

Permanent Delegation of the Council of Europe to the United Nations Office and Other International Organisations in Geneva

Item 5: Challenges and problems encountered in the practical implementation of the Declaration

Thank you very much Madame President,

One of the challenges being confronted today by the Advisory Committee of the Framework Convention of the Council of Europe for the Protection of National Minorities is the increase of politicization. In the last years, this has given place, in some occasions, to minority matters being displaced to the field of bilateral relations in which the fulfillment of obligations is based on reciprocity rather than out of a sense of compromise for the international protection of human rights. This fact affects in a special manner the minorities deemed “related” or “next to each other” that can at times be taken hostage in bilateral negotiations or in conflicts between neighboring states. This tendency must be taken seriously given that, unfortunately, it presents the risk of creating challenges for the proper functioning of the mechanism of supervision, as well as its objective of prevention and early warning.

The actual political climate and the economic crisis also affect the protection of minorities. The global economic crisis continues to have a negative effect in the implementation of the Framework Convention in many of the Member States, as well as in reference to the respect of values such as interethnic tolerance and mutual understanding, which form part of the essence of the Convention. The persons belonging to minorities continue to be in the groups most affected by xenophobic tendencies, including the discourse for the incitement of hatred carried out by extremist movements and by political representatives as well. Violence due to racial motives is a persistent problem.

To contribute to the global objective of promoting social cohesion guaranteeing the rights and freedoms of the persons belonging to national minorities, solutions must be adapted to the situation of each national minority in its specific context. The measures adopted by certain states in response to certain circumstances do not necessarily guarantee the future fulfillment of the standards established in the Framework Convention. Therefore, the policies, legislative frameworks and mechanisms of implementation that directly or indirectly affect the rights of the persons belonging to minorities must be subject to a constant adherence and subject to evaluation and amendments, in wide collaboration with the affected groups. The Framework Convention is a living instrument whose interpretation should be further developed. The Council of Europe will continue to work to improve the protection of the persons belonging to national minorities.