



# **Qualitative Minority Indicators: The Framework Convention for the Protection of National Minorities**

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**ECMI Indicators**  
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# Qualitative Minority Indicators: The Framework Convention for the Protection of National Minorities

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## PREFACE

This publication offers an index of indicators to measure the performance of the European Framework Convention for the Protection of National Minorities (FCNM). The FCNM is one of the most important instruments in the protection of minorities and the promotion of minority rights in Europe. While there have been initiatives to conceptualize indicators for the FCNM,<sup>1</sup> there has not been a comprehensive set of indicators developed. With this the European Centre for Minority Issues (ECMI) seeks to begin filling this gap by providing an index of qualitative indicators.

Qualitative indicators are not as such the ultimate measuring tool to assess policy performances. They often precede quantitative data collection by providing the answers needed to design quantitative indicators. Thus, they ask specific, qualitative questions on the basis of which desirable quantitative outcomes can be described. According to the Organisation for Economic Co-operation and Development (OECD), indicators are parameters or values derived from information describing the state of a phenomenon.<sup>2</sup> As such, they are an attempt to gather facts and information despite conditions of uncertainty due to lack of comprehensive data and to the ever-changing nature of the phenomena under analysis. Different types of indicators have different aims. The indicators provided in this publication aim to assess the effectiveness of national public policies; hence, they are governance indicators.

In focus in this publication are public policies adopted to support minority governance. More specifically in focus are minority rights standards at the national, regional and local levels in those Council of Europe member states, which have signed and ratified the FCNM. The qualitative indicators are structured according to relevant areas of monitoring, e.g. law and policies, enforcement and monitoring mechanisms. They also provide a list of sources that may be consulted for available data about the implementation of minority rights standards. The indicators are thus not designed to provide finite, determinate indications of minority life, but rather to identify specific areas of concern where minority life should or could be protected and how this may be pursued. In that sense, the qualitative indicators are not outcome indicators; such

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<sup>1</sup> Tove Malloy, Roberta Medda-Windischer and Emma Lantschner, "Measuring the security of persons belonging to national minorities: Indicators for assessing the impact of the FCNM in its state parties", 20 (4) *Security and Human Rights* (2009), 277-93. See also, Tove Malloy, Roberta Medda-Windischer, Emma Lantschner and Joseph Marko, "Indicators for Assessing the Impact of the Framework Convention for the Protection of National Minorities in its State Parties Report", at [https://www.coe.int/t/dghl/monitoring/minorities/6\\_resources/PDF\\_IACConf\\_Report\\_Bolzano\\_en\\_12no\\_v08.pdf](https://www.coe.int/t/dghl/monitoring/minorities/6_resources/PDF_IACConf_Report_Bolzano_en_12no_v08.pdf)

<sup>2</sup> *OECD Environmental Indicators: Towards Sustainable Development* (OECD, Paris, 2001), at <http://www.oecd.org/site/worldforum/33703867.pdf>



could, however, be designed on the basis of the questions and statements compiled in the indicators in this publication.

This index of indicators consists of 16 tables covering each one article of the FCNM.<sup>3</sup> The tables cover Articles 3-18, which are the operational articles providing for government action. This approach has been chosen in order to follow the official monitoring of the FCNM carried out by the Council of Europe's Advisory Committee to the Framework Convention (ACFC). The ACFC opinions as well as the state reports submitted to the Council of Europe follow an article-by-article structure. The monitoring of the FCNM runs in five-year cycles: every five year the state party to the FCNM submits a state report with updates on the basis of which the ACFC evaluates the current situation and prepares an opinion. The opinions form the basis for the political resolutions of the Committee of Ministers by which the Council of Europe informs the member state of its view on the state's performance in regard to minority protection. During the following five years, the member state is expected to improve on the basis of the recommendations adopted by the Committee of Ministers.

The descriptions of the indicators for each article are based on information culled from the ACFC opinions of the first four cycles of monitoring. Since the opinions relate heavily on other sources than state reports, we deemed the opinions a good basis from which to start. It goes without saying that there may be circumstances that we have missed, and we hope that a next step in our work will be the design of quantitative indicators. Should our readers have issues they believe should be covered in this index of qualitative indicators, we would very much welcome that they get in contact with us ([info@ecmi.de](mailto:info@ecmi.de)).

We hope the index may find users among the members of the ACFC, among civil servants and policy-makers as well as among representations of minorities and non-governmental organizations (NGO) working in the field of minority protection. The index could also have relevance for human rights practitioners and students of human and minority rights and minority protection.

The ECMI would like to thank Francesco Biagini and Katarzyna Zbrowska for assisting us in compiling the index during their internship at our Centre during the summer 2015. They handled the huge amount of data with diligence and professionalism, and they worked hard on arriving at a format for the indicators that would be user-friendly. We also thank ECMI Senior Research Associate Zora Popova for input in the final stages of designing the indicators. Any mistakes are of course ours.

We hope this tool will be useful to you and wish you good luck with monitoring.

Flensburg, December 2015  
Tove H. Malloy  
ECMI Director

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<sup>3</sup> The FCNM homepage at the Council of Europe, at <<http://www.coe.int/en/web/minorities/home>>





## ABBREVIATIONS

ECHR	European Convention on Human Rights
ECRML	European Charter on Regional or Minority Languages
FCNM	Framework Convention for the Protection of National Minorities
ML	Minority languages
NM	National minority



## 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.



Article 3 - Table of Indicators

§	PROVISIONS		INDICATORS			SOURCES
	FCNM - Article 3	Explanatory Report - implications	Laws & Policies	Enforcement	Monitoring	
1	<ul style="list-style-type: none"> <li>Every person belonging to a NM has the <b>right freely to choose to be treated or not to be treated as such and no disadvantage shall result</b> from this choice or from the exercise of the rights that are connected to that choice</li> </ul>	<ul style="list-style-type: none"> <li>Every person can decide whether or not he/she wishes to come under the protection flowing from the principle of FCNM</li> <li>The individual's subjective choice is inseparably linked to objective criteria relevant to the person's identity</li> <li>No disadvantage shall arise from the free choice. The enjoyment of the freedom to choose shall also not be impaired indirectly</li> </ul>	<ul style="list-style-type: none"> <li>Law ensuring the respect of the principle of self-identification</li> <li>Law establishing mechanisms (bodies and procedures) to monitor issues related to NM</li> <li>Law establishing mechanisms (bodies and procedures) for the registration of the population</li> <li>Law ensuring the respect of international standards on data protection</li> <li>Law abolishing obligations to the registration of ethnicity and relative fines</li> <li>Law on administrative processes prohibiting the use of terms considered as pejorative for NM</li> </ul>	<ul style="list-style-type: none"> <li>Where they exist, procedures for the registration of the population should be organized in accordance to the principle of self-identification</li> <li>Ensure the respect of self-identification in all administrative processes               <ul style="list-style-type: none"> <li>- no requirement to prove one's ethnic affiliation</li> </ul> </li> <li>Revision of the terminology used in relation to NM, in consultation with representatives               <ul style="list-style-type: none"> <li>- avoiding the use of pejorative terminology against NMs</li> </ul> </li> <li>Awareness raising activities for NM on the importance of data collection on ethnic affiliation</li> </ul>	<ul style="list-style-type: none"> <li><b>Monitoring Bodies</b> <ul style="list-style-type: none"> <li>- establishment of a State advisory body on NM issues</li> </ul> </li> <li><b>Procedures</b> <ul style="list-style-type: none"> <li>- establishment of effective complaint mechanisms and procedures (promoted among stakeholders)</li> <li>- establishment of an effective consultative mechanisms with representatives of NM</li> </ul> </li> <li><b>Data Collection</b> <ul style="list-style-type: none"> <li>- establishment of an effective system for the collection of disaggregated data by ethnicity (inclusion and participation of persons belonging to NM)               <ul style="list-style-type: none"> <li>- Censuses</li> <li>- inclusion of optional questions on ethnic belonging</li> <li>- inclusion of the option of multiple identity affiliation</li> <li>- translation into ML where possible</li> <li>- Identification of alternative means to censuses for data collection</li> <li>- analysis and publication of the results in due time</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- International and regional legal instruments</li> <li>- national legal instruments</li> <li>- website and publications by the government, local branches and relevant ministries</li> <li>- website and publication by the office of the Ombudsperson</li> <li>- relevant documents, such as recommendations, state reports and advisory opinions, provided by international and national organizations</li> <li>- statistical offices</li> <li>- censuses</li> <li>- surveys</li> <li>- reports of relevant NGOs</li> <li>- academic studies on NM</li> <li>- office of the registrar</li> <li>- election codes</li> </ul>
2	<ul style="list-style-type: none"> <li><b>Persons belonging to NM may exercise the rights and enjoy the freedoms flowing from the principle enshrined in the present framework Convention,</b> individually as well as in community with others</li> </ul>	<ul style="list-style-type: none"> <li>Recognition of the possibility to jointly exercise rights and freedoms, distinct from the notion of collective rights</li> <li>Widest possible sense of the term "others": it shall include persons belonging to the same NM, to another NM or to the majority</li> </ul>	<ul style="list-style-type: none"> <li>Transposition of the rights enshrined in the Framework Convention into national law</li> </ul>	<ul style="list-style-type: none"> <li>Adoption of a flexible approach to cover a wide range of NM               <ul style="list-style-type: none"> <li>- flexible criteria for eligibility for protection as member of NM</li> <li>- avoid to use citizenship as mandatory criteria</li> <li>- inclusion of groups not officially deemed to be NM</li> </ul> </li> <li>Awareness raising activities and information in ML for persons belonging to NM on their right derived from the principle enshrined in the FCNM</li> <li>Ensure the protection of persons belonging to NM living outside their autochthonous settlement area</li> <li>Ensure that the elections for all forms of government comply with the principle of self-identification and with international standards on data protection</li> </ul>		



## 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.



Article 4 - Table of Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM - Article 4	Explanatory Report - implications	Laws & Policies	Enforcement		Monitoring
1	Every person belonging to a national minority has the <b>right to equality before the law and equal protection before the law</b>	<ul style="list-style-type: none"> <li>All measures must be <b>adequate</b>, therefore:               <ul style="list-style-type: none"> <li>conform to the principle of <b>proportionality</b></li> <li>extended in <b>time and scope only to what is necessary</b> to achieve full and effective equality</li> </ul> </li> <li><b>Equal Opportunities</b> implied in the concept of equality</li> </ul>	<ul style="list-style-type: none"> <li>Relevant International and Regional Instruments ratified and implemented</li> <li>Constitutional guarantees</li> <li>Legislation on Antidiscrimination               <ul style="list-style-type: none"> <li>list of prohibited conducts</li> <li>list of prohibited grounds of discrimination</li> <li>definition of vulnerable groups including NM</li> </ul> </li> <li>Law establishing mechanisms (bodies and procedures) for the prosecution of cases of antidiscrimination and related remedies</li> <li>Criminal, Administrative and Civil Code compatible with antidiscrimination Legislation</li> <li>Law establishing mechanisms (bodies and procedures) for the civil registration of persons belonging to NM</li> <li>Revocation of laws and policies resulting in discrimination in granting protection before the law</li> <li>Law establishing the office of the Ombudsperson as an independent body and related procedures</li> </ul>	<ul style="list-style-type: none"> <li><b>Office of the Ombudsperson</b> <ul style="list-style-type: none"> <li>adequate financial and human resources</li> <li>transparent and participatory process of selection</li> <li>local branches</li> </ul> </li> <li><b>Adequate measures, including positive measures when necessary, to ensure equal protection before the law for persons belonging to NM</b> <ul style="list-style-type: none"> <li>availability of translator and interpreters when dealing with public bodies</li> <li>provide training on antidiscrimination legislation to administrative personnel</li> <li>availability of free judicial assistance</li> <li>effective and satisfactory compensations (consultation with representatives of NM)</li> </ul> </li> <li><b>Translation of national laws and policies into ML</b></li> <li><b>Awareness raising activities</b> <ul style="list-style-type: none"> <li>campaigns on the meaning and forms of discrimination</li> <li>activities among persons belonging to NM for the understanding of their rights and the remedies available</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><b>Monitoring Bodies</b> <ul style="list-style-type: none"> <li>Establishment of the Office of the Ombudsperson</li> <li>Establishment of local ministerial branches monitoring adherence to equality policies and non-discrimination legislation within their respective fields</li> </ul> </li> <li><b>Procedures</b> <ul style="list-style-type: none"> <li>establishment of effective complaint mechanisms and procedures (promoted among stakeholders)</li> <li>establishment of effective consultative mechanisms with representatives of NM</li> <li>periodic monitoring of the levels of trust in public institutions among persons belonging to NMs</li> </ul> </li> <li><b>Data Collection</b> <ul style="list-style-type: none"> <li>Establishment of an effective system of data collection on identified cases of discrimination towards persons belonging to NM</li> <li>establishment of an effective system of data collection to monitor the effective equality in the access to services and opportunities in all areas of economic, social, political and cultural life</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>International and regional legal instruments</li> <li>national legal instruments</li> <li>websites and publications by the government, relevant ministries and local branches (e.g. Justice, Education, Health, Labour, Welfare, Finance/Economy)</li> <li>website and publications by the office of the Ombudsperson</li> <li>relevant documents, such as recommendations, state reports and advisory opinions, provided by international and national organizations</li> <li>statistical offices</li> <li>censuses</li> <li>surveys</li> <li>reports of relevant NGOs</li> <li>academic studies on discrimination</li> <li>internet and medias</li> <li>school curricula</li> <li>statutes of trade unions</li> <li>civil society organizations</li> </ul>
2	<b>Adequate measures to promote full and effective equality between the national minority and the majority</b> <ul style="list-style-type: none"> <li>In all areas of economic, social, political and cultural life</li> <li>By taking due account of the specific conditions of the</li> </ul>		<ul style="list-style-type: none"> <li>Policies promoting social opportunities and broadening social acceptance</li> <li>National plan to reduce discrimination and increase integration of NM               <ul style="list-style-type: none"> <li>consultation with representatives of NM</li> </ul> </li> <li>Policies aimed at the reduction of undetermined citizenship</li> <li>Financial commitment to grant equal access of persons belonging to NM to services and opportunities (education, health, social care, housing, employment)</li> </ul>	<ul style="list-style-type: none"> <li>Promote initiatives aimed to increase number of persons belonging to NM that can speak the official language</li> <li>Provide incentives and public awards for representatives of NM contributing to social development</li> <li><b>Awareness raising activities</b> <ul style="list-style-type: none"> <li>Research on culture, language and traditions of NM</li> <li>Studies on issues affecting NM</li> <li>Public campaigns on social inclusion of NM</li> </ul> </li> <li><b>Involvement of media</b> <ul style="list-style-type: none"> <li>presence of channels of information and discussion about discrimination and hate crimes</li> <li>awareness raising and incentives among journalists</li> </ul> </li> <li><b>Education</b> <ul style="list-style-type: none"> <li>financial and material support</li> </ul> </li> </ul>		



## ECMI Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM - Article 4	Explanatory Report - implications	Laws & Policies	Enforcement		Monitoring
	persons belonging to NM		<ul style="list-style-type: none"> <li>• Policies ensuring participation of NM in the civil service</li> <li>• Financial commitment to support NGOs dealing with issues of discrimination towards national minorities</li> <li>• Revocation of laws and policies resulting in discrimination in granting access to services and opportunities</li> </ul>	<ul style="list-style-type: none"> <li>- effective means for receiving education in minority language</li> <li>- intercultural dialogue within the education system</li> <li>- bullying at school</li> <li>- measures to prevent bullying at school and of dropout rates</li> <li>- training of teachers</li> <li>• <b>Health</b> <ul style="list-style-type: none"> <li>- promote equal standards through health campaigns and vaccination programs</li> <li>- training and awareness raising of medical professionals</li> </ul> </li> <li>• <b>Social Care</b> <ul style="list-style-type: none"> <li>- promote access to pension and social services</li> <li>- promote service standards for disabled and vulnerable people belonging to NM</li> </ul> </li> <li>• <b>Housing</b> <ul style="list-style-type: none"> <li>- review procedures for forced evictions</li> <li>- reduce proportion of persons living below decent standards of living</li> <li>- financial support for improvement of housing condition</li> </ul> </li> <li>• <b>Employment</b> <ul style="list-style-type: none"> <li>- incentives for forms of business run by members of NM</li> <li>- equal access to trade unions and professional associations</li> <li>- employment in the public sector</li> <li>- incentives for employment in the private sector</li> </ul> </li> <li>• <b>Cultural practices</b> <ul style="list-style-type: none"> <li>- public campaigns to combat prejudices and negative stereotypes, and to promote cultural autonomy</li> </ul> </li> </ul>		
3	The measures aimed to promote full and effective equality shall <b>not be considered as an act of discrimination</b>	<ul style="list-style-type: none"> <li>• <b>The measures adopted in accordance with art. 4 do not contravene art. 4 itself</b> in the matter of equality and non-discrimination</li> </ul>	<ul style="list-style-type: none"> <li>• Provisions allowing positive actions and special measures aimed at reducing inequality</li> <li>• Positive measures must not however be considered as discrimination under national and constitutional law</li> </ul>			



## 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.



Article 5 - Table of Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM - Article 5	Explanatory Report implications	Laws & Policies	Enforcement		Monitoring
1	<p>Promote the conditions necessary for persons belonging to NM to:</p> <p><b>maintain and develop their culture</b></p> <p><b>preserve the essential elements of their identity</b> (religion, language, traditions and cultural heritage)</p>	<ul style="list-style-type: none"> <li>• traditional practices remain subjected to limitations arising from requirements of public order</li> </ul>	<ul style="list-style-type: none"> <li>• International and regional instruments ratified and implemented</li> <li>• Constitutional guarantees               <ul style="list-style-type: none"> <li>- the right of NMs to develop their own culture</li> <li>- the duty of the government to promote cultural identity</li> </ul> </li> <li>• Law establishing cases of legitimate limitation to cultural practices for reasons of public safety and order</li> <li>• Recognition of land rights to NM when relevant for their culture and identity</li> <li>• National plan to support, preserve and promote the culture and identity of NM</li> <li>• Law on the right of NM to be consulted at all stages of the relevant decision making processes</li> <li>• Financial and material commitment to support cultural activities</li> <li>• Law on procedure for the creation of cultural spaces by persons belonging to NM</li> <li>• Clear distribution of powers and responsibilities for the support of cultural development between central/regional/local governments and minority associations</li> <li>• Planning of joint cultural activities with NM</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure coordination between all levels of authority</li> <li>• Establishment of NM Cultural Centres</li> <li>• Maintenance of religious and historical buildings of NM</li> <li>• <b>Funds allocation</b> <ul style="list-style-type: none"> <li>- clear, transparent, participatory and equal procedures and criteria</li> <li>- awareness raising on availability of State aid</li> </ul> </li> <li>• Support to activities conducted by NM associations</li> <li>• Support to activities conducted by NGOs</li> <li>• Support to activities conducted by children and young people belonging to NM</li> <li>• Presence of channels of information on cultural heritage, main events, actual projects and ways to participate</li> <li>• <b>Promotion of culture through education</b> <ul style="list-style-type: none"> <li>- special arrangements provisions for NM groups</li> <li>- scholarships for NM students interested in a related field</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Monitoring Bodies</b> <ul style="list-style-type: none"> <li>- Establishment of a branch of the Ministry of Culture to regularly Monitor and address weaknesses in The implementation of the legal standards</li> <li>- Establishment of a body to monitor allocation of funds (with participation of representatives of NM)</li> <li>- Establishment of expert commissions and working groups to evaluate the protection of cultural diversity in legislative and political measures</li> </ul> </li> <li>• <b>Procedures</b> <ul style="list-style-type: none"> <li>- Establishment of a system to monitor/report abuse/violation of rights</li> <li>- Establishment of effective complaint mechanism and procedure (promoted among stakeholders)</li> <li>- Establishment of a channel to submit proposals to the Government</li> </ul> </li> <li>• <b>Data collection</b> <ul style="list-style-type: none"> <li>- Establishment of an effective system of data collection to monitor the effective promotion and support of cultural activities of NM groups (e.g. funds allocated, proposals received and accepted, cultural institutions available, scholarships to NM students, etc.)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- Relevant international and regional legal instruments</li> <li>- National legal instruments</li> <li>- websites and publications by the government, relevant ministries (e.g. Culture, Education) and local branches</li> <li>- websites and publications issued by cultural associations</li> <li>- relevant documents, such as recommendations, state reports and advisory opinions, provided by international and national organizations</li> <li>- censuses</li> <li>- surveys</li> <li>- reports of relevant NGOs</li> <li>- academic studies on NM culture</li> <li>- internet and media school curricula</li> </ul>
2	<p><b>Refrain from policies or practices aimed at assimilation</b> of persons belonging to national minorities against their will and <b>protection</b> against such kind of actions</p>	<p><b>voluntary assimilation is not prohibited</b></p> <p>not preclusion from taking measures in pursuance of <b>general integration policies</b></p> <p>- cultural diversity as a source and a factor of enrichment of society</p>	<ul style="list-style-type: none"> <li>• Laws guaranteeing the freedom of association and freedom of expression without discrimination</li> <li>• Laws aimed to avoid cultural assimilation</li> <li>• Prohibition on the imposition of the use of a single official language in the public sphere</li> <li>• Prohibition of the use of the learning process at public schools for purposes</li> </ul>	<ul style="list-style-type: none"> <li>• Awareness raising activities on multi-cultural issues and integration of NM</li> <li>• Involvement of NM in the celebration of national events</li> <li>• Cultural sites of NM included in the list of the national cultural heritage</li> <li>• National school curricula including topics related to multicultural environment and appreciation of culture of different ethnic groups</li> </ul>		



## ECMI Indicators

§	PROVISIONS		INDICATORS			SOURCES
	FCNM - Article 5	Explanatory Report - implications	Laws & Policies	Enforcement	Monitoring	
			of religious education, proselytism or forced assimilation	• Representation of NM within cultural institutions		



## 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.



Article 6 - Table of Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM - Article 6	Explanatory Report - implications	Laws & Policies	Enforcement		Monitoring
1	Encouragement of a spirit of <b>tolerance and intercultural dialogue</b> , and effective promotion of <b>mutual respect, understanding and cooperation</b> among everybody regardless of his/her cultural identity, in particular <b>through education, culture and media</b>	<ul style="list-style-type: none"> <li>• <b>Elimination of ethnic, cultural, linguistic and religious barriers</b> between groups</li> <li>• <b>Encouragement of intercultural organizations</b> seeking the promotion of mutual respect, understanding and integration of society</li> </ul>	<ul style="list-style-type: none"> <li>• Relevant international and regional instruments ratified and implemented</li> <li>• Constitutional provision on the commitment to the promotion of tolerance and intercultural dialogue</li> <li>• <b>Education &amp; Culture</b> <ul style="list-style-type: none"> <li>- Law defining tolerance and solidarity as part of educational mandate of schools providing general and civic education</li> <li>- Law defining special standards of intercultural education</li> <li>- Financial commitment to support the promotion of tolerance</li> </ul> </li> <li>• <b>Internet &amp; Media</b> <ul style="list-style-type: none"> <li>- Law against the broadcasting of ethnic, cultural, linguistic and religious intolerance</li> <li>- Law defining the derogatory terminology</li> <li>- Policy on media services</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Intercultural Dialogue</b> <ul style="list-style-type: none"> <li>- Inclusion and consultation with representatives of NM at all stages of the process of promotion of tolerance and intercultural dialogue, at local and national level</li> <li>- Forums on conceptual, managerial, political and practical aspects of intercultural dialogue</li> <li>- Dialogue among law enforcement officers and representatives of NM</li> <li>- Promotion of political participation among members of NM</li> </ul> </li> <li>• <b>Education &amp; Culture</b> <ul style="list-style-type: none"> <li>- Adequate support for relevant events and projects of associations of NM and NGOs</li> <li>- Analysis of school textbooks in consultation with outside experts</li> <li>- Training of teachers</li> </ul> </li> <li>• <b>Internet &amp; Media</b> <ul style="list-style-type: none"> <li>- Promotion of public and professional debates on prevention and combating of hate speech</li> <li>- Presence of channels broadcasting in ML</li> <li>- Access of persons belonging to NM to positions in radio and television services</li> <li>- Training among internet and media operators</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Monitoring Bodies</b> <ul style="list-style-type: none"> <li>- Establishment of internet &amp; media monitoring authority</li> <li>- Establishment of expert commissions on promotion of tolerance in education and culture</li> <li>- Establishment of NM consultative bodies</li> </ul> </li> <li>• <b>Procedures</b> <ul style="list-style-type: none"> <li>- Establishment of effective procedure for the submission of proposals by civil society</li> <li>- Establishment of effective complaint mechanisms and procedures (promoted among stakeholders)</li> <li>- Establishment of effective procedure of consultation with NM</li> </ul> </li> <li>• <b>Data Collection</b> <ul style="list-style-type: none"> <li>- Effective system of data collection on the quality of support to the promotion of tolerance and intercultural dialogue</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- International and regional legal instruments</li> <li>- National legal instruments</li> <li>- websites and publications by the Government and relevant Ministries (Education, Culture, Labour, Justice)</li> <li>- website and publication of internet &amp; media monitoring authority</li> <li>- reports of the monitoring body for police conduct</li> <li>- relevant documents, such as recommendations, state reports and advisory opinions provided by international and national organizations</li> <li>- surveys</li> <li>- collective labour contracts</li> <li>- Reports of relevant NGOs</li> <li>- relevant academic studies</li> <li>- mass media channels and broadcasting schedules</li> <li>- school textbooks and curricula</li> </ul>
2	Appropriate measures to <b>protect persons from threats or acts of discrimination, hostility or violence</b> because of their cultural identity	<ul style="list-style-type: none"> <li>• Protection of all persons <b>irrespective of the source of the threats or acts of discrimination, hostility or violence</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Criminal legislation against crimes motivated on ethnic, cultural, linguistic or religious grounds</b> <ul style="list-style-type: none"> <li>- Definition and prohibition of any act of ethnic, cultural, racial and religious hatred, violence and intolerance</li> <li>- Racist motivations as aggravating circumstances</li> <li>- Prohibition of instigation to racial hatred through public speech and written material</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Training of Police, Prosecutors and Lawyers</b> <ul style="list-style-type: none"> <li>- Human and minority rights</li> <li>- Diverse manifestations of racism</li> <li>- Identification of the hate motives of a crime</li> <li>- Abstain from and combat racial profiling</li> </ul> </li> <li>• <b>Protection of persons belonging to NM</b> <ul style="list-style-type: none"> <li>- Combating intolerance towards vulnerable groups through political means</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Monitoring Bodies</b> <ul style="list-style-type: none"> <li>- Monitoring body for police conduct</li> <li>- regular inspections of police structures</li> <li>- adequate sanctions</li> <li>- NM consultative bodies</li> </ul> </li> <li>• <b>Procedures</b> <ul style="list-style-type: none"> <li>- Establishment of complaint mechanisms and procedures (promoted among stakeholders)</li> <li>- Establishment of a website</li> </ul> </li> </ul>	



## ECMI Indicators

§	PROVISIONS		INDICATORS			SOURCES
	FCNM - Article 6	Explanatory Report - implications	Laws & Policies	Enforcement	Monitoring	
			<ul style="list-style-type: none"> <li>- Prohibition of threats and discrimination online</li> <li>- Law defining adequate sanctions for perpetrators and relative compensations for victims</li> <li>• <b>Laws protecting persons from threats and violence</b> <ul style="list-style-type: none"> <li>- At the workplace</li> <li>- In public spaces</li> <li>- In the domestic environment</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- Provide assistance and counseling to victims of hate crimes</li> <li>- Ensure effective investigation, prosecution and punishment (criminal sanctions) of hate crimes and related crimes</li> <li>- Ensure effective measures against xenophobia, antisemitism, antisiganism, islamophobia</li> </ul>	<ul style="list-style-type: none"> <li>receiving reports of violations detected on the internet by citizens</li> <li>• <b>Data Collection</b> <ul style="list-style-type: none"> <li>- Establishment of an effective system of disaggregated data collection on complaints, investigations and prosecution of crimes motivated on the grounds of ethnicity, culture, language or religion</li> </ul> </li> </ul>	



## 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



Article 7 - Table of Indicators

§	PROVISIONS		INDICATORS			SOURCES
	FCNM - Article 7	Explanatory Report implications	Laws & Policies	Enforcement	Monitoring	
1	<ul style="list-style-type: none"> <li>• Every person belonging to a national minority has the <b>right to freedom of peaceful assembly, freedom of association, freedom of expression and freedom of thought, conscience and religion</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Positive obligations</b> to protect the freedoms mentioned against violations which do not emanate from the State</li> <li>• <b>Freedom of Religion is elaborated under art. 8</b></li> <li>• <b>Freedom of Expression is elaborated under art. 9</b></li> </ul>	<ul style="list-style-type: none"> <li>• Relevant international and regional instruments ratified and implemented</li> <li>• Constitutional guarantees</li> <li>• <b>Ensuring NM right to association</b> <ul style="list-style-type: none"> <li>- law on the right to establish and join political parties, organizations, trust, foundations and trade unions on the basis of ethnic or national origin</li> <li>- law on the right of NM communities to freely and autonomously define their internal organization</li> <li>- law establishing a National Minorities Body as a form of NM government</li> <li>- law establishing a clear and non-discriminatory procedure for the registration of an association as NGO</li> <li>- law establishing cases of legitimate prohibition or limitation to the right of association, in accordance with international standards</li> <li>- law ensuring legal certainty through official recognition, without any prejudice, of all the organizations founded in accordance to the legal procedure established</li> <li>- financial commitment to support NM organizations and associations</li> </ul> </li> <li>• <b>Ensuring NM right to peaceful assembly</b> <ul style="list-style-type: none"> <li>- law establishing a clear and non-discriminatory procedure for the release of permissions to organize public assemblies</li> <li>- law establishing cases of legitimate prohibition or limitation, in accordance with international standards</li> </ul> </li> <li>• <b>Ensuring NM freedom of expression</b> <ul style="list-style-type: none"> <li>- constitutional recognition</li> </ul> </li> <li>• <b>Limitations</b> <ul style="list-style-type: none"> <li>- law establishing cases of legitimate</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Elimination of barriers</b>, such as registration formalities, that create difficulties for NM organizations and associations to perform their mandates</li> <li>• <b>Ensure adequate financial support</b> for the implementation of programmes and activities of NM organizations and associations</li> <li>• <b>Ensure adequate logistic support</b> to the organization of public assemblies</li> <li>• <b>Ensure public safety</b> through evaluation of type of assembly, number of participants, security risks, etc.</li> <li>• encourage public gatherings aimed at promoting standards of FCNM at central and local level</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Monitoring Bodies</b> <ul style="list-style-type: none"> <li>- establishment of a National Minorities Body</li> <li>- establishment of an expert commissions to evaluate legal standards and eliminate possible barriers to the performing of the mandate of NM organizations</li> </ul> </li> <li>• <b>Procedures</b> <ul style="list-style-type: none"> <li>- establishment of the register of NM organizations active in the country, with a website providing detailed information to the public</li> <li>- establishment of effective complaint mechanisms and procedures (promoted among stakeholders)</li> </ul> </li> <li>• <b>Data Collection</b> <ul style="list-style-type: none"> <li>- establishment of an effective system of data collection on the NM organization and relative means of support provided</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- international and regional legal instruments</li> <li>- national legal instruments</li> <li>- websites and publications by the Governments and relevant Ministries</li> <li>- website and publications by the register of NM organizations</li> <li>- relevant documents, such as recommendations, state reports and advisory opinions provided by international and national organizations</li> <li>- reports of relevant NGOs</li> <li>- reports from representatives of NM</li> <li>- academic studies on discrimination and freedom of assembly, association and expression</li> <li>- internet and media</li> </ul>



## ECMI Indicators

§	PROVISIONS		INDICATORS			SOURCES
	FCNM - Article 7	Explanatory Report implications	Laws & Policies	Enforcement	Monitoring	
			<p>prohibition or limitation to the freedom of association, assembly or expression, in accordance with international standards</p> <ul style="list-style-type: none"><li>• <b>Protection</b><ul style="list-style-type: none"><li>- Criminal laws and procedures for the prosecution and punishment in cases of unjust prevention, disturb or infringement of the freedom of association, assembly or expression</li><li>- law defining adequate sanctions and relative compensations to the victims</li></ul></li></ul>			



## 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.



Article 8 - Table of Indicators

§	PROVISIONS		INDICATORS			SOURCES
	FCNM - Article 8	Explanatory Report implications	Laws & Policies	Enforcement	Monitoring	
1	<ul style="list-style-type: none"> <li>• Every person belonging to a national minority has the <b>right to manifest</b> his or her <b>religion and belief</b> and to <b>establish religious institutions, organizations and associations</b></li> </ul>	<ul style="list-style-type: none"> <li>• This freedom applies to all members of NM, <b>in accordance with art. 4</b> on equality and non-discrimination</li> </ul>	<ul style="list-style-type: none"> <li>• Relevant international and regional instruments ratified and implemented</li> <li>• Laws on relation and/or separation between <b>religion and State</b> (e.g. definition of a State-Religion)</li> <li>• Laws establishing criteria for the <b>recognition of religious communities as NM</b></li> <li>• <b>Ensuring NM freedom of religion</b> <ul style="list-style-type: none"> <li>- constitutional recognition</li> <li>- law on pluralism and non-discrimination</li> <li>- law on the right to freely change of religion or belief</li> <li>- law on the right of parents to raise children in accordance with their convictions</li> </ul> </li> <li>• <b>Ensuring NM right to manifest their religion or belief</b> <ul style="list-style-type: none"> <li>- law on the right to manifest religion individually and in community with others, both in public and private</li> <li>- law on conscientious objectors (e.g. alternative service to military service)</li> <li>- law on importation and distribution of literature on religion of NM</li> <li>- law on exemptions from work or school for members of NM in occasion of religious festivities</li> </ul> </li> <li>• <b>Ensuring NM right to establish religious bodies</b> <ul style="list-style-type: none"> <li>- law establishing a clear and nondiscriminatory procedure for the registration of religious associations of NM and for the definition of their legal personality (public or private)</li> <li>- law ensuring the possibility of NM religious institutions to develop and maintain religious with religious institutions from abroad</li> <li>- financial commitment to support religious institutions</li> <li>- law establishing the taxation regime for religious institutions</li> </ul> </li> <li>• Law establishing mechanisms (bodies and procedures) to deal with religious affairs</li> <li>• law establishing cases of <b>legitimate prohibition or limitation</b> to the right to manifest the own religion or belief, in accordance with international standards</li> <li>• <b>Protection</b></li> </ul>	<ul style="list-style-type: none"> <li>• Governmental body for religious affairs               <ul style="list-style-type: none"> <li>- creation of local branches</li> <li>- consultations with representatives of religious NM</li> </ul> </li> <li>• <b>Promotion of Inter-religious dialogue</b> <ul style="list-style-type: none"> <li>- seminars, meeting and round tables open to members of all religious communities</li> <li>- inclusion of the youth</li> <li>- ensure access to media for religious communities</li> </ul> </li> <li>• <b>Combat of religious discrimination</b> <ul style="list-style-type: none"> <li>- training of law enforcement officers</li> <li>- instruction on dealing with model situation</li> <li>- communication skills with religious communities' representatives</li> <li>- granting security during religious demonstrations and celebrations</li> <li>- training of journalists and media operators</li> <li>- awareness raising campaigns aimed to prevent religious conflicts and instrumentalization (e.g. islamophobia)</li> <li>- ensure non-discrimination/equal treatment in respect of blasphemy legislation</li> </ul> </li> <li>• <b>Religion in education</b> <ul style="list-style-type: none"> <li>- availability of alternative course for children not affiliated with the religion taught at public schools</li> <li>- ensure funding for religious and alternative courses</li> <li>- multi-perspective and multi-cultural religious education</li> <li>- prevention of proselytism in way of teaching and textbooks</li> <li>- consultation with the family on religious education of the child</li> <li>- training for teachers</li> </ul> </li> <li>• <b>Religious institutions</b> <ul style="list-style-type: none"> <li>- ensure adequate support for:</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Monitoring Bodies</b> <ul style="list-style-type: none"> <li>- establishment of a governmental body dealing with religious affairs</li> <li>- establishment of an expert commission to monitor and evaluate the implementations standards related to the freedom of religion</li> </ul> </li> <li>• <b>Procedures</b> <ul style="list-style-type: none"> <li>- establishment of a register of the religious institutions and places of worships</li> <li>- establishment of an effective complaint mechanism and procedures (Ombudsperson)</li> </ul> </li> <li>• <b>Data Collection</b> <ul style="list-style-type: none"> <li>- establishment of an effective system of data collection on religious affiliations, religious institutions and financial support allocated</li> <li>- protection of sensitive data</li> <li>- principle of free and optional religious self-identification</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- relevant international and regional legal instruments</li> <li>- national legal instruments</li> <li>- website of and publications by the government and relevant ministries (e.g. Labour, Culture, Education, Justice)</li> <li>- website and publications by the Office of the Ombudsperson</li> <li>- relevant documents, such as recommendations, state reports and advisory opinions, provided by international and national organizations</li> <li>- statistical offices</li> <li>- censuses</li> <li>- reports of relevant NGOs</li> <li>- academic studies on religion</li> <li>- documents and statutes of religious organizations /communities</li> <li>- school curricula</li> <li>- prison statutes</li> <li>- labor codes</li> <li>- internet &amp; mass media</li> </ul>



## ECMI Indicators

§	PROVISIONS		INDICATORS			SOURCES
	FCNM - Article 8	Explanatory Report implications	Laws & Policies	Enforcement	Monitoring	
			<ul style="list-style-type: none"> <li>- Criminal laws and procedures for the prosecution and punishment in cases of unjust prevention, disturb or infringement of the rights related to the freedom of religion</li> <li>- religious discrimination included among the aggravating circumstances of a crime</li> <li>- law ensuring freedom of religion of detained people</li> <li>- law allowing positive actions</li> <li>- law protecting religious sites and heritage</li> <li>- law defining adequate sanctions for perpetrators r</li> <li>elative compensations for victims</li> <li>- law ensuring legal recognition of religious marriages</li> </ul>	<ul style="list-style-type: none"> <li>- establishment of religious schools</li> <li>- construction of places of worship</li> <li>- ensure availability of spaces of worship</li> </ul>		



## 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.



Article 9 - Table of Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM - Article 9	Explanatory Report - implications	Laws & Policies	Enforcement	Monitoring	
1	<ul style="list-style-type: none"> <li>Every person belonging to a national minority has the right to <b>freedom of expression</b>, which includes <b>freedom to hold opinions and to receive and impart information in ML</b>. Ensure to NM <b>non-discrimination in access to media</b>, within the framework of the Party's legal system</li> </ul>	<ul style="list-style-type: none"> <li>Freedom to receive and impart information and ideas <b>also in the majority language</b></li> <li><b>Respect of constitutional provisions which may limit</b> the extent to which a Party can regulate <b>access to media</b></li> </ul>	<ul style="list-style-type: none"> <li>International and regional legal instruments ratified and implemented</li> <li><b>Constitutional guarantees</b> <ul style="list-style-type: none"> <li>freedom of press, radio and television</li> <li>freedom of expression through audio-visual means</li> <li>freedom to hold opinions and right to receive and impart information</li> </ul> </li> <li>Law establishing <b>legal limitations</b> to the freedom of expression through audio-visual means and to the broadcasting allowances in accordance with international legal standards</li> <li>Law establishing <b>legal obligations for public and private media</b> to respect dignity and rights of persons belonging to NM, in accordance with international legal standards</li> <li><b>Legal framework for public media</b> <ul style="list-style-type: none"> <li>obligation to reflect the ethnic, cultural, linguistic and religious diversity existing within the member state, especially areas where NM are settled compactly</li> <li>law establishing a guaranteed minimum time-frame for broadcasting in the minority languages</li> <li>elimination of existing time limits set for broadcasting in ML</li> <li>law establishing a National Regulatory Body for public broadcasting</li> <li>law establishing the professional and legal requirements for the selection of personnel</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><b>Mechanisms of provision of information</b> <ul style="list-style-type: none"> <li>provision of information in ML in areas where NM constitute the majority of the population</li> <li>availability of translation or subtitles in ML of journalistic programmes in majority language</li> <li>provision of at least summaries in the majority language of material published or programmes broadcasted in ML, to increase sensitivity of the majority towards subjects related to NM</li> </ul> </li> <li><b>Schedule of NM programmes</b> <ul style="list-style-type: none"> <li>planned on hours of the day in order to reach and adequate amount of members of NM</li> </ul> </li> <li><b>Technical aspects</b> <ul style="list-style-type: none"> <li>digitalization of broadcasting distribution to reach a greater amount of people</li> <li>ensure the technical possibility of persons belonging to minority to access to programmes in ML</li> <li>ensure the technical possibility to access and subscribe also to foreign channels</li> </ul> </li> <li><b>Adequate financial support</b> so as to ensure regular</li> </ul>	<ul style="list-style-type: none"> <li><b>Monitoring Bodies</b> <ul style="list-style-type: none"> <li>establishment of a National Regulatory Body for public media                             <ul style="list-style-type: none"> <li>ensures transparency</li> <li>promotes basic professional standards and ethics among the personnel</li> <li>ensures adequate internal representation of NM</li> </ul> </li> </ul> </li> <li><b>Procedures</b> <ul style="list-style-type: none"> <li>establish a procedure for the development of ML programmes where NM representatives are directly and effectively involved</li> <li>establishment of effective complaint mechanisms and procedures (promoted among stakeholders)</li> </ul> </li> <li><b>Data Collection</b> <ul style="list-style-type: none"> <li>establishment of an effective system of data collection                             <ul style="list-style-type: none"> <li>number of public and private broadcasters</li> <li>number of programmes broadcasted in minority language by public and private media</li> <li>number of minority printed media</li> <li>allocation of financial support to minorities</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>International and regional legal instruments</li> <li>National legal instruments</li> <li>websites and publications from the relevant Ministries (Culture, Media, Labor)</li> <li>website and publications by the National Regulatory Body for public media</li> <li>relevant documents, such as recommendations, state reports and advisory opinions provided by international and national organizations</li> <li>statistical offices</li> <li>surveys</li> <li>reports of relevant NGOs</li> <li>academic studies on ML</li> <li>broadcasting schedules</li> <li>printed and non printed media</li> <li>academic researches on minority medias</li> </ul>
2	<ul style="list-style-type: none"> <li>Parties are allowed to <b>require the licensing</b>, without discrimination, of sound radio and television broadcasting and cinema enterprises</li> </ul>	<ul style="list-style-type: none"> <li><b>The licensing should be non-discriminatory</b> and based on <b>objective criteria</b></li> <li>The term <b>"sound radio"</b> reflects the modern terminology and <b>do not imply any material</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Private media</b> <ul style="list-style-type: none"> <li>law establishing non-discriminatory licensing procedures</li> <li>law ensuring media pluralism and adequate minority representation</li> </ul> </li> </ul>			



## ECMI Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM - Article 9	Explanatory Report - implications	Laws & Policies	Enforcement		Monitoring
		<b>difference in meaning from art. 10 ECHR</b>				
3	<ul style="list-style-type: none"> <li>Persons belonging to national minorities are <b>granted the possibility to create and use their own media</b>, within the legal framework of sound radio and television broadcasting</li> </ul>	<ul style="list-style-type: none"> <li><b>Negative undertaking</b> for the parties to not hinder the possibility to establish <b>NM printed media</b></li> <li><b>Positive</b> obligation in the field of <b>sound and television broadcasting</b> (e.g. allocation of frequencies)</li> <li>The <b>right to seek funds</b> for the establishment of media is considered <b>self-evident</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Private media</b> <ul style="list-style-type: none"> <li>legal entitlement for persons belonging to NM to establish radio and television stations and other written media</li> <li>law establishing frequency distribution mechanisms</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>broadcasting or publication in NM language               <ul style="list-style-type: none"> <li>funds allocated on equitable basis between all NM, including most vulnerable and numerically smaller ones</li> <li>ensure that privatization of publicly-owned media does not result in threatening existence of ML media</li> </ul> </li> <li>Encourage the <b>recruitment of journalist belonging to NM</b> by the editorial boards               <ul style="list-style-type: none"> <li>special attention to areas where NM constitute the majority of the population</li> </ul> </li> <li>Regularly organize <b>professional and vocational trainings</b> for employees and journalists (belonging to NM and not) on issues related to NM</li> </ul>	<ul style="list-style-type: none"> <li>media               <ul style="list-style-type: none"> <li>number and type of complaints (discrimination in access to media, inappropriate programme contents detected, etc.)</li> </ul> </li> </ul>	
4	<ul style="list-style-type: none"> <li>Parties shall adopt <b>adequate measures to facilitate access to media</b> for persons belonging to NM, <b>promote tolerance</b> and <b>permit cultural pluralism</b></li> </ul>	<ul style="list-style-type: none"> <li>As in art. 4, <b>adequate measures</b> are intended as <b>proportional</b> and <b>extended in time and scope only to what is necessary</b> to achieve full and effective equality</li> </ul>	<ul style="list-style-type: none"> <li><b>Financial commitment</b> for the support of creation and dissemination of high quality programmes for NM</li> </ul>			



## 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.



Article 10 - Table of Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM - Article 10	Explanatory Report - implications	Laws & Policies	Enforcement		Monitoring
1	<ul style="list-style-type: none"> <li>Every person belonging to a national minority has the <b>right to use minority language</b>, freely, without interference, in private and in public, orally and written</li> </ul>	<ul style="list-style-type: none"> <li>This right enable persons belonging to NM to exercise their <b>freedom of expression</b></li> </ul>	<ul style="list-style-type: none"> <li>International and regional instruments ratified and implemented (European Charter for Regional and Minority Languages)</li> <li>Constitutional guarantees</li> <li><b>Legislation on the right to use ML</b> <ul style="list-style-type: none"> <li>law ensuring the right to use ML and script</li> <li>non-discriminatory provisions on State protection of ML</li> <li>law ensuring non-discrimination on the ground of language (e.g. official language proficiency requirements in employment sector only when strictly necessary)</li> <li>law defining the State's official language without impacting on possibilities to use ML in the public sphere</li> <li>law establishing a monitoring and advisory body on issues related to ML</li> </ul> </li> <li><b>Financial commitment</b> for the promotion of ML</li> <li>Law ensuring <b>adequate representation of linguistic minorities</b> in public institutions</li> <li>Adequate <b>policy on ML at the local level</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Promotion of the use of ML in public</b> <ul style="list-style-type: none"> <li>language development projects</li> <li>positive measures promoting lesser spoken ML</li> <li>help desks for members of linguistic minorities</li> <li>awareness raising activities on issues related to ML</li> <li>sufficient time and space of broadcasting in ML</li> <li>availability of cultural material in ML (e.g. libraries, cinemas)</li> </ul> </li> <li><b>Adequate consultations</b> with NM           <ul style="list-style-type: none"> <li>counseling sessions with representatives from NM on their needs and demands</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><b>Monitoring Bodies</b> <ul style="list-style-type: none"> <li>establishment of a monitoring and advisory body on issues related to ML and forms of regulation</li> </ul> </li> <li><b>Procedures</b> <ul style="list-style-type: none"> <li>establishment of effective complaint mechanisms and procedures (Ombudsperson)</li> <li>promotion among stakeholders</li> </ul> </li> <li><b>Data Collection</b> <ul style="list-style-type: none"> <li>establish an effective system of data collection on ML (e.g. questions on ML languages in censuses,</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>international and regional legal instruments</li> <li>national legal instruments</li> <li>websites and publication by government, relevant ministries and local branches (Finance, Infrastructure, Culture, Labor, Justice, Education)</li> <li>websites and publications by the Office of the Ombudsperson</li> <li>recommendations provided by the monitoring and advisory body on ML</li> <li>relevant documents, such as recommendations, state reports and advisory opinions provided by international and national organizations</li> <li>statistical offices</li> <li>censuses</li> <li>surveys</li> <li>reports of relevant NGOs</li> <li>academic studies on ML</li> </ul>
2	<ul style="list-style-type: none"> <li>Right to the <b>use minority language in relation with administrative authorities</b> in areas inhabited</li> </ul>	<ul style="list-style-type: none"> <li>Administrative authorities <b>broadly interpreted</b> term (e.g. inclusion of ombudsperson)</li> <li>The State must <b>assess the real need of using minority language</b> in relation between persons</li> </ul>	<ul style="list-style-type: none"> <li>Law defining when the criteria established in art. 10(2)</li> <li>Civil, Criminal and Administrative proceedings compatible with art. 10(2)</li> <li>law allowing for submission of communications to public bodies in a ML and alphabet of one's choice</li> </ul>	<ul style="list-style-type: none"> <li><b>ensure the provision of basic services in ML</b> <ul style="list-style-type: none"> <li>multilingual websites and telephone inquiry systems</li> <li>multilingual signs public institutions buildings</li> <li>multilingual topographical and road signs</li> </ul> </li> </ul>		



## ECMI Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM - Article 10	Explanatory Report - implications	Laws & Policies	Enforcement		Monitoring
	by national minorities	belonging to NM and administrative authorities <ul style="list-style-type: none"> <li>The parties' <b>obligations to not affect</b> in any way the status of <b>the official language</b></li> <li>The term <b>area inhabited by NM</b> is flexible in its connotation and allows each Party to take into account its particular circumstances</li> </ul>	<ul style="list-style-type: none"> <li>law ensuring the right to keep records and obtain documents in one's ML</li> <li>law allowing <b>positive measures</b> to create equality between the use of different languages</li> </ul>	<ul style="list-style-type: none"> <li>multilingual personnel</li> <li>training of non-native ML speakers</li> <li>targeted recruitment systems</li> <li>financial incentives for staff speaking ML</li> <li><b>ensure issuing of official documents in ML</b> (e.g. ID, certificates, school diplomas, election materials, etc.)</li> </ul>		
3	<ul style="list-style-type: none"> <li>Right to receive <b>information on the arrest in a language that the subject can understand and right to defend from accusations in the same language</b></li> </ul>	<ul style="list-style-type: none"> <li>Repetition of the safeguards contained in <b>art. 5 and 6 of the ECHR</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Civil, Criminal and Administrative proceedings</b> compatible with the right to use receive information on the arrest and to defend from accusations in ML</li> <li>Law ensuring the right to be informed promptly in one's own language on the reasons of his/her arrest</li> <li>Law ensuring the possibility to express in one's mother tongue in front of the court</li> <li>Law ensuring the right to have free assistance of an interpreter/translator</li> <li>Charge-free and high-quality translation into ML of evidences and documents relating to criminal proceedings</li> </ul>	<ul style="list-style-type: none"> <li>Provide language courses for law enforcement officers and personnel of detention facilities</li> <li>Recruitment of judicial and law enforcement staff speaking ML</li> </ul>		



## 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.



Article 11 - Table of Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM - Article 11	Explanatory Report - implications	Laws & Policies	Enforcement		Monitoring
1	<ul style="list-style-type: none"> <li>Right to have and use <b>first name and surname in ML</b></li> </ul>	<ul style="list-style-type: none"> <li>The Parties can apply the provision in light of their own particular circumstances, in <b>respect of the international principles concerning the protection of NM</b></li> </ul>	<ul style="list-style-type: none"> <li>Relevant international and regional instruments ratified and implemented</li> <li>Constitutional guarantees</li> <li>Law ensuring the right to change name and/or surname</li> <li>Law ensuring the right to restore forcibly changed names                             <ul style="list-style-type: none"> <li>law establishing the related procedure</li> </ul> </li> <li>Law ensuring no-obligation to justify the choice of one's name                             <ul style="list-style-type: none"> <li>law establishing the related procedure</li> </ul> </li> <li>Law ensuring non-discrimination because of one's name</li> </ul>	<ul style="list-style-type: none"> <li>Ensure adequate and correct use of ML in official documents, including personal IDs</li> <li>Ensure respect of grammar rules, specific lettering and usage, including symbols, of ML in transcribing patronymics</li> <li>Ensure that chosen names are used in registry certificates and identity cards</li> <li>Awareness raising amongst the civil registry officials on traditional names and related rights</li> </ul>	<ul style="list-style-type: none"> <li><b>Monitoring Bodies</b> <ul style="list-style-type: none"> <li>establishment of an Advisory Body on names and topographical signs in ML</li> </ul> </li> <li><b>Procedures</b> <ul style="list-style-type: none"> <li>establishment of clear and effective procedure to change name and/or surname (include restoration of forcibly changed names)</li> <li>establishment of an effective consultative mechanisms with representatives of NM</li> <li>establishment of effective complaint mechanisms and procedures (Office of the Ombudsperson) (promoted among stakeholders)</li> </ul> </li> <li><b>Data Collection</b> <ul style="list-style-type: none"> <li>establishment of an effective system of data collection on minority names and topographical signs</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>International and regional legal instruments</li> <li>national legal instruments</li> <li>bilateral agreements</li> <li>websites and publications of relevant ministries and local branches (Interior, Infrastructure, Transports, Registry offices)</li> <li>Websites and publications by the Office of the Ombudsperson</li> <li>Relevant documents, such as recommendations, state reports and advisory opinions, provided by international and national organizations</li> <li>statistical offices</li> <li>cartographers</li> <li>censuses</li> <li>surveys</li> <li>reports of relevant NGOs</li> <li>academic studies on ML</li> </ul>
2	<ul style="list-style-type: none"> <li>Right to display <b>signs, inscriptions and other information of private nature in ML</b></li> </ul>	<ul style="list-style-type: none"> <li>The term "private nature" refers to <b>all that is not official</b></li> <li>The persons belonging to NM is required to <b>use also the official language and other ML</b></li> </ul>	<ul style="list-style-type: none"> <li>Law ensuring <b>no territorial limitation</b> to the enjoyment of this right</li> <li>law establishing cases of <b>legitimate prohibition or limitation</b>, in accordance with international standards</li> </ul>	<ul style="list-style-type: none"> <li>Signage in ML (street and locality names, local administration signs)</li> <li>Instructions, documentation in ML along with the state language</li> </ul>		
3	<ul style="list-style-type: none"> <li>Obligation to <b>display street signs and topographical indications in ML</b> in areas inhabited in substantial number by NM with sufficient demand</li> </ul>	<ul style="list-style-type: none"> <li>The implementation must <b>take due account of specific circumstances, legal frameworks and agreements with other States</b></li> <li>The provision <b>does not imply any official recognition</b> of local names in ML</li> </ul>	<ul style="list-style-type: none"> <li>Law establishing what <b>thresholds</b> trigger the obligation under art. 11(3)</li> <li>Law implementing the obligation on displaying topographical signs in both OL and ML                             <ul style="list-style-type: none"> <li>law establishing the right balance of visibility between OL and ML</li> <li>provision on the use of ML alphabet</li> <li>provision on the financial commitment</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Ensure <b>non-restrictive interpretation of the thresholds</b> under Art. 11(3)</li> <li><b>Consultation</b> with representatives of NM and relevant NGOs</li> <li><b>Awareness raising</b> <ul style="list-style-type: none"> <li>trainings on place names in ML (e.g. for local police officers)</li> <li>events sponsoring positive effects on integration</li> </ul> </li> <li><b>Allocation of adequate resources</b> <ul style="list-style-type: none"> <li>Ensure the introduction of topographical signs in ML</li> <li>Ensure availability of atlases and maps</li> </ul> </li> </ul>		



## ECMI Indicators

§	PROVISIONS			INDICATORS			SOURCES
	FCNM - Article 11	Explanatory implications	Report -	Laws & Policies	Enforcement	Monitoring	
				<ul style="list-style-type: none"><li>• Law against vandalism against signs</li></ul>	<ul style="list-style-type: none"><li>• in ML</li><li>• Ensure linguistic and historical correctness of information displayed in ML</li></ul>		



## 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.



Article 12 - Table of Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM Article 12	Explanatory Report implications	Laws & Policies	Enforcement	Monitoring	
1	To foster knowledge of the culture, history, language and religion of NMs and of the majority (where appropriate)	to promote knowledge of both NM & majority in an intercultural perspective  to create a climate of tolerance and dialogue	<ul style="list-style-type: none"> <li>• Relevant International Legal Instruments ratified and implemented</li> <li>• Constitutional recognition of diversity</li> <li>• Constitutional right to free education for children</li> <li>• Legal provisions ensuring non discrimination</li> <li>• Legislation fostering intercultural dialogue and intercultural education</li> <li>• Legal Framework defining special standards for intercultural education at each stage of the educational process</li> <li>• Regulatory framework on hate speech, xenophobia and racism</li> <li>• Intercultural learning, common appreciation and elimination of prejudices as main educational objectives in the school curricula</li> </ul>	<ul style="list-style-type: none"> <li>• Consultation with representatives of national minorities</li> <li>• Classes in NM languages, literature, culture and history included in the curricula</li> <li>• Workshops for school classes aimed to raise the level of information about national minorities and their culture</li> <li>• Financial support for the organization of these activities</li> <li>• Elimination of images and other elements confined into stereotypes</li> <li>• Measures of individual support to children of national minority with learning difficulties or personality development problems</li> <li>• Measures to prevent children of vulnerable minorities to be inappropriately placed in practical schools</li> <li>• Combating and eliminating all means of Segregation at School</li> <li>• Avoiding development of mono-ethnic schools in areas inhabited by mixed population</li> <li>• Establishment of a network of public bilingual schools in the regions inhabited by persons belonging to national minorities</li> <li>• Introduction of pre-school education in communities where children do not speak the language of instruction in the domestic environment</li> <li>• Creation of kindergarten with a curriculum corresponding to the diverse needs and to the multicultural and multilingual composition of the children attending</li> <li>• Availability of School Curricula in national minority language</li> </ul>	<ul style="list-style-type: none"> <li>• Establish an effective system for data collection (number of children from most vulnerable minorities in all levels of education; disaggregated data)</li> <li>• Number of textbooks and teaching materials available in the language of national minorities</li> <li>• Number of projects funded for intercultural education</li> <li>• Data about the level of educational attainment</li> <li>• Surveys for mapping of specific cultural, social, psychological and other factors affecting the education of children belonging to national minorities</li> <li>• Regular review and evaluation on how the teaching of language and culture are taken into account in the education of pupils belonging to national minorities</li> <li>• Regularly monitor the quality of education in consultation with minority representatives</li> </ul>	<ul style="list-style-type: none"> <li>- International and regional legal instruments</li> <li>- National legal instruments</li> <li>- website of and publications by the government and relevant ministries Ministry of Culture and Education Relevant documents, such as recommendations, state reports and advisory opinions, provided by international and national organizations</li> <li>- statistical offices</li> <li>- censuses</li> <li>- surveys</li> <li>- reports of relevant NGOs</li> <li>- academic studies on discrimination in access to education</li> <li>- school curricula and Textbooks</li> </ul>
2	Adequate opportunities for teacher training, access to textbooks, facilitating contacts among students and teachers of different communities	Including the publication of textbooks and their purchase in other countries	<ul style="list-style-type: none"> <li>• Standards for certifications of NM teachers</li> <li>• Incentives/financial support for NM teachers</li> <li>• Legislative framework facilitating access of NM to textbooks</li> <li>• Legislation/initiatives supporting the intercultural dialogue and</li> </ul>	<ul style="list-style-type: none"> <li>• Training of Teachers for qualification of teaching at bilingual and national minority schools, focusing on:               <ul style="list-style-type: none"> <li>- the needs of national minorities</li> <li>- immersion methodologies, multilingualism and interculturalism within the school environment</li> </ul> </li> <li>• Textbooks and teaching materials to reflect history, culture and traditions of national minorities</li> <li>• Availability of textbooks into minority languages</li> </ul>	<ul style="list-style-type: none"> <li>• Monitoring of the quality level of teachers' training</li> <li>• Number of educational institutions offering training for NM teachers</li> <li>• Number of textbooks/ educational resources available to NM</li> </ul>	



## ECMI Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM Article 12	Explanatory Report implications	Laws & Policies	Enforcement	Monitoring	
			contacts (incl. financial support)	<ul style="list-style-type: none"> <li>• Ensure that textbooks and teaching materials for minorities are prepared by qualified teaching staff, with good command of the relevant language</li> <li>• Development of communication and understanding among children coming from different backgrounds</li> <li>• Organization of educational and artistic activities aimed at developing the student's personality in a multicultural and competitive environment</li> <li>• Organization of training specifically aimed to promote the knowledge on national minorities and to foster respect and mutual understanding</li> <li>• Organize language camps and family exchange programmes between children belonging to majority and minority</li> </ul>	<ul style="list-style-type: none"> <li>• Number of initiatives promoting intercultural contacts and dialogue</li> <li>• Financial support provided by the state / others</li> </ul>	
3	Equal opportunities for access to education at all levels	Reflects a concern expressed in the Vienna Declaration	<ul style="list-style-type: none"> <li>• Legislative frameworks to guarantee equal opportunities for access to education at all levels               <ul style="list-style-type: none"> <li>– Financial support for enrolment</li> <li>– Reserved seats (places) for NM children in educational institutions</li> <li>– Removal of barriers to access (e.g. language tests for entry to University)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Perform activities and services for the integration through education of minorities at local level</li> <li>• Provide services to pupils and families belonging to national minorities               <ul style="list-style-type: none"> <li>– information on available pre-school opportunities</li> <li>– awareness raising on the necessity to enrol children in pre-school establishment for the national language acquisition and subsequent integration into ordinary schools</li> <li>– counselling throughout the school career</li> </ul> </li> <li>• Removal of impediments to access to school</li> <li>• Prevention of School Drops Out               <ul style="list-style-type: none"> <li>– Services of assistance to vulnerable youths</li> <li>– creation of support programmes preventing and minimizing the impacts of risk of behaviour</li> <li>– creation of programmes preventing truancy and pre-criminal behaviour</li> <li>– consult and cooperate with families of vulnerable young people and with representatives of vulnerable communities</li> <li>– Means to encourage children to continue the education process</li> <li>– Provide financial support to the families</li> <li>– Ensure the availability for all national minority groups at all levels of education</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Number of NM children enrolled in various levels of education</li> <li>• Dropout rate</li> <li>• Level of attainment of NM children</li> <li>• Number of support programmes and initiatives</li> <li>• Level of funding allocated from the state for provision of support to NM</li> <li>• Impact of state support</li> </ul>	



## 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.



Article 13 - Table of Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM Article 13	Explanatory Report implications	Laws & Policies	Enforcement		Monitoring
1	Right to set up and to manage own <b>private</b> educational and training establishments	<ul style="list-style-type: none"> <li>• Obligation to recognize the right is subject to the requirements of the educational system &amp; compulsory schooling</li> <li>• supervision on standards (e.g. teaching)</li> <li>• Officially recognized qualifications once the required standards are met</li> <li>• Relevant national legislation based on objective criteria conforming to the principle of non-discrimination</li> </ul>	<ul style="list-style-type: none"> <li>• Relevant International and regional legal instruments ratified and implemented</li> <li>• Constitutional recognition of the right of every child to free education and to learn their mother tongue</li> <li>• Legal establishment of requirements and procedures for opening private schools in minority language</li> <li>• Legal provisions for certification of private schools and recognition of diplomas</li> <li>• Legal provisions guaranteeing use of and education in non-state language at school</li> <li>• No impediments to access to NM schools</li> </ul>	<ul style="list-style-type: none"> <li>• Legislative changes</li> <li>• Provisions reflected in all relevant laws (Constitution, Law on languages, Law on education, etc)</li> <li>• Removal of all existing barriers</li> <li>• Establishment of institution to deal with complaints</li> </ul>	<ul style="list-style-type: none"> <li>• Setting up a system to monitor changes in legislation with impact on the NM rights</li> </ul>	<ul style="list-style-type: none"> <li>- International and regional legal instruments</li> <li>- National legal instruments</li> <li>- bilateral agreements between private minority schools and organizations and institutions from abroad</li> <li>- Ministry of Education</li> <li>- relevant documents, such as recommendations, state reports and advisory opinions, provided by international and national organizations</li> <li>- statistical offices</li> <li>- censuses</li> <li>- surveys</li> <li>- reports of relevant NGOs</li> <li>- academic studies on minority language education</li> <li>- private minority schools' curricula</li> <li>- academic researches on education of members of minorities</li> </ul>
2	No financial obligations for the State	Possibility of such a contribution is not excluded	<ul style="list-style-type: none"> <li>• Possibility for NM educational institutions               <ul style="list-style-type: none"> <li>- to receive funding from abroad</li> <li>- to receive donations</li> <li>- to receive public funds</li> </ul> </li> <li>• Level and type of financial support coming from the state</li> </ul>	<ul style="list-style-type: none"> <li>• Mechanisms for and intensity of consultations with minority representatives/school authorities on the allocation of the funds</li> <li>• Ensure that pupils of private schools receive financial support on an equal footing with the pupils of public schools</li> </ul>	<ul style="list-style-type: none"> <li>• Establish a system of data collection to monitor the allocation of funds</li> </ul>	



## 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.



Article 14 - Table of Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM Article 14	Explanatory Report implications	Laws & Policies	Enforcement		Monitoring
1	Every person belonging to a national minority <b>has the right to learn</b> their ML	<ul style="list-style-type: none"> <li>• preserve their identity</li> <li>• does not imply positive action on the part of the State, notably of a financial nature</li> </ul>	<ul style="list-style-type: none"> <li>• International and regional instruments – ratified &amp; implemented (FCNM/ECRML)</li> <li>• Bilateral agreements with focus on ML education and preservation of identity</li> <li>• Constitutional provisions re education in ML &amp; preservation of identity</li> <li>• National laws with special provisions re education in ML &amp; preservation of identity (antidiscrimination, preservation of identity, cultural rights, education)</li> <li>• Financial commitment of the state re education in ML &amp; preservation of identity (budgetary arrangements)</li> <li>• Laws establishing mechanisms (bodies and procedures) for implementation &amp; monitoring of ML education</li> <li>• Laws establishing mechanisms (bodies and procedures) for involvement/consultations with stakeholders re ML education</li> <li>• Revocation of policies and laws limiting/prohibiting use of ML</li> </ul>	<ul style="list-style-type: none"> <li>• Equal status of languages (non-discrimination based on languages)</li> <li>• Security (re registration/admission procedures)</li> <li>• Possibilities to maintain and express NM identity</li> </ul>	<ul style="list-style-type: none"> <li>• <b>MONITORING BODIES</b> <ul style="list-style-type: none"> <li>- Establishment of a state body to monitor &amp; advise on ML education</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- International and regional legal instruments</li> <li>- National legal instruments</li> <li>- bilateral agreements</li> <li>- Ministry of Education</li> <li>- Ministry of Labor</li> <li>- relevant documents, such as recommendations, state reports and advisory opinions, provided by international and national organizations</li> <li>- statistical offices</li> <li>- censuses</li> <li>- surveys</li> <li>- reports of relevant NGOs</li> <li>- academic studies on Minority language education</li> <li>- school curricula</li> <li>- academic researches on minority languages</li> </ul>
2	<p><b>Adequate opportunities for being taught the minority language or for receiving instruction in this language:</b></p> <ul style="list-style-type: none"> <li>• In areas inhabited by NM</li> <li>• If there is sufficient demand</li> <li>• Within educational systems</li> </ul>	<ul style="list-style-type: none"> <li>• teaching of and instruction in a ML – either of both; bilingual instruction; pre-school</li> <li>• recognition of possible financial, administrative and technical difficulties to implement</li> <li>• Conditionality: “areas”, “sufficient demand”, “available resources”</li> <li>• choice of means and arrangements in ensuring such instruction respective to the <b>existing educational systems</b></li> </ul>	<ul style="list-style-type: none"> <li>• Constitutional provisions</li> <li>• Law on education (children/ youth)</li> <li>• Law on use of languages</li> <li>• Law on administrative division of state</li> <li>• Policy on demography</li> <li>• Legal definitions of the “areas inhabited by NM”, “sufficient demand”</li> <li>• Incentives promoting ML education</li> <li>• Provisions for funding/financial support to ML education</li> <li>• Provisions regulating ML education as a part of the national educational system (incl. certification procedures)</li> <li>• Regulations on the various models of ML teaching</li> <li>• Mechanisms to promote ML education – incentives, financial and other support, future opportunities</li> <li>• Provisions for sanctioning of violation of rights (at different levels)</li> </ul>	<ul style="list-style-type: none"> <li>• <b>CONDITIONALITY REQUIREMENTS</b> <ul style="list-style-type: none"> <li>- Data collection mechanisms</li> <li>- Thresholds</li> <li>- Equal status of ML education/schools</li> </ul> </li> <li>• <b>ACCESS TO ML EDUCATION</b> <ul style="list-style-type: none"> <li>- Adequate school network / transport / alternative arrangements (e.g. distance learning)</li> <li>- Admission procedures (criteria)</li> <li>- Equality of status (ML education &amp; official language education)</li> <li>- All levels of ML education (from pre-school to Uni)</li> <li>- Different opportunities for ML learning (mandatory curricula, selective classes)</li> <li>- Certification (no double pressure on final examinations)</li> <li>- Equal employment opportunities</li> </ul> </li> <li>• <b>QUALITY OF ML EDUCATION</b> <ul style="list-style-type: none"> <li>- <b>Teachers training</b></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>MONITORING BODIES</b> <ul style="list-style-type: none"> <li>- Establishment of working groups to assess and evaluate the situation of ML education</li> <li>- Expert commissions on ML education</li> <li>- NM (stakeholders) consultative bodies</li> </ul> </li> <li>• <b>PROCEDURES</b> <ul style="list-style-type: none"> <li>- Establishment of a system to monitor and report</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- International and regional legal instruments</li> <li>- National legal instruments</li> <li>- bilateral agreements</li> <li>- Ministry of Education</li> <li>- Ministry of Labor</li> <li>- relevant documents, such as recommendations, state reports and advisory opinions, provided by international and national organizations</li> <li>- statistical offices</li> <li>- censuses</li> <li>- surveys</li> <li>- reports of relevant NGOs</li> <li>- academic studies on Minority language education</li> <li>- school curricula</li> <li>- academic researches on minority languages</li> </ul>



## ECMI Indicators

§	PROVISIONS		INDICATORS			SOURCES
	FCNM Article 14	Explanatory Report implications	Laws & Policies	Enforcement	Monitoring	
				<ul style="list-style-type: none"> <li>• Organizing training for minority language instructors</li> <li>• Providing incentives for universities to offer courses in minority languages</li> <li>• Organizing exchanges with kin-states</li> </ul> <ul style="list-style-type: none"> <li>- Adequate &amp; balanced curricula – sufficient N of hours in ML, specific subjects related to NM identity (history, literature, culture, religion)</li> <li>- Quality of outcomes</li> </ul> <ul style="list-style-type: none"> <li>• <b>RESOURCES</b> <ul style="list-style-type: none"> <li>- Teachers</li> <li>- Books</li> <li>- Facilities</li> <li>- Curricula (N of hours)</li> <li>- Funding</li> <li>- Support (stakeholders, kin-state)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- abuse/violation of rights</li> <li>- Establishment of a complaint mechanisms and procedures (promoted among the stakeholders)</li> <li>- Transparency &amp; accountability – involvement of NGOs</li> </ul> <ul style="list-style-type: none"> <li>• <b>DATA COLLECTION</b> <ul style="list-style-type: none"> <li>- Establishing an effective system of data collection re quality of ML education (surveys, assessments, etc)</li> </ul> </li> </ul>	
3	No prejudice to the learning of the <b>official language</b> or the teaching in this language	<ul style="list-style-type: none"> <li>• knowledge of the official language is a factor of social cohesion and integration</li> <li>• ML is NOT an alternative to official language</li> </ul>	<ul style="list-style-type: none"> <li>• Regulations for inclusion of the official language as a part of ML education</li> <li>• Policies fostering intercultural dialogue, social cohesion and integration</li> <li>• Anti-segregation policies</li> <li>• Hate-speech policies</li> </ul>	<ul style="list-style-type: none"> <li>• ML education as a part of the mainstream system of education</li> <li>• Desegregation</li> <li>• Practices to promote intercultural dialogue, exchanges, understanding and tolerance</li> <li>• Differentiated standards for language learning ( mother tongue vs second language)</li> </ul>	<ul style="list-style-type: none"> <li>• Standardized examination procedures</li> </ul>	
1	Every person belonging to a national minority <b>has the right to learn</b> their ML	<ul style="list-style-type: none"> <li>• preserve their identity</li> <li>• does not imply positive action on the part of the State, notably of a financial nature</li> </ul>	<ul style="list-style-type: none"> <li>• International and regional instruments – ratified &amp; implemented (FCNM/ECRML)</li> <li>• Bilateral agreements with focus on ML education and preservation of identity</li> <li>• Constitutional provisions re education in ML &amp; preservation of identity</li> <li>• National laws with special provisions re education in ML &amp; preservation of identity (antidiscrimination, preservation of identity, cultural rights, education)</li> <li>• Financial commitment of the state re education in ML &amp; preservation of identity (budgetary arrangements)</li> </ul>	<ul style="list-style-type: none"> <li>• Equal status of languages (non-discrimination based on languages)</li> <li>• Security (re registration/admission procedures)</li> <li>• Possibilities to maintain and express NM identity</li> </ul>	<ul style="list-style-type: none"> <li>• <b>MONITORING BODIES</b> <ul style="list-style-type: none"> <li>- Establishment of a state body to monitor &amp; advise on ML education</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- International and regional legal instruments</li> <li>- National legal instruments</li> <li>- bilateral agreements</li> <li>- Ministry of Education</li> <li>- Ministry of Labor</li> <li>- relevant documents, such as recommendations, state reports and advisory opinions, provided by</li> </ul>



## ECMI Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM Article 14	Explanatory Report implications	Laws & Policies	Enforcement	Monitoring	SOURCES
			<ul style="list-style-type: none"> <li>• Laws establishing mechanisms (bodies and procedures) for implementation &amp; monitoring of ML education</li> <li>• Laws establishing mechanisms (bodies and procedures) for involvement/consultations with stakeholders re ML education</li> <li>• Revocation of policies and laws limiting/prohibiting use of ML</li> </ul>			international and national organizations <ul style="list-style-type: none"> <li>- statistical offices</li> <li>- censuses</li> <li>- surveys</li> <li>- reports of relevant NGOs</li> <li>- academic studies on minority language education</li> <li>- school curricula</li> <li>- academic researches on minority languages</li> </ul>
2	<b>Adequate opportunities for being taught the minority language or for receiving instruction in this language:</b> <ul style="list-style-type: none"> <li>• In areas inhabited by NM</li> <li>• If there is sufficient demand</li> <li>• Within educational systems</li> </ul>	<ul style="list-style-type: none"> <li>• teaching of and instruction in a ML – either of both; bilingual instruction; pre-school</li> <li>• recognition of possible financial, administrative and technical difficulties to implement</li> <li>• Conditionality: “areas”, “sufficient demand”, “available resources”</li> <li>• choice of means and arrangements in ensuring such instruction respective to the <b>existing educational systems</b></li> </ul>	<ul style="list-style-type: none"> <li>• Constitutional provisions</li> <li>• Law on education (children/ youth)</li> <li>• Law on use of languages</li> <li>• Law on administrative division of state</li> <li>• Policy on demography</li> <li>• Legal definitions of the “areas inhabited by NM”, “sufficient demand”</li> <li>• Incentives promoting ML education</li> <li>• Provisions for funding/financial support to ML education</li> <li>• Provisions regulating ML education as a part of the national educational system (incl. certification procedures)</li> <li>• Regulations on the various models of ML teaching</li> <li>• Mechanisms to promote ML education – incentives, financial and other support, future opportunities</li> <li>• Provisions for sanctioning of violation of rights (at different levels)</li> </ul>	<ul style="list-style-type: none"> <li>• <b>CONDITIONALITY REQUIREMENTS</b> <ul style="list-style-type: none"> <li>- Data collection mechanisms</li> <li>- Thresholds</li> <li>- Equal status of ML education/schools</li> </ul> </li> <li>• <b>ACCESS TO ML EDUCATION</b> <ul style="list-style-type: none"> <li>- Adequate school network / transport / alternative arrangements (e.g. distance learning)</li> <li>- Admission procedures (criteria)</li> <li>- Equality of status (ML education &amp; official language education)</li> <li>- All levels of ML education (from pre-school to Uni)</li> <li>- Different opportunities for ML learning (mandatory curricula, selective classes)</li> <li>- Certification (no double pressure on final examinations)</li> <li>- Equal employment opportunities</li> </ul> </li> <li>• <b>QUALITY OF ML EDUCATION</b> <ul style="list-style-type: none"> <li>- <b>Teachers training</b> <ul style="list-style-type: none"> <li>• Organizing training for minority language instructors</li> </ul> </li> <li>• Providing incentives for universities to offer courses in minority languages</li> <li>• Organizing exchanges with kin-states               <ul style="list-style-type: none"> <li>- Adequate &amp; balanced curricula – sufficient N of hours in ML, specific subjects related to NM identity (history, literature, culture, religion)</li> <li>- Quality of outcomes</li> </ul> </li> </ul> </li> <li>• <b>RESOURCES</b> <ul style="list-style-type: none"> <li>- Teachers</li> <li>- Books</li> <li>- Facilities</li> <li>- Curricula (N of hours)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>MONITORING BODIES</b> <ul style="list-style-type: none"> <li>- Establishment of working groups to assess and evaluate the situation of ML education</li> <li>- Expert commissions on ML education</li> <li>- NM (stakeholders) consultative bodies</li> </ul> </li> <li>• <b>PROCEDURES</b> <ul style="list-style-type: none"> <li>- Establishment of a system to monitor and report abuse/violation of rights</li> <li>- Establishment of a complaint mechanisms and procedures (promoted among the stakeholders)               <ul style="list-style-type: none"> <li>- Transparency &amp; accountability – involvement of NGOs</li> </ul> </li> </ul> </li> <li>• <b>DATA COLLECTION</b> <ul style="list-style-type: none"> <li>- Establishing an effective system of data collection re quality of ML education (surveys, assessments, etc)</li> </ul> </li> </ul>	



## ECMI Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM Article 14	Explanatory Report implications	Laws & Policies	Enforcement		Monitoring
				<ul style="list-style-type: none"> <li>- Funding</li> <li>- Support (stakeholders, kin-state)</li> </ul>		
3	No prejudice to the learning of the <b>official language</b> or the teaching in this language	<ul style="list-style-type: none"> <li>• knowledge of the official language is a factor of social cohesion and integration</li> <li>• ML is NOT an alternative to official language</li> </ul>	<ul style="list-style-type: none"> <li>• Regulations for inclusion of the official language as a part of ML education</li> <li>• Policies fostering intercultural dialogue, social cohesion and integration</li> <li>• Anti-segregation policies</li> <li>• Hate-speech policies</li> </ul>	<ul style="list-style-type: none"> <li>• ML education as a part of the mainstream system of education</li> <li>• Desegregation</li> <li>• Practices to promote intercultural dialogue, exchanges, understanding and tolerance</li> <li>• Differentiated standards for language learning ( mother tongue vs second language)</li> </ul>	<ul style="list-style-type: none"> <li>• Standardized examination procedures</li> </ul>	



## 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.



Article 15 - Table of Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM - Article 15	Explanatory Report - implications	Laws & Policies	Enforcement	Monitoring	
1	<ul style="list-style-type: none"> <li>• <b>Obligation to create the necessary conditions for the effective participation</b> of persons belonging to NM in cultural, social and economic life and in public affairs, in particular those affecting them</li> </ul>	<ul style="list-style-type: none"> <li>• Encourage <b>substantive equality</b> between persons belonging to <b>national minorities</b> and those forming part of the <b>majority</b></li> <li>• <b>Promote</b>, inter alia:               <ul style="list-style-type: none"> <li>- <b>consultation</b> with NM on measures likely to affect them directly</li> <li>- <b>involving</b> NM in preparation, implementation and assessment of plans and programmes likely to affect them</li> <li>- undertake <b>studies in conjunction</b> with NM on possible impacts of development activities</li> <li>- effective <b>participation in decision-making</b> of NM at all levels of government</li> <li>- decentralized or <b>local forms of government</b></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Relevant international and regional instruments ratified and implemented</li> <li>• Constitutional provisions</li> <li>• Legislation on equality and non-discrimination (Tab. Art.4)</li> <li>• Law ensuring guarantees of representation in elected bodies               <ul style="list-style-type: none"> <li>- right to create and to adhere to political parties</li> <li>- right to elect and to be elected</li> <li>- reserved seats in governing bodies (reflects the composition of the population)</li> </ul> </li> <li>• Financial commitment of the State for the promotion of effective participation of NM to cultural, social, economic and public life (budgetary arrangements)</li> <li>• Law establishing mechanisms (bodies and procedures) for implementation &amp; monitoring of the obligation under art. 15</li> <li>• Law establishing mechanisms (bodies and procedures) for involvement and consultation with NM on measures likely to affect them</li> <li>• National Strategy for social inclusion of most vulnerable NM</li> <li>• Revocation of laws and policies impairing the participation of NM to cultural, social, economic and public life</li> </ul>	<ul style="list-style-type: none"> <li>• equal status between persons belonging to majority and NM (tab. Art. 4)</li> <li>• equal access to services and opportunities (tab. Art. 4)               <ul style="list-style-type: none"> <li>- education</li> <li>- health care</li> <li>- social care</li> <li>- housing</li> <li>- employment</li> </ul> </li> <li>• <b>Effective participation of NM in cultural, social, economic life</b> <ul style="list-style-type: none"> <li>- awareness raising activities on non-discrimination</li> <li>- promotion and support of cultural activities of NM</li> <li>- cover the gaps in social insurance for individuals lacking the necessary documents or the necessary level of education</li> <li>- combat unemployment among NM and promote, assist and counsel on employment opportunities</li> <li>- support and finance the construction or requalification of NM settlements</li> </ul> </li> <li>• <b>Effective participation of NM in public affairs</b> <ul style="list-style-type: none"> <li>- education and information in ML about elections and campaigns</li> <li>- adequate representation of numerically smaller and most vulnerable minorities in governing and advisory bodies</li> <li>- independence from the government of consultative bodies on NM issues</li> <li>- transparency in appointing procedures and non arbitrary composition</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Monitoring Bodies</b> <ul style="list-style-type: none"> <li>- Establishment of a State body to monitor &amp; advise on the implementation of the obligation under art. 15</li> <li>- Establishment of a State advisory body on NM issues</li> <li>- Establishment of local committees for NM in areas inhabited by NM in substantial numbers</li> <li>- Establishment of youth assemblies for young members of NM</li> </ul> </li> <li>• <b>Procedures</b> <ul style="list-style-type: none"> <li>- establishment of an effective system to monitor and report abuses and violations of participatory rights</li> <li>- establishment of effective complaint mechanisms and procedures (promoted among stakeholders)</li> </ul> </li> <li>• <b>Data Collection</b> <ul style="list-style-type: none"> <li>- Establishment of an effective system of data collection on participation of NM in cultural, social, economic and public life (e.g. disaggregated data on socio economic status, political representation, etc)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- International and regional legal instruments</li> <li>- National legal instruments</li> <li>- websites and publications by the government, relevant ministries and local branches (Interior, Labor, Social Affairs, Culture, Equal opportunities, Health, Welfare, Finance /Economy)</li> <li>- website and publications by the Office of the Ombudsperson</li> <li>- relevant documents, such as recommendations, state reports and advisory opinions by international and national organizations</li> <li>- statistical offices</li> <li>- censuses</li> <li>- surveys</li> <li>- reports of relevant NGOs</li> <li>- Academic studies on discrimination</li> <li>- internet &amp; media</li> </ul>



## ECMI Indicators

	PROVISIONS		INDICATORS			SOURCES
§	FCNM - Article 15	Explanatory Report - implications	Laws & Policies	Enforcement	Monitoring	
				- regular dialogue and joint consultations with advisory bodies on NM issues		



## 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.



Article 16 - Table of Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM - Article 16	Explanatory Report implications	Laws & Policies	Enforcement		Monitoring
1	<ul style="list-style-type: none"> <li>The parties shall <b>refrain from measurers altering the proportions of populations and restricting rights and freedoms</b> enshrined in the FCNM in areas inhabited by NM</li> </ul>	<ul style="list-style-type: none"> <li>Examples of measures to be protected against:               <ul style="list-style-type: none"> <li>- expropriation</li> <li>- evictions and expulsions</li> <li>- redrawing of administrative borders with a view at restricting the enjoyment of rights and freedoms</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Relevant international and regional instruments ratified and implemented (European Charter on Local Self-Government)</li> <li>Constitutional guarantees               <ul style="list-style-type: none"> <li>- freedom of establishment</li> <li>- right to property</li> </ul> </li> <li>Legislation on equality and non-discrimination (tab. Art.4)</li> <li>Law ensuring the full recognition of the rights and freedoms of the FCNM</li> <li>Bilateral agreements on boundary changes</li> <li>Law establishing criteria to define areas inhabited by NM</li> <li>Law establishing mechanisms and procedures related to the system of property</li> <li>Laws and policies protecting the cultural heritage of areas inhabited by NM</li> <li>Law establishing cases of legitimate expropriation, eviction or expulsion and related mechanisms (bodies and procedures)</li> <li>Financial commitment for the support of local NM communities</li> <li>Revocation of laws and policies impairing the proportions of populations in areas inhabited by NM or restricting rights and freedoms enshrined in the FCNM</li> <li>Laws and National Programme for the return of previously displaced persons belonging to NM</li> </ul>	<ul style="list-style-type: none"> <li>Ensure adequate and non-restrictive interpretation of the criteria to define areas inhabited by NM</li> <li>Provision of documents certifying residency status</li> <li>ensure democratic processes of change (e.g. referenda)</li> <li>ensure participatory relocation processes in the interest of NM</li> <li>ensure the participation in public-affairs of persons belonging to NM living in administrative units predominantly inhabited by the majority</li> <li>ensure absence of linguistic barriers for persons belonging to NM</li> <li>Ensure equal and reasonable residency taxation system</li> <li><b>Ensure legitimacy of expropriations, evictions or expulsions</b> <ul style="list-style-type: none"> <li>- training of law enforcement officers</li> <li>- ensure that the procedures are respectful of the dignity of the individual</li> <li>- ensure adequate resolution of conflicts</li> </ul> </li> <li><b>Ensure adequate support for the return of displaced persons belonging to NM</b> <ul style="list-style-type: none"> <li>- promotion of voluntary return and awareness raising on available options</li> <li>- provision of subsidies and assistance for voluntary returns</li> <li>- ensure engagement and participation of local authorities and international organizations</li> <li>- financial support for the sustainability of the return</li> <li>- ensure return of damaged/destroyed property</li> <li>- ensure reintroduction of returnees the welfare system and equal access to services</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><b>Monitoring Bodies</b> <ul style="list-style-type: none"> <li>- establishment of a State advisory body on issues in areas inhabited by NM</li> <li>- establishment of a State monitoring body on the legitimacy of the procedures of expropriation, eviction or expulsion</li> </ul> </li> <li><b>Procedures</b> <ul style="list-style-type: none"> <li>- establishment of an effective system to monitor and report abuses and violations of rights</li> <li>- establishment of effective complaint mechanisms and procedures (promoted among stakeholders)</li> <li>- establishment of an effective procedure for the return of displaced persons belonging to NM</li> </ul> </li> <li><b>Data Collection</b> <ul style="list-style-type: none"> <li>- establishment of an effective system of disaggregated data collection on areas inhabited by NM (e.g. proportion of population by affiliation to NM)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>International and regional legal instruments</li> <li>National legal instruments</li> <li>website and publications by government, relevant ministries and local branches (e.g. Interior, Finances, Foreign Affairs, Labor, Welfare)</li> <li>website and publications by the office of the Ombudsperson</li> <li>relevant documents, such as recommendations, state reports and advisory opinions, provided by international and national organizations</li> <li>statistical offices</li> <li>censuses</li> <li>surveys</li> <li>reports of relevant NGOs</li> </ul>



## ECMI Indicators

§	PROVISIONS			INDICATORS			SOURCES
	FCNM - Article 16	Explanatory implications	Report -	Laws & Policies	Enforcement	Monitoring	
					and opportunities - establish co-validation mechanism (i.e. validate years spent working abroad)		



## 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.



Article 17 - Table of Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM - Article 17	Explanatory Report - implications	Laws & Policies	Enforcement		Monitoring
1	<ul style="list-style-type: none"> <li>Obligation not to interfere with the <b>right of persons belonging to NM to establish and maintain free and peaceful contacts across frontiers with persons lawfully staying in other State</b>, in particular those with whom they share an ethnic, cultural, linguistic or religious identity, or a common cultural heritage</li> </ul>	<ul style="list-style-type: none"> <li>Provisions based on art. 32.4 and 32.6 of the Copenhagen Document of the CSCE.</li> <li>The right to establish and maintain contacts within the territory of the State is not mentioned because already implicit in art. 7 FCNM on freedom of assembly and association</li> </ul>	<ul style="list-style-type: none"> <li>Relevant international and regional instruments ratified and implemented</li> <li>Constitutional guarantees                             <ul style="list-style-type: none"> <li>- freedom of movement</li> <li>- freedom of association (establish legitimate limitations or restrictions)</li> </ul> </li> <li>Bilateral agreements (<i>inter alia</i>, cultural exchanges)</li> <li>Financial commitment to support cross-bordering projects (budgetary arrangements)</li> <li>Law establishing border-crossing procedures with kin-states</li> <li>Law establishing and protecting the right of persons belonging to NM to participate in the activities of NGOs</li> <li>Law establishing and protecting the right to maintain cross-frontier contacts                             <ul style="list-style-type: none"> <li>- provision establishing legitimate limitations or restrictions</li> </ul> </li> <li>Law establishing mechanisms (consultative bodies and procedures) to ensure the effective enjoyment of the rights of art. 17</li> <li>Financial commitment to support cross-frontier projects (budgetary arrangements)</li> <li>Elimination of laws and practices related to racial profiling at national borders</li> </ul>	<ul style="list-style-type: none"> <li>Maintain friendly relations with other States</li> <li>Ensure peaceful settlement of regional conflicts</li> <li>Ensure participation of NM and attention to their needs and demands as far as cross-frontier contact is concerned</li> <li>Establishment of information and cultural centres on NM's kin-states</li> <li>Organize and support programmes and projects affecting and facilitating cross-border-contacts                             <ul style="list-style-type: none"> <li>- access to traditional places outside the jurisdiction of the host State</li> <li>- artistic performances by representatives of kin-states</li> </ul> </li> <li>Ensure adequate support for the participation of representatives of NM in events organized by NGOs</li> <li>Ensure that NM not supported by kin-state are not in disadvantaged position</li> </ul>	<ul style="list-style-type: none"> <li><b>Monitoring Bodies</b> <ul style="list-style-type: none"> <li>- establishment of a State advisory body on related issues</li> </ul> </li> <li><b>Procedures</b> <ul style="list-style-type: none"> <li>- establishment of effective complaint mechanisms and procedures (promoted among stakeholders)</li> <li>- establishment of an effective consultative mechanisms with representatives of NM</li> </ul> </li> <li><b>Data Collection</b> <ul style="list-style-type: none"> <li>- establishment of an effective system of data collection on the conduction of cross-frontier contacts and allocation of support</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Bilateral agreements</li> <li>National legal instruments</li> <li>website and publications by the government, relevant ministries and local branches (e.g. Social affairs, Foreign affairs, Education, Culture, Environment)</li> <li>relevant documents, such as recommendations, state reports and advisory opinions provided by international and national organizations</li> <li>statistical offices</li> <li>censuses</li> <li>surveys</li> <li>reports of relevant NGOs</li> <li>academic studies</li> </ul>
2	<ul style="list-style-type: none"> <li>Obligation not to interfere with the <b>right of persons belonging to NM to participate in the activities of non-governmental organizations</b>, both at national and international levels</li> </ul>					



## 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.



Article 18 - Table of Indicators

PROVISIONS		INDICATORS			SOURCES	
§	FCNM - Article 18	Explanatory Report - implications	Laws & Policies	Enforcement		Monitoring
1	<ul style="list-style-type: none"> <li>The parties shall <b>endeavour to conclude</b>, where necessary, <b>bilateral and multilateral agreements with other States</b>, in order to ensure protection of persons belonging to the NM concerned</li> </ul>	<ul style="list-style-type: none"> <li>Bi/multi-lateral agreements for the protection of NM and transfrontier cooperation are important for the <b>promotion of tolerance, prosperity, stability and peace</b></li> </ul>	<ul style="list-style-type: none"> <li>Relevant international and regional instruments ratified and implemented</li> <li>Constitutional guarantees - freedom of movement</li> <li>Bi/Multi-lateral agreements on cooperation in matters relating to national minorities, especially in the field of education and culture</li> <li>Financial commitment to support cross-country relations (budgetary allocations)</li> <li>Law allowing the development of joint strategies and working programmes aimed at enhance the protection of NM</li> <li>Definition of joint strategies and working programmes to enhance the protection of NM</li> </ul>	<ul style="list-style-type: none"> <li><b>Solution of regional conflicts</b> <ul style="list-style-type: none"> <li>ensure sustainability</li> <li>ensure safe and voluntary return of displaced persons</li> <li>refrain from threats of the use of force</li> </ul> </li> <li>promote the creation of association dealing with enhancement of cross-border dialogue</li> <li>Ensure involvement and support for international/interregional/regional cooperation programs</li> <li>Ensure the involvement of representatives of NM in the process of establishment and maintaining of cross-border cooperation</li> <li>Establish customs and police cooperation with neighboring countries</li> <li>Awareness raising activities and provision of accessible information on different forms of cross-border cooperation</li> <li>Encouragement of friendly relations between the host state and the kin-state and supporting the activities of NM               <ul style="list-style-type: none"> <li>promoting culture of NM in mass media</li> <li>upholding historically grown linguistic and cultural diversity of NM</li> <li>school partnerships and exchanges</li> <li>scholarships for students belonging to NM</li> <li>promotion of cross-border business cooperation</li> <li>conference, round tables and meetings between ombudsperson to discuss issues related to cross-border cooperation</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><b>Monitoring Bodies</b> <ul style="list-style-type: none"> <li>establishment of inter-governmental joint NM committees to deal with cross-border cooperation in relation to NM</li> <li>establishment of a State body responsible for cross-border contacts</li> </ul> </li> <li><b>Procedures</b> <ul style="list-style-type: none"> <li>establishment of clear and effective complaint mechanisms and procedures (promoted among stakeholders)</li> </ul> </li> <li><b>Data Collection</b> <ul style="list-style-type: none"> <li>establishment of an effective system on data collection on form of cross-border cooperation and relative support allocated</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>International and regional legal instruments</li> <li>bi/multi-lateral agreements</li> <li>National legal instruments</li> <li>websites and publications by the government, relevant ministries and local branches (E.g. Foreign affairs, Education, Culture, Interior, Labor)</li> <li>website and publications by the office of the Ombudsperson</li> <li>relevant documents, such as recommendation, state reports and advisory opinions, provided by relevant international and national organizations</li> <li>Statistical offices</li> <li>censuses</li> <li>surveys</li> <li>reports of relevant NGOs</li> <li>academic studies</li> <li>internet and media</li> </ul>
2	<ul style="list-style-type: none"> <li>Where relevant, the Parties shall take measures to <b>encourage transfrontier cooperation</b></li> </ul>					



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