

***Launching conference of the
Fourth Thematic Commentary on the Scope of Application***

*Advisory Committee on the Framework Convention
for the Protection of National Minorities*

“The Framework Convention: a key tool to managing diversity through minority rights”

Strasbourg, 11 October 2016

**Address of President Mr. Loránt VINCZE,
Federal Union of European Nationalities**

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Ladies and Gentlemen,

We are pleased with your thorough and fundamental approach to assessing the implementation of this legal instrument. We appreciate that the Federal Union of European Nationalities, the largest umbrella organization of the European autochthonous minorities had the opportunity to be part of the drafting process.

FUEN notices that – rightfully – the Convention has been interpreted as a “living instrument”, allowing for the recognition of rights in a changing environment in the member states. We support the majority of the findings of the Commentary, and those need to be praised, but let me outline some elements we find problematic.

When reading the Commentary, one gets the impression that the focus has shifted from the original aim of the protection of national minorities. Respecting their ethnic, cultural, linguistic and religious identity and creating the appropriate conditions enabling them to express, preserve and develop this identity was the primary aim of this legal instrument. Currently it seems that accommodating increasing pluralism and creating inclusive societies have become the primary objectives. This approach of “managing diversity” may lead to a balancing act between minority rights or protection on the one hand and the interests of majorities on the other hand.

We are concerned with this development, since it shifts the focus away from maintaining the minorities’ identity, their way of life and the survival and development of their community. Traditional minorities still face assimilation pressure and

demographic decline, which makes their situation special and this needs to be addressed not only as a matter of diversity, but also as a fundamental right.

In this context, we find the reference to the parallel education systems particularly worrying. In many cases, minority schools provide a safe environment for students to receive good quality education in their mother tongue, preparing them for their further life. The autonomous education system is the most important element of self-preservation of minority languages and cultures. Of course, these schools need to be open to the wider community.

FUEN would like to applaud the Advisory Committee for their consistent criticism on arbitrary distinctions made by the State Parties concerning the application of the Framework Convention. Communities with similar situations should be treated equally, and some distinctions made by State Parties are clearly contrary to this principle.

However, not everything or every group is equal. Reading the Thematic Commentary could give the impression that almost every group you can think of – falls under the protection of the Framework Convention, and that distinctions such as the length of residency, citizenship, territoriality and numbers have only limited influence on rights. We agree that arbitrary distinctions are wrong, but we are of the opinion that these criteria do matter. You cannot equate the situation of a newly arrived migrant group with the demands of people that have developed their community over a period of centuries, often long before the establishment of modern states caused them to become national minorities.

The protection of national minorities and the creation of inclusive society is a task for all of us. Majorities cannot sit down and expect integration only from the minorities; the society as a whole has to work hard to become inclusive. Thus, the participation of minorities in decision-making processes is crucial.

Thank you very much!