

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

c. Draft resolutions on the implementation of the Framework Convention for the Protection of National Minorities by Estonia and the United Kingdom
(GR-H(2002)15 and 17)

Decisions

The Deputies

1. adopted Resolution ResCMN(2002)8 on the implementation of the Framework Convention for the Protection of National Minorities by Estonia, as it appears in Appendix 2 to the present volume of Decisions;
2. adopted Resolution ResCMN(2002)9 on the implementation of the Framework Convention for the Protection of National Minorities by the United Kingdom, as it appears in Appendix 3 to the present volume of Decisions.

Appendix 2
(item 4.1c)

Resolution ResCMN(2002)8
on the implementation of the Framework Convention for the Protection of National Minorities by Estonia

*(Adopted by the Committee of Ministers on 13 June 2002
at the 799th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as “the Framework Convention”), and sitting in the presence of a non-member state Party¹,

Having regard to Resolution (97) 10 of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention in particular rule 39² of Resolution (97) 10;

Having regard to the voting rule adopted in the context of adopting Resolution (97) 10³;

Having regard to the instrument of ratification deposited by Estonia on 6 January 1997;

Recalling that the Government of Estonia transmitted its state report in respect of the first monitoring cycle under the Framework Convention on 22 December 1999;

Whereas the Advisory Committee accepted the invitation of the Government of Estonia to send a delegation to gather further information in Estonia; this visit taking place from 29 May to 1 June 2001;

Whereas the Advisory Committee's opinion on the implementation of the Framework Convention by Estonia was adopted on 14 September 2001 and then transmitted to the Permanent Representative of Estonia and communicated to the permanent representatives of all member states and to the representatives of non-member states Parties as document CM(2001)159 and subsequently made public by Estonia;

¹ The Federal Republic of Yugoslavia.

² According to Rule 39 of Resolution (97) 10, “the Committee of Ministers shall invite a representative from each non-member Party to attend the meetings of the Committee of Ministers whenever it exercises its functions under the Framework Convention, without the right to participate in the adoption of decisions”.

³ In the context of adopting Resolution (97) 10 on 17 September 1997, the Committee of Ministers also adopted the following rule: “Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting parties casting a vote, including a majority of the representatives of the Contracting parties entitled to sit on the Committee of Ministers, vote in favour”.

Whereas the Government of Estonia submitted its written comments on the opinion of the Advisory Committee, these written comments having been communicated to the delegations of all member states and the non-member states Parties as an addendum to document CM(2001)159, dated 26 February 2002;

Having examined the Advisory Committee's opinion and the written comments of the Government of Estonia;

Having also taken note of comments by other governments, including written comments by the Russian Federation,

1. Adopts the following conclusions concerning the implementation of the Framework Convention by Estonia:

- Estonia has made efforts to implement the Framework Convention and to improve intercultural dialogue in Estonia. In particular, it has paid increasing attention to the integration of persons belonging to national minorities, including through the State Integration Programme.

- Protection of national minorities is not always addressed in an adequate manner in the legislative process and administrative practice. Despite certain recent improvements in the relevant legislation, there remain shortcomings with respect to the use of minority languages, including as regards the private signs visible to the public.

- Some of the initiatives to protect national minorities, such as the National Minorities Cultural Autonomy Act, contain elements that are not particularly suited for the present situation of minorities in Estonia and need to be revised or replaced in order for them to be effective with respect to all minorities concerned.

- Further efforts are needed in order to promote the process of naturalisation, bearing in mind that the number of stateless persons remains high.

- Concerning the implementation of the on-going reform of the educational system - including with respect to bilingual education - it is essential that the provisions aimed at increasing knowledge of the Estonian language are coupled with improved guarantees for persons belonging to national minorities to receive instruction in or of their language.

2. Recommends that Estonia take appropriate account of the conclusions set out in section 1 above together with the comments in the Advisory Committee's opinion.

3. Invites the Government of Estonia, in accordance with Resolution (97) 10:

a. to continue the dialogue in progress with the Advisory Committee;

b. to keep the Advisory Committee regularly informed of the measures it has taken in response to the conclusions and recommendations set out in section 1 and 2 above.