they consider relevant.

Article 21

Nothing in the present framework Convention shall be interpreted as implying any right to engage in any activity or perform any act contrary to the fundamental principles of international law and in particular of the sovereign equality, territorial integrity and political independence of States.

Parties are invited to provide any information they consider relevant.

Article 22

Nothing in the present framework Convention shall be construed as limiting or derogating from any of the human rights and fundamental freedoms which may be ensured under the laws of any Contracting Party or under any other agreement to which it is a Party.

Parties are invited to provide any information they consider relevant.

Article 23

The rights and freedoms flowing from the principles enshrined in the present framework Convention, in so far as they are the subject of a corresponding provision in the Convention for the Protection of Human Rights and Fundamental Freedoms or in the Protocols thereto, shall be understood so as to conform to the latter provisions.

Parties are invited to provide any information they consider relevant.

Article 30

1 Any State may at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories for whose international relations it is responsible to which this framework Convention shall apply.

2 Any State may at any later date, by a declaration addressed to the Secretary General of the Council of Europe, extend the application of this framework Convention to any other territory specified in the declaration. In respect of such territory the framework Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date of receipt of such declaration by the Secretary General.

3 Any declaration made under the two preceding paragraphs may, in respect of any territory specified in such declaration, be withdrawn by a notification addressed to the Secretary General. The withdrawal shall become effective

on the first day of the month following the expiration of a period of three months after the date of receipt of such notification by the Secretary General.

Please indicate any use that is made of this article.