

## **FORUM ON MINORITY ISSUES II**

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Madam Chairperson,

I would like to thank you for giving me this opportunity to share with the Forum some experience of the Advisory Committee on the Council of Europe Framework Convention for the Protection of National Minorities in the field of minority political participation.

As already mentioned this morning, effective participation is guaranteed under the Framework Convention. The state parties to the Framework Convention are required to create conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs. Effective participation should also be seen as a key for the full enjoyment of other minority rights, such as linguistic rights. The Advisory Committee on the Framework Convention decided therefore to devote its second thematic commentary to minority effective participation. This commentary issued in 2008 drew on the Advisory Committee's country-by-country monitoring.

When analysing whether minority participation is effective, the Advisory Committee has considered the actual minority representation in various mechanisms and the level of influence of national minorities on the decision-making process. Whatever mechanism is chosen, whether there are electoral arrangements, consultative bodies or autonomies, persons belonging to national minorities should be given real opportunities to influence decision-making and the outcome should adequately reflect their needs. Particular attention should also be paid by the states to the participation of women from minority background in decision-making processes.

Minority representation in electoral bodies helps national minorities to express their views when legislative measures and public policies of relevance to them are formulated. Exemptions from threshold requirements necessary for participation in elected bodies have proved useful to enhance national minority participation. In the view of the Advisory Committee, due attention should also be paid to the design of constituency boundaries. Administrative reforms should not result in the decrease of possibilities for minorities to be elected in constituencies.

The Advisory Committee considers that the setting-up of reserved or shared seat systems in parliament do not automatically provide for effective minority participation and minority elected representatives should be given a real possibility to influence decisions-making.

It is seen as positive if special parliamentary committees dealing with minority-related issues are set up in parliaments and if minority languages are used in these committees. The Advisory Committee considers that language proficiency requirements imposed on candidates of local and parliamentary elections are not conducive to effective participation.

Under the Framework Convention, state parties should ensure that minorities have adequate opportunities to effectively participate in election campaigns and through political parties. This may imply the display of electoral advertising in minority languages. Internal democratic processes for the selection of candidates of mainstream political parties are crucial in ensuring minority participation. Prohibition of ethnic political parties is incompatible with the principles of the Framework Convention if conditions for their registration are disproportionate and unreasonable.

As to participation at a local level, states are encouraged to provide non-citizens belonging to national minorities with a possibility to vote and to stand as candidates in local elections and in cultural governing boards of autonomies. The electoral system for autonomy arrangements should provide for protection against possible abuses.

The Advisory Committee has also examined the functioning of minority consultative mechanisms. They are an important tool for enhancing minority participation but cannot fully replace minority electoral arrangements. Appropriate attention should be paid to the inclusiveness and representativeness of the consultative bodies, including the participation of numerically smaller minorities. Their appointment procedures and working methods need to be made transparent.

Thank you for your attention.

For more information on the Framework Convention, see <http://www.coe.int/minorities>.