

COUNCIL OF EUROPE

COMMITTEE OF MINISTERS

Resolution ResCMN(2005)4 on the implementation of the Framework Convention for the Protection of National Minorities by "the former Yugoslav Republic of Macedonia"

*(Adopted by the Committee of Ministers on 15 June 2005
at the 930th 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");

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;

Having regard to the voting rule adopted in the context of adopting Resolution (97) 10;¹

Having regard to the instrument of ratification submitted by "the former Yugoslav Republic of Macedonia" on 10 April 1997;

Recalling that the Government of "the former Yugoslav Republic of Macedonia" transmitted its state report in respect of the first monitoring cycle under the Framework Convention on 23 September 2003;

Whereas the Advisory Committee accepted the invitation of the Government of "the former Yugoslav Republic of Macedonia" to send a delegation to gather further information in "the former Yugoslav Republic of Macedonia", this visit taking place from 8 to 12 December 2003;

Whereas the Advisory Committee's opinion on the implementation of the Framework Convention by "the former Yugoslav Republic of Macedonia" was adopted on 27 May 2004 and then transmitted to the Permanent Representative of "the former Yugoslav Republic of Macedonia" and communicated to the Permanent Representatives of all member states as document CM(2004)145;

Whereas the Government of "the former Yugoslav Republic of Macedonia" submitted its written comments on the opinion of the Advisory Committee, these written comments having been communicated to the Permanent Representatives of all member states as an addendum to document CM(2004)145, dated 11 February 2005;

Having examined the Advisory Committee's opinion and the written comments of the Government of "the former Yugoslav Republic of Macedonia",

Having also taken note of comments by other governments,

1. Adopts the following conclusions concerning the implementation of the Framework Convention by "the former Yugoslav Republic of Macedonia":

- The important constitutional and legislative reforms made so far, in accordance with the Ohrid Agreement, lay the foundations for greater protection for minorities, *inter alia*, in such fields as the use of minority languages, education and participation, with the introduction of the principle of equitable representation for minorities at all levels of public administration.

- These positive reforms need to be pursued further, notably with regard to the use of languages and alphabets and the adoption of additional guarantees to ensure full and effective equality, so that the existing legal framework is completed and consolidated. Due account should be taken of the situation of numerically smaller minorities in this context.

- The fostering of mutual understanding and intercultural dialogue remains vital to the future of social cohesion in the country. The prevention of interethnic tensions and the elimination of the significant barriers between the different communities need constant attention. The interaction between the different components of society need to be further encouraged, particularly in the sphere of education, where individuals' knowledge of the languages spoken in their region could be promoted.

- Additional measures should be adopted so as to take better account of the needs for teaching in minority languages, as expressed by various communities, including the Turkish and Albanian communities. In this connection, legislation regarding the establishing of private primary education should be reviewed.

- Despite efforts made to improve the situation of Roma, real problems remain regarding the discrimination encountered in various fields by persons belonging to this community. This bears witness to considerable socio-economic differences between them and the rest of the population. Difficulties are particularly obvious in the realms of employment, housing, health care and education. It is important that all the necessary steps are taken to improve the situation of persons belonging to this community, within the framework of the new national strategy for Roma.

- Further efforts are needed in relation to the media, so as to encourage access to the media for persons belonging to minorities. In the cultural sphere, measures to support the preservation and development of minority cultures, including the Vlach culture, should be strengthened.

- Given the shortcomings noted in the area of consultation, consideration should be given to measures enabling for regular consultation at an institutional level with minorities on issues of concern to them.

2. Recommends that "the former Yugoslav Republic of Macedonia" take appropriate account of the conclusions set out in section 1 above, together with the various comments in the Advisory Committee's opinion.

3. Invites the Government of "the former Yugoslav Republic of Macedonia", 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.

Note ¹ 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”.