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Synthesis of the replies to the questionnaire  
on participation of minorities  
in decision-making processes

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**QUESTIONNAIRE ON FORMS OF  
PARTICIPATION OF MINORITIES  
IN DECISION-MAKING PROCESSES**

**I. Representation in political parties**

- 1) Please list the political parties that specifically represent a minority;
- 2) Please list parties that especially represent minorities' interests but which are not minority parties as such;

**II. Parliamentary representation**

- 3) Are there reserved seats in Parliament for minorities (if necessary make the distinction between the Lower Chamber and the Upper Chamber and indicate the number of seats available in each chamber)?
- 4) Did any of the political parties mentioned under questions 1 and 2 gain any seats at the last parliamentary elections? (please indicate the dates of the latest elections for each chamber)?
- 5) Please indicate whether persons belonging to minorities have been elected during the last elections on the list of other parties, and if so, please give details;
- 6) Please indicate whether there are any special provisions for minority parties regarding election thresholds;
- 7) Please indicate whether there are any parliamentary committees and/or sub-committees dealing with minority issues;

**III. Ombudspersons for minority and/or human rights or parliamentary committee for petitions**

- 8) Do such bodies exist in your country? If so, what are the official titles?
- 9) Please indicate the legal basis on which they were created;
- 10) If there is an ombudsperson, please indicate how he/she is elected/nominated;
- 11) If there is an ombudsperson, please indicate his/her main functions and mandate;

**IV. Minister/ministry for national minorities**

- 12) Is there a minister or ministry specifically responsible for national minorities issues?
- 13) If not, are there ministries which deal with minority issues in their own fields of activity? If so, which one(s)?

**V. Governmental Office for minorities**

- 14) Does such an office exist in your country? If so, please indicate its exact name;
- 15) Please indicate the legal basis on which it has been established (Decree, etc.);
- 16) Please list its main functions;
- 17) Please indicate in a few lines how it works;
- 18) Please indicate the links with other institutions, such as government, parliament, councils/round tables for minorities (as under VI), self-governments etc. (as under VII) NGOs and civil society;
- 19) Please indicate the minorities involved in or covered by this Office;
- 20) Please indicate the name of the contact person for this Governmental Office;

**VI. Councils or round-tables with representatives of minorities**

- 21) Do such bodies exist in your country? If so, please indicate their exact name and level of application (state, regional or local);
- 22) Please indicate the legal basis on which they have been established;
- 23) Please list their main functions;
- 24) Please indicate in a few lines how they work;
- 25) Please indicate the links with other institutions, such as government, parliament, governmental office for minorities (as under V), self-governments, etc. (as under VII), NGOs and civil;
- 26) Please indicate the minorities involved in this Council/Round Table;
- 27) Please indicate the name of the contact person for this Council/Round Table;

**VII. Self-governments and forms of territorial or cultural autonomy, including those at regional and local level**

- 28) Please indicate which forms exist in your country;
- 29) Please specify the legal basis on which they have been established;
- 30) If there are self-governments, please indicate their numbers and the minorities concerned;
- 31) Please indicate the main functions of these bodies;
- 32) Please indicate in a few lines how they work;
- 33) Please indicate the links with other institutions, such as government, parliament, governmental office for minorities (as under V), councils/rounds tables for minorities (as under VI), NGOs and civil;

**VIII. Public institutions or organisations**

- 34) Please indicate public institutions that play a significant role in the field of the protection of minorities ;

**IX. Civil society: minority associations and NGOs**

- 35) Please indicate registered minority associations and give relevant information;
- 36) Please indicate national NGOs or local branches of international NGOs dealing with minority issues;

**X. Legal texts**

- 37) Please indicate any legal texts (or articles of these texts) referring to the participation of minorities in decision-making processes that have not been mentioned previously.

**XI. Please make any additional observations that you might wish to include**

# ALBANIA

## I. Representation in political parties

<b>1. Parties that specifically represent a minority</b>	In Albania political parties that specifically represent minorities do not exist. According to Article 6, paragraph 5 of the Law no. 7502 (July 25, 1991) on political parties, the creation of a political party on a religious, ethnic or regional basis is not allowed. In Article 9 of the new draft Constitution, a special provision about political parties makes no prohibitive or affirmative reference as concerns the creation of parties on an ethnic basis, i.e. does not forbid but does not allow either such a creation explicitly.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	The only political party representing minorities' interests is "The Union for Human Rights Party".

## II. Parliamentary representation

<b>3. Reserved seats in Parliament for minorities</b>	In the Albanian parliament (one-chamber People's Assembly) there are no reserved seats for minorities.
<b>4. Seats gained by political parties mentioned in table I</b>	At the General Elections of June 29, 1997 the Union for Human Rights Party gained 3 seats in the People's Assembly, favoured by the Law which has reduced the threshold to gain seats to 2%.
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	There have been always an average of 5-10 persons belonging to minorities (particularly to the Greek minority) in other parties elected to the People's Assembly. Their number is greater in local elected bodies. Minorities have never been discriminated in the electoral system in Albania because belonging to a minority has never played a role in assuming party and state posts and duties in Albania.
<b>6. Special provisions for minority parties regarding thresholds</b>	(Please see item 4 above).
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	Under the auspices of the Commission of Political Affairs of the People's Assembly's, there is a sub-commission for human rights that is chaired by a representative of the Union for Human Rights Party.

## III. Ombudsperson for minority/human rights or parliamentary committee for petitions

<b>8. Official titles of such bodies</b>	Until now such bodies do not exist in Albania, but a draft law is ready to pass to parliament about the ombudsman, named by Law as " <i>People's Advocate</i> " (a special chapter, Chapter VI, articles 60–63, of the draft Constitution is also dedicated to the People's Advocate).
<b>9. Legal basis on which they were established</b>	-
<b>10. Way of election/nomination of the Ombudsperson</b>	-
<b>11. Main functions and mandate of the Ombudsperson</b>	-

<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	There is no special minister or ministry which has particular responsibility for national minorities issues.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	The Ministry of Foreign Affairs in its own specific field of activity, particularly concerning the implementation of international commitments of the country in the field of human rights, also deals with minority issues.

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	<p>The Office was established in November 1993, first as a consultative body to the Prime Minister. After 1995 it was transformed into a one-man specialised governmental institution dealing with minority affairs. In November 1996, when the responsible person for this Office was transferred to the Ministry of Foreign Affairs, routinely but not by a governmental decree, the Office followed him, of course not as an institutionalised and specialised body, inside the structure of this Ministry. Currently, a <u>contact person</u> deals with a part of the affairs which fall under the duties of the named Office.</p> <p>The creation of an Office for national minorities under the authority of the Ministry of Foreign Affairs is currently being discussed in Albania, hence the impossibility to reply to all questions of part V of the questionnaire.</p>
<b>15. Legal basis on which it has been established</b>	By a decree (decision) of the Prime Minister.
<b>16. Main functions of this office</b>	<ul style="list-style-type: none"> <li>- to follow the implementation of fundamental political orientation towards recognition and realisation of the rights of persons belonging to national minorities, whilst respecting domestic law and international obligations and commitments;</li> <li>- to maintain and develop an official dialogue with minority groups and organisations or their representatives in order to be permanently familiar with their demands and problems, particularly in respect of the central and local organs of power and public administration;</li> <li>- to bring to the attention of the Government concrete problems or complaints raised by minority persons, groups or organisations lobbying for minorities rights;</li> <li>- to support and promote the lawful activities of minority groups which aim to preserve and further develop their cultural, linguistic, religious and ethnic identity, as well as help the creation of a climate for a better inter-ethnic understanding.</li> </ul>
<b>17. Functioning of this office</b>	<p><u>The work of the Contact person is based on the following lines:</u></p> <ul style="list-style-type: none"> <li>- day-by-day programmed or unprogrammed contacts with the minorities representatives;</li> <li>- contacts, organised when problems or complains are raised in localities where minorities are located with the local organs of power or public administrations and representatives of minorities;</li> <li>- preparation of regular written reports to the government;</li> <li>- other problems of day-by-day routine;</li> <li>- chairing periodically, or when concerns arise, the Round Table of Dialogue with minorities' representatives.</li> </ul>
<b>18. Links with other institutions</b>	-
<b>19. Minorities involved/covered</b>	-
<b>20. Name(s) of contact person(s)</b>	Mr Dervish DUMI, Expert in Human Rights and Minority Issues, Ministry of Foreign Affairs, Bulevard "Zhan d'Ark", Tirana, Albania, tel:++355.42.64090/134; fax:++355.42.62970/62971.

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	-
<b>22. Legal basis on which they have been established</b>	-
<b>23. Main functions of these bodies</b>	-
<b>24. Functioning of these bodies</b>	-
<b>25. Links with other institutions</b>	-
<b>26. Minorities involved/covered</b>	-
<b>27. Name(s) of contact person(s)</b>	-

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	-
<b>29. Legal basis on which they have been established</b>	-
<b>30. Number of self-governments and minorities concerned</b>	-
<b>31. Main functions of these bodies</b>	-
<b>32. Functioning of these bodies</b>	-
<b>33. Links with other institutions</b>	-

<b>VIII. Public organisations</b>	
<b>34. Public institutions playing a significant role in the field of the protection of minorities</b>	-

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	-
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	-

<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	-

# AUSTRIA

## I. Representation in political parties

<b>1. Parties that specifically represent a minority</b>	The Carinthian <i>Einheitliste</i> (United List) considers itself as the party of the Carinthian Slovenes. They run for election to municipal councils in the larger part of the bilingual section of the state of Carinthia, as well as to the state parliament and the Carinthian Chamber of Commerce, while recommending candidates in other election campaigns. In municipal elections, the <i>Einheitliste</i> sometimes run under different names.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	The political parties represented in the National Assembly ( <i>Nationalrat</i> ) and in the regional (state) parliaments have appointed from among their representatives one ethnic group or minority spokesperson with specific competence for questions relating to ethnic groups or national minorities; these are the Social Democratic Party, the Austrian People's Party, the Freedom Party, the Greens and the Liberal Forum.

## II. Parliamentary representation

<b>3. Reserved seats in Parliament for minorities</b>	No.
<b>4. Seats gained by political parties mentioned in table I</b>	The <i>Einheitliste</i> did not gain any seat at the last elections for the National Assembly or the Carinthian Regional Parliament. In the Carinthian regional elections of 13 March 1994 the <i>Einheitliste</i> obtained 3,327 votes, i.e. some 1% of the total vote. However, the <i>Einheitliste</i> holds seats in a number of bilingual municipal councils.
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	In view of the electoral system in which votes are cast for political parties (lists) instead of individual candidates, it cannot actually be said that persons belonging to a national minority are elected. It must further be noted, not least because of the so-called freedom of commitment, that there is no systematic classification of representatives according to their minority affiliation. Several members of parliament are however known to belong to ethnic minorities.
<b>6. Special provisions for minority parties regarding thresholds</b>	No.
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	Minority matters are dealt with by the Constitutional Law Committee (or Subcommittee) of the National Assembly, and by the respective state parliament where a question falls within its competence.

## III. Ombudsperson for minority/human rights or parliamentary committee for petitions

<b>8. Official titles of such bodies</b>	The Ombudsman Board is called upon to examine cases of administrative misconduct including matters pertaining to minority and human rights. In the national parliament, there is a committee for petitions and citizens' initiatives.
<b>9. Legal basis on which they were established</b>	<p>The legal foundation for the function of the ombudsman in constitutional law is laid down in Art 148a-148j of the Federal Constitution Act, and in ordinary law in the Ombudsman Act, Federal Gazette No. 1982/433. The Ombudsman Board has adopted its own Rules of Procedure and a Distribution of Business by unanimous vote.</p> <p>The right to petition goes back to Article 11 of the Basic Law on the General Rights of the Citizens of 21 December 1867, Imperial Gazette No. 1867/142, under which the right to petition is open for everyone.</p> <p>The legal basis for parliamentary petitions and parliamentary citizens' initiatives and their discussion in the competent committees is to be found in ss.100 et seq.</p>



	of the Law on the Rules of Procedures of the National Assembly.
<b>10. Way of election/nomination of the Ombudsperson</b>	<p>Under Art. 148g of the Federal Constitution Act, the Ombudsman Board has three members of whom one holds the chair (alternating annually). The Board's term of office is six years. The members of the Ombudsman Board can only be re-elected once. The members of the Ombudsman Board are elected by the National Assembly following a proposal by the Main Committee, which adopts its aggregate proposal with at least half of its members present. The three largest parties represented in the National Assembly have the right to nominate one person each for this aggregate proposal.</p> <p>The members of the Ombudsman Board must be eligible to sit on the National Assembly, and they may not belong to the Federal Government or the state governments, nor hold any other jobs during their term of office.</p>
<b>11. Main functions and mandate of the Ombudsperson</b>	<p>Pursuant to Article 148a of the Federal Constitution Act, anyone may appeal to the Ombudsman Board because of alleged misconduct within the federal administration including the activities of the Federal Government as a holder of private law rights, provided that he or she is affected by such misconduct and that legal remedies are not, or no longer, available. All such complaints must be dealt with by the Ombudsman Board. The complainant must be informed of the result of the examination and of any measures taken.</p> <p>The Ombudsman Board is also authorised to examine presumed cases of misconduct on an ex-officio basis. The Ombudsman Board is independent in the fulfilment of its function.</p> <p>Art. 148b of the Federal Constitution Act provides that all organs of the Federation, the states and the communities must assist the Ombudsman Board in the discharge of its tasks, and must grant it the right to inspect their files and, upon request, supply all the information required. The principle of official secrecy does not apply <i>vis-à-vis</i> the Ombudsman Board.</p> <p>Under Art. 148c of the Federal Constitution Act, the Ombudsman Board may give recommendations concerning measures to be adopted in, or occasioned by, a particular case to the organs dealing with the administrative tasks of the Federal Government. The administrative organ concerned must either comply with that recommendation or submit in writing why the recommendation was not complied with.</p> <p>Under Art. 148d of the Federal Constitution Act, the Ombudsman Board must submit an annual report to the National Assembly.</p> <p>Under Art. 148e of the Federal Constitution Act, the Ombudsman Board has the right to appeal to the Constitutional Court for a decision on the lawfulness of an ordinance by a federal authority.</p>

<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	No. However competence on issues relating to national minorities in general lies with the Federal Chancellery.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	<p>Competence for issues relating to national minorities in Austria lies with the Federal Chancellery. Competence for international matters relating to national minorities lies with the Federal Ministry for Foreign Affairs.</p> <p>Competence for matters pertaining to minority education on the ministerial level lies with the Federal Ministry of Education and Cultural Affairs. This Ministry awards grants (in addition to those by the Federal Chancellery) for cultural activities in the field of ethnic minority culture. The implementation of the provisions of the Official Language Ordinance (<i>Amtssprachenverordnung</i>) in respect of their subordinate authorities in the form of hierarchical supervision and</p>

	their power of instruction is ensured by the respective Federal Ministries: e.g the Ministry of Finance on behalf of the tax authorities, or the Ministry of Defence for the Military Commands.
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<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	In the Federal Chancellery, competence for national minority matters lies with the Division for Minority Affairs, which is organised as a unit (Division V/7) of the Constitutional Law Service Department. In the Federal Ministry for Foreign Affairs, competence for national minority issues lies with a specific unit (1.7) in the Department for International Law.
<b>15. Legal basis on which it has been established</b>	Federal Ministries Act 1986.
<b>16. Main functions of this office</b>	<p>The responsibilities of the Division for Minority Affairs include:</p> <ul style="list-style-type: none"> <li>- the preparation of general policies in this field;</li> <li>- the drafting of minority legislation plus implementation ordinances;</li> <li>- replies to domestic and foreign inquiries communicated to it either directly or via the Federal Ministry of Foreign Affairs;</li> <li>- co-ordination of various institutions which are dealing with ethnic minority questions in a wider sense or whose involvement is necessary for the solution of minority-related problems;</li> <li>- the administration of grants under the Minorities Act, including measures such as financial assistance taken to preserve and protect the ethnic minorities, their folk heritage and their characteristics and rights.</li> </ul> <p>In addition, so-called Minority Advisory Councils have been established to assist the Federal Chancellery and – not on a mandatory basis – the Regional Governments. Division V/7 is responsible for the organisation of meetings of the Advisory Council and preparatory steps for the nomination of Advisory Council members by the Federal Government.</p>
<b>17. Functioning of this office</b>	See above.
<b>18. Links with other institutions</b>	See above.
<b>19. Minorities involved/covered</b>	All six ethnic minorities in Austria are concerned, namely the Croats, the Slovenes, the Hungarians, the Czechs, the Slovaks, and the Roma ethnic group.
<b>20. Name(s) of contact person(s)</b>	Contacts in Division V/7 are: Ms. Christa ACHLEITNER and Ms. Bettina NEUMEISTER Federal Chancellery, Division V/7, Ballhausplatz 2, A-1014 Wien, Austria.

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	Advisory functions for the Federal Government are fulfilled by six Minority Advisory Councils (for the Croats, the Slovenes, the Hungarians, the Czechs, the Slovaks, and the Roma ethnic group).
<b>22. Legal basis on which they have been established</b>	The legal basis is the Minorities Act, the ordinance of the Federal Government concerning the Minority Advisory Councils, and the decisions by which the members of the advisory Councils are nominated. These members are nominated upon the proposal of representative minority organisations, churches and political parties. Representatives of the competent state governments and members of the political parties sitting on the Main Committees of the National Assembly are invited to attend meetings of the Advisory Councils, albeit without voting rights.
<b>23. Main functions of these bodies</b>	Their main function is to advise the Federal Government on matters concerning national minorities.
<b>24. Functioning of these bodies</b>	The meetings of the Advisory Councils are usually convened by the Federal Government at the suggestion of the respective chairperson. It is also possible for the Advisory Councils of different minorities or the chairpersons and deputy chairpersons of all Minority Advisory Councils to be convened at the same time.
<b>25. Links with other institutions</b>	The division within the Federal Chancellery that is responsible for minority issues prepares an annual grants report for submission to the National Assembly

	and – where necessary – also assumes a co-ordinating function.
<b>26. Minorities involved/covered</b>	See item 21.
<b>27. Name(s) of contact person(s)</b>	<p>Contacts for the Minority Advisory Councils are the respective chairpersons and deputy chairpersons.</p> <p>The chairpersons and deputy chairpersons are elected by the Minority Advisory Councils for different terms of office. Their common postal address is at the Federal Chancellery, Division for Minority Affairs, which will transmit incoming mail to the Minority Advisory Councils. As three Minority Advisory Councils are currently up for nomination, information on any addresses is hardly possible.</p>

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	In Austria, there are no public-law bodies of self-government for national minorities as such.
<b>29. Legal basis on which they have been established</b>	-
<b>30. Number of self-governments and minorities concerned</b>	-
<b>31. Main functions of these bodies</b>	-
<b>32. Functioning of these bodies</b>	-
<b>33. Links with other institutions</b>	-

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	<p>In addition to the Federal Chancellery Division responsible for minority issues, the following institutions must be mentioned:</p> <ul style="list-style-type: none"> <li>- the Ethnic Minority Department of the Carinthian State Government;</li> <li>- the Minority School Divisions of the Regional Boards of Education for Carinthia and Burgenland;</li> <li>- the Constitutional Law Department in the Burgenland State Government Office;</li> <li>- the Municipal Directorate MA-62 of the City of Vienna.</li> </ul>

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	In Austria, there are some 200 associations whose statutory purpose is the promotion and preservation of ethnic minorities and their culture. The churches also play an important part in connection with minority-related activities.
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	See above.

<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	Enclosed are copies of ss. 3-11 of the Minorities Act and the Ordinance of the Federal Government concerning the Minorities Councils.

# BULGARIA

## I. Representation in political parties

<b>1. Parties that specifically represent a minority</b>	The Movement for Rights and Freedoms represents mainly Bulgarian citizens belonging to the Turkish minority. However, its membership is open to all Bulgarian citizens and is not limited by ethnic origin, since Article 11, par.4 of the Constitution stipulates that " <i>there shall be no political parties formed on ethnic, racial or religious basis</i> ". A similar provision is contained in Article 3(2)3 of the 1990 Political parties Act.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	-

## II. Parliamentary representation

<b>3. Reserved seats in Parliament for minorities</b>	None.
<b>4. Seats gained by political parties mentioned in table I</b>	Seats obtained by political parties representing minorities at the 1997 General Election: The Movement for Rights and Freedoms is represented in the Parliament in a coalition with smaller parties, called the National Salvation Alliance. The coalition has 19 seats.
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	-
<b>6. Special provisions for minority parties regarding thresholds</b>	-
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	There is a permanent Parliamentary Committee for Human Rights, Religious Denominations and Civil Petitions composed of members of Parliament from all parties represented in Parliament.

## III. Ombudsperson for minority/human rights or parliamentary committee for petitions

<b>8. Official titles of such bodies</b>	-
<b>9. Legal basis on which they were established</b>	-
<b>10. Way of election/nomination of the Ombudsperson</b>	-
<b>11. Main functions and mandate of the Ombudsperson</b>	-

## IV. Minister/Ministry for minorities

<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	None.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	-

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	National Council on Ethnic and Demographic Issues (NCEDI)
<b>15. Legal basis on which it has been established</b>	NCEDI was established on 4 December 1997 by Decree No.449 of the Council of Ministers.
<b>16. Main functions of this office</b>	NCEDI is chaired by a deputy Prime Minister. It consists of representatives of 11 ministries at vice-ministerial level, 4 relevant governmental agencies (including the National Office for Refugees and the Agency for Bulgarians Abroad) and non governmental organisations representing national minorities.
<b>17. Functioning of this office</b>	<ul style="list-style-type: none"> <li>▪ Acts as a body for consultations, co-operation and co-ordination between governmental organs and non governmental organisations responsible for the elaboration and implementation of national policies with respect to ethnic and demographic issues and migration, as well as for the protection and promotion of tolerance and understanding between Bulgarian citizens belonging to different ethnic and religious groups.</li> <li>▪ Deals with fulfilment of the international obligations of Bulgarian citizens belonging to minority groups and with their integration in society.</li> </ul>
<b>18. Links with other institutions</b>	-
<b>19. Minorities involved/covered</b>	The only criteria for the participation of NGOs is that they be registered in accordance with the Persons and Family Act and that their purposes and activities be relevant to those of NCEDI.
<b>20. Name(s) of contact person(s)</b>	-

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	Organised by the National Council on Ethnic and Demographic Issues
<b>22. Legal basis on which they have been established</b>	-
<b>23. Main functions of these bodies</b>	See above "Government Office for national minorities"
<b>24. Functioning of these bodies</b>	-
<b>25. Links with other institutions</b>	-
<b>26. Minorities involved/covered</b>	-
<b>27. Name(s) of contact person(s)</b>	-

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	-
<b>29. Legal basis on which they have been established</b>	-
<b>30. Number of self-governments and minorities concerned</b>	-
<b>31. Main functions of these bodies</b>	-
<b>32. Functioning of these bodies</b>	-
<b>33. Links with other institutions</b>	-

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	<p>Persons belonging to various ethnic, religious and linguistic groups have their own organisations and associations:</p> <ul style="list-style-type: none"> <li>▪ The Movement for Rights and Freedoms represents mainly Bulgarian citizens belonging to the <i>Turkish minority</i>;</li> <li>▪ Bulgarian citizens of <i>Roma origin</i> have several national organisations including the United Roma Alliance, the Confederation of Roma in Bulgaria, the Roma Democratic Union, the Federation of United Roma Communities and the Roma Public Council “KUPATE”.</li> <li>▪ “Erevan” is the organisation of <i>Armenians</i> in Bulgaria;</li> <li>▪ the <i>Wallachians</i> have their own association in Vidin;</li> <li>▪ the <i>Karakachans</i> have a cultural organisation;</li> <li>▪ the <i>Tatars</i> have an association called “Asabai” in Silistra;</li> <li>▪ the <i>Jews</i> have two organisations: “Shalom” and “Zion”.</li> </ul>

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	<p>Bulgarian citizens of Turkish, Armenian, Wallachian, Jewish and Roma origin have their own newspapers published both in Bulgarian and in their own languages.</p> <p>Bulgarian citizens of Turkish origin have a cultural society called “Alev”. Cultural activities, mainly concerts by amateur folk-and-dance groups, performing arts festivals etc. are frequently held in various regions. The Armenian theatre is also being revived.</p>
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	-

<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	-

# CROATIA

<b>I. Representation in political parties</b>	
<b>1. Parties that specifically represent a minority</b>	<p>12 parties representing specific minorities have been registered in the Republic of Croatia:</p> <ul style="list-style-type: none"> <li>- Albanian Christian Democratic Party ;</li> <li>- Albanian Islamic Democratic Union ;</li> <li>- Democratic Albanian Union ;</li> <li>- Bosnian Democratic Party ;</li> <li>- Democratic Muslim Community ;</li> <li>- Croatian Muslim Democratic Party ;</li> <li>- Party of Democratic Action ;</li> <li>- Hungarian People's Party ;</li> <li>- Independent Democratic Serbian Party ;</li> <li>- Serbian People's Party ;</li> <li>- Party of Danubian Serbs ;</li> <li>- Party of Croatian Roma.</li> </ul>
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	Besides the political parties representing specific minorities there are no other parties which represent specific minority interests.

<b>II. Parliamentary representation</b>	
<b>3. Reserved seats in Parliament for minorities</b>	<p><b>Pursuant to Article 18(2) of the Constitutional Law on Human Rights and the Rights of National Minorities in the Republic of Croatia, members national minorities, which comprise less than 8% of the total population, are entitled to elect a total of 5 representatives to the House of Representatives to the Croatian Parliament. According to the Law on the Election of Representatives to the Croatian Parliament 7 seats (out of a total of 127 seats in the House of Representatives) are reserved for the elected members of national minorities in the House of Representatives. These seats are reserved in the following manner : 3 seats for the representatives of the Serb minority, 1 seat for the representative of the Hungarian minority, 1 seat for the representative of the Italian minority, 1 representative representing both the Czech and the Slovak minorities (currently of Czech origin) and 1 representative representing Ruthenians, Ukrainians, Germans and Austrians (currently of Ruthenian origin).</b></p> <p>In the House of Counties there are no specifically reserved seats for the members of national minorities. Pursuant to his powers under Article 71(4) of the Constitution of the Republic of Croatia (the right to nominate up to 5 representatives to the House of Counties from among especially eminent citizens of the Republic of Croatia), the President of the Republic has nominated two representatives of the Serb minority to the House of Counties.</p>
<b>4. Seats gained by political parties mentioned in table I</b>	Among the 7 representative members of national minorities elected in the House of Representatives at the last elections for the House of Representatives held in October 1995, one is belonging to the Serbian People's Party and another one belongs to the Independent Democratic Serbian Party.
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	Two persons belonging to minorities have been elected to the House of Representatives on the lists of parties other than parties specifically representing minorities. One person of Serb origin has been elected on the list of the Croatian People's Party, while the other, belonging to the Serb minority as well, has been elected on the list of the Istrian Democratic Assembly.

	Similarly, at the last elections for the House of Counties held in April 1997, two persons belonging to national minorities have been elected on the list of parties other than those specifically representing minorities. One person belonging to the Jewish minority has been elected on the list of the Croatian Social Liberal Party, while the other, belonging to the Italian minority, has been elected on the list of the Istrian Democratic Assembly.
<b>6. Special provisions for minority parties regarding thresholds</b>	No specific election thresholds are set for the minority parties, apart from the general election threshold rule (5%).
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	The House of Representatives established the Committee on Human Rights and the Rights of National Minorities, consisting of 15 representatives. The Committee is currently chaired by the representative representing Ruthenian, Ukrainian, German and Austrian minorities in the House of Representatives. The main task of the Committee is to participate in the process of elaboration of legislation concerning national minorities and to follow the implementation of the policy of the Parliament concerning the protection of minorities in the Republic of Croatia. The Committee has two sub-committees, namely the Sub-Committee on the Implementation of the Rights of Ethnic and National Communities or Minorities, consisting of 7 members, and the Sub-Committee on Croatian Minorities in European Countries, consisting of 8 representatives. The Sub-Committee on the Implementation of the Rights of Ethnic and National Communities or Minorities is currently chaired by one of the representatives of the Serb minority in the House of Representatives.

<b>III. Ombudsperson for minority/human rights or parliamentary committee for petitions</b>	
<b>8. Official titles of such bodies</b>	In the Republic of Croatia the institution of the Ombudsman has been established in 1992. The official title of the Ombudsman is <i>Pučki pravobranitelj</i> meaning « the defender of people's rights ».
<b>9. Legal basis on which they were established</b>	The Ombudsman has been created on the basis of the Constitution of the Republic of Croatia (Article 93) and the Law on the Ombudsman of 1992, which regulates in more details the organisational structure and competences of the Ombudsman and his Office.
<b>10. Way of election/nomination of the Ombudsperson</b>	According to Article 93 of the Constitution of the Republic of Croatia the Ombudsman is a commissioner of the Croatian State Parliament. He is elected by the House of Representatives of the Croatian State Parliament for a term of eight years. The Law on the Ombudsman sets further criteria for the election of the Ombudsman. In this view, in order to be appointed, the Ombudsman must be a distinguished lawyer, with at least 15 years of practice in the legal field, with personal engagement in the human rights field (Article 16).
<b>11. Main functions and mandate of the Ombudsperson</b>	According to the Constitution of the Republic of Croatia (Article 93) the Ombudsman is vested with powers to protect constitutional and legal rights of citizens in proceedings before government administration bodies vested with public powers. The Law on the Ombudsman limits the competence of the Ombudsman on the examination of individual cases of human rights violations which are the result of the work and the actions undertaken by the bodies of public administration, bodies vested with public powers and the officials working on behalf of these bodies, provided that such actions fall within the competence of the bodies in question [Article 5(1)]. In addition, the Ombudsman is entitled to examine the other issues concerning the irregularities of the work of the bodies of public administration, irrespective of the source of knowledge about such irregularities (e.g. media), provided that such issues are of interest for the protection of human rights and freedoms [Article 5(2)]. The Ombudsman is expressly prohibited to examine the issues in which the administrative or any other procedure is pending before the competent bodies (Article 6).



<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	In the Republic of Croatia there are no ministers or ministry specifically responsible for national minorities issues.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	<p><b>The ministries in the Republic of Croatia dealing with minority issues within their own fields of activity are the following:</b></p> <ul style="list-style-type: none"> <li>- the State Directorate for Public Administration and Local Self-government – responsible for the implementation of the Constitutional Law on Human Rights and Freedoms and the Rights of National Minorities in the Republic of Croatia including the implementation of the right to use minority languages in front of administrative bodies and the official use of minority language in municipalities where minorities form a majority population ;</li> <li>- the Ministry of Education and Sports – responsible for the issues of school curricula for members of national minorities and the school curricula in minority languages ;</li> <li>- the Ministry of Justice – responsible for the issues of the use of minority languages in front of the judicial organs;</li> <li>- Ministry of Culture is competent for museum and archival activities and the preservation of the cultural heritage of national minorities;</li> <li>- Ministry of Science and Technology is competent for scientific research related to national minorities for the purpose of preserving their ethnic, cultural and linguistic society.</li> </ul>

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	In the Republic of Croatia the Office National Minorities has been established.
<b>15. Legal basis on which it has been established</b>	The legal basis for the establishment of the Governmental Office National Minorities is the Constitutional Law on Human Rights and the Rights of National Minorities in the Republic of Croatia [Article 20(1)] and the Law on Government of the Republic of Croatia. Detailed organisation of the Governmental Office is regulated by Decree passed by the Government.
<b>16. Main functions of this office</b>	<p>Pursuant to Article 20(1) of the Constitutional Law on Human Rights and the Rights of National Minorities in the Republic of Croatia the main task of the Governmental Office for National Minorities is to follow the implementation of the rights of national minorities regarding culture, education and access to public media.</p> <p>The functions of the Governmental Office are further elaborated in more details by the Decree which defines further tasks, such as :</p> <ul style="list-style-type: none"> <li>- The Office performs professional and other functions in regard of the exercise of equality of national minorities living on the territory of the Republic of Croatia, as well as of their rights guaranteed by the Constitution and law;</li> <li>- Proposes measures for the exercise of such rights;</li> <li>- Drafts proposals for the provision of funds for the exercise of the constitutional rights of the members of national minorities;</li> <li>- Submits proposals and issues opinions regarding the financing of specific needs of the members of national minorities and their associations;</li> <li>- Performs other work entrusted to it.</li> </ul>
<b>17. Functioning of this office</b>	In practice, the Governmental Office for National Minorities is the main body responsible for the implementation of the cultural autonomy of national minorities in the Republic of Croatia. In this view, it holds frequent consultations with the national minorities, in particular the minority associations, aiming at the realisation of specific projects in the cultural and educational field.
<b>18. Links with other institutions</b>	The Governmental Office for National Minorities is a subsidiary body of the Government of the Republic of Croatia, with primary responsibility for the implementation of the cultural autonomy of national minorities. The Office has no institutional links to the Croatian State Parliament, but in practice the co-

	<p>operation is well established with the Committee on Human Rights and the Rights of National Minorities of the House of Representatives.</p> <p>The Governmental Office represents a focal point for the co-operation with the Council of National Minorities, a non-governmental co-ordinating body of national minorities in the Republic of Croatia. In its work the Governmental Office co-operates with a number of domestic and foreign non-governmental organisations dealing with the protection of human rights in general, and minority rights in particular.</p>
<b>19. Minorities involved/covered</b>	The following ethnic and national communities or minorities are covered by the work of the Governmental Office : Serbs, Italians, Czechs, Slovaks, Germans, Austrians, Jews, Slovenes, Albanians, Muslims, Montenegrins, Macedonians, Hungarians, Roma, Ruthenians, Ukrainians and others.
<b>20. Name(s) of contact person(s)</b>	The contact person for the Governmental Office of National Minorities is : Ms. Milena KLAJNER, MA, Deputy Head of the Governmental Office, Trg sv. Marka 2, HR-10000 Zagreb, Croatia ; tel:+385.1.4569.278 / +385.1.4569.358 ; fax :+385.1.4569.324.

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	In the Republic of Croatia the Council of National Minorities has been established in 1997, as a non-governmental, co-ordinating and advisory body of ethnic and national communities or minorities. The Council operates on the state level.
<b>22. Legal basis on which they have been established</b>	The Council of National Minorities is established by decision of the representatives of national minorities in the Republic of Croatia of June 1997. Such decision is based on the provision of Article 4(2) of the Constitutional Law on Human Rights and Freedoms and the Rights National Minorities in the Republic of Croatia, which expressly stipulates the right of national minorities to self-organisation and association in order to realise their national and other rights in compliance with the Constitution and the said Constitutional Law.
<b>23. Main functions of these bodies</b>	<p>The mains functions of the Council are :</p> <ul style="list-style-type: none"> <li>- monitoring of the implementation of the policy of maintaining and promoting the protection of ethnic and national communities or minorities ;</li> <li>- consideration of problems and adoption of common position on draft legislation relating to the protection national minorities ;</li> <li>- submitting opinions, requests, petitions and proposals to the Croatian State Parliament, to the Government and all relevant governmental bodies ;</li> <li>- co-operation with the state authorities as well as with relevant international organisations.</li> </ul>
<b>24. Functioning of these bodies</b>	The Council is a co-ordinating and advisory body of representatives of associations of national minorities registered in the Republic of Croatia. The chairperson and Vice-Chairperson are elected by the majority of votes of all members of the Council for a one-year term. The current Chairperson is a representative of the Jewish minority, while the Vice-Chairperson is a representative of the Czech minority. The Council meets at regular sessions four times a year.
<b>25. Links with other institutions</b>	The Council of National Minorities is a non-governmental body. It has no institutional relations neither to the Croatian State Parliament nor to the Government. In practice, the Council in its work closely co-operates with the Governmental Office for National Minorities and the Parliamentary Committee on Human Rights and the Rights of National Minorities.
<b>26. Minorities involved/covered</b>	The Council consists of the representatives of the following national minorities : Serbs, Italians, Czechs, Slovaks, Germans, Austrians, Jews, Slovenes, Albanians, Muslims, Montenegrins, Macedonians, Hungarians, Roma, Ruthenians and Ukrainians.
<b>27. Name(s) of contact person(s)</b>	Ms. Sanja ZORIČIĆ-TABAKOVIĆ, Chairperson of the Council, Jewish community, Palmotićeveva 16, HR-10000 Zagreb, Croatia.

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	<p>In the Republic of Croatia all national minorities enjoy the right to cultural autonomy. Specific forms of self-governments have been envisaged by the Constitutional Law on Human Rights and Freedoms and the Rights of National Minorities in the Republic of Croatia in the form of districts with special status, which were envisaged to be formed on the territories where members of a national minority make over 50% of the population (Article 21). The provisions of the said Constitutional Law relating to the districts with special status (Articles 21-57) are suspended from application since 1995 pursuant to the provisions of the Constitutional Law on the Temporary Suspension of Certain Provisions of the Constitutional Law on Human Rights and the Rights of National Minorities in the Republic of Croatia, pending the next population census in the Republic of Croatia.</p> <p>According to Article 19 of the Constitutional Law on Human Rights and the Rights of National Minorities, members of national minorities are entitled to be represented in the bodies of local self-government (municipalities) in proportion to their share in the total population of a particular local self-governing unit.</p>
<b>29. Legal basis on which they have been established</b>	<p>Cultural autonomy for the members of national minorities in the Republic of Croatia is envisaged by the Constitution of the Republic of Croatia [Article 15(2)]. Similarly, the Constitutional Law on Human Rights and the Rights of National Minorities in the Republic of Croatia stipulates that all national minorities in the Republic of Croatia enjoy the right to cultural autonomy.</p>
<b>30. Number of self-governments and minorities concerned</b>	<p>Among its provisions related to the districts with special status the Constitutional Law on Human Rights and the Rights of National Minorities in the Republic of Croatia establishes and defines the territory of two such autonomous districts (Knin and Glina), where the Serb minority represented a majority population in the area (Article 22). The provisions of the said Constitutional Law relating to the districts with special status (Articles 21-57) are suspended from application since 1995 pursuant to the provisions of the Constitutional Law on the Temporary Suspension of Certain Provisions of the Constitutional Law on Human Rights and the Rights of National Minorities in the Republic of Croatia, pending the next population census in the Republic of Croatia.</p>
<b>31. Main functions of these bodies</b>	<p>The original competence of the districts with special status was set in the following fields :</p> <ul style="list-style-type: none"> <li>- co-ordination and planning urban development ;</li> <li>- promotion of economic activities ;</li> <li>- construction and maintenance of communication networks and other services ;</li> <li>- environmental protection ;</li> <li>- providing for satisfying conditions in the cultural field (especially protection of cultural heritage, scientific activities, libraries, museums aimed at fostering minority traditions) ;</li> <li>- health protection and social welfare ;</li> <li>- education ;</li> <li>- securing of public peace and order on the territory of the districts ;</li> <li>- ensuring special care for human rights of all inhabitants (Article 26).</li> </ul> <p>The main bodies of the special status districts are the district assembly, the executive council, the president of the district assembly and the district court (Article 29).</p> <p>The provisions of the said Constitutional Law relating to the districts with special status (Articles 21-57) are suspended from application since 1995 pursuant to the provisions of the Constitutional Law on the Temporary Suspension of Certain Provisions of the Constitutional Law on Human Rights and the Rights National Minorities in the Republic of Croatia, pending the next population census in the Republic of Croatia.</p>
<b>32. Functioning of these bodies</b>	<p>The provisions of the Constitutional Law concerning the districts with special status were not implemented in practice in the period of 1991-1995 due to the</p>

	<p>armed conflict which occurred on the territory of the Republic of Croatia, while the territories in question (envisaged districts Knin and Glina) were occupied by the self-government of local rebel Serbs.</p> <p>In this connection we would draw attention to the special regional autonomy for which no real nor legal justification, as well as no real need exist. Exemption from the application of particular provisions of the Constitutional Law on Human Rights and Freedoms and the Rights of Ethnic and National Communities or Minorities in the Republic of Croatia has in no way affected the extent of minority rights, the more so as the areas earlier envisaged for some forms of regional autonomy were of immediate relevance to an insignificant number of the members of the Serb national minority.</p>
<b>33. Links with other institutions</b>	Not applicable.

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	Among the public institutions, significant role in the field of the protection of national minorities is played by two scientific and research institutions namely, the Institute for Migration and Nationalities and the Croatian Academy of Science and Arts – Committee on Human Rights Protection.

## IX. Civil society: minority associations and NGOs

<p><b>35. Registered minority associations</b></p>	<p>The registered minority associations in the Republic of Croatia are the following:</p> <ul style="list-style-type: none"> <li>- Italian Union (Rijeka) ;</li> <li>- Union of Czechs in the Republic of Croatia (Daruvar) ;</li> <li>- Union of Slovaks (Našice) ;</li> <li>- Union of Hungarians of the Republic of Croatia, (Osijek) ;</li> <li>- Democratic Community of Hungarians in Croatia (Osijek) ;</li> <li>- Society of Hungarian Artists and Scientists in the Republic of Croatia (Zagreb) ;</li> <li>- Union of Hungarian Associations, Zagreb</li> <li>- Union of Ruthenians and Ukrainians of the Republic of Croatia (Zagreb) ;</li> <li>- Serbian Cultural Society « <i>Prosvjeta</i> » (Zagreb) ;</li> <li>- Community of Serbs in the Republic of Croatia (Zagreb) ;</li> <li>- Serbian Democratic Forum (Zagreb) ;</li> <li>- Union of Serbian Organizations (Zagreb) ;</li> <li>- Initiative for the Servian National Congress (Zagreb);</li> <li>- Joint Council for Municipalities, (Vukovar);</li> <li>- Union of Germans and Austrian of Croatia (Osijek)</li> <li>- German Community in Croatia (Zagreb) ;</li> <li>- German National Community (Zagreb) ;</li> <li>- German National League (Zagreb) ;</li> <li>- Union of Germans and Austrians in Croatia (Osijek) ;</li> <li>- Community of Germans in Croatia (Zagreb)</li> <li>- German Ethnic Community (Osijek)</li> <li>- National Union of Germans in Croatia (Zagreb)</li> <li>- Association of Austrians in Croatia (Zagreb) ;</li> <li>- Jewish Community (Zagreb) ;</li> <li>- Jewish Cultural and Performing Society “Miroslav Šalom Freiberg” (Zagreb)</li> <li>- Union of Slovenenian Societies in the Republic of Croatia (Zagreb) ;</li> <li>- Union of Albanians Communities in the Republic of Croatia (Zagreb) ;</li> <li>- Cultural Society of Bosnians in Croatia « <i>Preporod</i> (Zagreb) ;</li> <li>- Bosnian National Community in Croatia, Zagreb;</li> <li>- Union of Romany Association of Croatia (Virovitica) ;</li> <li>- Romany Educational Community (Zagreb)</li> <li>- Community of Romanies of Croatia (Zagreb)</li> <li>- Union of Romanies of Croatia (Zagreb)</li> <li>- Association of Romany Youth (Zagreb);</li> <li>- Association “Romsko srce” (Zagreb);</li> <li>- Association “Romi za Rome”;</li> <li>- National Community of Montenegrins of Croatia (Zagreb);</li> <li>- Union of Associations of Macedonians in the Republic of Croatia (Zagreb);</li> <li>- Union of Romany Associations of the Zagreb County and the City of Zagreb;</li> <li>- Romany Women Association “Bolji život” (Zagreb);</li> <li>- Christian Romany Union (Bjelovar).</li> </ul>
<p><b>36. National NGOs or local branches of international NGOs dealing with minorities</b></p>	<p>Relevant NGOs dealing with minority issues in Croatia are the following :</p> <ul style="list-style-type: none"> <li>- Croatian Helsinki Committee for Human Rights (Zagreb) ;</li> <li>- Civic Committee on Human Rights (Zagreb) ;</li> <li>- Group for the Direct Protection of Human Rights (Zagreb) ;</li> <li>- Dalmatian Solidarity Committee (Split) ;</li> <li>- HOMO (Pula) ;</li> <li>- Dalmatian Committee for Human Rights (Split) ;</li> <li>- Centre for Peace, Non-Violence and Human Rights (Osijek).</li> </ul>

**X. Legal texts**

**37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously**

No additional comments.

# CYPRUS

<b>I. Representation in political parties</b>	
<b>1. Parties that specifically represent a minority</b>	There are no parties that specifically represent a minority in the Republic of Cyprus.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	Similarly, there are no political parties that especially represent minorities' interests.

<b>II. Parliamentary representation</b>	
<b>3. Reserved seats in Parliament for minorities</b>	<p>Article 2 of the Constitution of the Republic of Cyprus states that all Citizens of the Republic are deemed to belong to either the Greek Community, if they are of Greek origin, share the Greek cultural traditions or are members of the Greek Orthodox Church or, to the Turkish Community, if they are of Turkish origin, share the Turkish cultural tradition or are Moslems. The three Religious Groups of Armenians Maronites and Latins (Armenians 0,4% or 2.500, Maronites 0,6% or 4.500, Latins 0,1% or 700 of the total population), were given three months after the coming into operation of the Constitution to exercise the option of becoming, for constitutional purposes, and as a group, members of either the Greek or the Turkish community. In exercise of this option, the said Religious Groups chose to belong to the Greek Community.</p> <p>The choice given by Article 2 of the Constitution, to the Maronites, Armenian and Latin Religious Groupos to become members of either the Greek or the Turkish Communities, puts the emphasis to their religious beliefs rather than to ethnic origin, so that Communities in Cyprus were divided according to their religious beliefs rather than to ethnic origin, so that Communities in Cyprus were divided according to their religious beliefs and not according to their ethnic origin.</p> <p>Under Article 109 of the Constitution, each religious groups has the right to be represented in either the Greek or Turkish Communal Chamber, in which it opted to belong under Article 2.3 of the Constitution, by the elected members of such group. The Communal Chambers dealt with educational, religious, cultural, sporting and charitable matters, co-operative and credit societies and questions of personal status.</p> <p>In 1965, a Law was enacted (Law 12/65), whereby the powers of the Greek Communal Chamber were transferred to a newly constituted Ministry of Education. Despite the dissolution of the Chamber itself, the Representatives of the Religious Groups in the Chamber retained, until the expiration of their term of office, the right to state the view of their Community on any matter affecting it, and to make the necessary representations before any Authority of the Republic, official body or Committee of the House of Representatives. The House of Representatives has the obligation to obtain the views of the Representatives of each Religious Group on any matter affecting their respective Communities.</p> <p>In 1970 a Law was enacted, entitled Religious Groups (Representatives) Law (No. 58/1970), providing for the election of Representatives of Religious Groups in the House of Representatives. Under the Law, Religious Groups elect their own Representatives, who attend as observers in the House of Representatives and have an advisory role on religious and educational matters, which affect their group, without any legislative powers. The last elections of Representatives of the Religious Groups took place on 26.5.1996.</p>
<b>4. Seats gained by political parties mentioned in table I</b>	“.....”
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	“.....”
<b>6. Special provisions for minority parties regarding thresholds</b>	“.....”
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	There are no Parliamentary Committees or sub-Committees dealing with minority issues as such. The Representatives of the Religious Groups mentioned above are entitled to attend as observers the meetings of the House of Representatives’ Committee on Education. They have an advisory role on educational matters affecting their respective Communities. A committee of the House of Representatives may examine a question relating to a person or persons belonging to one of the above-mentioned Religious Groups depending on the issue.



<b>III. Ombudsperson for minority/human rights or parliamentary committee for petitions</b>	
<b>8. Official titles of such bodies</b>	There are no such bodies in Cyprus that specifically deal with minorities. The Commissioner for Administration examines any complaint from any persons irrespective of their ethnic or religious origin for any decision made by the administration or for failure to decide any matter that directly or indirectly affects the interests of the said person. In addition, the provisions of S.5(1) of the Commissioner for Administration Law (Law 3/91 as amended by Law 98(1)/94) give the Commissioner for Administration the power to investigate complaints according to which the administration is alleged to have acted in violation of human rights. Equally, any person may petition a Committee of the House of Representatives depending on the issue. Finally, it should be mentioned that there is a Presidential Commissioner for Religious Groups, Overseas Cypriots and Repatriates (see further under title V).
<b>9. Legal basis on which they were established</b>	"....."
<b>10. Way of election/nomination of the Ombudsperson</b>	"....."
<b>11. Main functions and mandate of the Ombudsperson</b>	"....."

<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	There is no ministry specifically responsible for national minorities issues.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	The Ministry of Interior deals with all matters relating to minorities.

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	There is no such Office in the Republic of Cyprus. As mentioned under Title III there is a Presidential Commissioner for Religious Groups who is directly appointed by the President of the Republic. His task is to facilitate the submissions of complaints and the co-ordination in handling and solving problems such groups may have. There is no specific procedure as to how his functions are carried out. The Commissioner communicates directly with governmental departments and the groups concerned.
<b>15. Legal basis on which it has been established</b>	-
<b>16. Main functions of this office</b>	-
<b>17. Functioning of this office</b>	-
<b>18. Links with other institutions</b>	-
<b>19. Minorities involved/covered</b>	-
<b>20. Name(s) of contact person(s)</b>	-

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	There are no council or round-tables with representatives of minorities.
<b>22. Legal basis on which they have been established</b>	-
<b>23. Main functions of these bodies</b>	-
<b>24. Functioning of these bodies</b>	-
<b>25. Links with other institutions</b>	-
<b>26. Minorities involved/covered</b>	-

<b>27. Name(s) of contact person(s)</b>	-
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<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	There are no public institutions that deal specifically with the protection of minorities. Nonetheless, the recently established National Institution for the Protection of Human Rights is actively involved in the protection of Minorities Rights. It is an independent body composed of members from both the public and private sectors. Among its functions, is the hearing of complaints regarding violations of human rights.
<b>29. Legal basis on which they have been established</b>	-
<b>30. Number of self-governments and minorities concerned</b>	-
<b>31. Main functions of these bodies</b>	-
<b>32. Functioning of these bodies</b>	-
<b>33. Links with other institutions</b>	-

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	-

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	There are no registered minority associations or NGOs dealing with minority issues as such.
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	-

<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	There are no legal texts referring to the participation of minorities in decision-making processes other than the Religious Groups (Representatives) Law (no. 58/1970) mentioned above.

# CZECH REPUBLIC

<b>I. Representation in political parties</b>	
<b>1. Parties that specifically represent a minority</b>	In the Czech Republic, parties that specifically represent a minority are the following: <ul style="list-style-type: none"> <li>- Roma Christian and Democratic Party ;</li> <li>- Roma Civil Initiative ;</li> <li>- Party of Roma Citizens of Northern Bohemia ;</li> <li>- <i>Coexistencia</i> ;</li> <li>- Committed Roma Movement ;</li> <li>- Roma National Congress ;</li> <li>- East-European Nationalities Political Movement in the Czech Republic.</li> </ul>
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	The articles or election programmes of many political parties propose efforts to establish a civil society enabling free development of every nation, nationality and ethnic group, or readiness to do away with negative social phenomena, <i>inter alia</i> ethnic problems, problems of racial discrimination, crimes etc.

<b>II. Parliamentary representation</b>	
<b>3. Reserved seats in Parliament for minorities</b>	None.
<b>4. Seats gained by political parties mentioned in table I</b>	None (the last elections to the Chamber of Deputies of the Parliament of the Czech Republic took place in June 1998 and elections to the Senate of the Parliament of the Czech Republic took place in November 1998).
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	Out of 200 deputies of the Chamber of Deputies of the Parliament of the Czech Republic only one belongs to a national minority, the Roma community (psychologist Monika Horáková, a delegate of <i>the Union of Freedom</i> ).
<b>6. Special provisions for minority parties regarding thresholds</b>	There are no special measures.
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	Within the Petition Committee of the Chamber of Deputies there are the two following subcommittees: <ul style="list-style-type: none"> <li>- the Subcommittee for Nationalities of the Chamber of Deputies of the Parliament of the Czech Republic (on the basis of the Decision No. 18 of the Petition Committee at its 4th meeting on October 1, 1998) ;</li> <li>- the Subcommittee for the Application of the List of Basic Rights and Freedoms (on the basis of the Decision No. 18 of the Petition Committee at its 4th meeting on October 1, 1998).</li> </ul>

<b>III. Ombudsperson for minority/human rights or parliamentary committee for petitions</b>	
<b>8. Official titles of such bodies</b>	There is the Petition Committee of the Chamber of Deputies of the Parliament of the Czech Republic and the Petition Committee for Human Rights, Science, Education and Culture of the Senate of the Parliament of the Czech Republic (see above - 7).
<b>9. Legal basis on which they were established</b>	The Agenda of the Chamber of Deputies of the Parliament of the Czech Republic (Act No. 90/195 on the agenda of the Chamber of Deputies), valid for both Houses.
<b>10. Way of election/nomination of the Ombudsperson</b>	There is not the institution of an ombudsperson.
<b>11. Main functions and mandate of the Ombudsperson</b>	-

<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	There is not such a function.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	<p>The ministries dealing with minority issues in their own field of activity are: Ministry of Finance, Ministry of Culture, Ministry of Defence, Ministry of Labour and Social Affairs, Ministry for Local Development, Ministry of Industry and Trade, Ministry of Justice, Ministry of Education, Youth and Sports, Ministry of the Interior, Ministry of Foreign Affairs, Ministry of Health.</p> <p>a) <u>Ministry of Finance</u> now provides non-investment appropriations for publishing periodicals of national minorities and in accordance with the Principles of economic ensurance of publishing printed matters of nationalities according to the Decision of the Government No. 771/1997 evaluates applications for respective appropriations from the Budget and works up the draft of appropriations from the Budget which is submitted to the Council For National Minorities of the Government.</p> <p>Nevertheless, this measure is temporary. According to the Act No. 2/1969 on the establishment of ministries and other central administrative bodies in the tenor of further provisions, the competent body for publishing periodicals, including those for national minorities, is the Ministry of Culture. The Ministry has its representatives in the Council for National Minorities of the Government of the Czech Republic and the Interdepartmental Commission for Roma Community Affairs.</p> <p>b) <u>Ministry of Culture</u> is represented in the Council for Nationalities of the Government of the Czech Republic and the Interdepartmental Commission for Roma Community Affairs.</p> <p>c) <u>Ministry of Defence</u> is represented in the Interdepartmental Commission for Roma Community Affairs.</p> <p>d) <u>Ministry of Labour and Social Affairs</u> deals with the following items concerning the situation of the Roma minority:</p> <ul style="list-style-type: none"> <li>▪ <i>The employment of persons who hardly assert themselves on the labour market</i></li> </ul> <p>Within the state policy on employment, special attention is paid to non-assertive groups of applicants for work (according to § 9 of the Act of Employment 1/1991). Such groups also include members of the Roma community. In practical terms it means the creation of equal preconditions on the labour market by the improvement of the qualification structure and the use of appropriate instruments of active employment policy, which increase employment and employability of these people. Minimum expenses on increasing their employment oscillate between 40-50% of expenses on employment as a whole. Permanent attention is paid to avoiding any form of discrimination. This is clear from the draft amendment to the Employment Act No. 1/1991, which sets out that the definition of the right to work implies that this right must not be withheld from anybody on grounds of his nationality or ethnic origin, and prohibits offering jobs in a way which is at variance with this principle. Such a provision is also included in the National Plan of Employment which will be submitted for discussion in the near future (see question X).</p> <ul style="list-style-type: none"> <li>▪ <i>The definition of the function of Roma consultants and assistants in district councils, their methodological guidance and co-operation with the Ministry of Education, Youth and Sports in their gradual education</i></li> </ul> <p>One of the main tasks of the Ministry of Labour and Social Affairs within the state re-qualification programme is the selection and preparation of Roma consultants, especially for state administrative and autonomy bodies, as well as the amendment of the definition of their function. These consultants ensure and</p>

	<p>create preconditions for more extensive co-operation between members of majority and minority communities, as well as make every effort towards the incorporation of the Roma into the society.</p> <p>e) <u>Ministry for Local Development</u> is represented in the Interdepartmental Commission for Roma Community Affairs.</p> <p>f) <u>Ministry of Industry and Trade</u> supports enterprise, small business and protection of consumers.</p> <p>g) <u>Ministry of Justice</u> is represented in the Interdepartmental Commission for Roma Community Affairs.</p> <p>h) <u>Ministry of Education, Youth and Sports</u> is represented in the Council for National Minorities of the Government of the Czech Republic and the Interdepartmental Commission for Roma Community Affairs.</p> <p>i) <u>Ministry of the Interior</u> is represented in the Council for National Minorities of the Government of the Czech Republic and the Interdepartmental Commission for Roma Community Affairs.</p> <p>j) <u>Ministry of Foreign Affairs</u> is represented in the Council for National Minorities of the Government of the Czech Republic and the Interdepartmental Commission for Roma Community Affairs.</p> <p>k) <u>Ministry of Health</u> is represented in the Interdepartmental Commission for Roma Community Affairs.</p>
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<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	In the Czech Republic the function of an Authorised Representative (Commissioner) of the Government for Human Rights was established in September 1998.
<b>15. Legal basis on which it has been established</b>	Decision of the Government No. 579 from September 9, 1998.
<b>16. Main functions of this office</b>	He functions as an initiative-taking and co-ordination body of the Government in the field of the evaluation of respect for human rights in the Czech Republic.
<b>17. Functioning of this office</b>	Within the Office of the Presidium of the Czech Republic he functions as a chairman of 3 advisory bodies, i.e. the Council for National Minorities of the Government of the Czech Republic, the Interdepartmental Commission for Roma Community Affairs and the Council for Human Rights of the Government.
<b>18. Links with other institutions</b>	By means of the representatives of respective branches in the Council for National Minorities of the Government of the Czech Republic, the Interdepartmental Commission for Roma Community Affairs and the Council for Human Rights of the Government.
<b>19. Minorities involved/covered</b>	Council for National Minorities of the Government of the Czech Republic: Hungarian, German, Polish, Roma, Slovak, Ukrainian. Interdepartmental Commission for Roma Community Affairs: Roma.
<b>20. Name(s) of contact person(s)</b>	Ing. Petr UHL.

## VI. Councils or round-tables with representatives of minorities

<p><b>21. Exact name of these bodies and level of application</b></p>	<p>At the State level there are:</p> <ul style="list-style-type: none"> <li>- the Office of the Government of the Czech Republic and within this Office: <ul style="list-style-type: none"> <li>▪ the Council for National Minorities of the Government of the Czech Republic ;</li> <li>▪ the Interdepartmental Commission for Roma Community Affairs;</li> </ul> </li> <li>- the Ministry of Culture and within this ministry: <ul style="list-style-type: none"> <li>▪ the Advisory Group of Deputy Minister for the Culture of National Minorities ;</li> </ul> </li> <li>- the Ministry of Education, Youth and Sports and within this ministry: <ul style="list-style-type: none"> <li>▪ the Advisory Group for the Education of Nationalities ;</li> </ul> </li> <li>- the Ministry of Labour and Social Affairs and within this ministry: <ul style="list-style-type: none"> <li>▪ the Commission of the Ministry of Labour and Social Affairs for taking the measures for the support of the employment of persons who hardly assert themselves on the labour market with special attention for the Roma population.</li> </ul> </li> </ul>
<p><b>22. Legal basis on which they have been established</b></p>	<p>In the case of the Council for National Minorities of the Government of the Czech Republic:</p> <ul style="list-style-type: none"> <li>▪ Decision of the Government No. 259 from May 11, 1994 (as subsequently amended) ;</li> </ul> <p>In the case of the Interdepartmental Commission for Roma Community Affairs:</p> <ul style="list-style-type: none"> <li>▪ Decision of the Government No. 640 from October 15, 1997 ;</li> </ul> <p>In the case of the Advisory Group of Deputy Minister of Culture for the Culture of National Minorities:</p> <ul style="list-style-type: none"> <li>▪ Order of Deputy Minister of Culture of the Czech Republic on the basis of an internal regulation (§ 19 of the Organisational Regulations of the Ministry of Culture No. 10860/95 from 23/1/1995 as amended by the Organisational Regulations of the Ministry of Culture of the Czech Republic No. 1190/96 from 9/2/1996) ;</li> </ul> <p>In the case of the Advisory Group for the Education of Nationalities:</p> <ul style="list-style-type: none"> <li>▪ Order of Minister of Education, Youth and Sports ;</li> </ul> <p>In the case of the Commission of the Ministry of Labour and Social Affairs for taking the measures for the support of the employment of persons who hardly assert themselves on the labour market with special attention for the Roma population:</p> <ul style="list-style-type: none"> <li>▪ Order of Minister of Labour and Social Affairs.</li> </ul>
<p><b>23. Main functions of these bodies</b></p>	<p>The Council for National Minorities of the Government of the Czech Republic:</p> <ul style="list-style-type: none"> <li>• participates in the preparation of governmental measures concerning the rights of members of national minorities in the Czech Republic;</li> <li>• gives its opinion of bills, decisions of the Government and measures concerning the rights of members of national minorities before they are submitted to the Government;</li> <li>• prepares for the Government comprehensive reports on the situation of nationalities in the Czech Republic;</li> <li>• prepares for the Government, ministries or other administrative bodies recommendations for satisfying the needs of members of national minorities, especially in the field of education, use of mother tongue and social and cultural activities;</li> <li>• co-ordinates the realisation of the nationalities policy of the Government by ministries and other administrative bodies;</li> <li>• co-operates with local autonomy bodies in the realisation of the nationalities policy of the Government;</li> <li>• co-operates with the Ministry of Foreign Affairs in the field of international aspects of the status and rights of members of national minorities.</li> </ul> <p>The Interdepartmental Commission for Roma Community Affairs:</p> <ul style="list-style-type: none"> <li>• evaluates conception and realisation materials for decisions of the Government concerning the Roma community;</li> <li>• evaluates the application of decisions of the Government and measures taken</li> </ul>

	<p>by individual departments in the field of Roma community affairs;</p> <ul style="list-style-type: none"> <li>• suggests the distribution of finances for additional programmes aimed at the support of the Roma community, evaluates their efficiency and controls their use;</li> <li>• collects data on the status and development of the Roma community and as required - at least once in a calendary year – prepares a summary of information on the situation of the Roma community;</li> <li>• provides the Roma community with information on programmes concerning it;</li> <li>• co-operates with Roma and pro-Roma organisations and works up their suggestions.</li> </ul> <p>The task of the Advisory Group of the Deputy Minister of Culture:</p> <ul style="list-style-type: none"> <li>• monitors and evaluates cultural activities of members of national minorities living in the Czech Republic;</li> <li>• functions as a co-ordination, initiative-taking and advisory body of the Ministry of Culture of the Czech Republic in the field of nationalities culture;</li> <li>• prepares the competition of projects for the support of cultural activities of national minorities and evaluates them.</li> </ul> <p>Nowadays the Commission of the Ministry of Labour and Social Affairs for taking the measures for the support of employment of persons who hardly assert themselves on the labour market with special attention for the Roma population:</p> <ul style="list-style-type: none"> <li>• submits proposals for the solution of the problem of employment of persons who hardly assert themselves on the labour market;</li> <li>• evaluates the materials on this programme;</li> <li>• evaluates the realisation of respective measures;</li> <li>• ensures the exchange of domestic and foreign experience among institutions which implement the programme;</li> <li>• provides information and ensures publicity of respective programmes;</li> <li>• consults principal issues concerning the use of finances in the field of social policy, education and employment.</li> </ul> <p>The Advisory Group of the Ministry of Education, Youth and Sports:</p> <ul style="list-style-type: none"> <li>• consultations and discussion are in progress on conclusions of this ministry to the materials concerning the education of minorities and the solution of existing problems.</li> </ul>
<p><b>24. Functioning of these bodies</b></p>	<ul style="list-style-type: none"> <li>◆ <i>Council for National Minorities of the Government of the Czech Republic:</i> It holds its meetings at least 5 times a year. Its activity is managed by the Secretariat (till the end of 1998 4 members, from 1999 3 members). The Roma minority is represented here by 3 members, the Polish minority by 2 members and the German minority by 1 member (since autumn 1998 when the second representative of Germans died). One member represents the Hungarian and Ukrainian minorities. The state administration is represented by deputy ministers (Ministry of Finance, Ministry of Culture, Ministry of Labour and Social Affairs, Ministry of Education, Youth and Sports, Ministry of the Interior and Ministry of Foreign Affairs). In addition, the Office of the President and the Parliament of the Czech Republic have their representatives here (the Chamber of Deputies has one representative, the representative of the Senate is a permanent guest).</li> <li>◆ <i>Interdepartmental Commission for Roma Community Affairs:</i> It holds its meetings at least 5 times a year; its Roma representatives meet more often (if need be). The activity of this Commission is managed by its office, which has four employees. The Roma community is represented here by 11 persons, the state administration (on the level of Deputy Ministers) is represented by Ministry of Finance, Ministry of Culture, Ministry of Defence, Ministry of Labour and Social Affairs, Ministry for Local Development, Ministry of Industry and Trade, Ministry of Justice, Ministry of Education, Youth and Sports,</li> </ul>

	<p>Ministry of the Interior, Ministry of Foreign Affairs and Ministry of Health.</p> <ul style="list-style-type: none"> <li>◆ <u>Advisory Group of the Deputy Minister of Culture:</u> This group has at least 9 members who are appointed and may be dismissed by Deputy Minister of Culture. The term of office of a Group 's member is 2 years. The Group consists of representatives of national minorities living in the Czech Republic. They are appointed in accordance with the proposal put forward by the representative of national minorities in the Council for National Minorities of the Government of the Czech Republic, the representative of the Council itself and representatives of professional institutions of the ministry. This Advisory Group is a collective body whose members have equal status. It holds its meetings as required, but not less than twice a year.</li> <li>◆ <u>Commission of the Ministry of Labour and Social Affairs for taking the measures for the support of employment of persons who hardly assert themselves on the labour market with special attention for the Roma population:</u> This Commission holds its meetings once or twice a month to negotiate prepared measures and programmes. It recommends its conclusions to the departments responsible for employment, other departments and Roma organisations that have their representatives here.</li> <li>◆ <u>Advisory Group of Ministry of Education, Youth and Sports:</u> It holds its regular meetings as required, but not less than twice a year.</li> </ul>
<p><b>25. Links with other institutions</b></p>	<ul style="list-style-type: none"> <li>◆ <u>Council for National Minorities of the Government of the Czech Republic and Interdepartmental Commission for Roma Community Affairs:</u> See above (24).</li> <li>◆ <u>Advisory Group of the Deputy Minister of Culture:</u> This group is in contact only with the Government through the representative of its advisory body, i.e. the Council for National Minorities. As to the non-governmental organisations, they have 6 representatives in this Group.</li> <li>◆ <u>Commission of the Ministry of Labour and Social Affairs for taking the measures for the support of employment of persons who hardly assert themselves on the labour market with special attention for the Roma population:</u> The members of this Commission represent the departments responsible for employment and social policy in the ministries, local bodies responsible for employment, Ministry of Education, Youth and Sports, Ministry of Foreign Affairs and the Roma organisations by means of which appropriate measures and conclusions are realised. This Commission currently fulfils the tasks which ensue from Decision of the Government No. 686 from October 29, 1997.</li> <li>◆ <u>Advisory Group of the Ministry of Education, Youth and Sports:</u> This group has contacts with workers of this branch and representatives of national minorities.</li> </ul>
<p><b>26. Minorities involved/covered</b></p>	<ul style="list-style-type: none"> <li>◆ <u>Council for National Minorities:</u> Slovak, Roma, German, Polish, Hungarian, Ukrainian.</li> <li>◆ <u>Interdepartmental Commission for Roma Community Affairs:</u> Roma.</li> <li>◆ <u>Advisory Group of Deputy Minister of Culture:</u> The following national minorities have their representatives here: Hungarian, German, Polish, Roma, Slovak and Ukrainian.</li> <li>◆ <u>Commission of the Ministry of Labour and Social Affairs for taking measures for persons who hardly assert themselves on the labour market with special attention for the Roma population:</u> Roma only.</li> <li>◆ <u>Advisory group of the Ministry of Education, Youth and Sports:</u> Polish, Hungarian, German, Slovak, Ukrainian, Greek, Roma.</li> </ul>



<b>27. Name(s) of contact person(s)</b>	<ul style="list-style-type: none"> <li>◆ <i>Council for National Minorities and Interdepartmental Commission:</i> Ing. Petr Uhl, Mgr. Iva Pellarová, PhDr. Andrej Sulitka, CSc.</li> <li>◆ <i>Advisory Group of Deputy Minister of Culture:</i> Mgr. Ilja Racek, Deputy Minister of Culture, PhDr. Jana Vondráková, Advisory Group Secretary.</li> <li>◆ <i>Commission of the Ministry of Labour and Social Affairs:</i> Mr. Ladislav Body, Chairman, PhDr. Petr Kaplan, Deputy Chairman.</li> </ul>
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<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	As the concentration of national minorities in administrative units is not large, these bodies and forms of autonomy do not exist in the Czech Republic. Even conceptions of the reform of territorial autonomy which are being drawn up do not take account of the territorial autonomy of nationalities. Nevertheless, civil associations of the members of national minorities (see below) can be considered as a certain form of such an autonomy.
<b>29. Legal basis on which they have been established</b>	Civil associations of the members of national minorities were established on the basis of the Act on the Association of Citizens No. 83/1990.
<b>30. Number of self-governments and minorities concerned</b>	-
<b>31. Main functions of these bodies</b>	-
<b>32. Functioning of these bodies</b>	-
<b>33. Links with other institutions</b>	Civil associations receive every year funds earmarked from state appropriations programmes (Ministry of Education, Youth and Sports, Ministry of the Interior, Ministry of Culture, Ministry of Labour and Social Affairs, Ministry of Health, Ministry for Local Development, Ministry of Environment) according to the Act No. 576/1998 on the rules of economical management of budgetary resources of the Czech Republic and communes in the Czech Republic, as set out in further regulations, and the Principles for providing civil associations with appropriations from the Budget of the Czech Republic (approved by the Decision of the Government No. 663/1992 and taking account of the Decision of the Government No. 223/1993).

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	See below.

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	At the end of the year 1998 the Ministry of the Interior had registered 122 Roma, 39 German, 18 Polish 12 Slovak 4 Ukrainian, 3 Ruthenian and 2 Hungarian organisations, as well as 1 Croatian, 1 Lithuanian, 1 Lusatian-Serbian, 1 Macedonian and 1 Russian organisation (totally 205 organisations). They focus on culture, education and social activities.
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	<ul style="list-style-type: none"> <li>- the Czech Helsinki Committee ;</li> <li>- the Helsinki Citizens Assembly, HCA - Roma Section ;</li> <li>- the International Society for Human Rights resident at Frankfurt/M. - Czech Section ;</li> <li>- the Open Society Fund Prague ;</li> <li>- the Know How Fund.</li> </ul>

**X. Legal texts**

**37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously**

An exhaustive list of relevant regulations and jurisprudence has been provided.

## Additional information

### Defence

- the numbers of the Roma who are on active or reserve service in the army of the Czech Republic do not usually exceed 200 persons;
- these soldiers mostly indicate other than Roma nationality;
- as for officers, even their numbers are not exactly known because they do not indicate their Roma nationality in their personal materials (it is estimated that their number do not exceed several tens of persons);
- military rules are based on absolute equality;
- Roma Warrant Officer Guži deals with Roma affairs in the army. The Ministry of Defence is looking for the best way to use his abilities, experience and suggestions in the army of the Czech Republic;
- the prevention of racism is a part of the prevention of socially pathologic phenomena in the army;
- in comparison with other state institutions, the problems concerning the Roma ethnic minority in the army are minimal. The army requires from every recruit to adapt himself to the conditions of military service;
- the Roma recruits mostly respect military rules and successfully adapt themselves in the troops. Recently there are no attempts of racial discrimination;
- military service can contribute to the improvement of their expertise and thus decrease disadvantages of young Roma on the labour market. Nevertheless, proposed projects would need necessary finances.

### Culture

The Rule of Law of the Czech Republic ensures, *inter alia* to national and ethnic minorities all-round development, especially the right to develop their own culture, as well as the right to disseminate and accept information in their mother tongue and associate themselves in their national associations. Ministry of Culture does not just consider the exercise of the right of national minorities to develop, keep and present their culture as keeping up with constitutional and legal obligations of the Czech state to the inhabitants of other nationalities living in the Czech Republic, but also as an enrichment of common cultural treasures of the civil community as a whole.

The development of national minorities' culture relates to librarians, publishing books and non-periodic publications, theatre, museums and activities of professional and non-professional artistic groups. The culture of national minorities develops within their own cultural institutions and by means of national organisations and associations.

Since 1990 many civil associations have been established, including associations of members of national minorities. These associations exercised the right to keep and develop their culture and basic attributes of their national identity, tradition and cultural heritage. It was necessary to create preconditions for meeting these requirements and enforcing these rights.

Since 1993 the activities of the Ministry of Culture of the Czech Republic concerning minorities have been undertaken more systematically. This ministry calls for tenders for the projects concerning the support of cultural activities of the members of national minorities living in the Czech Republic (In 1990-1992 the cultural activities of national minorities were not financed systematically). On the basis of these tenders it is possible to provide the projects focused on cultural activities of any national minority in our republic with appropriations from the Budget.

The projects focus on artistic activities, educational activities in cultural branches - documentation of national culture, publication activities, multiethnic cultural activities.

After several years of experience it can be said that this system has worked well. The number of badly conceived projects has been decreasing. Nowadays the most pressing problem is the lack of money. The requests from applicants exceed many times the possibilities of the Ministry of Culture of the Czech Republic. The number of registered projects is about one hundred per year.

Since 1997 the Advisory Group of the Deputy Minister of Culture for National Minorities Culture Affairs has been evaluating and selecting the projects which get state appropriations. The largest national minorities in the Czech Republic are represented in its permanent advisory body.

Cont/d

*Table of appropriations for cultural activities of national minorities*

year	1991	1992	1993	1994	1995	1996	1997	1998
minority								
Polish	5095	3324	4855	2219	1725	2100	2377	2558
Roma	1200	7450	3346	2600	3046	2480	2677	2895
German	3584	3299	2615	1270	1130	1399	984	575
Slovak			440	1400	1959	1839	1649	2188
Ukrainian	50	462	120	330	400	400	382	400
Hungarian	50	449	360	270	240	350	378	430
Croatian	0	150	100	150	90	66	0	0
Greek	0	0	0	150	60	176	174	180
Ruthenian	200	115	85	78	26	0	0	0
Others	0	0	240	0	700	600	490	830
T o t a l	10180	15249	12161	8467	9376	9410	9111	10056

*Table of appropriations for nationalities press*

year	1993	1994	1995	1996	1997
minority					
Polish	4679	5439	5993	6430	6457
Roma	5575	3600	4523	4700	3850
German	5010	4100	4500	4250	4250
Slovak	1502	2800	6300	6400	5600
Ukrainian	270	202	297	273	306
Hungarian	770	575	835	900	900
T o t a l	7806	16716	22448	22953	21363

#### Labour and Social Affairs

The provisions of the Framework Convention for the Protection of National Minorities support all-round co-operation in the field of borders co-operation. In 1994 the Government of the Czech Republic and Poland concluded the Treaty on Border Co-operation. The aim of this treaty is to create preconditions for such a co-operation. For the purpose of the solution of common problems the Intergovernmental Czech-Polish Commission for Border Co-operation was established. It consists of 9 working groups. In the realm of the Ministry of Labour and Social Affairs there is a working group for the migration of labour, social insurance and health service. This working group is in close contact with civil associations (Association of Polish Pensioners in the Czech Republic, Association of Persons Working and Studying Abroad - both resident at Český Těšín) from Těšín Silesia and it provides consultations and advice especially in the field of pension and health insurance.

Nowadays the *Plan of Employment* is being drawn up. It includes the following aims:

- to increase the wages in relation to the social benefits, especially as for citizens who get a low salary; to advantage economically productive persons in comparison with economically non-productive ones; in accordance with this purpose to increase minimum wages in order to come up to the subsistence minimum as soon as possible;
- to extend the framework of employment services; to enable the Job Centre to take new measures; to prepare a new Act which would correspond to future demands of the labour market, i.e. demands concerning the harmonisation of our laws with the EU;
- to use public orders to ensure the employment of registered applicants for work, especially persons who hardly assert themselves on the labour market;
- to extend legal and institutional instruments and mechanisms for doing away with discrimination on the labour market;
- to create preconditions for taking emergency measures for the benefit of those groups of citizens who hardly find job because of their race, ethnicity, sex etc.;
- to take measures for the increase of employment of long unemployed applicants for work with special respect to members of the Roma community, and to create equal essential conditions on the labour market.

#### Industry and Trade

The concrete task which the industry and trade branch was charged with, consists in the offer of three berths for the Roma in an inferior budget organisation of the Czech Business Inspection till 31/10/1998. Two of these berths in the inspectorate in Prague and Ústí have been staffed. As for the third one in the inspectorate in Ostrava, its staffing is being discussed.

#### Education, Youth and Physical Education

Civil associations get appropriations, for example for the support of their activities in the field of nationalities education (publishing reports on professional conferences, translation of foreign books, methodological seminars for teachers of basic and secondary schools in Polish language), education of pedagogues, co-operation with teachers and parents and the projects of the support and protection of children and youth - for example in the field of mutual understanding between ethnic groups and majority - and so forth.

#### Health Service

According to the Decision of the Government No. 686 from 28/9/1997 the Ministry takes measures on two levels:

1. the availability and specific features of health services for the Roma population have been mapped out on the basis of information given by health departments of district councils;
2. the internal grant agency inquires into the health status of the Roma population. The 3rd Medical Faculty of the Charles University in Prague functions as a grantee. It will submit its final report on 20/1/1999. On the basis of this final report the Ministry of Health will take appropriate measures.

The Ministry of Health further approved grant for the project „Determinants of Health of the Roma Population in the Czech Republic“ for the year 1999. Within this project the health and social status of 3000 members of the Roma nationality from all regions of the Czech Republic will be mapped out in detail. Attention will be paid to selected diseases which either have a genetic basis or can be affected by the way of life of this community. The nutrition status of children in dependence on various ways of education will also be monitored. The whole project focuses on the needs of specific medical care. Its aim is to create the preconditions for developing a programme of complete care for this part of the population in the Czech Republic, including the education of medical staff who will take care of this ethnic minority. These measures correspond to the conclusions of the document of WHO „Health for All till the Year 2000“. As for particular conclusions and results of this project, the Ministry of Health will inform the Secretariat of the Council for National Minorities of the Government of the Czech Republic about them continuously.

# DENMARK

## I. Representation in political parties

<b>1. Parties that specifically represent a minority</b>	The Schleswig Party ( <i>Schleswiger Partei – SP</i> ) is active in representing the German minority in South Jutland in local politics. It sends one member to the County Council of “ <i>Sønderjylland</i> ” and is represented in several local town councils. The Schleswig Party is not entitled to run for parliamentary elections, as the party has not applied for registration in accordance with the provisions in the Act on Parliamentary Elections (concerning this subject reference is made to question 6).
<b>2. Parties that especially represent minorities’ interests but which are not minority parties as such</b>	Such a party does not exist.

## II. Parliamentary representation

<b>3. Reserved seats in Parliament for minorities</b>	There are no seats in Parliament reserved for minorities. There is only one chamber in Parliament ( <i>Folketinget</i> ). Concerning the population of the Faeroe Islands and Greenland, see questions 29 and 30.
<b>4. Seats gained by political parties mentioned in table I</b>	The Schleswig Party did not run in the last parliamentary election on the 11 <sup>th</sup> of March, 1998. Subsequently no person belonging to a party mentioned under question 1 gained any seat at the last parliamentary election.
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	No persons belonging to the German minority have been elected during the last elections on the list of other parties.
<b>6. Special provisions for minority parties regarding thresholds</b>	<p>There are no provisions setting a special threshold regarding the election of candidates belonging to a minority party. But there are special, easy terms for the registration of the party of the German minority for parliamentary elections.</p> <p>According to the Act on Parliamentary Elections, Article 12, new parties wishing to participate in a general election must file their registration with the Minister for the Interior not later than noon 15 days prior to election day. The registration must be accompanied by statements from voters whose number corresponds to 1/175 of all valid votes cast in the last general election as a minimum.</p> <p>When registering for parliamentary elections no voters’ statements are required from the party of the German minority.</p>
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	Such a committee does not exist.

## III. Ombudsperson for minority/human rights or parliamentary committee for petitions

<b>8. Official titles of such bodies</b>	An Ombudsperson especially for minorities and/or human rights or a parliamentary committee for petitions does not exist. However, the Danish Ombudsman ( <i>Folketingets Ombudsmand</i> ) may investigate complaints concerning breaches of minorities and/or human rights.
<b>9. Legal basis on which they were established</b>	The legal basis of the work of the Danish Ombudsman is section 55 of the Danish Constitution and the Ombudsman Act.
<b>10. Way of election/nomination of the Ombudsperson</b>	An Ombudsman, who must be a legal graduate, is elected by the Parliament after every general election and by vacancy. Members of the Parliament or a local council cannot act as an Ombudsman. If the Ombudsman no longer enjoys the confidence of the Parliament, the Parliament may dismiss the Ombudsman.

<b>11. Main functions and mandate of the Ombudsperson</b>	<p>The Ombudsman shall assess whether any authorities or persons falling within his jurisdiction act in contravention of existing legislation or otherwise commit errors or derelictions in the discharge of their duties. The Ombudsman's activities are primarily based on existing legislation, i.e. the same basis as the courts. In addition the Ombudsman is under an obligation to make sure that the authorities have acted in accordance with good administrative practice. The Ombudsman is independent of the Parliament in the discharge of his functions.</p> <p>The jurisdiction of the Ombudsman extends to all parts of the public administration. When assessing the local government functions the Ombudsman must take account of the special conditions under which local government functions. The jurisdiction of the Ombudsman does not extend to the parliament, the courts or boards, which in a satisfactory way makes decisions between private parties, even if the board concerned in other contexts is regarded as part of the public administration.</p>
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<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	No minister or ministry is specifically responsible for minority issues.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	<p>In principle all Danish ministries in their own field of activity deal with minority issues, whenever minority issues may be relevant.</p> <p>The Ministry of the Interior provides a secretariat for the Liaison Committee concerning the German Minority, as mentioned under question 21 to 26.</p>

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	No such office exists.
<b>15. Legal basis on which it has been established</b>	-
<b>16. Main functions of this office</b>	-
<b>17. Functioning of this office</b>	-
<b>18. Links with other institutions</b>	-
<b>19. Minorities involved/covered</b>	-
<b>20. Name(s) of contact person(s)</b>	-

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	Under the Ministry of the Interior exists an advisory committee named "The Liaison Committee concerning the German Minority".
<b>22. Legal basis on which they have been established</b>	The Liaison Committee is established by a government decision.
<b>23. Main functions of these bodies</b>	<p>The purpose of the Liaison Committee is to ensure the German minority contact with the government and the parliament.</p> <p>In the committee political and cultural issues of importance for the German minority are being negotiated.</p>
<b>24. Functioning of these bodies</b>	<p>The Liaison Committee concerning the German Minority consists of a Member of Parliament from each of the parties in the Danish Parliament, the Danish Minister of Education and four representatives from the German minority. The Danish Minister of the Interior is chairman of the Committee.</p> <p>The committee usually meets once a year but if three members of the committee feel the need they can convene an extra meeting.</p>
<b>25. Links with other institutions</b>	See above, item 24.
<b>26. Minorities involved/covered</b>	German minority.
<b>27. Name(s) of contact person(s)</b>	The Ministry of the Interior provides a secretariat for the Liaison Committee.

	The Secretary is Head of Division Pernille CHRISTENSEN, the Ministry of the Interior, Christiansborg Slotsplads 1, DH-1218 København K.
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<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	The Faeroe Islands and Greenland are self-governing communities within the Danish State.
<b>29. Legal basis on which they have been established</b>	The Danish Constitution provides that the Constitution shall apply to all parts of the Danish Realm. The Faeroe Islands and Greenland are part of the Danish Realm and the Constitution secures to each community, the Faeroe Islands and Greenland, two out of the 179 seats in the Danish Parliament.  “Home Rule” was introduced in 1948 for the Faeroe Islands and for Greenland in 1978 by Danish Acts for these communities as territorially/geographically defined.
<b>30. Number of self-governments and minorities concerned</b>	The home-rule arrangements mentioned above are not based on ethnic criteria, and the populations of these territories are not under international conventions defined as minorities of Denmark.
<b>31. Main functions of these bodies</b>	The Home Rule Acts enable the Faeroe Islands and Greenland to take over the responsibility for almost all fields of society appertaining exclusively to these communities as geographically defined.
<b>32. Functioning of these bodies</b>	By the Home Rule Acts of 1948 and 1978 respectively, the Danish Parliament has delegated legislative and executive powers to the Home Rule Authorities, consisting of the popularly elected legislative assembly, Lagting/Landsting, and the executive branch, the Landsstyre.
<b>33. Links with other institutions</b>	The Home Governments co-operate with the relevant Danish authorities, as well as in fields within the legislative powers of the self-governments as in fields under Danish authorities. The Lagting/Landsting have annual contact meetings with the Danish Parliament.



<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	<p>The European Centre for Minority Issues (ECMI) is an independent, academic institution established in Flensburg, Germany, by agreement between the governments of the Kingdom of Denmark, the Federal Republic of Germany, and the German Land of Schleswig-Holstein. The three founders are represented by the Danish Ministry of Research and Information Technology, the German Federal Ministry of the Interior, and the Schleswig-Holstein Ministry of Education, Science, Research and Cultural Affairs.</p> <p>ECMI receives regular government funding from Copenhagen, Bonn and Kiel, as well as of a start-up grant under the INTERREG-II programme of the European Union. ECMI is governed by an autonomous Board of nine members. The Danish Ministry of Research and Information Technology nominates three members of the board Germans and three representatives from the OSCE, the Council of Europe and the European Union.</p> <p>ECMI's aim is to promote interdisciplinary research on issues related to national minorities and majorities in a European perspective and to contribute to the improvement of inter-ethnic relations in those parts of Western and Eastern Europe where ethnopolitical tension and conflict prevail.</p> <p>The Danish Institute of Border Region Studies conducts research within the field of social science and the humanities. It is active within the following core areas: issues relating to the Danish-German border region, issues relating to the European border regions, including European integration and co-operation efforts and other regional issues forming a continuation of the Institute's fields of activity. Research topics include the history of the national minorities, the history of business and institutions, bilingualism, cross-border shopping and consumer behaviour, education and the labour market, cross-border commuting, tourism, environment, social conditions, culture and leisure. Further subjects of study are cross-border regional co-operation and the evaluation of business development programmes.</p>

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	<p>The main organisation of the German minority is the Federation of German North-Schleswigers (<i>Bund deutscher Nordschleswiger - BdN</i>), based in Aabenraa, Denmark, and there are numerous other associations with specific functions. the central administrative office is the German Secretariat-General (<i>Deutsches Generalsekretariat</i>).</p> <p>The aim and purpose of the Federation of German North-Schleswigers is to look after the interests of the German minority in Denmark and to help ensure the harmonious development of the German-Danish border region. The Federation of German North-Schleswigers voices the concerns of the German minority in the parliaments, governments and authorities of the two countries and in public and maintains close contact with associations and cultural institutions in Germany. The BdN is also the organising backbone of the Schleswig party mentioned under item 1.</p> <p>In 1983 the Danish government set up a secretariat for the German minority in Copenhagen. The German Secretariat in Copenhagen, which handles relations with the Parliament and the Government receives subsidy from the government. The head of the secretariat is elected by the minority.</p> <p>The head of the German Secretariat in Copenhagen is member of a contact group for NGOs under the Danish Foreign Ministry concerning the Human Dimension in OSCE. As a member of the Danish delegation the head of the German Secretariat in Copenhagen has participated in many Implementation Meetings on Human Dimension Issues in OSCE.</p>
<b>36. National NGOs or local</b>	Three main organisations of the German minority: BdN, the German Schools and

<b>branches of international NGOs dealing with minorities</b>	<p>Language Association (<i>Deutscher Schul- und Sprachverein</i>) and the German Press Association (<i>Deutscher Presseverein</i>) make up a Danish Member State Committee under the European Bureau for Lesser Used Languages.</p> <p>The BdN is a member of the Federal Union of European Nationalities (FUEN).</p>
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<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	<p>The Copenhagen Declaration of 1955 contains certain individual rights enjoyed by members of the German minority concerning participation in decision-making processes.</p>

# ESTONIA

## General remarks

Estonian *Riigikogu* when ratifying the Framework Convention for the Protection of National Minorities made a declaration specifying which persons are considered as belonging to national minorities according to Estonian legislation. The Estonian Law on Cultural Autonomy for National Minorities (*vähemusrahvuste kultuuriautonomi seadus*) of 1993 defines national minorities as follows: “As national minorities are considered citizens of Estonia, who: reside on the territory of Estonia, maintain longstanding, firm and lasting ties with Estonia; are distinct from Estonians on the basis of their ethnic, cultural, religious, or linguistic characteristics; are motivated by a concern to preserve together their cultural traditions, their religion or their language which constitute the basis of their common identity” (Article 1).

By virtue of this act historical minorities, such as Jews, Germans, Russians and Swedes, enjoy the status of national minority (Article 2), despite the fact that they do not all meet the statutory requirement which stipulates that for the registration of a self-government of the national minority at least 3,000 citizens should be members of such self-government. The German and the Soviet occupations during and after the World War II (i.e. from 1940 to 1991) have reduced the number of historic minorities in Estonia.

The annexation of Estonia by the Soviet Union in 1940 and World War II caused essential shifts in the ethnic composition of Estonia. According to the Soviet-German agreement of 1939, the Baltic Germans were resettled. In 1941-42 the Jewish and Gypsy communities in Estonia ceased to exist. In 1943-44 the Estonian Swedes left for Sweden and in 1944, before the Soviet invasion, also some 70,000 Estonians escaped to the West. When the area behind the Narva River and the major part of Põlva county (the area inhabited by Russians) were united with the Russian Federation in 1945, no areas inhabited by ethnic minorities remained within administrative borders of Estonia.

This gap was soon filled by waves of immigration from the East. During the period from 1945 to 1959 241,000 immigrants mainly from the northwestern region of Russia were settled into Estonia in the course of organised re-settlement (to work in building and mining enterprises). The second major wave of immigration (95,000 persons) took place from 1961 to 1979. Among those new incomers the main ethnic groups beside Russians were Ukrainians, Byelorussians and Finns. By 1989 the following ethnic groups with more than 500 members were represented in Estonia: Jews, Tatars, Lithuanians, Poles, Germans, Latvians, Armenians, Azerbaijanians, Mordvians, Sinti and Roma and Chuvash. As all of these groups were more or less assimilated to Russians, the notion of a “Russian-speaking population” has been taken into use. Mostly such late immigrants and their descendants constitute the non-Estonian population amounting to 35,1% of today’s population.

## I. Representation in political parties

<p><b>1. Parties that specifically represent a minority</b></p>	<p>There were 28 political parties registered at the time of the latest elections to the <i>Riigikogu</i> (Estonian one-chamber parliament). Two of those have declared to the public that they mostly represent the interests of people living in Estonia who are ethnically non-Estonians and speak mostly Russian: The Estonian United People’s Party (<i>Eestimaa Ühendatud Rahvapartei</i>) and Russian Party in Estonia (<i>Vene Erakond Eestis</i>).</p>
<p><b>2. Parties that especially represent minorities’ interests but which are not minority parties as such</b></p>	<p>We are not aware of any party especially representing minorities’ interests other than the two parties mentioned under item 1 above.</p>

<b>II. Parliamentary representation</b>	
<b>3. Reserved seats in Parliament for minorities</b>	Article 60, Section 1 of the Estonian Constitution provides that the <i>Riigikogu</i> has 101 members. Members of the <i>Riigikogu</i> are elected in free elections on the principle of proportionality. Elections are general, uniform and direct, voting is secret. Article 9, Section 5 of the <i>Riigikogu</i> Elections Act ( <i>Riigikogu valimiste seadus</i> ) of 1994 stipulates <i>inter alia</i> that mandates are distributed between electoral districts proportionally to the number of citizens with the right to vote. Thus ethnic minorities are not entitled to reserved seats in the <i>Riigikogu</i> .
<b>4. Seats gained by political parties mentioned in table I</b>	The latest elections to the <i>Riigikogu</i> were held on 7 March 1999. According to the information provided by the National Electoral Committee ( <i>Vabariiklik Valimiskomisjon</i> ) 12 political parties and 19 independent candidates participated in the elections. Seven political parties exceeded the statutory threshold. No independent candidates gained sufficient votes to exceed the threshold. The Russian Party in Estonia ( <i>Vene Erakond Eestis</i> ) mentioned in Section I item 1 above did not exceed the threshold and has lost its representation in the <i>Riigikogu</i> . The Estonian United People's Party ( <i>Eestimaa Ühendatud Rahvapartei</i> ) gained 29,682 votes (6.13 per cent) and has 6 seats in the new composition of the <i>Riigikogu</i> . Altogether 492,356 citizens out of 857,270 citizens with the right to vote participated in the Estonian parliamentary elections (57.43 per cent) [See World Wide Web page: <a href="http://www.vvk.ee/">www.vvk.ee/</a> ].
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	We are not aware of the manifestation of belonging to any minority group by any member of the <i>Riigikogu</i> (except the six delegates mentioned under item 4 above).
<b>6. Special provisions for minority parties regarding thresholds</b>	There are no special provisions for minority parties regarding election thresholds established by Estonian legislation.
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	There are the following standing committees in the <i>Riigikogu</i> : (1) Environment Committee, (2) Cultural Affairs Committee, (3) Rural Affairs Committee, (4) Economic Affairs Committee, (5) Constitutional Committee, (6) Finance Committee, (7) National Defence Committee, (8) Social Affairs Committee, (9) Foreign Affairs Committee, and (10) Legal Affairs Committee.  The <i>Riigikogu</i> may establish temporary and special commissions [ <i>Riigikogu</i> Act ( <i>Riigikogu kodukorra seadus</i> ) Articles 16 and 17].  Currently there is no committee within the <i>Riigikogu</i> specially dealing with minority issues. Minority issues are most frequently dealt with by the Legal Affairs Committee and the Cultural Affairs Committee.

<b>III. Ombudsperson for minority/human rights or parliamentary committee for petitions</b>	
<b>8. Official titles of such bodies</b>	Currently there is no such institution as ombudsman in Estonia, neither is there a parliamentary committee for petitions. However, the 1992 Constitution of the Republic of Estonia established the institution of the Legal Chancellor who is responsible for reviewing constitutionality and legality of the legislation of legislative and executive powers and local governments (Article 139).  A new law on legal chancellor has been drafted and proposed by the Reformation Party. That draft foresees the extension of powers of the Legal Chancellor necessary for the activity of an ombudsman. The draft has passed the first reading in the <i>Riigikogu</i> .
<b>9. Legal basis on which they were established</b>	(see item 8 above).
<b>10. Way of election/nomination of the Ombudsperson</b>	(see item 8 above).
<b>11. Main functions and mandate of the Ombudsperson</b>	(see item 8 above).

<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	There is no minister or ministry specially responsible for national issues in Estonia.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	<p>The member of the cabinet, Minister Ms. Andra Veidemann, is responsible also for certain issues related to the integration of so-called Russian speaking minority (in connection with the 7 March 1999 general elections, a new cabinet will be formed; until that time Ms Andra Veidemann will act as the Minister of Ethnic Relations).. The tasks of the Minister of Ethnic Relations, as Ms Veidemann has been titled, have been determined by the Order of the Prime Minister dated 21<sup>st</sup> May 1997.</p> <p>In addition, several other ministries and state agencies are dealing with minority issues in their own fields of activity. For instance, the Ministry of Education is responsible for education the state grants to the minorities. In this context it should be mentioned that children speaking the biggest minority language, Russian, are taught through primary, elementary and gymnasium levels in the Russian language at state's full expense. It should be also mentioned, that in order to accelerate naturalisation and help integration, the Ministry of Education has issued two conceptual documents: "Language Strategy for non-Estonians" that has been approved by the Government in April 1998 and "Development Plan for Russian-medium schools". In July 1998 the Official Language Teacher Institution was established to improve the level of teaching Estonian language in schools. The cultural issues of the minorities are dealt by a special official in the Ministry of Culture etc.</p>

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	<p>There is no permanent governmental office dealing with minority issues. However, there is an adviser to the Prime Minister working on inter-ethnic relations.</p> <p>Since July 16, 1997, there is a Governmental Commission of Experts (hereinafter the "Commission") working on questions related to the Estonians demographic situation and integration of ethnic minorities into Estonian society. The head of the Commission is Ms Andra Veidemann (see item 13 above).</p>
<b>15. Legal basis on which it has been established</b>	The Commission has been established under the Order of the Government of the Republic that provides for the composition and tasks of the Commission.
<b>16. Main functions of this office</b>	The main purpose of the Commission is to discuss Estonian demographic situation and integration of ethnic minorities into Estonian society and to make proposals to the Government of the Republic.
<b>17. Functioning of this office</b>	<p>The Commission was given a task by the Order of the Government of the Republic to propose the strategies for the integration of ethnic minorities into Estonian society. As the result, two documents were prepared:</p> <ol style="list-style-type: none"> <li>1. The Integration of Non-Estonians into Estonian Society. The Basis of Estonia's National Integration Policy;</li> <li>2. The Integration of Non-Estonians into Estonian Society. The Action Plan for the Government of the Republic.</li> </ol>
<b>18. Links with other institutions</b>	<p>The state has established Non-Estonians Integration Fund, which is a private law legal entity co-ordinating the performance of the projects proposed by the Commission (see item 14 above).</p> <p>The whole development scheme will be funded from the state budget (EEK 5,738,000 has been granted to the Integration Fund from the Estonian budget for 1999), the EU PHARE programme and other foreign aid.</p> <p>In August 1998, the Government signed a co-operation agreement with the Governments of Norway, Sweden, Denmark and Finland, according to which</p>

	these Scandinavian countries will make financial donations to support integration and language study projects in Estonia.
<b>19. Minorities involved/covered</b>	The field of integration mainly concerns Russian-speaking non-Estonian citizens living in Estonia.
<b>20. Name(s) of contact person(s)</b>	The contact person of the Commission is Ms. Andra Veidemann.

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	The Round Table for National Minorities (hereinafter the "Round Table") was convened by the President of the Republic of Estonia on July 10, 1993.
<b>22. Legal basis on which they have been established</b>	The Round Table is acting in accordance with its statute approved by the President of the Republic.
<b>23. Main functions of these bodies</b>	According to the statute the Round Table is a permanent forum for the representatives of ethnic minorities' associations and political parties. Its members are appointed by the President of the Republic. The Round Table meets at least four times a year. The plenipotentiary representative of the President of the Republic is participating in the Round Table. The office of the Round Table is affiliated to the Presidential Office and its expenses are covered from the budget of the Presidential Office.
<b>24. Functioning of these bodies</b>	The Round Table makes proposals and recommendations in the issues related to the ethnic minorities. It also comments relevant law drafts.
<b>25. Links with other institutions</b>	The plenipotentiary representative of the President of the Republic forwards the decisions of the Round Table to the President of the Republic, the Government of the Republic and the <i>Riigikogu</i> . The members of the Round Table are independent in their activity; many members are actively involved in the work of NGOs dealing with minority issues.
<b>26. Minorities involved/covered</b>	The members of the Round Table do not formally represent minority groups. However, various minorities are represented, such as Jews, Russians, Swedes, Tatars, Ukrainians, etc.
<b>27. Name(s) of contact person(s)</b>	The plenipotentiary representative of the President of the Republic to the Round Table is Mr Vello Pettai.

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	Estonian legislation provides for the cultural self-government for national minorities.
<b>29. Legal basis on which they have been established</b>	Cultural self-governments can be established by the representatives of national minorities in accordance with the Law on Cultural Autonomy for National Minorities (see also general remarks). According to Article 2, Section 2 of this law national minority cultural autonomy may be established by persons belonging to German, Russian Swedish and Jewish minorities and persons belonging to national minorities with a membership of more than 3000. The application for national cultural autonomy is based on the national register of national minorities (Article 7, Section 1). Foreigners residing in Estonia may participate in the activities of cultural and educational institutions and religious congregations of national minorities, but they may not vote or be elected or appointed to the leadership of the institutions of cultural self-government (Article 6).
<b>30. Number of self-governments and minorities concerned</b>	According to the information received from the Ministry of Culture, there were no cultural self-governments registered in Estonia as of 28 <sup>th</sup> September 1998.
<b>31. Main functions of these bodies</b>	Article 5, Section 1 of the Law on Cultural Autonomy for National Minorities stipulates that the principle objectives of a national minority cultural autonomy are: <ol style="list-style-type: none"> <li>1. the organisation of education in the mother tongue and monitoring the use of resources provided for this purpose;</li> <li>2. the formation of national minority cultural institutions, organisation of their activities and the organisation of ethnic cultural events;</li> <li>3. the establishment and bestowment of funds, scholarships and awards</li> </ol>

	for the promotion of national minority culture and education.
<b>32. Functioning of these bodies</b>	<p>According to the Law on Cultural Autonomy for National Minorities the principal organisations of cultural autonomy for national minorities are the cultural council of national minority, which is elected in direct and uniform elections, by secret ballot, and the cultural boards governing the activities of cultural autonomy institutions. The cultural council adopts statutes regarding the rights and duties of cultural autonomy and regulations for the work of the principal organisations of cultural autonomy (Article 22).</p> <p>Members of a national minority have the right: to form and support cultural and educational institutions and religious congregations; to form ethnic organisations; to practice cultural traditions and religious customs if this does not endanger public order, health and morals; to use their mother tongue within the limits established by the Language Law; to publish ethnic language publications; to conclude agreements of co-operation between ethnic, cultural and educational and religious congregations; to circulate and exchange information in their mother tongue.</p>
<b>33. Links with other institutions</b>	There are no direct links between cultural self-governments and other public institutions prescribed by Estonian legislation.

### VIII. Public institutions or organisations

<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	The public institution playing an important role in the field of protection of minorities is the Presidential Round-Table of the National Minorities (see chapter VI above).
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### IX. Civil society: minority associations and NGOs

<b>35. Registered minority associations</b>	<p>There are several registered associations of different minorities living in Estonia, for instance:</p> <ol style="list-style-type: none"> <li>1. Society of Azerbaijanians in Estonia;</li> <li>2. Union of Lithuanians in Estonia;</li> <li>3. Association of Latvians in Estonia;</li> <li>4. Cultural Association of Swedes in Estonia;</li> <li>5. Association of Poles in Estonia "Polonia";</li> <li>6. Russian Cultural Association in Estonia;</li> <li>7. Association of Finns in Tallinn;</li> <li>8. Society of Jews in Estonia;</li> <li>9. Association of Maris (Finno-Ugric people) in Estonia;</li> <li>10. Association of Mordovians (Finno-Ugric people) in Estonia;</li> <li>11. Cultural Association of Byelorussians "Batkavsina";</li> <li>12. Cultural Association of Rumanians;</li> <li>13. Cultural Association of Hungarians;</li> <li>14. Cultural Association of Chuvash's (Finno-Ugric people);</li> <li>15. Society of Ukrainians;</li> <li>16. Association of East-Estonians;</li> <li>17. Society of Tatars in Estonia;</li> <li>18. Cultural Association of Uzbeks "Safar";</li> <li>19. Union of Germans in Estonia; Association of Germans in Tallinn;</li> <li>20. Cultural-Education Union of Ukrainians "Prosvita".</li> </ol> <p>The umbrella association for the associations listed above is the Estonian Union for the National Minorities (<i>Eestimaa Rahvuste Ühendus</i>) established in 1989. There may be other associations of Estonians minorities.</p>
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	<p>The most well known NGOs dealing <i>inter alia</i> with the minority issues are:</p> <ol style="list-style-type: none"> <li>1. The Open Estonia Foundation (<i>Avatud Eesti Fond</i>) is the branch of Soros Foundations in Estonia established in 1990;</li> </ol>

	<ol style="list-style-type: none"> <li>2. <b>Tõnisson Institute (<i>Tõnissoni Instituut</i>) established in 1991;</b></li> <li>3. <b>The Human Rights Institut (<i>Inimõiguste Instituut</i>) established in 1993;</b></li> <li>4. <b>The Legal Information Centre for Human Rights (<i>Inimõiguste Ühiskondlik Teabekeskus</i>) established in 1994.</b></li> </ol>
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<b>X. Legal texts</b>	
<p><b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b></p>	<p>According to the Local Government Council Election Act (Article 3) <i>an alien legally in Estonia who has attained eighteen years of age by election day, has resided permanently in the territory of the corresponding local government for at least five years by 1 January of the election year and is entered in the Estonian National Electoral Register of Aliens in the rural municipality or city has the right to vote. An alien residing permanently in the territory of the local government is a person who is in Estonia on the basis of a residence permit and resides in the territory of the local government for at least 183 days annually, whereas his or her absence therefrom shall not exceed ninety consecutive days.</i></p> <p>Local governments are the main providers of basic services in Estonia and this right allows non-citizens active participation in the process of governing. The above mentioned law highlights the government's commitment in supporting people's freedom of choice in citizenship.</p>



# FINLAND

## I. Representation in political parties

<b>1. Parties that specifically represent a minority</b>	None.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	The Swedish People's Party <i>Svenska Folkpartiet</i> .

## II. Parliamentary representation

<b>3. Reserved seats in Parliament for minorities</b>	There are no reserved seats for minorities as such, but one seat is reserved for an MP from the Åland islands, which are autonomous and where the official language is Swedish.
<b>4. Seats gained by political parties mentioned in table I</b>	The Swedish People's Party got 11 seats in the last elections in 1994.
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	Yes.
<b>6. Special provisions for minority parties regarding thresholds</b>	No.
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	No.

## III. Ombudsperson for minority/human rights or parliamentary committee for petitions

<b>8. Official titles of such bodies</b>	An Ombudsman especially for minorities/human rights or a parliamentary committee for petitions do not exist. However one of the main tasks of the Parliamentary Ombudsman – and that of the Chancellor of Justice – is to supervise the implementation of human rights.
<b>9. Legal basis on which they were established</b>	-
<b>10. Way of election/nomination of the Ombudsperson</b>	-
<b>11. Main functions and mandate of the Ombudsperson</b>	-

## IV. Minister/Ministry for minorities

<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	None.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	Both the Advisory Board for Sami Affairs and the <i>Sami Thing</i> (consultative parliament) work under the Ministry of Justice. The Advisory Board on Romany Affairs works under the Ministry of Social Affairs and Health.

## V. Governmental office for minorities

<b>14. Exact name of this office</b>	None.
<b>15. Legal basis on which it has</b>	-

<b>been established</b>	
<b>16. Main functions of this office</b>	-
<b>17. Functioning of this office</b>	-
<b>18. Links with other institutions</b>	-
<b>19. Minorities involved/covered</b>	-
<b>20. Name(s) of contact person(s)</b>	-

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	<p>The Advisory Board for Sami Affairs; The Advisory Board on Romany Affairs; The Multicultural Section under the Advisory Board for Ethnic Relations.</p> <p>All boards are on state level.</p>
<b>22. Legal basis on which they have been established</b>	<p>This was a Government's decision.</p> <p>The Advisory Board for Sami Affairs was set up under the Ministry of Justice in 1960 by decision of the Council of State. After the Advisory Board had been subordinate in turn to the Prime Minister's Office (1973-1987) and the Ministry of Interior (1988-1995), responsibility reverted to the Ministry of Justice at the beginning of 1996.</p> <p>The Advisory Board for Gypsy Affairs has operated under the responsibility of the Ministry of Social Affairs and Health since 1956. In 1989 it was granted permanent status and its name changed to Advisory Board on Romany Affairs</p>
<b>23. Main functions of these bodies</b>	<p>The duty of the Advisory Board for Sami Affairs is to co-ordinate and prepare matters relating to the Sami population. It is chaired by the Governor of the Province of Lapland, and six of its twelve members represent the <i>Sami Thing</i> and the six other members represent different ministries. The Council of State appoints the Advisory Board for Sami Affairs for a term of four years at a time.</p> <p>The Advisory Board on Romany Affairs strives to promote the Romany population's equal opportunities in society, enhance their participation in society and improve their economic, social and cultural conditions.</p>
<b>24. Functioning of these bodies</b>	<p>The Advisory Board for Sami Affairs is responsible for:</p> <ul style="list-style-type: none"> <li>- preparing and proposing to the Council of State measures in line with the recommendations of the Nordic Council of Ministers concerning the Sami, and planning collaboration on Sami-related issues;</li> <li>- monitoring the legal, economic, social and cultural status of the employment situation of the Sami, as well as the realisation of regional policy objectives in the Sami Homeland, and making proposals to the relevant ministries concerning these matters;</li> <li>- issuing statements to the Council of State, the ministries and the Provincial Government of Lapland concerning Sami-related issues.</li> </ul> <p>In 1990 the Advisory Board for Sami Affairs published a report containing a proposal for a Sami Act (document: Committee Report 1990:32). According to the proposal, the act would have laid down both provisions on the organisation of the Sami administration and provisions on restoring the Sami's rights to land, water, and livelihood in the Sami Homeland. Only the provisions on administration were adopted at the beginning of 1996 (the Sami Cultural Autonomy).</p> <p>The Advisory Board on Romany Affairs was composed of three divisions during the 1996-1998 term: the labour division, the division for international affairs and the division for social affairs and health. The Council of State appoints for a term of three years nine members on the recommendation of Romany associations, eight members on the recommendation of the different ministries and one member from the Association of Finnish Local Authorities. In 1996, four regional advisory boards were founded to promote the opportunities for the</p>

	livelihood of the Romany population in different parts of Finland.
<b>25. Links with other institutions</b>	The members are both civil servants from different ministries and minority representatives; thus the links with different parties are covered by the members.
<b>26. Minorities involved/covered</b>	The Sami and the Roma respectively.
<b>27. Name(s) of contact person(s)</b>	Ms. Outi OJALA for the Advisory Board on Romany Affairs; Ms. Hannele POKKA for the Advisory Board for Sami Affairs; Mr. Pertti SORSA for the Advisory Board for Ethnic Relations; Mr Okan DAHER for the Multicultural Section of the Advisory Board for Ethnic Relations.

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	The Åland islands have a territorial autonomy while the Sami have a cultural autonomy.
<b>29. Legal basis on which they have been established</b>	The Constitution Act, section 51a, stipulates that “As an indigenous people the Sami shall be guaranteed cultural autonomy of their language and culture within the Sami homelands in the manner prescribed by the Act of Parliament” and section 52a that “The Province of Åland shall be autonomous in the manner separately prescribed”.
<b>30. Number of self-governments and minorities concerned</b>	Please see above.
<b>31. Main functions of these bodies</b>	Please see above.
<b>32. Functioning of these bodies</b>	Please consult the Act on the Autonomy of Åland (16 August 1991/1144).
<b>33. Links with other institutions</b>	See above.

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	<p>The <i>Sami Thing</i> and the Swedish assembly of Finland play a significant role in the field of the protection of national minorities.</p> <p>For further information on the <i>Sami Thing</i>, please consult the Decree No. 1727 on the Sami Thing (Helsinki, December 22, 1995) and the Act No. 974 on the Sami Thing (Helsinki, 17<sup>th</sup> July 1995).</p> <p>The Swedish Assembly was established in 1919. Its primary task today is to establish meaningful dialogue across the language border and to disseminate information, publish reports and to engage in language-protection measures.</p>

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	The Finnish Romany Society; The Finnish Islamic Congregation; The Central Council of Jewish Communities in Finland.
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	Minority Rights Group; The Finnish Helsinki Committee; The Finnish League for Human Rights.

<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	According to the Parliament Act, section 52a, “the Sami shall be heard in a matter of special consequence to them, as further provided in the procedure of Parliament”.

**Additional information**

There are two academic institutes specialised in research on minority issues; the Northern Institute for Environmental and Minority Law (University of Lapland) and the Institute for Human Rights (Åbo Akademi University).

## « France »

France is unable to give faithful answers to the questionnaire on forms of participation of minorities in decision-making processes drawn up by the Council of Europe committee of experts, as it does not match the French context. Mindful of the high importance attached in many European countries to questions concerning the protection of minorities and of their members' rights, France nevertheless wishes to respond by supplying the following details of the fundamental principles on which the French nation is organised.

Owing to a fundamental principle of sovereign equality of citizens before the law, derived from a two centuries old tradition whose founders intended it as a means to citizen emancipation, neither the French legal system nor the country's political, social and cultural institutions allow room for the concept of "minorities" among the French people. In France, identifying traits depend on a private individual choice ruled by freedom of thought and conscience, and not on objective criteria which command individuals. Likewise, national identity stems from a spontaneous, "subjective" allegiance to the French political community<sup>1</sup>, not from an objective conception legitimising particular traits. Therefore, to distinguish a category of citizens on account of their origins would be inconsistent with the French constitutional groundwork. In proclaiming *"the equal and inalienable rights of all members of the human family"*, *"without distinction of any kind"*, the Universal Declaration of Human Rights conforms to the same universalist conception.

This tradition of *"equality of all citizens without distinction as to origin, race or religion"*, *"respecting all beliefs"* (Article 1 of the Constitution), whose source was the 1789 Declaration of the Rights of Man and the Citizen, has applied without interruption for two centuries with the result that practically France has no "minorities". It is nonetheless a country of rich cultural and religious diversity which it strives to preserve by ensuring the expression and furtherance of individual or local traits not only culturally but also in legal and political terms, for instance by operation of the powers devolved to local and regional authorities as part of decentralisation.

However, France does not disregard the need to enhance the international protection of members of minorities and especially their participation in decision-making processes in countries where this is a meaningful issue. France is well aware that in States which have an objective conception of national identity, the aspirations and the peaceful co-existence of minority communities cannot always be secured simply by applying the principles of non-discrimination and equal rights. Such being the case, France fosters the protection of minorities by considering the individual and his aspirations with regard to identity which are the product of his freedom of thought, freedom of conscience and private life. The fundamental rights established by the Declaration of the Rights of Man and the Citizen, the Universal Declaration of Human Rights and later human rights instruments are indeed vested in the individual. Central to this conception is free individual choice in defining one's community affiliation and, if need be, refusing attachment to a minority.

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<sup>1</sup> The historian Ernest Renan spoke of the collective will of French citizens.

# GERMANY

<b>I. Representation in political parties</b>	
<b>1. Parties that specifically represent a minority</b>	<i>Sydslesvigsk Vaelgerforening</i> - SSV [South Schleswig Association of Voters], with headquarters in Flensburg, is the political party of the Danish minority in the Federal Republic of Germany and of the " <i>nationale Friiske</i> ", i.e. "national Frisians" (a minority of Frisians in Germany). There are no other political parties of minorities.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	There are no other political parties that would specifically represent the interests of minorities. However, there is a consensus among all political parties represented in the German <i>Bundestag</i> and in the <i>Land</i> Parliaments - with the exception of some MPs representing political parties at the ends of the political spectrum - to give political support to the protection and promotion of minorities. This consensus is also reflected, for instance, by the almost unanimous consent (with few abstentions) to the ratification of the Framework Convention for the Protection of National Minorities and by the unanimous consent to the ratification of the European Charter for Regional or Minority Languages within the <i>Bundestag</i> and the <i>Bundesrat</i> ("Upper House" of Parliament, consisting of members of the <i>Land</i> Governments).

<b>II. Parliamentary representation</b>	
<b>3. Reserved seats in Parliament for minorities</b>	There are no reserved seats in Parliament for minorities.
<b>4. Seats gained by political parties mentioned in table I</b>	The political party <i>Sydslesvigsk Vaelgerforening</i> - SSV (South Schleswig Association of Voters) won two seats in the <i>Landtag</i> of the <i>Land</i> of Schleswig-Holstein during the elections on 27 March 1996. Irrespective of the number of their mandates, the SSV deputies have parliamentary group status.
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	On 13 June 1996, a representative of the Sorbian people was elected to the European Parliament for the Christian Democratic Union (CDU). Two deputies of the Sorbian people were elected to the <i>Landtag</i> of the Free State of Saxony (11 September 1994), one for the CDU and one for the Party of Democratic Socialism (PDS). Also, the political party of the Danish minority and of the "national Frisians", SSV, is at present represented, with 169 deputies, in county councils ( <i>Kreistage</i> ) and in city and municipal councils ( <i>Stadtrate</i> , <i>Gemeinderate</i> ) in the Land of Schleswig-Holstein (municipal elections: 22 March 1998). In addition, the Sorbian people are represented in county councils and in city and municipal parish councils in the Free State of Saxony by 153 deputies, of which 40 are elected candidates of Sorbian associations of voters and the remainder were elected under party lists (municipal elections: 13 June 1999). In the <i>Land</i> of Brandenburg, at county and local government levels, at present some 40 councillors who consider themselves members of the Sorbian people sit in city and municipal (municipal elections: 27 September 1998). Members of the Frisian ethnic group are represented in greater numbers in the city councils as well as in the city and municipal councils of Nordfriesland, Ostfriesland and in the Saterland community, but their exact number is unknown. In some island communities of Nordfriesland the Frisians form the majority. A few members of the German Roma and Sinti have been elected to municipal councils but their exact number is unknown.
<b>6. Special provisions for minority parties regarding thresholds</b>	As regards elections to the German <i>Bundestag</i> and to the <i>Landtage</i> [Parliaments of the constituent states] of the <i>Länder</i> of Brandenburg and Schleswig-Holstein, political parties of national minorities are exempted from the five per cent proportional representation clause provided under the Electoral Act.
<b>7. Parliamentary committees</b>	The Committee on Internal Affairs and also the Committee on Legal Affairs of

<b>and/or sub-committees dealing with minority issues</b>	the German <i>Bundestag</i> have lead responsibility for matters concerning national minorities. Aspects of the protection of minorities which come within specific areas of activity are also dealt with by other Committees of the German <i>Bundestag</i> . Within the <i>Bundesrat</i> , a similar approach is taken to the division of responsibilities. Within the <i>Land</i> Parliaments, lead responsibility for minority issues lies with the committees responsible for the functional area of the Ministry, which is in overall charge of minority matters, within the respective <i>Land</i> Government. A special parliamentary body for matters concerning the Sorbs exists in the <i>Land</i> of Brandenburg and is planned to be set up in Saxony as well.
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<b>III. Ombudsperson for minority/human rights or parliamentary committee for petitions</b>	
<b>8. Official titles of such bodies</b>	The German <i>Bundestag</i> and the <i>Land</i> Parliaments have petitions committees which, however, have different designations (including, for instance: "Committee for Citizens' Initiatives, Other Petitions, and Hearings on Initiatives originated by the People").
<b>9. Legal basis on which they were established</b>	The Committees have been established by parliamentary decision.
<b>10. Way of election/nomination of the Ombudsperson</b>	In the <i>Land</i> of Schleswig-Holstein, a Border Region Commissioner appointed by the Minister-President of that <i>Land</i> deals specifically with minority matters. Also, there is an Ombudsman for Social Affairs of the <i>Land</i> of Schleswig-Holstein at the office of the President of the <i>Landtag</i> of Schleswig-Holstein. In three <i>Kreise</i> , one municipality and two <i>Ämter</i> (local authority unions) of the <i>Land</i> of Brandenburg, a total of two full-time and four honorary commissioners have been designated to deal specifically with the concerns of the Sorbs.
<b>11. Main functions and mandate of the Ombudsperson</b>	See above.

<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	The Federal Ministry of the Interior is responsible for legislation on minorities and for national implementation of the protection of national minorities. For human rights aspects of minority protection, the responsibility also lies with the Federal Ministry of Justice. In the <i>Länder</i> , overall responsibility for matters concerning national minorities lies with the State Chancellery or a given Ministry (as a general rule, with the Ministry of Cultural Affairs and/or Education or with the Ministry of Scientific Affairs).
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	Within their specific purview, also other Ministries or institutions of equal status deal with particular aspects of the protection of minorities (as a rule, in connection with specific promotion measures). At the federal level, these are the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Government Commissioner for Cultural Affairs and the Media in the Federal Chancellor's Office. At the <i>Land</i> level, in instances, this involves various Ministries since, under the federal structure of the Federal Republic of Germany, material support for the activities of minority organisations for the major part comes under <i>Land</i> jurisdiction.

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	<p>Within the Federal Ministry of the Interior, a Division for "Minority Law Issues and Affairs of German Minorities" exists. For the protection of minorities, especially from a human-rights angle, responsibility also lies with the Human Rights units of the Federal Ministry of Justice.</p> <p>In the <i>Land</i> of Brandenburg, the Ministry for Scientific Affairs, Research and Cultural Affairs has a Division for Issues of the Sorbian People; in the Free State of Saxony, such a division exists within the Ministry of Scientific Affairs and Arts. In the <i>Land</i> of Schleswig-Holstein, a State Chancellery section is responsible for minority matters. In other federal states of the Federal Republic of Germany, these functions are discharged by units of various supreme <i>Land</i> authorities.</p>
<b>15. Legal basis on which it has been established</b>	These administrative bodies have been established by the respective governments within the framework of the organisational jurisdiction of the latter.
<b>16. Main functions of this office</b>	Their tasks include the protection of national minorities at the Federal and/or <i>Land</i> levels, including responsibility for legislative proposals, for the implementation of minority-related legislation, including international instruments, and for the obligations of reporting under international treaty law (state reports). Depending on the structure of the given office, such tasks also include responsibilities as regards promotion programmes or participation in promotion programmes.
<b>17. Functioning of this office</b>	With regard to matters concerning minorities, such agencies represent the government in dealings with the parliamentary bodies and in relations with other government offices and/or between the Federation and the <i>Länder</i> or between the various <i>Länder</i> . They are responsible, <i>inter alia</i> , for the bodies listed under VI and keep in contact with the umbrella organisations mentioned under VII and, in addition, with regional organisations of minorities and with professional specialists.
<b>18. Links with other institutions</b>	See above.
<b>19. Minorities involved/covered</b>	The work of regional agencies pertains to the minorities living in the respective <i>Land</i> , while agencies at the federal level cover the Danish minority, the Sorbian people, the Frisians in Germany, and the German Sinti and Roma.
<b>20. Name(s) of contact person(s)</b>	<p>Points of contact are:</p> <ul style="list-style-type: none"> <li>• Rolf Goßmann, Federal Ministry of the Interior, Minority Law Division, P.O.B. 170290, D-53108 Bonn, tel.: +49 (0)228.681.2006, fax: +49 (0)228.681.2006 (Karlheinz Stöhr, Federal Ministry of Justice, Human Rights unit, Heinemannstr. 6, D-53175 Bonn, tel.: +49 (0)228 - 58 4441, fax: +49 (0)228 - 58 4492)</li> <li>• Reinhold Kier, Ministry for Scientific Affairs, Research and Cultural Affairs of the <i>Land</i> of Brandenburg, Sorbian Affairs Division, Friedrich-Ebert-Str. 4, D-11467 Potsdam, tel.: +49 (0)331 - 866 4960, fax: +49 (0)331 - 866 4803</li> <li>• Stanisław Bręzan, State Ministry of Scientific Affairs and Arts of Saxony, Sorbian Affairs Division, Wigardstr. 17, D-01097 Dresden, tel.: +49 (0)351 - 564 6496, fax: +49 (0)351 - 564 740 6496</li> <li>• Uwe Pauls, State Chancellery of the <i>Land</i> of Schleswig-Holstein, Minorities Section, Düsternbrooker Weg 70, D-24100 Kiel, tel.: +49 (0)431 - 988 1918, fax: +49 (0)431 - 988 1970</li> </ul> <p>Contacts with the respective agencies of those <i>Länder</i> which have a smaller proportion of members of minorities protected under the Framework Convention can be established through the Federal Ministry of the Interior.</p>



## VI. Councils or round-tables with representatives of minorities

### 21. Exact name of these bodies and level of application

#### Federal level:

- ◆ Conference of the Federal and the *Land* Governments, with the minorities, on the Framework Convention for the Protection of Minorities. Participants: Federal Ministries dealing with the protection of minorities, *Land* authorities with lead responsibility, representatives of the umbrella organisations of minorities protected by that Convention, and representatives of the scientific institutions of those minorities.
  - Tasks: Discussion of the implementation of the Framework Convention, and preparation of state reports.
- ◆ Conference of the Federal and the *Land* Governments, with the respective language groups, on the European Charter for Regional or Minority Languages.
  - Participants: Federal and *Land* government offices dealing with the Minority Language Charter, and representatives of the umbrella organisations of language groups, and of their scientific institutions.
  - Tasks: Discussion of the implementation of the Charter, and preparation of state reports.
- ◆ Consultative Committee on Issues concerning the Danish Minority, set up at the Federal Ministry of the Interior.
  - Members: Representatives of the Federal Ministry of the Interior, of the *Land* of Schleswig-Holstein and of the parliamentary groups of the German *Bundestag*, representatives from the umbrella organisations of the Danish minority; (chaired by the Federal Minister of the Interior).
  - Tasks: discussion of all important issues concerning the Danish minority.
- ◆ Foundation for the Sorbian People [*Založba za serbski lud*].
  - Members of the Board of the Foundation: representatives of the Sorbian people, of the Federal Government, of the Free State of Saxony and of the *Land* of Brandenburg, and local authority representatives; members of the Parliamentary Consultative Council: MPs of the German *Bundestag* and of the *Landtag* of the Free State of Saxony and of the *Land* of Brandenburg.
  - Tasks of the Foundation: Promotion, including funding, of activities aimed at the preservation of the Sorbian identity and language, of Sorbian institutions and of Sorbian culture. (The Director of the Foundation is a representative of the Sorbian people).

So far, there are no comparable bodies at the federal level to deal with matters concerning the Frisians in Germany or the German Sinti and Roma. However, membership of the Board of Trustees of the Documentation and Cultural Centre of German Sinti and Roma includes personalities from politics, the scientific community and industry in Germany.

#### Land level:

- ◆ The *Landtag* of Brandenburg elects a Council for Sorbian (Wendish) Affairs (*Rada za serbske nastupnosći*) for the duration of one legislative period at a time. It consists of five members who should be ethnic Sorbians and will be proposed by the Sorbian associations. The Council deals with all parliamentary matters of importance to the Sorbian people, including legislative proposals, and comments on them from the Sorbian point of view.
- ◆ The *Landtag* of Saxony is considering a draft bill which, *inter alia*, provides for the establishment of a Council for Sorbian Affairs whose members are to have similar functions as those of the Brandenburg Council. In this regard, the Sorbian associations and the towns and parishes in the Sorbian settlement area are to have the right of nomination.
- ◆ The *Landtag* of Schleswig-Holstein has a forum for matters concerning the

	<p>Frisian segment of the population in that <i>Land</i>.</p> <ul style="list-style-type: none"> <li>- Members: Representatives from the parliamentary groups of the <i>Landtag</i>, the <i>Bundestag</i> deputies for Nordfriesland (North Friesland), representatives of the <i>Land</i> Government and of the Frisian Council. (Chaired by the President of the <i>Landtag</i>)</li> <li>- Tasks: Dealing with all matters of importance to the Frisians in Schleswig-Holstein.</li> </ul>
<b>22. Legal basis on which they have been established</b>	See above.
<b>23. Main functions of these bodies</b>	See above.
<b>24. Functioning of these bodies</b>	See above.
<b>25. Links with other institutions</b>	See above.
<b>26. Minorities involved/covered</b>	See above.
<b>27. Name(s) of contact person(s)</b>	All bodies mentioned below will meet at irregular intervals as required, but at least once per year.

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	<p>Under the Basic law, i.e. the Constitution of Germany, local governments in the Federal Republic of Germany have the right to regulate, on their own responsibility, all the affairs of the local community within the framework of the pertinent laws. The constitutionally guaranteed autonomy comprises an entire set of sovereign powers, ranging from personal sovereignty and organisational jurisdiction to fiscal jurisdiction, legislative competence and the power to levy taxes. This local self-governance with far-reaching binding - autonomous - powers offers comprehensive scope for self-organisation (i.e. making their own arrangements) also to the national minorities so that in Germany, also from the minorities' perspective, no other forms of territorial autonomy are considered necessary. The scope provided by local self-government for autonomous self-organisation of the local life of minorities is realised, in particular, in those Sorbian and Frisian communities that are predominantly or nearly exclusively inhabited by members of those minorities, but also in other communities which have a significant proportion of Danes, Frisians or Sorbs among their population (German Sinti and Roma are nowhere known to form a significant part of the local population).</p> <p>However, special significance for the minorities in Germany attaches to cultural autonomy of minorities, which - with predominantly state funding - ensures autonomous organisation of cultural life in the broadest sense, on the basis of private associations, foundations and other institutions, without any government intervention. For the Danish minority, this cultural autonomy comprises most areas of community life - in addition to cultural activities in a narrower sense (cultural events, libraries, museums, media) and participation in politics, also church, youth work, social institutions, social associations and, in particular, education, including pre-school (nursery) education. The legal basis for the establishment and operation of Danish private schools, which are largely publicly funded, is formed by the German Constitution and the Schleswig-Holstein Schools Act. The Sorbian people also operates a large variety of institutions of cultural autonomy, including a wide range of publishing activities and professional theatre companies and folklore groups, and a scholarly institute. The Sorbian educational system, however, is public; the state and local governments maintain the Sorbian schools and nursery schools.</p> <p>Institutions of cultural autonomy also exist, although on a lesser scale, for the Frisians in Germany, while publicly maintained schools offer Frisian language courses and other subjects taught in Frisian.</p> <p>The cultural life of the German Sinti and Roma, for the by far major part, takes place within families and family clans and, apart from musical culture, only rarely comprises public cultural events. However, the German Sinti and Roma also have central, regional and local institutions of cultural autonomy which for the major part, especially at the central and regional levels, are publicly funded.</p>
<b>29. Legal basis on which they have been established</b>	See above.
<b>30. Number of self-governments and minorities concerned</b>	See above.
<b>31. Main functions of these bodies</b>	See above.
<b>32. Functioning of these bodies</b>	See above.
<b>33. Links with other institutions</b>	See above.

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	<p>The European Centre for Minority Issues (ECMI), which was founded in Flensburg by the Kingdom of Denmark, the Federal Republic of Germany and the <i>Land</i> of Schleswig-Holstein as a private law foundation, is working in the fields of minority protection and conflict prevention. However, given the lack of Germany-related problems, its activities are focused at the European level in order to give assistance in the form of research, information, documentation and advice. Numerous university institutes in Germany, with thematic or regional focuses of effort, are also active in this field.</p>

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	<p>The number of all organisations and institutions of national minorities, which are registered in Registers of Associations, Societies and Clubs, at the local, regional, <i>Land</i> or federal levels is not known since there is no central register. There is a large variety of organisations and institutions, with very different tasks, which for the major part are united in umbrella organisations.</p> <ul style="list-style-type: none"> <li>• <u>Danes:</u> <i>Sydslesvigsk Forening</i> (South Schleswig Association) - SSF, umbrella organisation of the Danish minority for cultural work <i>Sydslesvigsk Vaelgerforening</i> (South Schleswig Association of Voters) - SSV, political party of the Danish minority and of the "national Frisians"; - The two umbrella organisations co-operate with other independent associations in the <i>Sydslesvigske Samråd</i> (South Schleswig Joint Council).</li> <li>• <u>Sorbs:</u> DOMOWINA - <i>Zwajzk Łužiskich Serbow z.T.</i> (Federation of Lusatian Sorbs).</li> <li>• <u>Frisians in Germany:</u> <i>Frasche Rädj</i> (Frisian Council), Nordfriesland Section (represents the North Frisians) <i>Freeske Raad</i> (Frisian Council), Ostfriesland Section (represents the East Frisians, including the Saterland Frisians) - The two associations, and the Frisian Council of the Netherlands, are united in the <i>Interfrasche Rädj</i> (Inter-Frisian Council) with headquarters in Leer (Germany).</li> <li>• <u>German Sinti and Roma:</u> Central Council of German Sinti and Roma (Heidelberg), with 9 <i>Land</i> associations, and additional independent organisations at the <i>Land</i>, regional and local levels.</li> </ul> <p>The Jewish community is not included since its members consider themselves a denominational group and not a minority.</p>
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	<p>The Federal Union of European Nationalities (FUEN), representing national minorities and other traditional (autochthonous) ethnic groups in Europe, is seated in Flensburg/Germany.</p> <p>The European Bureau of Lesser Used Languages (EBLUL) is represented by a Committee for Germany.</p>

### **X. Legal texts**

**37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously**

In addition to provisions under federal legislation, the protection of minorities in Germany is governed, in particular, by numerous *Land* laws and ordinances which, on account of their volume, cannot be quoted in the answer to this Questionnaire. They will be listed in the enclosure to the state report submitted by the Federal Republic of Germany with reference to the implementation of the Framework Convention for the Protection of National Minorities.

# HUNGARY

## I. Representation in political parties

<b>1. Parties that specifically represent a minority</b>	Legal provisions in Hungary make the creation of political parties representing minorities' interests possible. Earlier, several parties were formed to represent the interests of the Roma minority, but their activities are not known on a national scale. Before the 1998 parliamentary elections a party named Forum of National Minorities was formed with the aim to send deputies to Hungarian Parliament, but none of their candidates got elected.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	The Forum of National Minorities (see above).

## II. Parliamentary representation

<b>3. Reserved seats in Parliament for minorities</b>	None. The Hungarian Constitution guarantees national and ethnic minorities the right to parliamentary representation. During the last years, several proposals were made with the aim of the practical implementation of this right. Most parties represented in Parliament agree upon the necessity of ensuring his right, but no agreement has been reached as regards the modalities of the representation. Besides representation with full powers some other forms of participation in the work of Parliament have also been suggested.
<b>4. Seats gained by political parties mentioned in table I</b>	None (see chapter I).
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	There are deputies in the Hungarian Parliament who belong by birth to a given national or ethnic minority, but they have not gained their seats owing to their origin.
<b>6. Special provisions for minority parties regarding thresholds</b>	-
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	There is a Standing Committee on Human Rights, Minorities and Religious Affairs. Deputies who belong to one of the minority groups can participate in this committee.  The Parliament Committee may form sub-committees. They have already decided on the creation of a sub-committee whose task will be to prepare proposals concerning the amendment of the Act on the rights of national and ethnic minorities.

## III. Ombudsperson for minority/human rights or parliamentary committee for petitions

<b>8. Official titles of such bodies</b>	A Parliamentary Commissioner for the Rights of National and Ethnic Minorities is elected for a six-year term by the National Assembly upon the nomination of the President of the Republic (Chapter V of the Constitution and Act LIX/1993).
<b>9. Legal basis on which they were established</b>	See above.
<b>10. Way of election/nomination of the Ombudsperson</b>	See above.
<b>11. Main functions and mandate of the Ombudsperson</b>	He/she is empowered to: <ul style="list-style-type: none"> <li>- investigate irregularities concerning national and ethnic minority rights;</li> <li>- examine abuses which have come to his/her attention relating to the rights of national and ethnic minorities;</li> <li>- take the initiative of general or specific measures to redress such abuses.</li> </ul>

	He/she can only make proposals.
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<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	The Government Office for National and Ethnic Minorities has been placed under the supervision of the Minister of Justice.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	Within the different ministries there are specific departments for tasks related to minorities (Ministry of Education, Ministry of Foreign Affairs, Ministry of National Cultural Heritage).

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	The Office for National and Ethnic Minorities.
<b>15. Legal basis on which it has been established</b>	Established by the Decree No. 34/1990 of the Government in September 1990.
<b>16. Main functions of this office</b>	The Office for National and Ethnic Minorities: <ul style="list-style-type: none"> <li>- takes part in draft legislation;</li> <li>- takes part in shaping Government minority policy;</li> <li>- maintains relations with the minorities' motherland;</li> <li>- seeks for co-operation with the ombudsman of minorities' rights, as well as minority organisations;</li> <li>- advises a governmental foundation for national and ethnic minorities in Hungary (see below).</li> </ul>
<b>17. Functioning of this office</b>	This is an autonomous organisation of state administration with nation-wide competence working under the supervision of the Minister of Justice. The Office includes a Department for Roma Affairs, a Department of Rapporteurs of National Minorities, a Department for Legal Issues and Minority Self-Governments, a Department of International Relations and a Centre for Research, Documentation and Information.
<b>18. Links with other institutions</b>	A Hungarian Co-ordination Council for Roma Affairs, which is connected to the Office for National and Ethnic Minorities, was created by the Government Resolution No. 1120/1995. Its members are the representatives of the ministries and representatives of the Roma community in Hungary. In the near future, it is expected that the Council will be transformed into an interministerial committee in the interest of a higher level of representation of the ministries. Thus, they will partly take over the tasks of the former Committee for Roma Programmes, which was created also in 1996 to deal with political issues related to the implementation of the Roma Programme.
<b>19. Minorities involved/covered</b>	Armenians, Bulgarians, Croats, Germans, Greeks, Poles, Roma/Gypsies, Romanians, Ruthenes, Serbs, Slovaks, Slovenes and Ukrainians.
<b>20. Name(s) of contact person(s)</b>	<ul style="list-style-type: none"> <li>- Dr Toso DONCSEV, President of the Office for National and Ethnic Minorities;</li> <li>- Mr Otto HEINEK, Deputy President of the Office for National and Ethnic Minorities;</li> <li>- Dr Anna POLGÁR, Head of the Cabinet Bureau;</li> <li>- Dr Gabriella VARJÚ, Head of the Department for Roma Affairs;</li> <li>- Ms Judit SOLYMOSI, Head of the Department of International Relations.</li> </ul> <p>Address: Budapest 1133, Újpesti rkp. 31-33, Hungary, tel.: ++36.1.359.7600; fax: ++36.1.349.5745; e-mail: nekh.titkarsag@mail.datanet.hu</p>

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	The Round-Table of Hungary's National and Ethnic Minorities.
<b>22. Legal basis on which they</b>	Established by minority organisations as a consultative body.

<b>have been established</b>	
<b>23. Main functions of these bodies</b>	The Round-Table of Hungary's National and Ethnic Minorities facilitates the dialogue with state authorities. This body had regularly functioned until the adoption of the act on minority rights and the creation of the national minority self-governments. Since then it has met very rarely as the negotiating and consultative partners of the government are the national minority self-governments. The practice of regular consultation with national minority self-governments and with the most important civil organisations will be maintained. The organisational frames will be determined later.
<b>24. Functioning of these bodies</b>	See above.
<b>25. Links with other institutions</b>	-
<b>26. Minorities involved/covered</b>	Representatives of recognised minorities (see above, item 19).
<b>27. Name(s) of contact person(s)</b>	-

<b>28. Self-governments or other forms of representation at regional or local level</b>	The Constitution, as well as the Act No. LXXVII/1993 on the Rights of National and Ethnic Minorities guarantee national and ethnic minorities the right to set up local and national self-management bodies.
<b>29. Legal basis on which they have been established</b>	See above.
<b>30. Number of self-governments and minorities concerned</b>	Eleven national minorities (all except the Ruthenes and the Ukrainians) have created their own national self-governments and almost 800 local minority self-governments are working in about 580 Hungarian settlements. After the elections in autumn 1998, the number of local minority self-governments will probably double and all 13 national and ethnic minorities will create their national self-governments.
<b>31. Main functions of these bodies</b>	<p>Minority self-governments:</p> <ul style="list-style-type: none"> <li>- have the right to decide their own structure and the way they will operate;</li> <li>- can determine their memorial sites and the dates of their local and national festivities;</li> <li>- have the right to found and to run cultural and educational establishments, schools, museums and theatres.</li> </ul> <p>Local minority self-governments have the right of veto when the local government wants to pass decrees in cultural, educational, or language issues concerning the given minority. Another right of veto concerns the nomination of the directors of minority institutions.</p> <p>National minority self-governments have consultative rights. They operate as negotiating partners for the government and are consulted in the preparation of draft legislation at national, county and capital city level. They are also requested to take part in the professional control of minority education.</p> <p>The primary aim of establishing minority self-governments is to assure <u>cultural autonomy</u>. The tasks and the competence of these bodies have been determined with respect to cultural autonomy. This means that they are <u>not</u> authorised to act as a local authority in the field of public administration and local governments are not allowed to pass these rights to them.</p>
<b>32. Functioning of these bodies</b>	The first experiences with the system of minority self-governments are positive. People belonging to minorities assume their identity with greater awareness and in more open way. In some minority schools the number of pupils has doubled. The demand from minorities for organising events, festivities and having their own media has increased. A working relationship has developed between the local government, the mayor and the national and ethnic minorities of the settlements. The model of self-government is not an aim in itself, but a tool in the hand of minorities to develop their cultural autonomy. In the long run, responsibility will be more and more shared. The objective is that local minority



	self-governments become fully responsible for minority educational and cultural institutions and get all conditions necessary for this purpose.
<b>33. Links with other institutions</b>	See above.

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	<p>The Public Foundation for Hungarian Roma established in 1996 develops three priority fields of action directed at Roma:</p> <ul style="list-style-type: none"> <li>- survival programmes;</li> <li>- grant scheme for primary education;</li> <li>- support to Roma projects.</li> </ul> <p>The Gandhi Public Foundation works for the support of secondary education for Roma children and is running a model secondary school and residence hall in Pécs.</p>

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	<p>Numerous civil associations, organisations, clubs, federations, umbrella organisations and offices for legal defence (e.g. the Hungarian Helsinki Committee) work in the field of interest assertion, culture, religion, youth, safeguarding of traditions. National minority federations are also active parallel to national self-governments.</p> <p>There are numerous other structures maintained from different sources (specific research institute for investigating the history, the roots culture, etc. of minorities, minority libraries, museums, community houses, theatres, schools, etc.). Minority self-governments have the right to found, to run and take over such institutions, and they are supported by the Government in their endeavour.</p>
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	See above.

<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	-

# LATVIA

<b>I. Representation in political parties</b>	
<b>1. Parties that specifically represent a minority</b>	There are two such parties: - the Russian Party; - the Party of Russian Citizens of Latvia.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	Five parties represented on the Parliament (elected on 3 October 1998) have programmes that whose support minority cultural autonomy or minority protection: - Latvia's Way; - Peoples Party; - National Harmony Party; - Union "For Fatherland and Freedom"/National Independence Movement; - Social Democratic Party.

<b>II. Parliamentary representation</b>	
<b>3. Reserved seats in Parliament for minorities</b>	None.
<b>4. Seats gained by political parties mentioned in table I</b>	The five parties, whose programmes support minority cultural autonomy or minority protection, gained 92 seats altogether.
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	There are 17 members of Parliament who belong to an ethnic minority (10 Russians, 3 Poles, 2 Jews, 1 Lithuanian and 1 Liv).
<b>6. Special provisions for minority parties regarding thresholds</b>	The election threshold for all parties is the same - a party must receive 5% of the votes to be elected.
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	The Standing Commission on Human Rights and Public Affairs is the key structure dealing with minorities in the Parliament. Other Commissions, such as the Legal Commission and the Commission on Education deal with specific issues regarding minorities.

<b>III. Ombudsperson for minority/human rights or parliamentary committee for petitions</b>	
<b>8. Official titles of such bodies</b>	The National Human Rights Office is an independent human rights institution.
<b>9. Legal basis on which they were established</b>	Law on National Human Rights Office of 5 December, 1996.
<b>10. Way of election/nomination of the Ombudsperson</b>	The Director of the Office is elected by the Parliament for a 4 year term.
<b>11. Main functions and mandate of the Ombudsperson</b>	-

<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	See the reply to question 14.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	Ministry of Justice, Ministry of Culture, Ministry of Education and Science

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	The Division for National Affairs within the Ministry of Justice deals with minorities.
<b>15. Legal basis on which it has been established</b>	-
<b>16. Main functions of this office</b>	The Division for National Affairs: <ul style="list-style-type: none"> <li>- co-operates with the Parliament, other ministries, the National Human Rights Office, municipalities, academic institutions, NGOs;</li> <li>- co-operates with the Association of National Culture Societies, as well as minorities which are not members of the Association. There are approximately 60 minority cultural organisations;</li> <li>- gathers information and publishes statistics on minorities;</li> <li>- organises, in co-operation with minorities organisations and the Ministry of Culture, minority cultural events;</li> <li>- distributes state subsidies to the national culture societies.</li> </ul>
<b>17. Functioning of this office</b>	See above.
<b>18. Links with other institutions</b>	See above.
<b>19. Minorities involved/covered</b>	Practically all minorities living in Latvia are dealt within the Division.
<b>20. Name(s) of contact person(s)</b>	The contact person is Ms. Aina BALASKO, Acting Head, Division for National Affairs, Brivibas bulv. 36, Riga, LV-1536, LATVIA; Phone +3717224178, Fax.+3717224391

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	The Presidential Consultative Council on Nationalities operates on a national level.
<b>22. Legal basis on which they have been established</b>	The 1996 Presidential regulation.
<b>23. Main functions of these bodies</b>	The Consultative Council on Nationalities: <ul style="list-style-type: none"> <li>- gathers and discusses information relating to issues affecting minorities;</li> <li>- develops its views on issues regarding national policy;</li> <li>- discusses the elaboration of laws;</li> <li>- encourages minorities to participate in solving social, political and cultural problems;</li> <li>- prepares recommendations and suggestions for solving these problems.</li> </ul>
<b>24. Functioning of these bodies</b>	The Consultative Council, which comprises 21 members, meets once every two months. Smaller working groups meet as necessary.
<b>25. Links with other institutions</b>	The experts sitting on the Council, although represented in individual capacity, are at the same time members of different bodies - Government structures, National culture societies, academic institutions.
<b>26. Minorities involved/covered</b>	Among the experts involved in the Council are Armenians, Belarusians, Estonians, Germans, Jews, Lithuanians, Livs, Poles, Roma, Russians, Moldovans and Tatars.
<b>27. Name(s) of contact person(s)</b>	The contact person is Mr Olgerts TIPANS, Adviser to the State President on Minorities, Pils laukums 3, Riga, LV-1900, LATVIA; Phone +3717092113, Fax.+3717325800

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	Latvia ensures cultural autonomy for the minorities.
<b>29. Legal basis on which they have been established</b>	The most important legal acts for ensuring the cultural autonomy of minorities in Latvia are the Satversme (Constitution) of 15 February 1922 (as amended on 15 October 1998) which in Art. 114 stipulates that "Persons belonging to ethnic minorities have the right to preserve and develop their language and their ethnic and cultural identity", and the Law on the Unrestricted Development and Right to

	Cultural Autonomy of Latvia's National and Ethnic Groups of 19 March 1991.
<b>30. Number of self-governments and minorities concerned</b>	-
<b>31. Main functions of these bodies</b>	-
<b>32. Functioning of these bodies</b>	-
<b>33. Links with other institutions</b>	-

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	-

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	The community of registered minority organisations and NGOs is very diverse. The Association of National Culture Societies unites the biggest ones. There are approximately 60 minority cultural organisations.
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	In Latvia there are both NGOs dealing with the cultural and educational life of minorities, as well as academic NGOs dealing with minority rights.

<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	-

# LITHUANIA

## I. Representation in political parties

<b>1. Parties that specifically represent a minority</b>	At present two public political organisations - political parties - of national minorities are registered at the Ministry of Justice of the Republic of Lithuania i.e. the Lithuanians Poles' Electoral Action and the Union of Lithuanian Russians.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	One political organisation - the Alliance of Lithuanian Citizens - declares that it represents the interests of all national minorities in Lithuania.

## II. Parliamentary representation

<b>3. Reserved seats in Parliament for minorities</b>	Laws of the Republic of Lithuania do not provide for quotas for the representatives of national minorities or political organisations in the Seimas (national Parliament).
<b>4. Seats gained by political parties mentioned in table I</b>	During the parliamentary elections, which took place on 20 October and 10 November 1996, the Lithuanian Poles' Electoral Action won two seats in the Seimas.
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	According to the laws of the Republic of Lithuania, inscription of an individual's national origin in the document of identity is not obligatory. Since no survey of the Members of Parliament has been conducted in this respect, no exhaustive information could be provided. To the best of our knowledge, at present there are 4 MPs of Polish origin in the Seimas. In addition to the two mentioned representatives from the Lithuanian Poles' Electoral Action, two others have been elected to the Seimas: one from the Lithuanian Democratic Labour Party and another from the Homeland Union (Lithuanian Conservatives). Furthermore, there are at least three members of Russian origin in the Seimas. They are members of the Lithuanian Social Democratic Party, the Lithuanian Democratic Labour Party and the Homeland Union respectively. One parliamentarian of the Homeland Union is of Jewish origin. Therefore, there are at least eight members belonging to national minorities out of 141 members of the Seimas.
<b>6. Special provisions for minority parties regarding thresholds</b>	In accordance with the Law on Elections, no privileges are provided for political organisations (political parties) of national minorities. A 5% threshold (7% for coalitions) has been confirmed for all political parties taking part in the elections. Organisations of national minorities can be elected in one-candidate electoral areas as well.
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	The Committee of Human Rights dealing with the issues of national minorities has been established at the Seimas of the Republic of Lithuania.

## III. Ombudsperson for minority/human rights or parliamentary committee for petitions

<b>8. Official titles of such bodies</b>	The Seimas of Lithuania have established the Seimas Ombudsmen Office.
<b>9. Legal basis on which they were established</b>	See above.
<b>10. Way of election/nomination of the Ombudsperson</b>	See above
<b>11. Main functions and mandate of the Ombudsperson</b>	The Seimas Ombudsmen Office considers complaints of citizens concerning offences committed by the officers of the State. Complaints concerning offences committed by the officers of the State on ethnic grounds could be also considered by the Seimas Ombudsmen. Thus far no complaints of this type have been made

	to that respect.
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<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	There is no institution at the Ministry level realising the State national policy in the Republic of Lithuania (see V 14—15).
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	In the Republic of Lithuania, there are general education schools where native languages of national minorities (Russian, Polish and Belarusian) are taught. These schools form an integral part of the Lithuanian educational system. Therefore, education of national minorities in the institutions of general education is within the province of the Ministry of Education and Science. The Ministry of Culture deals with the protection of cultural heritage of national minorities and supports their cultural activities.

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	Following the Resolution adopted by the Council of Ministers, the Nationalities Committee was established in 1989. According to a Resolution of the Lithuanian Government it was reorganised into the Department of Nationalities at the Government of the Republic of Lithuania in 1990, and in the year 1994 into the Department of Regional and National Minorities at the Government of the Republic of Lithuania, and in the year 1999 into the Department of National Minorities and Lithuanians Living Abroad to the Government of the Republic of Lithuania.
<b>15. Legal basis on which it has been established</b>	See above.
<b>16. Main functions of this office</b>	Regulations of the Department have been approved by Governmental Resolution dated November 24, 1998. In accordance with these regulations, the Department of National Minorities and Lithuanians Living Abroad within its jurisdiction: <ul style="list-style-type: none"> <li>- develops and implements the state policy in the field of national minorities;</li> <li>- prepares and submits to the Government the principles of state policy and main tendencies in solving the problems related to national minorities;</li> <li>- advises the Government on draft legislation and drafts of international agreements to be concluded by Lithuania;</li> <li>- generalises and clarifies practical application of national laws and other legal rules;</li> <li>- deals with legal interests of national minorities and satisfaction of their needs, protection of their national identity;</li> <li>- arranges implementation of international obligations and multilateral treaties in the field of national minorities' rights and their protection;</li> <li>- informs the Government on its progress.</li> </ul>
<b>17. Functioning of this office</b>	See above.
<b>18. Links with other institutions</b>	While dealing with the problems of national minorities, the Department is in close co-operation with the Seimas Committees of Human Rights, Education, Science and Culture, as well as the Ministry of Education and Science and the Ministry of Culture. The Department has constant contacts with the Administrations and Municipalities of Vilnius and Utena regions. The representatives of the Department participate in the sessions of the National Communities Council, co-operate with non-governmental organisations and take part in the events arranged by them.
<b>19. Minorities involved/covered</b>	The Department has constant contacts with the organisations of 18 national minorities: Polish, Russian, Belarusian, Ukrainian, Tartar, Jewish, Karait, German, Romanian (Moldovan), Roma, Greek, Azeri, Hungarian, Latvian, Estonian, Armenian, Georgian and French. All national minorities enumerated above (except French) have representatives in the National Communities Council.
<b>20. Name(s) of contact person(s)</b>	Mrs Laima NAVIKIENĖ, Assistant of the Director General, Senior Specialist for Foreign Relations - 30 T. Kosciuškos Street, 2006 Vilnius, tel./fax: ++370.2.61.94.31.

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	In accordance with regulations adopted by the Department of National Minorities and Lithuanians Living Abroad to the Government of the Republic of Lithuania, commissions and councils can be established at the Department for consideration of recommendations and proposals on the improvement of national relations and the situation of national minorities. Therefore, in response to the requests of organisations of national minorities and with the purpose of having closer contacts between the Department and representatives of national minorities, the National Communities Council was established in 1995. Representatives of organisations of national minorities participate in the work of the Council.
<b>22. Legal basis on which they have been established</b>	See above.
<b>23. Main functions of these bodies</b>	<p>The goals of the National Communities Council are:</p> <ul style="list-style-type: none"> <li>- preservation of the identity of national minorities ;</li> <li>- supervision of implementation of laws regulating the rights of national minorities in the Republic of Lithuania ;</li> <li>- ensurance of the participation of the citizens of the Republic of Lithuania belonging to national minorities in public as well as cultural life, in analysing draft laws and other legal acts dealing with the issues of national minorities and giving comments or proposals on the contents of the documents mentioned above to the Committees at the Lithuanian Seimas, Government, Departments, Municipalities of the cities and regions and other institutions.</li> </ul> <p>The Council can prepare and present proposals concerning improvement of the activities of the Department, induce and support constructive initiatives and ideas of organisations of national minorities, support co-ordination of common activities in this field, etc.</p>
<b>24. Functioning of these bodies</b>	The National Minorities Council prepared proposals for the Law on Public Organisations of the Republic of Lithuania. Members of the Council consider that foreigners permanently residing in Lithuania can also participate in activities of public organisations. The new edition of this Law (11 June 1998) provides for the participation of foreigners permanently residing in Lithuania in the activities of public organisations. The National Communities Council has applied to the Department of National Minorities and Lithuanians Living Abroad to the Government of the Republic of Lithuania with the proposal to supplement the Law on Mass Media by a provision enabling the Commission of Journalists and Editors' Ethics to investigate the cases of incitement of war, national, racial and religious hatred in mass media. The Department has prepared the draft amendment to the Law on Mass Media, which has been approved by the Government. This draft law has been submitted to the Seimas.
<b>25. Links with other institutions</b>	The National Communities Council meets periodically with the members of the Seimas Committee of Human Rights. The President of the Republic of Lithuania has initiated meetings with the members of the National Communities Council 1-2 times a year for discussing different issues of importance to national minorities.
<b>26. Minorities involved/covered</b>	The Council of National Minorities includes representatives of all national minorities mentioned in item V. 19.
<b>27. Name(s) of contact person(s)</b>	Mr Pavel LAVRINEC, Director of Russian Culture Centre.

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	The Constitution of the Republic of Lithuania does not provide for territorial autonomy. In traditional places of residence of national minorities, where they make up the majority of local inhabitants, their representatives have the majority in the local municipalities (Vilnius and Šalčininkai Counties). The Lithuanian Polish Election Campaign has 50 deputies in these municipalities. The Lithuanian laws provide for extensive rights for the representatives of national minorities to foster their culture and traditions. The State gives financial support for the cultural initiatives of national minorities without interfering into the activities of the organisations of national minorities and thereby national minorities function under the cultural autonomy.
<b>29. Legal basis on which they have been established</b>	-
<b>30. Number of self-governments and minorities concerned</b>	-
<b>31. Main functions of these bodies</b>	-
<b>32. Functioning of these bodies</b>	-
<b>33. Links with other institutions</b>	-

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	No.

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	In Lithuania there are 230 registered minority associations in the Ministry of Justice or local municipalities. The main associations are: Polish Union, Polish Congress, Lithuanian Byelorussians Union, Lithuanian Byelorussians Club "Siabryna", Lithuanian Roma Association "Cigonu laužas" ("Roma Fire"), Russian Culture Centre, Russian Music Association "Rusu klasika" (Russians Classics), Lithuanian Ukrainians Community, Lithuanian Jewish Community, Lithuanian Karaites Culture Association.
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	Lithuanian Human Rights Centre; Open Society Fund - Lithuania; Lithuanian Human Rights Association; Lithuanian Centre of Conflicts Prevention; Societies on relations with foreign countries, etc.

<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	The Law on National Minorities ; The Law on the Citizenship of the Republic of Lithuania ; Article 14 of the Treaty on Friendly Relations and Good Neighbouring Co-operation between the Republic of Lithuania and the Republic of Poland.



# LUXEMBOURG

## I. Representation in political parties

<b>1. Parties that specifically represent a minority</b>	There are no such parties in Luxembourg.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	Idem.

## II. Parliamentary representation

<b>3. Reserved seats in Parliament for minorities</b>	None.
<b>4. Seats gained by political parties mentioned in table I</b>	-
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	None.
<b>6. Special provisions for minority parties regarding thresholds</b>	None.
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	None.

## III. Ombudsperson for minority/human rights or parliamentary committee for petitions

<b>8. Official titles of such bodies</b>	There is a parliamentary committee called the Petitions Committee.
<b>9. Legal basis on which they were established</b>	<p>Article 67 of the Constitution of 17 October 1868 provides: "Petitions to the Chamber shall not be presented in person. The Chamber shall have the right to refer to members of the Government any petitions addressed to it. Members of the Government shall provide explanations of their contents whenever the Chamber so requests. The Chamber shall not concern itself with any petition that has private interests in view, unless it is aimed at redressing grievances stemming from unlawful acts of the Government or the authorities, or unless the decision to intervene lies within the competence of the Chamber."</p> <p>The Petitions Committee is governed by Articles 146 and 147 of the Rules of Procedure of the Chamber of Deputies.</p>
<b>10. Way of election/nomination of the Ombudsperson</b>	-
<b>11. Main functions and mandate of the Ombudsperson</b>	-

## IV. Minister/Ministry for minorities

<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	None.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	-

<b>V. Governmental office for minorities</b>	
14. Exact name of this office	None.
15. Legal basis on which it has been established	-
16. Main functions of this office	-
17. Functioning of this office	-
18. Links with other institutions	-
19. Minorities involved/covered	-
20. Name(s) of contact person(s)	-

<b>VI. Councils or round-tables with representatives of minorities</b>	
21. Exact name of these bodies and level of application	None.
22. Legal basis on which they have been established	-
23. Main functions of these bodies	-
24. Functioning of these bodies	-
25. Links with other institutions	-
26. Minorities involved/covered	-
27. Name(s) of contact person(s)	-

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
28. Self-governments or other forms of representation at regional or local level	No such arrangements exist.
29. Legal basis on which they have been established	-
30. Number of self-governments and minorities concerned	-
31. Main functions of these bodies	-
32. Functioning of these bodies	-
33. Links with other institutions	-

<b>VIII. Public institutions or organisations</b>	
34. Public institutions or organisations playing a significant role in the field of the protection of minorities	None.

<b>IX. Civil society: minority associations and NGOs</b>	
35. Registered minority associations	None.
36. National NGOs or local branches of international NGOs dealing with minorities	None.

## X. Legal texts

**37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously**

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## Additional information

In Luxembourg the term “national minority”, within the meaning of the Framework Convention, denotes a group of people who have been living within Luxembourg territory for many generations, who have Luxembourg nationality and who have retained distinct ethnic and linguistic characteristics. On the basis of this definition the Grand Duchy of Luxembourg is bound to conclude that there are no “national minorities” within its territory.

# MOLDOVA

## I. Representation in political parties

<b>1. Parties that specifically represent a minority</b>	There are no parties specifically representing a minority.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	The Revival and Conciliation Party, which is not a party representing minorities as such, has a standing committee which defends the interests of minorities.  All Parliamentary Parties of the Republic of Moldova declare themselves as defending minority interests.

## II. Parliamentary representation

<b>3. Reserved seats in Parliament for minorities</b>	The Moldovan Parliament does not have any reserved seats for minorities.
<b>4. Seats gained by political parties mentioned in table I</b>	At the last Parliamentary elections (22 March 1998) the Communist Party obtained 40 seats; the Democratic Convention of the Republic of Moldova 26 seats; the Bloc for a Democratic and Prosperous Moldova, 24 seats; Party of Democratic Forces, 11 seats out of a total of 101 seats.
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	At the last elections a number of persons belonging to minorities were elected on the lists of the "Bloc for a Democratic and Prosperous Moldova" and the Communist Party of Moldova.
<b>6. Special provisions for minority parties regarding thresholds</b>	There are no special provisions for minority parties.
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	There is the Committee on Human Rights, Religions, National Minorities and Foreign Communities. This committee comprises 7 deputies and 3 advisers.

## III. Ombudsperson for minority/human rights or parliamentary committee for petitions

<b>8. Official titles of such bodies</b>	<ul style="list-style-type: none"> <li>- The Parliamentary Supervisory and Petitions Committee;</li> <li>- There is also the Committee for Inter-ethnic Relations, which advises the President of the Republic. This committee has 13 members;</li> <li>- From 1997 the Parliamentary Attornies.</li> </ul>
<b>9. Legal basis on which they were established</b>	The Committee for Inter-ethnic Relations was set up by Presidential Decree No. 400-II of 16 December 1997.
<b>10. Way of election/nomination of the Ombudsperson</b>	Three parliamentary lawyers are elected by the majority of deputies for a time period of 5 years.
<b>11. Main functions and mandate of the Ombudsperson</b>	The Parliamentary Attornies must observe the application of the national and international provisions in the human and minority rights field.

## IV. Minister/Ministry for minorities

<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	There is no minister or ministry responsible for national minority issues. Problems of this nature are dealt with by the Government's Department of National Relations and Use of Languages.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	The Ministry of Education and Science deals with issues relating to the education of national minorities (there are 257 Russian schools, 125 mixed schools where Ukrainian and Bulgarian are studied, and 2 Jewish schools. Gagauzia has 4 Lyceums and 52 public schools).

	The Ministry of Culture is also responsible for minority cultural events.
<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	The Department of National Relations and Use of Languages is a governmental office for minorities in the Republic of Moldova.
<b>15. Legal basis on which it has been established</b>	Its legal basis is Government Decree No. 444 of 16 November 1990. The Department currently operates on the basis of Government Decree No. 998 of 28 September 1998.
<b>16. Main functions of this office</b>	As a permanent central organ of the executive, the Department is responsible for: <ul style="list-style-type: none"> <li>– implementing state policy in the field of national relations;</li> <li>– representing the interests of the majority nationality and minorities before the administrative authorities;</li> <li>– in compliance with the linguistic legislation in force, guaranteeing the use of the official state language and other languages spoken in Moldova.</li> </ul>
<b>17. Functioning of this office</b>	The Department is active in three main fields: <ul style="list-style-type: none"> <li>– inter-ethnic relations;</li> <li>– international relations and the diaspora (drafting of co-operation treaties at inter-departmental or intergovernmental level for the reciprocal protection of minorities, co-operation with Moldovan nationals resident abroad, relations with international organisations);</li> <li>– drafting new linguistic legislation based on the need to ensure that the mother tongues of minorities are maintained and developed while at the same time encouraging the use of the official state language by those groups who master and study it insufficiently.</li> </ul>
<b>18. Links with other institutions</b>	The Department is directly subordinate to the Government. It is in permanent contact with the relevant parliamentary committees, central and local government authorities, scientific institutions with the same profile and with the authorities of the autonomous region of Gagauzia (Gagauz-Yeri).
<b>19. Minorities involved/covered</b>	The national minorities covered by the Department's activities are as follows: Russian, Ukrainian, Bulgarian, Gagauz, Jewish, Polish, German, Greek, Tartar, Rom.
<b>20. Name(s) of contact person(s)</b>	Mr Teodor Magder, Head of the Directorate of International Relations, Department of National Relations and Use of Languages. Tel: (+373) 2 24 45 22; o fax: (+373) 2 24 36 10.

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	Moldova has a co-ordinating council organised at national level which includes representatives of minorities.
<b>22. Legal basis on which they have been established</b>	The statute of the Department of National Relations and Use of Languages was approved by Government Decree No. 998 of 28 September 1998.
<b>23. Main functions of these bodies</b>	The Co-ordinating Council advises the Department of National Relations and Use of Languages. Its members are the leaders of the main ethnic and cultural organisations representing the country's minorities. Its task is to defend the particular interests of minorities, to refer matters to the central and local authorities and to participate in the Department's activities. The Council meets four times a year, but more frequently if necessary.
<b>24. Functioning of these bodies</b>	The Co-ordinating Council takes note of the action advocated by the Department, puts forward the grievances and positions of minorities on various problems concerning the social, economic and cultural life of the communities, takes part in ethnic and cultural events and also becomes involved in the teaching of minorities' mother tongues and the official language.
<b>25. Links with other institutions</b>	The Co-ordinating Council has close contact with the Institute of National Minorities of the Moldovan Academy of Sciences, the Ministry of Culture, and the Parliamentary Committee on Human Rights, Religions, National Minorities and Foreign Communities.
<b>26. Minorities involved/covered</b>	The Co-ordinating Council includes the following minorities: Russian, Ukrainian, Bulgarian, Gagauz, Jewish, German, Tartar, Polish, Rom, Belarus, Armenian, Azeri, Uzbek, Chuvash, Lithuanian, Greek, Korean and Italian.

<b>27. Name(s) of contact person(s)</b>	Mr Ivan STEPANENCO, President of the Russian Community, is Chair of the Co-ordination Council.
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<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	The autonomous region of Gagauzia (Gagauz-Yeri)
<b>29. Legal basis on which they have been established</b>	Its status is regulated by the Constitution of Moldova and the Law on the special legal status of Gagauzia (Gagauz-Yeri) of 14 January 1995.
<b>30. Number of self-governments and minorities concerned</b>	See reply to question 28.  The Gagauz represent 3% of the total population of the country. They are grouped together in three districts in the southern part of the country and are a population of Turkish origin but of orthodox religion.
<b>31. Main functions of these bodies</b>	The organs of Gagauzia are elected and are empowered to solve local problems in the field of education, science, culture, public health, finance, ecology and social affairs.
<b>32. Functioning of these bodies</b>	The special legal status of Gagauz-Yeri confers broad economic, administrative and cultural autonomy within the Republic of Moldova. The territorial administrative unit of Gagauz-Yeri is governed at local level by the People's Assembly and the Executive Committee. The Head (Bashkan) of this autonomous unit also has the rank of member of the Government of the Republic of Moldova.
<b>33. Links with other institutions</b>	The local authorities of Gagauzia (Gagauz-Yeri) maintain ongoing links with the central government authorities of Moldova, including the Department of National Relations and Use of Languages.

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	The following are among the public institutions which play a significant role in the field of the protection of minorities: <ul style="list-style-type: none"> <li>– the Institute of National Minorities of the Moldovan Academy of Sciences;</li> <li>– the specialist departments of the Ministry of Justice, Ministry of Education and Science and Ministry of Culture;</li> <li>– the Department of National Relations and Use of Languages;</li> <li>– the Parliamentary Committee on Human Rights, Religions, National Minorities and Foreign Communities;</li> <li>– the Committee for Inter-ethnic Relations that advises the President of Moldova (under Presidential Decree No. 400-II of 16 December 1996).</li> </ul>

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	The Republic of Moldova has 45 minority associations including 3 Russian, 7 Ukrainian, 4 Polish, 2 German, 2 Gagauz, 3 Bulgarian, 1 Jewish, 2 Belarus, 3 Rom, Tartar, 2 Uzbek-Kyrgyz, 2 Armenian, 2 Azerian, 1 Chuvash, 3 Lithuanian, 1 Greek, 1 Korean and 1 Italian association.
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	The following are national NGOs and local branches of international NGOs dealing with minority affairs in Moldova: <ul style="list-style-type: none"> <li>– the Slav Writing Fund;</li> <li>– the Association for the Protection of Slav Rights;</li> <li>– the Ethno-Social Development Centre;</li> <li>– the Soros Foundation;</li> <li>– UNDP (United Nations Development Programme);</li> <li>– United Nations Department of Humanitarian Affairs;</li> <li>– United Nations Children's Fund (UNICEF);</li> <li>– National Committee for UNESCO.</li> </ul>

### **X. Legal texts**

**37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously**

In addition to the legal provisions referred to above, Articles 10(2), 13(2), 16(2), 32 (1, 2 and 3), 35(2), 38(1, 2 and 3), 39 (1 and 2) and 42 (1) of the Constitution of the Republic of Moldova also refer to the participation of minorities in the decision-making process.

# THE NETHERLANDS

## General remarks

A number of the questions are specifically about national minorities. In reading the following replies, it is important to keep in mind that the Netherlands regards the Frisians and, in particular, persons legally resident in the Netherlands who belong to one of the target groups of the government's policy on the integration of ethnic minorities, as national minorities.

## I. Representation in political parties

<b>1. Parties that specifically represent a minority</b>	There are no political parties in the Netherlands (either national or local) that specifically represent minorities.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	There are no political parties that specifically represent minorities' interests. However, national parties include chapters on the position of ethnic minorities in their manifestos.

## II. Parliamentary representation

<b>3. Reserved seats in Parliament for minorities</b>	There are no reserved seats in the Dutch Parliament for minorities.
<b>4. Seats gained by political parties mentioned in table I</b>	Not applicable.
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	Members of minority groups have been elected as both Members of Parliament and local Councillors. Since the general election of May 1998, representatives of minority groups have occupied 11 of the 150 seats in the Lower House of Parliament. In the municipal elections of March 1998, they were elected to 157 seats on 74 local councils (out of a total of 572), twice as many as in the 1994-1998 period when there were 74 councillors from minority groups on 47 councils.
<b>6. Special provisions for minority parties regarding thresholds</b>	There are no special provisions/regulations.
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	There is a permanent Committee on Home Affairs which deals with ethnic minority integration policy.

## III. Ombudsperson for minority/human rights or parliamentary committee for petitions

<b>8. Official titles of such bodies</b>	Every individual in The Netherlands may submit complaints to the National Ombudsman or the Lower House Petitions Committee, neither of which deals specifically with minority issues. Specific reference should be made to the Equal Treatment Commission which was set up to deal with complaints relating to discrimination.
<b>9. Legal basis on which they were established</b>	The following persons/committees may deal with minority issues: <ul style="list-style-type: none"> <li>- the national Ombudsman: appointed under the provisions of the National Ombudsman Act;</li> <li>- the Lower House Petitions Committee: appointed on the basis of a standing order of the Lower House;</li> <li>- the Equal Treatment Commission: appointed under the provisions of the Equal Treatment Act.</li> </ul>
<b>10. Way of election/nomination</b>	The Ombudsman is appointed by the Lower House.



<b>of the Ombudsperson</b>	
<b>11. Main functions and mandate of the Ombudsperson</b>	At his own initiative, or in response to a complaint, the Ombudsman may investigate the conduct of government bodies towards natural or legal persons, provided all other possibilities under administrative law have been exhausted. The Ombudsman investigates whether the conduct in question was proper. Anyone requested to give information is obliged to do so, unless precluded from doing so by official or professional confidentiality. The Ombudsman compiles a report of his findings, with recommendations. He also submits an annual report to the Lower House.

<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	There has been a separate Minister for Urban Policy and Integration of Ethnic Minorities since August 1998.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	Not applicable.

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	The Ministry of the Interior and Kingdom Affairs has had a Minorities Integration Policy (Co-ordination) Department since 1979, which has been headed by the aforementioned Minister for Urban Policy and Integration of Ethnic Minorities since August 1998.
<b>15. Legal basis on which it has been established</b>	This department was established under this name by Ministerial Order of 26 January 1996.
<b>16. Main functions of this office</b>	Its main functions are : <ul style="list-style-type: none"> <li>- the co-ordination of the outplacement of asylees;</li> <li>- implementation legislation providing health and social services for people who hold a provisional residence permit;</li> <li>- development of re-migration policies.</li> </ul>
<b>17. Functioning of this office</b>	The department is largely responsible for co-ordinating the tasks of others. It commissions studies, collects statistics and organises conferences etc. for the exchange of good practices and policy development. The department does the groundwork for new legislation and submits an annual report to the Lower House of Parliament summarising the current situation and policy intentions.
<b>18. Links with other institutions</b>	The department maintains contacts with other ministries, local and provincial authorities, community-based organisations, minority organisations, universities and international organisations. A statutory structure exists for consultations with representatives of ethnic minority groups under the chairmanship of the Minister for Urban Policy and Integration of Ethnic Minorities.
<b>19. Minorities involved/covered</b>	Policy on minorities targets the following groups: Moroccans, Turks, Surinamese, Antilleans and Arubans, refugees, asylees, Gypsies, caravan dwellers, Moluccans, Southern Europeans, Cape Verdeans and Tunisians. The first five groups have been accorded priority.
<b>20. Name(s) of contact person(s)</b>	Liaison: Mr Ailie TIO Ministry of the Interior and Kingdom Affairs DCIM/EJA Postbus 20011 2500 EA Den Haag The Netherlands  Tel : + 31.70.302.76.90 Fax : + 31 70 302.76.38 E-Mail : ailie.tio@minbzk.nl

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	There are numerous organisations representing the interests of specific minority groups. The Minorities Policy (Consultation) Act, which entered into force in 1997, specifies organisations with which the minister is required to hold regular consultations on the main outline of policy on the integration of ethnic minorities. The Minister for Urban Policy and Integration of Ethnic Minorities holds regular consultations with: <ul style="list-style-type: none"> <li>. The Surinamese Advisory Body (SIO);</li> <li>. The Caribbean Dutch Consultative Body (OCAN);</li> <li>. The Turkish Advisory Body (IOT);</li> <li>. The Federation of Refugee Organisations in the Netherlands (VON);</li> <li>. The Moluccan Welfare Advisory Body (IWM);</li> <li>. The Moroccan –Tunisian Co-operative Body (SMT);</li> <li>. National Advisory Body for Southern Europeans (LIZE).</li> </ul>
<b>22. legal basis</b>	The Minorities Policy (Consultation) Act, Bulletin of Acts and Decrees 1997, 335.
<b>23. Main functions of these bodies</b>	Consultations on the main outline of minorities policy.
<b>24. Functioning of these bodies</b>	Regular consultations
<b>25. Links with other institutions</b>	As independent organisations they may maintain contact with any other in the country.
<b>26. Minorities involved/covered</b>	Turks, Moroccans, Surinamese, Antilleans, Arubans, Southern Europeans, refugees, asylees and Moluccans.
<b>27. Name(s) of contact person(s)</b>	Liaison: W.Palm Ministry of the Interior and Kingdom Affairs Postbus 20011 2500 EA Den Haag The Netherlands  Tel: + 31 70 302 61 92 Fax: + 31 70 302 76 38 E-mail: walter.palm@minbzk.nl

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	There are no self-governments or forms of territorial or cultural autonomy.
<b>29. Legal basis on which they have been established</b>	Not applicable.
<b>30. Number of self-governments and minorities concerned</b>	Not applicable.
<b>31. Main functions of these bodies</b>	Not applicable.
<b>32. Functioning of these bodies</b>	Not applicable.
<b>33. Links with other institutions</b>	Not applicable.

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	-

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	There is no system in the Netherlands for the registration of minority associations.
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	The following organisations deal with minority issues: <ul style="list-style-type: none"> <li>- Forum;</li> <li>- Netherlands Centre for Foreigners;</li> <li>- National Centre against Racial Discrimination (LBR).</li> </ul>

<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	The Act of 19 June 1997 regulating consultations on the integration of ethnic minorities (Minorities Policy (Consultation) Act) has been submitted as an appendix.

# NORWAY

## General remarks

The replies are limited to aspects regarding national minorities, thus excluding minorities that more recently have immigrated to Norway. The Norwegian national minorities include the Sami people, Kvens, Skogfinner (Finnish decent), Travellers, Roma and Jews.

The Sami people are officially recognised as indigenous, and that explains why the Government has a more extensive policy towards them than other national minorities.

## I. Representation in political parties

<b>1. Parties that specifically represent a minority</b>	There are no political parties taking part in national elections that specifically represent the Sami people or other national minorities.  However, there are political parties that represent the Sami people in local elections and in the municipal and regional councils in the north of Norway. There are also Sami political parties in the Sami Parliament, see chapter VII.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	See above.

## II. Parliamentary representation

<b>3. Reserved seats in Parliament for minorities</b>	There are no seats reserved in the <i>Storting</i> (the Norwegian national parliament) for the Sami people or other national minorities.
<b>4. Seats gained by political parties mentioned in table I</b>	See below.
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	We have no official statistics on persons belonging to minorities being elected to the <i>Storting</i> . However, in the election of 1997, there was at least one Sami elected to the <i>Storting</i> for the Labour Party. In the election of 1993 there was one Sami elected to the <i>Storting</i> from the Labour Party and one from the Centre Party.
<b>6. Special provisions for minority parties regarding thresholds</b>	There are no special provisions regarding election thresholds for minority parties.
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	There are no parliamentary committees that specifically deal with minority issues today. However, the parliamentary committees deal with issues relevant to minorities when the matter in question is within their responsibility.  The Government decided recently that the Ministry of Local Government and Regional Development will be responsible for co-ordinating the Government's policy towards national minorities from the year 1999. It follows that the Parliamentary Committee for Local Government will be responsible for this policy area in the <i>Storting</i> . This parliamentary committee has the responsibility for Sami affairs today.

<b>III. Ombudsperson for minority/human rights or parliamentary committee for petitions</b>	
<b>8. Official titles of such bodies</b>	In September 1998 the Government established a “Centre for Combatting Ethnic Discrimination” ( <i>Senter mot etnisk diskriminering</i> ). The Centre will provide legal advice to persons who claim to be discriminated on grounds as religion, race, colour, ethnic or national origin. The institution will therefore not exclusively deal with discrimination of national minorities.
<b>9. Legal basis on which they were established</b>	The Centre Against Ethnic Discrimination is not established by law, but by a decision of the King in council. It will use relevant sections of the Penal Code and other relevant laws in its work. The Board of the Centre is appointed by the King in council.
<b>10. Way of election/nomination of the Ombudsperson</b>	There is no Ombudsman specifically for national minorities, but the Centre Against Ethnic Discrimination will have some of the functions of an Ombudsman.
<b>11. Main functions and mandate of the Ombudsperson</b>	-

<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	The Ministry of Local Government and Regional Development will be responsible for the co-ordination of the Government’s policy on national minorities from 1999. From 1999 the Department of Indigenous, Minority and Immigrant Affairs are responsible for the co-operation of the policy towards National Minorities, Sami, Refugees and Immigrants. The Ministry has a state secretary for Sami Affairs, who is herself a Sami. On behalf of the minister the State Secretary is also responsible for Minority and Immigrant Affairs.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	Most ministries in Norway deal with questions regarding national minorities and indigenous peoples, and each ministry is responsible for minority issues within its own field of activity. The most relevant ministries in this respect are the Ministry of Local Government and Regional Development, the Ministry of Education, Research and Church Affairs, the Ministry of Children and Family Affairs, the Ministry of Cultural Affairs, the Ministry of Health and Social Affairs and the Ministry of Agriculture. The Ministry of Foreign Affairs is also involved in different aspects related to national minorities, including indigenous peoples. An interministerial committee for co-operation between the ministries was established in Sprin 1999. The committee is responsible for the co-operation and co-ordination of the policy towards national minorities.

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	<p>The following Government offices and agencies are established with regard to the Sami people:</p> <ul style="list-style-type: none"> <li>- <u>The Reindeer Herding Administration</u> is responsible for the administration of the reindeer herding policy and for special measures related to the reindeer herding industry. This administrative body is placed under and financed by the Ministry of Agriculture. Some of the board members are appointed by the Sami Parliament.</li> <li>- <u>The Sami Educational Council</u> is an advisory council to the Ministry of Education, Research and Church Affairs. It is responsible for the administration of some specific Sami educational measures, like the development of Sami curriculum, Sami textbooks, etc. The Council is financed by the Ministry of Education, Research and Church Affairs. The Council is appointed by the Sami Parliament, and the administrative staff-members are all Sami. The Norwegian Parliament has decided that the resources, the authority and competence that today are placed within the Sami Educational Council shall be transferred from the Ministry of Education, Research and Church Affairs to the Sami Parliament. The Sami Parliament will thus have extensive influence and power in Sami educational matters.</li> </ul> <p>There are no Governmental offices for other national minorities.</p>
<b>15. Legal basis on which it has been established</b>	See above.
<b>16. Main functions of this office</b>	See above.
<b>17. Functioning of this office</b>	See above.
<b>18. Links with other institutions</b>	See above.
<b>19. Minorities involved/covered</b>	Sami people.
<b>20. Name(s) of contact person(s)</b>	-

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	<p>Councils or round-tables with representatives of national minorities do not exist at present, except for the Sami people. However, especially the Ministry of Local Government and Regional Development is often in contact with several organisations representing national minorities. This is usually on a case-to-case basis.</p> <p>At the Nordic level there is a special council for co-operation between the governments of Norway, Sweden and Finland on Sami issues. This council has meetings with representatives of the Nordic Sami Council. The council has also invited the Sami parliaments in Norway, Sweden and Finland to co-operate with the governments at the Nordic level.</p>
<b>22. Legal basis on which they have been established</b>	-
<b>23. Main functions of these bodies</b>	See below.
<b>24. Functioning of these bodies</b>	The Sami Parliament, the Ministry of Local Government and Regional Development and other relevant ministries have established a method of discussing questions related to the annual budget for the Sami Parliament. The Sami Parliament also co-operates with relevant ministries in other questions concerning the Sami people. This includes matters such as education, reindeer herding, health and social welfare, environmental questions, family policy, and indigenous questions discussed in international forums like the UN and the ILO.
<b>25. Links with other institutions</b>	See above.
<b>26. Minorities involved/covered</b>	Sami people.
<b>27. Name(s) of contact person(s)</b>	-

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	The Sami people of Norway have their own democratically elected parliament called the Sami Parliament.
<b>29. Legal basis on which they have been established</b>	The election to this parliament takes place on the same day as the election to the <i>Storting</i> . The representatives are elected among Sami who are registered in a special Sami electoral register. The country is divided into 13 constituencies, each constituency electing three representatives to the Sami Parliament, 39 representatives in all. The Sami Parliament is led by a president and a council. This is regulated in the Sami Act of 1987 (see part X).
<b>30. Number of self-governments and minorities concerned</b>	See above.
<b>31. Main functions of these bodies</b>	In the beginning, the authority of the Sami Parliament was of a purely advisory nature. Through the years there has been an extensive transfer of tasks and powers to the Sami Parliament. The Sami Parliament has established its own bodies that are responsible for the different activities within the Parliament. They include the Sami Language Council, the Industrial Sami Council, the Sami Cultural Council and the Sami Cultural Heritage Council. These councils are appointed and administered by the Sami Parliament.
<b>32. Functioning of these bodies</b>	The Sami Parliament is funded by the Ministry of Local Government and Regional Development. From 1999 the Sami Parliament is empowered to make their own priorities within the budget frame.
<b>33. Links with other institutions</b>	The establishment of the different Sami councils and the transfer of powers and tasks to the Sami Parliament does not mean that the Government has no responsibility in these fields. The Government has a responsibility to establish conditions for the Sami people to strengthen and develop their culture, language, industry and way of life. This is stated in Article 110A of the Constitution and the Sami Act of 1987. The Government must also, according to the Sami Act of 1987, take Sami interests into consideration in all major decision-making processes that will affect the Sami people directly or indirectly.

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	See Chapter III regarding the “Centre for Combatting Ethnic Discrimination” and Chapter V.

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	<p>There are several minority associations representing national minorities. They articulate and lobby for the interests of national minorities in matters of cultural heritage, language, education, religion, etc.</p> <p>The following list is not complete, but includes the most important organisations:</p> <ul style="list-style-type: none"> <li>- <u>Norske Samers Riksforbund</u>: Ethno-political organisation for Sami people funded by the Ministry of Local Government and Regional Development through the budget of the Sami Parliament;</li> <li>- <u>Samenes Folkeforbund</u>: Ethno-political organisation for Sami people funded by the Ministry of Local Government and Regional Development through the budget of the Sami Parliament;</li> <li>- <u>Samenes Landsforbund</u>: Ethno-political organisation for Sami people funded by the Ministry of Local Government and Regional Development through the budget of the Sami Parliament;</li> <li>- <u>Norske Reindriftsamers Landsforbund</u>: Organisation for Sami reindeer herders funded by the Ministry of Agriculture;</li> <li>- <u>Norske Kveners Forbund</u>: Ethno-political organisation for the Finnish speaking minority in the north of Norway called Kven. Funded by the Ministry of Local Government and Regional Development;</li> <li>- <u>Foreningen Finnskogen</u>: Cultural heritage-oriented organisation for the descendants of Finns in the south of Norway called Skogfinner (Forest-Finns);</li> <li>- <u>Romanifolkets Landsforening</u>: Ethno-political organisation for Travellers</li> <li>- <u>Stiftelsen Roma</u>: Organisation for Travellers affiliated to the Pentecostal Movement;</li> <li>- <u>International Romani Union</u>: Norwegian representative of an international NGO for Roma;</li> <li>- <u>De mosaiske trossamfunn</u>: the Jewish parish (Oslo and Trondheim).</li> </ul>
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	<p>See above.</p> <p>The major Sami organisations in Norway, Sweden, Finland and Russia are all organised in the Sami Council. The Sami Council has NGO status with the UN.</p>

<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	<p>The Norwegian Sami policy is based on two important legal instruments: Article 110A of the Constitution and the Sami Act of 1987.</p> <p>The main objectives of both legal instruments is to emphasise the responsibility of the state authorities to create conditions enabling the Sami people to safeguard and develop their language, culture and way of life.</p> <p>The Sami Act establishes the responsibility and powers of the Sami Parliament. It also contains provisions concerning the establishment of an administrative area for the Sami language in which certain rights and obligations concerning the use of Sami language in public affairs apply (see part VII).</p> <p>There is also a Reindeer Herding Act which ensures the Sami people an exclusive right to reindeer husbandry in the traditional area for Sami reindeer herding.</p> <p>The Education Act gives provisions on the right to learn Sami and Finnish in school and have education in Sami. It also gives provisions on the authority of the Sami Parliament in Sami educational matters.</p> <p>Norway ratified the ILO-Convention 169 for Indigenous and Tribal Peoples in 1980. This convention applies to the Sami people.</p>



**Additional information**

Norway ratified the Council of Europe Framework Convention for the Protection of National Minorities on 17 March 1999. The Government has decided that a white paper on the Norwegian policy towards the national minorities shall be presented for the Storting in 2000. The white paper will present the basic principles for the Norwegian policy towards national minorities, our internal and international obligations and measures designed to fulfil these obligations.

# POLAND

<b>I. Representation in political parties</b>	
<b>1. Parties that specifically represent a minority</b>	<p>Only one political party specifically represents a national minority in Poland: the Belarusian Democratic Union. The Party was registered on 15 March 1990 and took part in every parliamentary and self-government elections since that date. The main aim of the Belarusian Democratic Union is “a consolidation of national identity of Belarusians in Poland and aspiration for creating the open and civil society”. The party has own councillors in a few communes near Białystok (a city located in the eastern part of the country).</p> <p>Other national minorities until today did not form any political party. Their political activities are concentrated mainly around associations and election committees.</p>
<b>2. Parties that especially represent minorities’ interests but which are not minority parties as such</b>	<p>All main political parties in Poland take various initiatives in the field of the protection of national minorities. We are not able to indicate any particular party, which especially deals with minority issues. All political parties, which have a representation in the Parliament, promote the idea of an open society without racial or national prejudices.</p>

<b>II. Parliamentary representation</b>	
<b>3. Reserved seats in Parliament for minorities</b>	<p>There are no reserved seats for national minorities in the Polish Parliament. However, national minorities have special privileges in the elections to the Sejm, Lower Chamber of the Parliament (see section II.6 below).</p>
<b>4. Seats gained by political parties mentioned in table I</b>	<p>The only minority party, the Belarusian Democratic Union, did not gain any seat in the Parliament. However, there are two deputies representing the German minority, who stood for elections as members of the Social-Culture Association of Germans in the Opole Silesia. The names of these deputies are:</p> <ul style="list-style-type: none"> <li>▪ Mr. Henryk Kroll;</li> <li>▪ Mr. Helmut Paździor.</li> </ul> <p>At present, they are both not associated with any parliamentary caucus. In 1993-1997 the deputies of the German minority associated themselves in a parliamentary caucus. The German minority has not formed any political party to represent its interests.</p>
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	<p>There were three minority deputies elected during the last elections (19 September 1997) on the lists of other parties:</p> <ul style="list-style-type: none"> <li>▪ Mr. Jan Syczewski, a deputy from the Union of Democratic Left (SLD) who is also the President of the Belarusian Social-Culture Association ;</li> <li>▪ Mr. Siergiej Plewa, a deputy from the Union of Democratic Left (SLD) who represents the Belarusian minority;</li> <li>▪ Mr. Mirosław Czech, a deputy from the Union of Freedom (UW) who represents the Ukrainian minority.</li> </ul>
<b>6. Special provisions for minority parties regarding thresholds</b>	<p>The Act on Elections to the Sejm of 28 May 1993 (Official Journal no. 45, Item 205 with subsequent amendments) guarantees that election committees of registered organisations of national minorities are dispensed from on obligation of gaining over 5% of the votes (for a political party) and over 8% of the votes (for political coalitions) from the total amount of votes in the country (so called “election thresholds”). In case of the Upper Chamber of the Polish Parliament – the Senate, both passive and active electoral rights are equal for all Polish citizens and national minorities have no privileges in these elections.</p>
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	<p>All permanent commissions of the Sejm, including the Commission on National and Ethnic Minorities, were established on the basis of the Rules of Procedure of the Sejm of 30 July 1992 (Official Gazette no. 34, Item 239). The chairman of</p>

	the Commission in the previous and present term Sejm is Mr. Jacek Kuroń - a well-known politician from the Union of Freedom. The Commission deals with issues related to the protection of minorities and their cultural heritage. During the meetings of the Commission the deputies analyse and present opinions on draft acts and resolutions of the Sejm, reports of ministers, etc. concerning protection of national minorities. Currently, the Commission is dealing with two drafts legal acts: the Act on Rights of Persons belonging to National Minorities and the Act-Law on Polish Language.
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<b>III. Ombudsperson for minority/human rights or parliamentary committee for petitions</b>	
<b>8. Official titles of such bodies</b>	There is no special body, of which the activities are exclusively devoted to the protection of minorities. The ombudsperson - <i>Rzecznik Praw Obywatelskich</i> (the Commissioner for Citizens Rights) - is the institution, which deals, among other aspects of human rights, with matters of protection of minorities.
<b>9. Legal basis on which they were established</b>	The institution of the ombudsperson was established in Poland in 1987, as an amendment to the Constitution of 1952. At present its legal basis is: <ul style="list-style-type: none"> <li>- the Constitution of the Republic of Poland of 2 April 1997 (Art. 208-212) ;</li> <li>- the Act on the Commissioner for Citizens Rights of 15 of July 1987 (with subsequent amendments).</li> </ul>
<b>10. Way of election/nomination of the Ombudsperson</b>	The Sejm, subject to the approval of the Senate, elects the Commissioner. The Speaker of the Sejm or a group of at least 35 deputies has the right to nominate a candidate for the post of Commissioner. The term of office is 5 years.
<b>11. Main functions and mandate of the Ombudsperson</b>	The Commissioner may: <ul style="list-style-type: none"> <li>- receive individual complaints ;</li> <li>- investigate alleged violations ;</li> <li>- mediate between parties involved ;</li> <li>- make recommendations to public authorities.</li> </ul> <p>An example of Commissioner's activities is the reaction to cases of national discrimination: anti-Roma incidents in Mława and anti-Jewish leaflets disseminated during the presidential campaign in 1990. During his local visits the Commissioner also took interest in situation of national minorities (<i>inter alia</i> meeting with the German minority in Opole and meeting with the Belarusian minority in Białystok).</p>

<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	An office of minister/ministry responsible specifically for rights and protection of national minorities does not exist.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	The following ministries deal with minority issues in particular fields of their activities: <ul style="list-style-type: none"> <li>- <u>The Ministry of Foreign Affairs</u> includes minority issues in its work when considering international agreements, the influence of those issues on relationship between the country and its neighbours. The Ministry secures the compliance with the international legal standards concerning national minorities.</li> <li>- <u>The Ministry of Internal Affairs and Administration</u> deals with minorities issues in case of infringement of the Polish law. This Ministry deals also with citizenship issues and questions of granting names and surnames.</li> <li>- <u>The Ministry of National Education</u> supervises the system of education for national minorities.</li> <li>- <u>The Ministry of Culture and Art</u> supports cultural activities of minority organisations, minority media, etc.</li> </ul> <p>There is also an inter-ministerial group acting in the field of the minorities issues - Inter-Ministerial Working Group on Minorities Questions - which was</p>

	established by the Prime Minister W. Cimoszewicz on 20 June 1997. This Working Group has advisory powers and is composed of representatives of the following Ministries: Ministry of Education, Ministry of Culture and Art, Ministry of Justice, Ministry of Foreign Affairs. The representatives of the Central Bureau for Statistics and the Council for the Protection of the Remembrance of Combat and Martyrdom (responsible for cemeteries, former concentration camps, etc.) participate in the Working Group as well. The main activities of this group include: developing the orientation of the government <i>vis à vis</i> minorities, co-ordination of the action of the state administration, taking counter-measures in case of infringement of minority rights, paying particular attention to minorities claims.
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<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	There is the Department for Culture of National Minorities functioning within the structure of the Ministry of Culture and Art.
<b>15. Legal basis on which it has been established</b>	The legal basis of establishment of this department is: <ul style="list-style-type: none"> <li>- the Statute of the Ministry for Culture and Art (the Decree of the Prime Minister of 10 February 1998) ;</li> <li>- the Regulation of the Ministry of Culture and Art (the Decree of the Minister of Culture and Art of 25 February 1998).</li> </ul>
<b>16. Main functions of this office</b>	The main functions and duties of this Department are: <ul style="list-style-type: none"> <li>- gathering information about the situation of national minorities in Poland, international legal regulations, the situation of national minorities in other countries and institutions connected with these issues ;</li> <li>- co-operation with foreign institutions dealing with minority issues ;</li> <li>- wide-ranging contacts and co-operation with minority organisations ;</li> <li>- promotion of tolerance ;</li> <li>- co-operation with the state administration – central and local – on national minority issues ;</li> <li>- co-operation with the Sejm Commission of National and Ethnic Minorities ;</li> <li>- co-operation with local authorities ;</li> <li>- intervention in case of infringement of national minority rights.</li> </ul>
<b>17. Functioning of this office</b>	See above.
<b>18. Links with other institutions</b>	See above.
<b>19. Minorities involved/covered</b>	The Department in its activities covers the following minorities: Belarusians, Czechs, Slovaks, Lithuanians, Armenians, Roma, Tatars, Lemks, Ukrainians, Germans and Jews.
<b>20. Name(s) of contact person(s)</b>	Mr. Jerzy Wiesław ZAWISZA, Director of the Department for Culture of National Minorities, Ministry of Culture and Art, ul. Krakowskie Przedmieście 15/17, 00-071 Warszawa, Poland, tel. ++48.22.826.01.16/620.02.31 ; tel./fax: ++48.22.826.42.72.

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	At present such body does not exist.
<b>22. Legal basis on which they have been established</b>	-
<b>23. Main functions of these bodies</b>	-
<b>24. Functioning of these bodies</b>	-
<b>25. Links with other institutions</b>	-
<b>26. Minorities involved/covered</b>	-
<b>27. Name(s) of contact person(s)</b>	-

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	The autonomy of national minorities within a proper international meaning does not exist in Poland. This question is dealt with in the framework of local self-government. If representatives of a national minority gain the majority in local councils, they can establish a specific "form of autonomy" and decide about their affairs.
<b>29. Legal basis on which they have been established</b>	See replies to items 28 and 30.
<b>30. Number of self-governments and minorities concerned</b>	<p>The German minority is settled down mainly in the region of Lower Silesia, especially in the Opole Silesia. In many communes of the region, the representatives of the German minority gained the majority in local councils, several times Germans were mayors. Following the local elections in 1994, they have the majority in 26 communes and are represented in 38 communes.</p> <p>The Belarusian minority is settled mainly near the eastern border of Poland, in the region of Białystok. The representatives of this minority gained most seats in two communes: Hajnówka and Gródek in the 1994 local elections.</p> <p>The Ukrainian minority has 31 commune councillors, however, without a majority in any commune.</p> <p>The Lithuanian minority is settled near the north-eastern border of Poland, especially in the communes Puńsk and Sejny, in which the representatives of this minority represent a local majority.</p> <p>The introduction of the three-level self-government in Poland in 1998 will not change the legal status of minorities in Poland. They will be able to decide on their matters in a better way: on the level of regions, districts and communes.</p>
<b>31. Main functions of these bodies</b>	See above.
<b>32. Functioning of these bodies</b>	See above.
<b>33. Links with other institutions</b>	See above.

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	In some regions (Opole, Przemyśl, Olsztyn, Nowy Sącz, Białystok), the Offices of Plenipotentiary of the Regional Governor for National Minorities were created. The task of the Plenipotentiary is to control the realisation of the state's obligations in relation to minorities and to support minorities' initiatives. The Effectiveness of this Office is diminished because its legal position and range of powers are not regulated.

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	<p>The Polish law (Act on Associations of 1989) allows registering a minority association without any greater restrictions. There are over 100 minority associations in Poland.</p> <ul style="list-style-type: none"> <li>▪ Belarusians: 10 associations, the most important being the Belarusian Social and Cultural Association ;</li> <li>▪ Czechs and Slovaks: 1 association (the Social and Cultural Association of Czechs and Slovaks in Poland) ;</li> <li>▪ Lithuanians: 4 associations, including the Association of Lithuanians in Poland and the Lithuanian Association of St. Kazimierz ;</li> <li>▪ Germans: 66 associations, including the Union of German Social and Cultural Associations of Poland and the German Labour Community “Reconciliation and Future” ;</li> <li>▪ Roma: 6 associations, including the Centre of Roma’s culture ;</li> <li>▪ Ukrainians: 17 associations, among them the Ukrainian Social and Cultural Association, the Ukrainian Cultural Foundation and the Ukrainian Association in Poland ;</li> <li>▪ Jews: 6 associations, including the Social and Cultural Association of Jews in Poland, the Polish Union of Jewish Students and the Association “Jewish Historical Institute” ;</li> <li>▪ Karaims: 1 association ;</li> <li>▪ Lemks: 5 associations, including the Union of Lemks ;</li> <li>▪ Armenians: 1 association ;</li> <li>▪ Tatars: 1 association ;</li> <li>▪ Greeks: 1 association ;</li> <li>▪ Vietnamese: 1 association ;</li> <li>▪ Russians: 1 association ;</li> <li>▪ Pomeranians: 1 association ;</li> <li>▪ Masurians: 1 association.</li> </ul> <p>By decision of the Regional Court in Katowice the Association of People of Silesian Nationality was registered. That decision was very controversial because most of Silesians do not consider themselves as a national minority. The Appeal Court dismissed the request for registration of that association.</p>
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	<p>The most important NGOs that deal with minority issues are:</p> <ul style="list-style-type: none"> <li>- the Polish Helsinki Committee ;</li> <li>- the Batory Foundation;</li> <li>- the Association of Roma (Kraków – Nowa Huta) ;</li> <li>- the Association of Roma in Poland (Oświęcim) ;</li> <li>- the Association of Polish-Jewish Friendship (Warszawa) ;</li> <li>- the International Initiatives Foundation.</li> </ul>

<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	-

# PORTUGAL

## I. Representation in political parties

<b>1. Parties that specifically represent a minority</b>	There are no political parties specifically representing a minority.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	All parties represented in Parliament defend the interests of minorities but they are not parties representing minorities as such (Socialist Party, Social Democrat Party, Communist Party and the People's Party). Other parties not represented in Parliament also defend minorities, although this may not be one of their specific objectives.

## II. Parliamentary representation

<b>3. Reserved seats in Parliament for minorities</b>	There are no reserved seats in Parliament for minorities.
<b>4. Seats gained by political parties mentioned in table I</b>	The Socialist Party won the elections held in September 1995.
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	No person belonging to a minority was elected at the last elections.
<b>6. Special provisions for minority parties regarding thresholds</b>	There are no special provisions for parties representing minorities.
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	There are numerous parliamentary committees in which minority issues may be dealt with, though not exclusively, such as the Committee on Constitutional Affairs, Rights, Liberties and Guarantees.

## III. Ombudsperson for minority/human rights or parliamentary committee for petitions

<b>8. Official titles of such bodies</b>	Portugal has an ombudsperson.
<b>9. Legal basis on which they were established</b>	The legal basis for the ombudsperson is contained in Law 9/91 of 9 April.
<b>10. Way of election/nomination of the Ombudsperson</b>	Appointed by Parliament.
<b>11. Main functions and mandate of the Ombudsperson</b>	Defence of human rights. He/she has an important role to play in defending minorities.

## IV. Minister/Ministry for minorities

<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	The Prime Minister has, under his responsibility, the High Commissioner for Immigration and Ethnic Minorities responsible for dealing with problems relating to immigrants and ethnic minorities.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	Notwithstanding the reply to the previous question, the majority of ministries deal with questions relating to immigrants and ethnic minorities. For example, the General Directorate of Social Affairs in the Ministry of Social Security, the Ministry of the Interior, the Ministry of Labour and Solidarity, the Ministry of Education, the Ministry of Justice, and the State Secretariat for Sport, among others.

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	The High Commissioner for Immigration and Ethnic Minorities
<b>15. Legal basis on which it has been established</b>	Legislative decree 3-A/96 of 26 January 1996.
<b>16. Main functions of this office</b>	<p>His role is to:</p> <ul style="list-style-type: none"> <li>– help improve the living conditions of immigrants in Portugal, to enable them to integrate into society, with due regard for their identity and culture of origin;</li> <li>– help ensure that all citizens legally residing in Portugal are given dignity and enjoy equal opportunities so as to eliminate discrimination and combat racism and xenophobia;</li> <li>– monitor the activities of the different public departments responsible for the entry, departure and residence of foreign citizens in Portugal, with due regard for the powers of these departments and those of the members of the government with specific responsibility for these matters;</li> <li>– help to frame active anti-exclusion policies and monitor them pro-actively by encouraging horizontal inter-departmental action by the various relevant public authorities and governmental departments;</li> <li>– propose support measures (primarily regulatory) for immigrants and ethnic minorities.</li> </ul>
<b>17. Functioning of this office</b>	<p>His work consists of:</p> <ul style="list-style-type: none"> <li>– receiving and helping find solutions to problems submitted directly to him by immigrants and ethnic minorities;</li> <li>– directing and co-ordinating projects aimed specifically at these groups;</li> <li>– preparing opinions in the various fields relating to immigrants and ethnic minorities and, more generally, furthering all the activities deriving from the above responsibilities.</li> </ul>
<b>18. Links with other institutions</b>	<p>There are institutional links between the High Commissioner and the Government and Parliament via working meetings, opinions or proposals.</p> <p>As regards councils/round tables on minorities, NGOs and civil society, the High Commissioner for Immigration and Ethnic minorities has attended several round tables, seminars and conferences and maintains ongoing dialogue via numerous hearings he holds with NGOs and members of civil society, and co-operation with NGOs and practical support for their initiatives.</p>
<b>19. Minorities involved/covered</b>	Ethnic minorities in Portugal are primarily Portuguese of gypsy origin, for whom initiatives have been proposed by the High Commissioner and approved by the Cabinet.
<b>20. Name(s) of contact person(s)</b>	The High Commissioner for Immigration and Ethnic Minorities is Mr José LEITÃO, Av. Columbano Bordalo Pinheiro, 86, 8º, P-1000 LISBOA.



<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	<p>The Consultative Council for Immigration Affairs has been set up on a proposal from the High Commissioner for Immigration and Ethnic Minorities. This council operates at national level and wherever immigrant communities are represented.</p> <p>Certain local authorities (Lisbon and Amadora) have immigrant and ethnic minority consultative councils. Regional NGOs representing these groups participate in these councils. Various round tables, seminars and conferences are organised, primarily by civil society (NGOs and Universities), and representatives of these groups are invited to participate.</p>
<b>22. Legal basis on which they have been established</b>	The Consultative Council for Immigration Affairs was set up by Legislative Decree 39/98 of 27 January 1998.
<b>23. Main functions of these bodies</b>	<p>The Consultative Council for Immigration Affairs:</p> <ul style="list-style-type: none"> <li>- takes a position on draft legislation, submitted by the High Commissioner, relating to immigrants' rights;</li> <li>- helps implement social integration policies designed to eliminate discrimination and promote equality;</li> <li>- helps identify measures and action to improve immigrants' living conditions and monitors their implementation;</li> <li>- defends immigrants' rights, with due regard for their identity and culture, by making proposals which are designed to promote same.</li> </ul>
<b>24. Functioning of these bodies</b>	Please see the reply to question 23.
<b>25. Links with other institutions</b>	-
<b>26. Minorities involved/covered</b>	-
<b>27. Name(s) of contact person(s)</b>	-

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	The autonomous authorities are the Autonomous Regions of the Azores and Madeira. Local authorities (municípios, freguesias) have limited autonomy but are not autonomous authorities.
<b>29. Legal basis on which they have been established</b>	<p>Their legal basis is the Constitution of Portugal.</p> <p>The powers of the Autonomous Regions are set out in Article 227 of the Constitution. The attributions of the local authorities are set out in Articles 235-243 of the Constitution.</p>
<b>30. Number of self-governments and minorities concerned</b>	The Autonomous Regions do not represent minorities. There are two Autonomous Regions (Azores and Madeira) and 305 municipalities. The number of freguesias (smaller local authority sub-units of the municipalities) varies.
<b>31. Main functions of these bodies</b>	<p>The Autonomous Regions are territorial legal entities which are authorised to legislate on matters of specific interest to the regions that do not fall within the exclusive powers of the central government organs. They:</p> <ul style="list-style-type: none"> <li>- draft framework legislation with due regard for the powers of Parliament;</li> <li>- have their own executive;</li> <li>- administer and dispose of their own assets and enter into contracts when it is in their interest to do so;</li> <li>- have their own tax powers under the terms of the law and adapt the national tax system to the regional situation;</li> <li>- supervise local authorities located on their territory, have tax revenue in accordance with the law and supervise public services and public corporations operating exclusively in their territory;</li> <li>- participate in the determination and implementation of fiscal, monetary, financial and foreign exchange policies in such a way as to ensure regional control over current methods of payment and the provision of funds for the investment necessary for their economic and social development;</li> </ul>

	<ul style="list-style-type: none"> <li>- participate in the determination of policies with respect to territorial waters, the exclusive economic zone and the adjacent sea-beds;</li> <li>- participate in negotiations for international treaties and agreements of direct concern to them;</li> <li>- establish relations with other foreign regional entities;</li> <li>- contribute to the process of European integration.</li> </ul> <p>Local authorities are legal entities with representative bodies serving the particular interests of the population in their territorial areas. They:</p> <ul style="list-style-type: none"> <li>- are regulated by law in conformity with the principle of administrative decentralisation;</li> <li>- have their own assets and financial resources;</li> <li>- have deliberative and executive organs, an assembly and an executive;</li> <li>- may organise local referenda;</li> <li>- have their own power to make regulations;</li> <li>- are subject to administrative supervision.</li> </ul>
<b>32. Functioning of these bodies</b>	See above.
<b>33. Links with other institutions</b>	All these entities dialogue with the High Commissioner for Immigration and Ethnic Minorities, have specific councils (cf reply to question 21), take part in several initiatives and support NGOs and civil society.

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	-

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	-
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	-

<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	See reply to question 29.

# ROMANIA

<b>I. Representation in political parties</b>	
<b>1. Parties that specifically represent a minority</b>	<p>Article 4 (2) of Law No. 68/1992 on election to the Chamber of Deputies and the Senate provides that organisations of citizens belonging to ethnic minorities participating in elections are treated as political parties.</p> <ul style="list-style-type: none"> <li>- the Cultural Union of Albanians of Romania;</li> <li>- the Union of Armenians of Romania;</li> <li>- the Bulgarian Union of Banat;</li> <li>- the “Bratstvo” Community of Bulgarians;</li> <li>- the Union of Croats of Romania;</li> <li>- the Democratic Union of Czechs and Slovaks of Romania;</li> <li>- the Democratic Forum of Germans of Romania;</li> <li>- the Hellenic Union of Romania;</li> <li>- the Hungarian Democratic Union of Romania;</li> <li>- the Italian Community of Romania;</li> <li>- the Federation of Jewish Communities;</li> <li>- the <i>Dom Polski</i> Union of Poles of Romania;</li> <li>- the Roma Party;</li> <li>- the Lipoveni Russian Community of Romania;</li> <li>- the Democratic Union of Serbs and Carasoveni of Romania;</li> <li>- the Democratic Union of Turkish-Muslim Tartars of Romania;</li> <li>- the Turkish Democratic Union of Romania;</li> <li>- the Union of Ukrainians of Romania.</li> </ul>
<b>2. Parties that especially represent minorities’ interests but which are not minority parties as such</b>	Not applicable.

<b>II. Parliamentary representation</b>	
<b>3. Reserved seats in Parliament for minorities</b>	<p>Under the Constitution [Article 59 (2)] and Law No. 68/1992 [Article 4 (1) and (5)], there are seats in Parliament or, more specifically, in the Chamber of Deputies, which are specially reserved for organisations of citizens belonging to national minorities.</p> <p>The number of reserved seats - one deputy’s seat for all the organisations of citizens belonging to a particular national minority - is not limited, the only conditions being that: the organisations concerned must be legally constituted, must participate in the elections, must not have won one or more deputy’s or senator’s seats in the elections and must have won - nation-wide - at least 5% of the average number of votes validly cast for a deputy.</p> <p>Subject to these conditions, organisations of citizens belonging to a national minority are together entitled to one deputy’s seat.</p> <p>Deputies’ seats allocated in this manner are additional to the normal total number of deputies in the Chamber.</p>
<b>4. Seats gained by political parties mentioned in table I</b>	<p>The political parties / organisations of citizens belonging to minorities which won seats in the parliamentary elections of 3 November 1996 were:</p> <ul style="list-style-type: none"> <li>- the Cultural Union of Albanians of Romania - 1 seat;</li> <li>- the Union of Armenians of Romania - 1 seat;</li> <li>- the “Bratstvo” Community of Bulgarians - 1 seat;</li> </ul>

	<ul style="list-style-type: none"> <li>- the Democratic Union of Czechs and Slovaks of Romania - 1 seat;</li> <li>- the Democratic Forum of Germans of Romania - 1 seat;</li> <li>- the Hellenic Union of Romania - 1 seat;</li> <li>- the Hungarian Democratic Union of Romania - 11 senators' seats and 25 deputies' seats;</li> <li>- the Italian Community of Romania - 1 seat;</li> <li>- the Federation of Jewish Communities - 1 seat;</li> <li>- the <i>Dom Polski</i> Union of Poles of Romania - 1 seat;</li> <li>- the Roma Party - 1 seat;</li> <li>- the Lipoveni Russian Community of Romania - 1 seat;</li> <li>- the Democratic Union of Serbs and Carasoveni of Romania - 1 seat;</li> <li>- the Democratic Union of Turkish-Muslim Tartars of Romania - 1 seat;</li> <li>- the Turkish Democratic Union of Romania - 1 seat;</li> <li>- the Union of Ukrainians of Romania - 1 seat.</li> </ul>
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	<p>A number of persons belonging to minorities were elected in the last elections on the lists of other political parties. They were elected as members of these parties and hence on political criteria, regardless of ethnic origin, which was not - and is not - any impediment. Any Romanian citizen can join any Romanian political party, stand for election and be elected without the slightest impediment connected with ethnic origin.</p> <p>There are examples of this in all the political parties. Below are the names of just some of the most prominent figures: Mr Varujan Vosganian (ethnic Armenian) - senator for the Alliance Party for Romania, Ms Hildegard Puwak (ethnic German) - deputy for the Social Democracy Party of Romania, Mr Iosif Boda (ethnic Hungarian origin) - deputy for the Social Democracy Party of Romania, Mr Ioan Iuliu Fúro (ethnic Hungarian) - deputy for the Party of Greater Romania, etc.</p>
<b>6. Special provisions for minority parties regarding thresholds</b>	<p>There are special provisions for parties representing persons belonging to national minorities; they are set out in point 3 above.</p> <p>The minimum percentage of votes required in order to be represented is, as stated above, 5% of the average number of votes validly cast for the election of a deputy.</p>
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	<p>In the Senate, there is the Committee on Human Rights.</p> <p>In the Chamber of Deputies, there is the Committee for Human Rights, Religious Affairs and National Minorities Issues.</p> <p>The deputies representing organisations of persons belonging to minorities have seats on it as well as on other the Chamber of Deputies committees.</p>

<b>III. Ombudsperson for minority/human rights or parliamentary committee for petitions</b>	
<b>8. Official titles of such bodies</b>	There is an ombudsperson for human rights, including the rights of persons belonging to minorities. His/her official title is "People's Advocate".
<b>9. Legal basis on which they were established</b>	See information below.
<b>10. Way of election/nomination of the Ombudsperson</b>	<p>The People's Advocate was appointed by the Senate for a 4-year term. The maximum number of terms is 2.</p> <p>The candidates were nominated by the Permanent Bureau of the Senate, on the recommendation of parliamentary groups in both Chambers of Parliament.</p> <p>The candidates presented the Senate's Judicial Committee responsible for appointments, disciplinary matters, immunity and vetting with documentary proof that they fulfilled the requirements laid down by the Constitution (which are the same as for Constitutional Court judges) and were then heard by it. The Senate decided the outcome of the hearing in plenary session, in the presence of</p>

	<p>the candidates.</p> <p>The People's Advocate was appointed by the senators by a majority vote.</p>
<b>11. Main functions and mandate of the Ombudsperson</b>	<p>The People's Advocate defends the rights and freedoms of citizens in their dealings with the public authorities.</p> <p>In the performance of his or her duties, the People's Advocate acts independently of any other public authority and does not replace the public authorities. He or she acts on his or her own initiative or at the request of persons who believe that their rights or freedoms have been infringed by acts of the public authorities.</p> <p>The main functions of the People's Advocate are to:</p> <ul style="list-style-type: none"> <li>- ensure that matters which are the subject of applications to him/her are settled in a lawful manner and have the public authority and its staff end the infringement of civic rights and freedoms, rectify matters and pay compensation to the applicant;</li> <li>- represent the office of People's Advocate before the Chamber of Deputies, the Senate and the other public authorities, as well as in dealings with natural persons or legal entities;</li> <li>- make his or her own investigation, ask the public authorities for any information or document relevant to the inquiry, interview and take statements from heads of public authorities or any official able to provide the information necessary for dealing with the case;</li> <li>- make recommendations, which are not subject to parliamentary or judicial review. Through his or her recommendations, the People's Advocate can bring any unlawful administrative measures to the attention of the public authorities.</li> </ul>

<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	There is a minister attached to the Prime Minister responsible for national minorities and having the status of member of the Government.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	There are also a number of ministries which deal with matters relating to persons belonging to minorities, within their sphere of responsibility: the Ministry of Education, the Ministry of Culture, the Ministry of Justice, the State Department for Religious Affairs, the Ministry of Labour and Social Protection, the Ministry of Foreign Affairs.

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	Department for the Protection of National Minorities (operates within the framework of the government apparatus, under the authority of the Prime Minister).
<b>15. Legal basis on which it has been established</b>	Governmental Decision No. 17 of 31 January 1997 on the setting up, organisation and operation of the Department for the Protection of National Minorities (DPNM).
<b>16. Main functions of this office</b>	<p>The main functions of the DPNM are to:</p> <ul style="list-style-type: none"> <li>- prepare draft laws and other regulatory instruments within its sphere of responsibility;</li> <li>- approve draft laws and other regulatory instruments affecting the rights and duties of persons belonging to national minorities, on the recommendation of the Council of National Minorities;</li> <li>- oversee implementation of legislation concerning protection of persons belonging to national minorities;</li> <li>- promote and organise programmes concerning the preservation, expression and development of the ethnic, cultural, linguistic and religious identity of persons belonging to national minorities;</li> <li>- establish and maintain relations with governmental and non-governmental organisations at home and abroad which are concerned with protecting the rights</li> </ul>

	of persons belonging to national minorities. Through the DPNM, the government grants financial assistance to organisations of citizens belonging to national minorities.
<b>17. Functioning of this office</b>	The Department for the Protection of National Minorities operates as part of the government apparatus and comes under the authority of the Prime Minister. It exercises powers and responsibilities concerning the preservation, expression and development of the ethnic, cultural, linguistic and religious identity of persons belonging to national minorities, in accordance with current law.
<b>18. Links with other institutions</b>	The Minister attached to the Prime Minister responsible for National Minorities has the status of member of the Government and attends Government meetings.  He or she represents the DPNM in its dealings with the public authorities, as well as at meetings, seminars and round tables both at home and abroad. He or she maintains permanent relations with parliamentarians representing organisations of persons belonging to national minorities.  Through its various services, the DPNM establishes and maintains relations with the Council of National Minorities and its constituent organisations of persons belonging to national minorities, with governmental and non-governmental organisations in the field of human rights in general and the rights of persons belonging to minorities in particular, and with foundations and institutes concerned with the human rights situation in Romania.
<b>19. Minorities involved/covered</b>	The minorities involved/covered by the DPNM are any whose members have set up legally constituted organisations.
<b>20. Name(s) of contact person(s)</b>	Mr Klaus FABRITIUS, State Secretary, Department for the Protection of National Minorities, Government of Romania, Piața Victoriei no. 1, București 1, Romania, tel.: ++40 1 210 36 45; fax: ++40 1 222 61 37.

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	There is a Council of National Minorities which operates at national level.
<b>22. Legal basis on which they have been established</b>	The Council of National Minorities (CNM) was set up pursuant to Government Decision No. 137 of 6 April 1993 on the organisation and operation of the Council for National Minorities. Pursuant to Government Decision No. 17/1997, the CNM has been renamed the Council of National Minorities.
<b>23. Main functions of these bodies</b>	The main functions of the CNM are to: - co-ordinate and support the work of organisations of persons belonging to national minorities; - make proposals, for approval by the Minister attached to the Prime Minister responsible for National Minorities, concerning the distribution of state funds among organisations of citizens belonging to national minorities; - make proposals for the preparation of certain draft laws and government decisions within its sphere of responsibility; - receive, examine and submit to the DPNM, for opinion, draft laws and government decisions affecting the rights and duties of persons belonging to national minorities.
<b>24. Functioning of these bodies</b>	The Council of National Minorities is the DPNM's advisory body.
<b>25. Links with other institutions</b>	The CNM establishes and maintains relations with representatives of the DPNM, as well as with its constituent organisations of persons belonging to national minorities.
<b>26. Minorities involved/covered</b>	See below for a list of the organisations of citizens belonging to national minorities which are members of the CNM.
<b>27. Name(s) of contact person(s)</b>	The contacts for each organisation are as follows: - the Cultural Union of Albanians of Romania - president: Mr Gelu MAKSUTOVICI - tel./fax: ++40(0)1 315 46 62; - the Union of Armenians of Romania – president: Mr Varujan VOSGANIAN - tel.: ++40 (0) 1 613 84 59, fax: ++40(0) 1 311 14 20; - the “Bratstvo” Community of Bulgarians - president: Mr Luca VELCIOV -

	<p>tel./fax: ++40 (0) 1 315 99 24;</p> <ul style="list-style-type: none"> <li>- the Union of Croats of Romania – president: Mr Mihai RADAN - tel./fax: ++40 (0) 55 22 70 10;</li> <li>- the Democratic Union of Czechs and Slovaks of Romania - president: Mr Ondrej ZETOCHA - tel./fax: ++40 (0) 57 47 30 06;</li> <li>- the Democratic Forum of Germans of Romania - president Mr Paul PHILIPPI- tel.: ++40 (0) 1 69 21 78 41, fax: ++40 (0) 1 69 21 82 55;</li> <li>- the Hellenic Union of Romania - president: Mr Sotiris FOTOPOULOS - tel. ++40 (0) 1 211 22 54;</li> <li>- the Hungarian Democratic Union of Romania - president: Mr Marko BELA - tel. ++40(0) 1 230 65 70/230 58 77;</li> <li>- the Italian Community of Romania - president: Mr Gita NOVARI - tel./fax: ++40 (0) 32 21 16 68, fax: ++40 (01) 1 211 51 09;</li> <li>- the Federation of Jewish Communities - president: Acad. Nicolae CAJAL - tel.: ++40 (0) 1 613 25 38, fax: ++40 (0) 1 312 08 69;</li> <li>- the <i>Dom Polski</i> Union of Poles of Romania - president: Mr Johan Peter BABIAS - tel./fax: ++40 (0) 30 52 03 55;</li> <li>- the Roma Party - president: Mr Nicolae PĂUN - tel. ++40 (0) 1 315 85 45, fax: ++40 (0) 1 322 51 99;</li> <li>- the Lipoveni Russian Community of Romania - president: Ms Ecaterina EVDOCHIM – tel.: ++40 (0) 1 615 31 04, fax: ++40 (0) 1 312 09 94;</li> <li>- the Democratic Union of Serbs and Carasoveni of Romania - president: Mr Svetozar ZSIVANOV - tel./fax: ++40 (0) 56 19 17 54;</li> <li>- the Democratic Union of Turkish-Muslim Tartars of Romania - president: Mr Sali NEGIAT – tel./fax: ++40 (0) 41 61 66 43;</li> <li>- the Turkish Democratic Union of Romania - president: Mr Ruhan BALGI - tel./fax: ++40 (0) 41 61 89 99 / 16 93 99;</li> <li>- the Union of Ukrainians of Romania - president: Mr Stefan TCACIUC - fax: ++40 (0) 1 659 72 88, fax. ++ 40 (0) 1 312 85 30.</li> </ul>
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<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	<p>There is no self-government, or any special form of it, for minorities.</p> <p>Local self-government in Romania is organised in accordance with the Local Public Administration Act (Law No. 69 of 26 November 1991), as amended and supplemented by Law No. 24 of 12 April 1996. The legislation does not provide for any special forms of local self-government based on ethnic or territorial criteria. In the democratically conducted local elections in 1992 and 1996, however, large numbers of persons belonging to national minorities were elected to local government office in municipalities and counties where such persons are in an important number.</p> <p>As far as preserving cultural identity is concerned, “the State recognises and guarantees the right of persons belonging to national minorities, to the preservation, development and expression of their ethnic, cultural, linguistic and religious identity” (Art. 6 of the Constitution).</p> <p>Persons belonging to national minorities have a number of specific cultural activities and institutions (publishing houses, publications, newspapers, theatres, etc) which are subsidised by the state.</p> <p>With regard to state education, there are educational facilities at all levels, including groups, sections or faculties in higher education, where classes are conducted in the mother tongues of persons belonging to national minorities.</p>
<b>30. Number of self-governments and minorities concerned</b>	-
<b>31. Main functions of these bodies</b>	-

<b>32. Functioning of these bodies</b>	-
<b>33. Links with other institutions</b>	-

### **VIII. Public institutions or organisations**

<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	The Ministry of Education, the Ministry of Culture, the Ministry of Justice, the State Department of Religious Affairs, the Ministry of Labour and Social Protection, the Ministry of Foreign Affairs, the Romanian Institute for Human Rights.
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### **IX. Civil society: minority associations and NGOs**

<b>35. Registered minority associations</b>	The biggest associations of persons belonging to national minorities are listed in section II, point 4.
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	<p>A number of national NGOs deal with minority issues:</p> <ul style="list-style-type: none"> <li>- the "Pro Democrația" Association;</li> <li>- the Liga "Pro Europa";</li> <li>- the Hungarian-Romanian Friendship Association;</li> <li>- the European Centre for Ethnic Studies of the Romanian Academy.</li> </ul> <p>National branches of international NGOs concerned with minority issues:</p> <ul style="list-style-type: none"> <li>- the Helsinki Committee – Romanian branch.</li> </ul>

### **X. Legal texts**

<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	-
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# RUSSIAN FEDERATION

<b>I. Representation in political parties</b>	
<b>1. Parties that specifically represent a minority</b>	There are no political parties of a specific minority in the Russian Federation.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	<p>The following organisations of regional and federal levels are most visible and active in the area of the rights of national minorities:</p> <ul style="list-style-type: none"> <li>- All-Russian Muslim Public Movement "NUR";</li> <li>- All-Russian Public and Political Movement "Union of Muslims in Russia";</li> <li>- All-Russian Public and Political Movement "<i>Bashlam</i>";</li> <li>- International Union of Greek Organisations "<i>Pontos</i>";</li> <li>- Federation of Jewish Organisations and Communities of Russia;</li> <li>- Uzbek Community "<i>Vatandosh</i>";</li> <li>- Cherkess Community "<i>Hoce</i>";</li> <li>- Association of Koreans of Russia;</li> <li>- Society "<i>Byrlik</i>" of Nogai People;</li> <li>- International Union of Assyrian Public Organisations "Assyrian Congress";</li> <li>- Union of Georgians of Russia;</li> <li>- Uygur National and Cultural Association;</li> <li>- Association of Finno-Ugric People of Russia;</li> <li>- Association of Greek Societies of Russia;</li> <li>- Polish Congress of Russia;</li> <li>- Ukrainian Union of Russia;</li> <li>- Congress of National Unions of Russia.</li> </ul>

<b>II. Parliamentary representation</b>	
<b>3. Reserved seats in Parliament for minorities</b>	<p>No seats are reserved in the Russian Parliament (Lower Chamber) for minorities.</p> <p>In the Upper Chamber of the Parliament two seats are reserved for each of the 89 subjects of the Russian Federation.</p>
<b>4. Seats gained by political parties mentioned in table I</b>	-
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	See above.
<b>6. Special provisions for minority parties regarding thresholds</b>	See above.
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	<p>In the Upper Chamber of the Parliament there is a Committee on the Affairs of North and Indigenous Peoples, as well as a Committee on the Affairs of the Federation, Federal Relations and Regional Policy.</p> <p>In the Lower Chamber of the Parliament there is a Committee on the Affairs of Nationalities, a Committee on the Affairs of the Federation and Regional Policy, a Committee on Public Associations and Religious Organisations and a Committee on the Problems of the North.</p>

<b>III. Ombudsperson for minority/human rights or parliamentary committee for petitions</b>	
<b>8. Official titles of such bodies</b>	<p>Mr. MIRONOV was elected by the Parliament as an Ombudsman for Human Rights in 1998.</p> <p>A Commission on Human Rights works under the authority of the President of the Federation of Russia.</p>
<b>9. Legal basis on which they were</b>	See above.

<b>established</b>	
<b>10. Way of election/nomination of the Ombudsperson</b>	See above.
<b>11. Main functions and mandate of the Ombudsperson</b>	-

<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	In the new structure of the Russian Government there is a Ministry on the Affairs of Nationalities and a Ministry for the Regional Issues.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	-

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	In conformity with Art. 7 of the Federal Law on National and Cultural Autonomy, the Consultative Council on National Cultural Autonomies under the auspices of the Government of the Russian Federation was introduced.
<b>15. Legal basis on which it has been established</b>	The Statute of the Council and its composition were approved by Governmental Regulations No. 1517 of December 18, 1996. The Consultative Council is a deliberative body to act as a public one. The Ministry on Nationalities of Russia provides Council's activities with organisational and technical support.
<b>16. Main functions of this office</b>	The basic tasks of the Council are as follows: <ul style="list-style-type: none"> <li>- participation in preparation of Federal programmes in the field of preservation and development of national languages (mother tongues) and national culture, draft laws and other acts concerning national minorities interests;</li> <li>- advising the Russian Government and Federal bodies of the executive power on national problems of Russian citizens;</li> <li>- providing assistance for establishing national-cultural autonomies and the development of coherent activities;</li> <li>- representation and protection of cultural and social rights and interests of national minorities in the State bodies of the Russian Federation.</li> </ul>
<b>17. Functioning of this office</b>	See above and item 18 and 19.
<b>18. Links with other institutions</b>	-
<b>19. Minorities involved/covered</b>	The Consultative Council is composed of representatives of Federal Ministries and Departments, as well as of the Congress of National Associations of Russia (CNAR), which unites all-Russian NGOs of certain groups: Armenian, Azerbaijani, Assyrian, Georgian, German, Greek, Gypsy, Jewish, Korean, Kurdish, Moldavian, Polish, Ukrainian and Uygurian. As far as Federal national-cultural autonomies are being founded, their plenipotentiaries participate in Council's activities.
<b>20. Name(s) of contact person(s)</b>	-

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	A number of various consultative institutions to executive authorities in the subjects of the Russian Federation is established; e. g.: <ul style="list-style-type: none"> <li>- the Council on Nationalities' Issues to the Head of Administration of Orenburg and Tcheljabinsk regions;</li> <li>- the Moscow Inter-Ethnic Conference (MIC) to the Committee of Public and Interregional Links of the Moscow Government.</li> </ul>
<b>22. Legal basis on which they have been established</b>	-
<b>23. Main functions of these bodies</b>	-

<b>24. Functioning of these bodies</b>	The Committee of Public and Interregional Links of the Moscow Government assembles presidents of more than 80 national associations. MIC sits quarterly; meetings and conferences on particular topics of national activities, as well as working groups and “round-tables” are held in the period between sittings of MIC.
<b>25. Links with other institutions</b>	-
<b>26. Minorities involved/covered</b>	-
<b>27. Name(s) of contact person(s)</b>	-

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	<ul style="list-style-type: none"> <li>▪ National administrative territorial units were introduced for peoples – national minorities’ representatives – in a number of subjects of the Russian Federation since the early 90s: <ul style="list-style-type: none"> <li>- Kuisk national Veps commune in Vologda region;</li> <li>- Evenk Bytantai national district in Sakha Republic;</li> <li>- German national district in Altay and Omsk regions;</li> <li>- Baikal and Upper-Angara Evenk villages in Burjat Republic;</li> <li>- Veps national district in Karelian Republic;</li> <li>- Korean national sub-district “<i>Su-Tchan</i>” in the town of Partisansk, Primorsk region, etc.</li> </ul> </li> <li>▪ National cultural autonomy is a non-territorial form of national self-government. National cultural autonomy represents a public association of citizens attributing themselves to certain ethnic communities. Such associations acting on the basis of voluntary self-organisation are to participate in solving questions connected with the development of language, education and culture of an appropriate ethnic group.</li> </ul>
<b>29. Legal basis on which they have been established</b>	<ul style="list-style-type: none"> <li>▪ The USSR Law of April 26, 1990 on “Free national development of citizens of the USSR, living beyond limits of their national-state formations or who do not have it in the territory of the USSR” serves as a legal basis for the creation of national settlements on the Federal level.</li> </ul> <p>The legal status of national territorial units on the territories of subjects of the Russian Federation is regulated by their Laws.</p> <ul style="list-style-type: none"> <li>- The Law of Burjat Republic on “Legal status of Evenk rural Soviets of people’s deputies on the territory of Burjat Republic” of October 24, 1991 and the Law of the Republic of Karelia on “legal status of national district, national rural Soviets in the Republic of Karelia” of November 22, 1991 were adopted in order to promote the revival of Evenk people on the territory of Burjatia and Finns on the territory of Karelia, as well as to satisfy national, cultural, spiritual and linguistic demands, ensure positive demographic process. Both Laws regulate questions of establishment of territorial administrative units, including procedure, time-terms, definition of borders, economic development issues, issues of self-financing and financial aid, etc.</li> <li>- The Evenk-Bytantai national district (“<i>ulus</i>”) in Sakha Republic was established in compliance with Council of Ministers’ regulations No. 375 of December 11, 1989 on “Primary measures on establishment of Evenk-Bytantai national district”. The legal status of the national district and rural settlements is also foreseen in the special section of the Law of Sakha Republic on “Local Soviets of People’s Deputies and local self-government” dated March 5, 1991.</li> <li>- As an example the regulation of national units status in Russian regions, one can mention the Provisional Statute on national village, national commune (“<i>aimak</i>”) in the Kemerovo region, approved on November 20, 1991 by the Presidium of the Kemerovo Regional Soviet of people’s deputies.</li> </ul> <ul style="list-style-type: none"> <li>▪ The status of a national-cultural autonomy is defined in the Federal Law on “National-cultural autonomy” (No. 74-FZ of June 17, 1996), the Federal</li> </ul>

	Law on “Public associations” (No. 82-FZ of May 19, 1995) and in “General principles of legislation of the Russian Federation on culture” of October 9, 1992 (Art. 20 provides the right of all ethnic communities living in a compact manner beyond their State formations or lacking their State organisation for national-cultural autonomy).
<b>30. Number of self-governments and minorities concerned</b>	See above, item 28.
<b>31. Main functions of these bodies</b>	See above, item 28.
<b>32. Functioning of these bodies</b>	National settlements are territorial administrative units in form. Local self-government bodies of these settlements possess the same rights as corresponding bodies of ordinary territorial administrative units do.
<b>33. Links with other institutions</b>	-

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	Public institutions that play a significant role in the field of the protection of minorities are mentioned in Chapters VI and VII.

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	At the present time there are several thousands of different organisations in the Russian Federation at federal, regional and local levels. Many of them are actively involved in the protection of the rights of national minorities, including promotion of national language, culture, traditions and religion. In Moscow, there are 80 national public organisations, in Saint-Petersbourg – more than 100 organisations.
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	See above.

## X. Legal texts

**37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously**

In the Russian Federation an important role is devoted to legal means of protection of the rights of national minorities.

In 1990 the Declaration on the State Sovereignty of the RSFSR proclaimed the political, economical, ethnical and cultural rights of national minorities. In 1991 a Law of the RSFSR on “the Languages of the peoples of the RSFSR” was adopted. This law strengthened and developed legal norms concerning the right of national minorities to develop their national language, to use it in public and private life and to obtain education in a national language. The Federal Law of the Russian Federation “Basic legislation of the Russian Federation on culture”, dated 9 October 1992, grants a right to national minorities to preserve and develop their cultural identity. The Constitution of the Russian Federation adopted in 1993, which prohibits any discrimination on the basis of race, language, religion, nationality etc., has opened the possibilities for further development of the federal and regional legislation on national minorities.

The special role in the development of the rights of national minorities in the Russian Federation belongs to the Federal Law on “National and cultural autonomy” dated 17 June 1996, as well as to the State Outline of the State Policy on Nationalities of the Russian Federation, approved by the Presidential Decree No. 909 from 15 June 1996. The Plan of Action on the realisation of this Outline was approved by the Governmental Regulations No. 217 on 22 February 1997.

In 1998 the Russian Federation ratified the Framework Convention for the Protection of National Minorities which came into force on 1 December 1998.

## « SAN MARINO »

Please refer to the reply given by the Government of San Marino as included in DH-MIN (99)1.

# SLOVAK REPUBLIC

<b>I. Representation in political parties</b>	
<b>1. Parties that specifically represent a minority</b>	<p>The parties that specifically represent the Hungarians are:</p> <ul style="list-style-type: none"> <li>- <i>Strana maďarskej koalície (Magyar Koalíció Pártja)</i>, Party of Hungarian Coalition consisting of <i>Spolužitie, (Együttélés)</i>, Coexistence, <i>Maďarské kresťansko-demokratické hnutie (MKDH)</i>, Hungarian Christian Democratic Movement and <i>Maďarská občianska strana (MOS)</i> Hungarian Civic Party, <i>Maďarské ľudové hnutie za zmierenie a prosperitu (Magyar Népi Mozgalom a Megbélélésértés Jólétért)</i>, Hungarian Movement for Moderation and Prosperity, <i>Maďarská volebná konzervatívno-liberálno-občianska strana (Magyar Választási Konzervatív Liberális Polgási Párt)</i>, Hungarian Electoral Conservative-Liberal-Civic Party.</li> </ul> <p>The parties that specifically represent the Romanies are:</p> <ul style="list-style-type: none"> <li>- <i>Strana integrácie Rómov na Slovensku (SIR)</i>, Party of the Integration of Romanies in Slovakia;</li> <li>- <i>Strana ochrany práv Rómov na Slovensku (SOPR)</i>, Party for the Protection of Romanies' Rights in Slovakia;</li> <li>- <i>Rómska občianska iniciatíva SR (ROISR)</i>, Romany Civic Initiative of the Slovak Republic;</li> <li>- <i>Liga rómskej jednoty (LRJ)</i>, League of Romany Union;</li> <li>- <i>Strana sociálnej demokracie Rómov na Slovensku (SSDR)</i>, Party of Romany Social Democracy in Slovakia;</li> <li>- <i>Únia rómskej občianskej iniciatívy v SR (ÚROI)</i>, Union of Romany Civic Initiative;</li> <li>- <i>Rómsky kongres SR, Romany Congress of the Slovak Republic</i>;</li> <li>- <i>Demokratické hnutie Rómov v SR (DHR)</i>, <i>Romany Democratic Movement in the Slovak Republic</i>;</li> <li>- <i>Strana Rómov Slovenska (SRóS)</i>, <i>Party of Slovak Romanies</i>;</li> <li>- <i>Rómska národná strana (RNS)</i>, <i>Romany National party</i>;</li> <li>- <i>Strana rómskych demokratov v SR (SRD)</i>, <i>Party of Romany Democrats</i>;</li> <li>- <i>Strana práce a istoty</i>, <i>Party of Work and Security</i>;</li> <li>- <i>Demokratická aliancia Rómov v SR</i>, <i>Democratic Alliance of Romanies in the Slovak Republic</i>;</li> <li>- <i>Rómska inteligencia za spolunažívanie v SR (RIS)</i>, <i>Romany Intelligence for Coexistence</i>;</li> <li>- <i>Rómske kresťanské demokratické hnutie v SR (RKDH)</i>, <i>Romany Christian Democratic Movement</i>.</li> </ul> <p>The party that specifically represents the Ruthenians/Ukrainians:</p> <ul style="list-style-type: none"> <li>- <i>Podduklianska demokratická hromada</i>, <i>Podduklianska Democratic Group</i>.</li> </ul>
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	<p>All minority parties mentioned above.</p> <p>The following parties do not <i>especially</i> represent minorities but their programmes declare securing human and minority rights:</p> <ul style="list-style-type: none"> <li>- <i>Hnutie za demokratické Slovensko (HZDS)</i>, <i>Movement for Democratic Slovakia</i>;</li> <li>- <i>Strana demokratickej koalície (SDK)</i>, <i>Party of Democratic Coalition</i>;</li> <li>- <i>Strana demokratickej ľavice (SDL)</i>, <i>Party of Democratic Left</i>;</li> <li>- <i>Strana občianskeho porozumenia (SOP)</i>, <i>Party of Civic Understanding</i>.</li> </ul>

<b>II. Parliamentary representation</b>	
<b>3. Reserved seats in Parliament for minorities</b>	There are no reserved seats for minorities. Seats are occupied according to civil principle.
<b>4. Seats gained by political parties mentioned in table I</b>	At the last elections (1998) the Party of Hungarian Coalition composed of Coexistence, the Hungarian Civic Party and the Hungarian Christian Democratic Movement gained 15 seats in parliament.
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	Persons belonging to minorities were certainly elected on the lists of other parties. There is no special evidence of nationality of any member of the parliament.
<b>6. Special provisions for minority parties regarding thresholds</b>	The same rules for representation apply to every political party: threshold of 5% of electoral votes.
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	There is a Committee for Human Rights and Minorities.  Members of the Hungarian minority are represented in the leadership of the Parliament through a vice-Chairman of the Parliament, the Chairman for the Committee for Human Rights and Minorities, the Chairman of the Committee for Finance, Budget and Currency, and the vice-Chairman of the Healthcare Committee.

<b>III. Ombudsperson for minority/human rights or parliamentary committee for petitions</b>	
<b>8. Official titles of such bodies</b>	None.
<b>9. Legal basis on which they were established</b>	-
<b>10. Way of election/nomination of the Ombudsperson</b>	-
<b>11. Main functions and mandate of the Ombudsperson</b>	-

<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	Since November 1998 there is a Deputy Prime Minister for Human Rights, National Minorities and Regional Development.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	<p>Within the Office of the Government of the Slovak Republic:</p> <ul style="list-style-type: none"> <li>▪ Deputy Prime Minister of the Government of the Slovak Republic for European Integration;</li> <li>▪ Commissioner of the Government of the Slovak Republic for the Romany Minority.</li> </ul> <p>Within the Ministry of Culture of the Slovak Republic:</p> <ul style="list-style-type: none"> <li>▪ Section for Minority Culture.</li> </ul> <p>Within the Ministry of Education of the Slovak Republic:</p> <ul style="list-style-type: none"> <li>▪ Department for Education and Schools on Ethnically mixed Territories.</li> </ul> <p>Within the Ministry of Foreign Affairs:</p> <ul style="list-style-type: none"> <li>▪ Section for Human Rights</li> </ul> <p>Within the Ministry of Labour, Social Issues and Family of the Slovak Republic:</p> <ul style="list-style-type: none"> <li>▪ Governmental Agent for the Questions of People who require Special Aid, including Romanies.</li> </ul> <p>Within the Ministry of the Interior:</p> <ul style="list-style-type: none"> <li>▪ Department of General Internal Administration.</li> </ul>



<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	None. <u>Participation in Municipalities:</u> at the local level, within Municipalities persons belonging to minorities are actively participating in public life through the Municipal Councils on ethnic principle.
<b>15. Legal basis on which it has been established</b>	-
<b>16. Main functions of this office</b>	-
<b>17. Functioning of this office</b>	-
<b>18. Links with other institutions</b>	-
<b>19. Minorities involved/covered</b>	-
<b>20. Name(s) of contact person(s)</b>	-

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	<ul style="list-style-type: none"> <li>◆ The Council for National Minorities and Ethnic Groups of the Government of the Slovak Republic.</li> <li>◆ The Expert Commission for the Minority Cultures (Ministry of Culture of the Slovak Republic).</li> </ul>
<b>22. Legal basis on which they have been established</b>	◆ Government established the Council for National Minorities and Ethnic Groups of the Government of the Slovak Republic by the Government Resolution No.292 (14 April 1999).
<b>23. Main functions of these bodies</b>	<ul style="list-style-type: none"> <li>◆ The main functions of the Council are: <ul style="list-style-type: none"> <li>- to advise the Government on draft legislation related to minorities;</li> <li>- serve as a forum for discussion and dialogue between the Government and minorities;</li> <li>- to prepare the reports on situation and conditions for living of the persons belonging to the national minorities and ethnic groups and submit it to the Government of the Slovak Republic</li> <li>- to recommend the solving of the issues regarding to the persons belonging to the national minorities and ethnic groups to the Government of the Slovak Republic.</li> </ul> </li> <li>◆ The main function of the Commission is to determine the amount of finances from the available budget approved by the Parliament for the development of minority cultures and its division among eleven minority cultures. The Expert commission may establish a sub-commission to assess the particular projects for the development of relevant minority cultures and propose the amount of finances provided after it has been discussed by the expert commission.</li> </ul>
<b>24. Functioning of these bodies</b>	See above.
<b>25. Links with other institutions</b>	<ul style="list-style-type: none"> <li>◆ The members of the Council for National Minorities and Ethnic Groups of the Government of the Slovak Republic are representatives of all eleven national minorities in Slovakia, officials of six state departments and the Commissioner of the Government of the Slovak Republic for the Romany Minority within the Office of the Government of the Slovak Republic.</li> <li>◆ The Ministry of Culture uses a system of grants, on the basis of which the funds are provided for selected projects through contracts between the Ministry of Culture and legal personalities and individuals. On the basis of the prepared "Procedure of the Expert Commission and sub-Commissions for the Assessment of Minority Culture Projects", an expert commission was set up. It consists of 19 representatives of national minorities. According to the principle of equality each national minority has only one vote.</li> </ul>
<b>26. Minorities involved/covered</b>	<ul style="list-style-type: none"> <li>◆ All national minorities living in Slovakia have one representative, except the Hungarians who have three representatives and the Romanies who have two representatives in the Council of National Minorities and Ethnic Groups of the Government of the Slovak Republic.</li> <li>◆ The Expert Commission for the Minority Cultures is formed of the five representatives of the Hungarian national minority, three representatives of</li> </ul>

	the Romany minority, two representatives of the Czech national minority, and one representative of each the Ruthenian, Ukrainian, German, Croatian, Bulgarian, Polish, Jewish and Moravian minorities.
<b>27. Name(s) of contact person(s)</b>	◆ The Ministry of Culture of the Slovak Republic shall be contacted for matters dealt by the Commission for Minority Cultures.

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	<p>There are no special minority self-governments.</p> <p>In the 1998 elections to municipal self-government bodies, 227 representatives of the Hungarian national minority acquired the office of mayor – of which 224 were candidates for the Hungarian Coalition Party and three were candidates for the Hungarian People’s Movement for Reconciliation and Prosperity. Six elected mayors were candidates for the Romany Civic Initiative in the Slovak Republic.</p> <p>3841 members of the Hungarian national minority were elected as members of municipal councils, of which 3773 were candidates for the Hungarian Coalition Party and 68 were candidates for the Hungarian People’s Movement for Reconciliation and Prosperity. 86 elected members of municipal councils were candidates from the Romany minority, of which 80 were candidates of the Romany Civic Initiative in the Slovak Republic, 4 were candidates of the Romany Christian Democratic Movement in the Slovak Republic and 2 of the Democratic Movement of Roma in the Slovak Republic.</p>
<b>29. Legal basis on which they have been established</b>	-
<b>30. Number of self-governments and minorities concerned</b>	-
<b>31. Main functions of these bodies</b>	-
<b>32. Functioning of these bodies</b>	-
<b>33. Links with other institutions</b>	At the state administration level, of the 79 heads of district offices, 7 heads are of Hungarian ethnic origin and 1 is of Ruthenian origin.

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	<ul style="list-style-type: none"> <li>- Department of Romany Culture at the University of Konštantín Filozof in Nitra;</li> <li>- Hungarian Department at the University of Konštantín Filozof in Nitra;</li> <li>- Institute of Jewish Studies at Comenius University in Bratislava.</li> <li>- Ruthenian department at the Prešov University in Prešov (opened in April 1999).</li> </ul>

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	<ul style="list-style-type: none"> <li>- The Hungarian minority has 53 associations and 25 foundations;</li> <li>- The Romany minority has 46 associations and 3 foundations;</li> <li>- The Ruthenian/Ukrainian minorities have 17 associations and 2 foundations;</li> <li>- The German minority has 3 associations;</li> <li>- The Croatian minority has 2 associations;</li> <li>- The Russian minority has 2 associations;</li> <li>- The Polish minority has 1 association;</li> <li>- The Czech minority has 1 association;</li> <li>- The Romanian minority has 1 association;</li> <li>- The Bulgarian minority has 1 association.</li> </ul> <p>In the area of non-investment funds, 14 funds have been set up by members of the Hungarian national minority and 1 fund by members of the Romany minority. In the sphere of non-profit organisations providing generally beneficial services, 1 non-profit organisation has been established by members of the Hungarian national minority and 1 organisation operates for members of the Romany minority.</p>
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	<p>According to the information of the Ministry of Interior of the Slovak Republic there are about 760 NGOs registered in Slovakia. This number changes, some NGOs cease to exist and new ones are founded.</p> <p>Certain of these NGOs are dealing with the issue of human rights and minorities. These NGOs have rich educational and informative functions, realised through various conferences, seminars, publishing and other activities.</p>

<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	<ol style="list-style-type: none"> <li>1. Constitutional Act No. 23/1991 Coll., which introduces the Charter of Fundamental Rights and Basic Freedoms (especially Articles 25 § 2c)</li> <li>2. The Constitution of the Slovak Republic (especially Articles 34 § 2c)</li> <li>3. Framework Convention for the Protection of National Minorities No. 160/1998 Coll. (especially Article 15 § 2c).</li> </ol>

# SLOVENIA

<b>I. Representation in political parties</b>	
<b>1. Parties that specifically represent a minority</b>	In Slovenia there are no political parties representing specifically minority interests.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	<p>All political parties represented in Parliament incorporate in their programmes and in political practice the protection and participation of the persons belonging to national minorities. These parties are as follows:</p> <ul style="list-style-type: none"> <li>• <b>Liberal Democracy of Slovenia - LDS</b> (25 seats);</li> <li>• <b>Slovenian People's Party - SLS</b> (19 seats);</li> <li>• <b>Social Democratic Party - SDS</b> (16 seats);</li> <li>• <b>Christian Democrats of Slovenia - SKD</b> (10 seats);</li> <li>• <b>United List of Social Democrats - ZLSD</b> (9 seats);</li> <li>• <b>Democratic Party of Pensioners of Slovenia - DESUS</b> (5 seats);</li> <li>• <b>Slovenian National Party - SNS</b> (4 seats);</li> <li>• Minorities MP-s elected on minorities list - Hungarian and Italian - 2 seats guaranteed).</li> </ul> <p>LDS, SLS and DESUS form the governmental coalition.</p>

<b>II. Parliamentary representation</b>	
<b>3. Reserved seats in Parliament for minorities</b>	<p>Pursuant to the Constitution of the Republic of Slovenia (Article 64) and respective laws on elections (local and national level) the Hungarian and Italian national minorities have the right to elect their own deputies (one each) to the National Assembly (Lower House). They are directly elected from their own special lists comprising the persons belonging to the above mentioned minorities.</p> <p>The deputies representing the two minorities have the same status as the other deputies and similarly to the municipal councillors (elected in eight communes - covering the ethnically mixed territories, 3 Italian and 5 Hungarian) they are obliged to give their consent to laws and other acts of the National Assembly (and communal councils) which concern the issues regarding the rights of the minorities. Without their consent the laws cannot be passed. In case the disagreement in disputed cases has not been resolved through preliminary discussions, minorities deputies have the right to veto the passage of a legislative act.</p>
<b>4. Seats gained by political parties mentioned in table I</b>	On the list of LDS and ZLSD 2 deputies from persons belonging to minorities (1 each) are elected to the National Assembly (Lower House). In the Council of State (Upper House) there are no persons belonging to national minorities elected.
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	Last elections: November 1996 (see I. above)
<b>6. Special provisions for minority parties regarding thresholds</b>	None.
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	<ul style="list-style-type: none"> <li>• In the Parliament (National Assembly - Lower House) there is the <b>Commission for Ethnic Communities</b> (national minorities) which like other parliamentary bodies comprises representatives of all the parliamentary parties. The minority deputies take turns in presiding over the Commission (2 years each within 4 years tenure). <ul style="list-style-type: none"> <li>- The main task of the Commission is to provide opinions, observations and proposals on all legislative and other acts, which in any aspects</li> </ul> </li> </ul>

	<p>encroach on the position of the national minorities.</p> <ul style="list-style-type: none"> <li>• Commission for Slovenians Abroad dealing with Slovenian national minorities in neighbouring countries and Slovenians in emigration in Europe and overseas.</li> </ul>
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<b>III. Ombudsperson for minority/human rights or parliamentary committee for petitions</b>	
<b>8. Official titles of such bodies</b>	<ul style="list-style-type: none"> <li>- In Slovenia there is no Ombudsperson directly responsible for minority rights. There is an Ombudsman (Ombudsperson) for the protection of human rights.</li> <li>- Committee for Petitions of the National Assembly.</li> </ul>
<b>9. Legal basis on which they were established</b>	Pursuant to Constitution the institution of Ombudsman is founded by »Law on Ombudsman for the protection of human rights.« (Official Gazette N°71/93 - 30. Dec. 1993).
<b>10. Way of election/nomination of the Ombudsperson</b>	The Ombudsperson is elected for 6 years tenure by the National Assembly on the proposal of the President of the Republic of Slovenia.
<b>11. Main functions and mandate of the Ombudsperson</b>	<ul style="list-style-type: none"> <li>a) The main function of the Ombudsperson is to protect Constitutional and legal rights of citizens in proceedings before the government and local administrative bodies and other organs vested with public powers.</li> <li>b) The Ombudsperson is acting according to the Constitutional provisions and international legal instruments (conventions) relating to the protection of human rights and fundamental freedoms.</li> <li>c) The Ombudsperson's competencies in relation to all state organs, local self-government organs and bodies vested with public powers are laid down in law.</li> <li>d) The Ombudsperson does not examine the issues in which the administrative or any other procedure is pending before competent bodies, except in cases where legal procedures are irregular and where an abuse of power is proven.</li> <li>e) State organs, local organs and all organs vested with public powers are obliged to provide all relevant data and information by request of Ombudsperson in order to enable him to examine the case. The Ombudsperson can address to the respective organs proposals, opinions, criticisms or recommendations. They are obliged to deal with proposals and transmit the answers in the time settled by the Ombudsperson.</li> <li>f) The Ombudsperson is obliged to submit annual reports to the National Assembly. Reports are made public.</li> </ul>

<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	There is no Minister or Ministry specifically responsible for national minorities.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	<p>The ministries responsible for dealing with minorities protection within their field of activities are the following:</p> <ul style="list-style-type: none"> <li>• Ministry of Interior</li> <li>• Ministry of Justice</li> <li>• Ministry of Education and Sport</li> <li>• Ministry of Culture</li> </ul>

	<ul style="list-style-type: none"> <li>• Ministry of Foreign Affairs</li> <li>• Ministry of Labour and Social Affairs</li> <li>• Ministry of Finance</li> <li>• Office for Local Self-government (chaired by Minister)</li> </ul> <p>Their activities are financed by state budget. Ministries ensure financial means for minorities institutions.</p>
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<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	Governmental Office of National Minorities (in Slovenian: <i>Urad Vlade Republike Slovenije za narodnosti</i> ).
<b>15. Legal basis on which it has been established</b>	The legal basis for the establishment of the office are Constitution (Articles: 5, 11, 14, 61, 62, 63, <u>64</u> , 65 and 80) and the law on the Government of the Republic of Slovenia).
<b>16. Main functions of this office</b>	<ul style="list-style-type: none"> <li>• The Office of National Minorities is responsible for carrying out the responsibilities of the state in the respective field. In addition to other responsibilities it has mainly the task of looking after the harmonisation of the work of state bodies and following the implementation of the constitutional and legal obligations of the state to autochthonous national minorities (Hungarian, Italian, Roma).</li> <li>• The provisions of special rights and protection of national minorities are articulated in relative detail in the Constitution, so there is no specific global law on the protection of national minorities.</li> <li>• More detailed provisions are included in laws in various fields which in anyway touch the position of minorities and for the implementation of which the relevant ministries (See IV./13 - above) are responsible.</li> <li>• The task of the Office of National Minorities is primarily in global monitoring and harmonising of the implementation of the legislative provisions their effects in practice, drawing attention to inadequacies, preparing proposals and initiatives by government and other state bodies (ministries), preparing analyses and reports relating to the questions of the protection of national minorities.</li> <li>• The direct tasks of the office are above all co-operation with the organisations of national minorities and providing funds for their activities, collecting initiatives and proposals for resolving concrete problems which organisations or persons belonging to national minorities meet.</li> <li>• The office in co-operation and consent with minorities - self-governing communities prepares the draft proposals of laws and other law provisions on national and local level.</li> <li>• Another direct task of the office is providing information for the needs of minorities. Finance for newspapers/publications, radio, TV programmes is provided (entirely or partially - co-financing).</li> </ul>
<b>17. Functioning of this office</b>	<ul style="list-style-type: none"> <li>• Co-operation with the relevant parliamentary committee for minorities consists of preparing draft documents (after previous consultation with minority organisations), draft opinions on the questions regarding minorities. The Office represents the government at sessions of the Parliamentary Committee.</li> <li>• The Office assists the Governmental Commissions for national minorities (Hungarian, Italian) and Governmental Commission for Roma. Both Commissions are chaired by Ministers and representatives of national minorities participate in the sessions.</li> <li>• A large part of the office's tasks are realised mainly in the regions, in which the minorities live. In this context the office maintains permanent co-operation and consultation with national minorities - governing communities (on communal and regional level) and local</li> </ul>

	<p>communities (authorities) which play a key role in resolving the problems the minorities encounter. The system of protection and special rights is exercised on the ethnically mixed territories where Italian and Hungarian minorities live (8 communes in Slovenia and in communes where Roma people are living).</p> <ul style="list-style-type: none"> <li>• The Office is closely co-operating with the Ministry of Foreign Affairs in preparing and implementing of multilateral and bilateral international agreements relating to the protection of national minorities.</li> </ul>
<b>18. Links with other institutions</b>	<p>The main working links of the office in the implementation of the legislation are with following institutions:</p> <ul style="list-style-type: none"> <li>• Minorities Self-governing communities and minorities non-governmental organisations (cultural etc.);</li> <li>• Parliamentary bodies;</li> <li>• Ministers and relevant state organs;</li> <li>• Research institutes-Universities-Academy of Science;</li> <li>• Informal consultative contacts with non-governmental organisations and civil society organisations.</li> </ul>
<b>19. Minorities involved/covered</b>	The Hungarian and Italian national minorities, as well as the Roma ethnic group.
<b>20. Name(s) of contact person(s)</b>	<p>Mr. Peter Winkler  Director of the Office of National Minorities  Address:  Gregorčičeva 27  1000 Ljubljana, Slovenia  Tel: +386 61 178 1746  Fax: +386 61 178 1748</p>

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	None.
<b>22. Legal basis on which they have been established</b>	
<b>23. Main functions of these bodies</b>	
<b>24. Functioning of these bodies</b>	
<b>25. Links with other institutions</b>	
<b>26. Minorities involved/covered</b>	
<b>27. Name(s) of contact person(s)</b>	

## VII. Self-governments and forms of territorial or cultural autonomy at regional or local level

### 28. Self-governments or other forms of representation at regional or local level

Special Self-governing National Minorities - Communities are established by law (The Law on Self-governing Communities, Official Gazette of Republic of Slovenia N°65/94). They are founded by members of the Italian and Hungarian minorities communities in the area (nationally mixed territory) on which the special rights and protection are exercised - 8 communal and 2 regional self governing communities) in which they live in order to give effect to the special rights guaranteed by constitution for the exercise of their interests and for organised participation in public affairs.

Self-governing communities present a special form of autonomy which enable the minorities not only to decide about internal problems but to participate in decision-making in all issues affecting the position of the minority on the local or national level. This means that minority has the right to submit proposals and initiatives to the local and national (state) level. The relevant law requires the local community and the state to obtain the opinion and in certain cases the consent before any decision affecting the minority is taken.

The local (municipal - communal) self-governing community is the most important minority organisation which enable the effective participation in the decision-making processes. Self-governing community decisions affect every day problems and the life of minorities in general. In this way the minority has the opportunity not only to assert its specific interests and the protection of its rights but also the possibility **as a collective subject**, to contribute to the regulation of matters which are important for all citizens living in respective area.

Municipal Statutes in the ethnically mixed areas contain among others detailed provisions on the guaranteeing of the language and cultural rights of persons belonging to national minorities as well as mechanisms for their participation in decision-making within the municipality-commune.

The persons belonging to national minorities are assured of having at least one representative in the council - elected on a special list (formed by minority organisations). In practice all of the eight communities opted for more than one representative - varying between two and four.

Municipal minority councillors have the same rights as all other (majority) members.

Decisions affecting the special rights of the persons belonging to national minorities and their communities **may not be adopted without their consent**.

Members of minorities are guaranteed (by statute) the participation of their representatives in the executive bodies of a municipality-commune.

Members of minorities exercise their interests also by active participation in political parties or as independent candidates.

At the national level the Italian and Hungarian minority communities are represented by the Coastal **Italian Self-governing Minority Community** (covering 3 communes along Italian and Croatian border) and Pomurje **Hungarian Self-governing Minority Community** (5 communes along Hungarian border).

Those communities co-ordinate minority activities in respect of the governmental and other bodies.

Representatives of the self-governing communities consul and negotiate with relevant ministries and other state organs all important statutory acts (through governmental commissions and Office for National Minorities) before they are



	<p>dealt with by the government or parliamentary bodies.</p> <p>Roma people are represented (according to the law on local self-government and law on local elections) with at least one member elected on their own electoral list.</p> <p>As there is no special law on Roma their special rights are exercised by relevant laws (local government, education, work and social affairs and culture). Roma representatives participate in the work of the relevant governmental commission, ministries commissions and local/communal organs.</p> <p>Regarding public institutions at local level in particular, the Self-governing Minority Communes are guaranteed the right to participate in the management of all public institutions which are of importance for minorities (schools, cultural institutions, libraries, archives). Self-governing Minority Communes are cofounders and in the managing boards (councils) minorities have representatives who take part in deciding crucial issues (appointment of directors, adoption of programmes).</p> <p>Self-governing Minority Communes are represented together with other minorities in the contacts and co-operation with the country of their ethnic origin (neighbouring countries of Slovenia: Hungary and Italy).</p> <p>Self-governing Minority Communes participate in the preparation and implementation of relevant international agreements in co-operation with Ministry of Foreign Affairs and the Office for National Minorities.</p> <p>Self-governing Minority Communes are regularly consulted before (and informed after) the important official visits of Slovenian delegations in the respective countries.</p> <p>Self-governing Minority Communes are financed by state directly and through communal/local bodies.</p>
<b>29. Legal basis on which they have been established</b>	-
<b>30. Number of self-governments and minorities concerned</b>	-
<b>31. Main functions of these bodies</b>	-
<b>32. Functioning of these bodies</b>	-
<b>33. Links with other institutions</b>	-

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	<ul style="list-style-type: none"> <li>• University of Ljubljana (University research institutions and faculties);</li> <li>• University of Maribor (University research institutions and faculties);</li> <li>• European Center for Ethnic, Regional and Sociological Studies(ECERS) of the University of Maribor;</li> <li>• Academy of Science, Ljubljana;</li> <li>• Institute for Ethnic Studies - Ljubljana;</li> <li>• Institute for Geography - Ljubljana;</li> <li>• National University Library - Ljubljana;</li> <li>• Archives, Museums on national and local level;</li> <li>• Minorities kindergartens, pre-schools, elementary schools, secondary schools;</li> <li>• Scientific-Research Centre-Koper/Capodistria;</li> <li>• Publishing houses (Minority publishing houses);</li> <li>• Minorities media: radio, TV, newspapers, reviews; special programs for minorities on national TV and Radio</li> <li>• TV Koper/Capodistria - station of Italian minority</li> <li>• Minorities cultural (Theatres, music, artistic) institutions and professional organisations.</li> </ul>

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	<ul style="list-style-type: none"> <li>• Hungarian Minority Community - Association;</li> <li>• Italian Minority Community – Association;</li> </ul> <p>(Both communities deal with various activities of interest to them, part cultural and educational);</p> <ul style="list-style-type: none"> <li>• Union of Roma Associations, gathering Roma from 12 Communes (dealing mostly with cultural and social issues.</li> </ul>
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	<ul style="list-style-type: none"> <li>• Helsinki Monitor - Slovenian branch;</li> <li>• Amnesty International – Slovenia;</li> <li>• Slovenian Peace Institute;</li> <li>• Association of the United Nations of Slovenia;</li> <li>• Open Society Institute (Foundation).</li> <li>• ISCOMET – Maribor (Consultative status by the Council of Europe - Institute for ethnic and regional studies</li> </ul>

## X. Legal texts

37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously

### ▪ CONSTITUTION OF REPUBLIC OF SLOVENIA (PART II. HUMAN RIGHTS AND FUNDAMENTAL FREEDOM)

Article 14

## Equality before the Law

In Slovenia each individual shall be guaranteed equal human rights and fundamental freedoms irrespective of national origin, race, sex, language, religion, political or other belief, financial status or whatever other personal circumstance.

All persons shall be equal before the law.

Article 61

## Profession of National Allegiance

Each Person shall be entitled to freely identify with his national grouping or ethnic community, to foster and give expression to his culture and to use his own language and script.

Article 63

*Prohibitions against Incitement to Discrimination and to Intolerance and Prohibition against Incitement to Violence and War*

All incitement to ethnic, racial, religious or other discrimination, as well as the inflaming of ethnic, racial, religious or other hatred or intolerance, shall be unconstitutional.

All incitement to violence or to war shall be unconstitutional.

Article 64

*Special Rights of the Autochthonous Italian and Hungarian Ethnic Communities in Slovenia*

The autochthonous Italian and Hungarian ethnic communities and their members shall be guaranteed the right to freely use their national symbols and, in order to preserve their national identity, the right to establish organisations, to foster economic, cultural, scientific and research activities associated with the mass media and publishing . These two ethnic communities and their members shall have, consistent with statute, the right to education and schooling in their own languages, as well as the right to plan and develop their own curricula. The State shall determine by statute those geographical areas in which bilingual education shall be compulsory. The Italian and Hungarian ethnic communities living outside Slovenia, and with Italy and Hungary respectively. Slovenia shall give financial support and encouragement to the implementation of these rights.

In those areas where the Italian and Hungarian ethnic communities live, their members shall be entitled to establish autonomous organisations in order to give effect to their rights. At the request of the Italian and Hungarian ethnic communities, the State may authorise their respective autonomous organisations to carry out specific functions which are presently within the jurisdiction of the State, and the State shall ensure the provision of the means for those functions to be effected.

The Italian and Hungarian ethnic communities shall be directly represented at the local level and shall also be represented in the National Assembly.

The status of the Italian and Hungarian ethnic communities and the manner in which their rights may be exercised in those areas where the two ethnic communities live, shall be determined by statute. In addition, the obligations of the local self-governing communities which represent the two ethnic communities to promote the exercise of their rights of the members of the two ethnic communities living outside their autochthonous areas, shall be determined by statute. The rights of both ethnic communities and of their members shall be guaranteed without regard for the numerical strength of either community.

Statutes, regulations and other legislative enactments which exclusively affect the exercise of specific rights enjoyed by the Italian or Hungarian ethnic communities under this Constitution, or affecting the status of these communities, may not be enacted without the consent of the representatives of the ethnic community or communities affected.

#### Article 65

##### *The Status and Special Rights of Gypsy Communities in Slovenia*

The status and special rights of Gypsy communities living in Slovenia shall be such as the determined by statute.

### ▪ INTRODUCTION PART OF LAW ON SELF-GOVERNING NATIONAL COMMUNITIES

#### I. GENERAL PROVISIONS

##### Article 1

In order to exercise special rights guaranteed by the Constitution of the Republic of Slovenia for the implementation of needs and interests and for organised co-operation in public matters, the members of the Italian and Hungarian national communities shall establish self-governing national communities on the territories which they autochthonously inhabit.

##### Article 2

Self-governing national communities shall be persons of public law

#### FUNCTIONS OF SELF-GOVERNING NATIONAL COMMUNITIES

##### Article 3

Self-governing national communities shall perform the following functions:

- independently decide on all issues within their jurisdiction in accordance with the constitution and law;
- in accordance with the law, give consent to matters concerning decided on mutually by national communities which are self-governing communities;
- consider and examine issues related to the status of national communities, adopt opinions and present proposals and initiatives to competent bodies;
- promote and organise activities which contribute to the preservation of national identity of the members of Italian and Hungarian national communities.

##### Article 4

Self-governing national communities shall carry out functions from the previous article by:

- fostering and organising cultural, research, informative, publishing and economic activities for the development of national communities;
- establishing organisations and public institutes;
- monitoring and stimulating the development of education for members of national communities and by co-operating in line with the law in planning and organising educational activities and in preparing educational programmes;
- establishing contacts with the Italian and Hungarian nations respectively, members;
- performing functions within the jurisdiction of the state in accordance with the law;
- carrying out the other functions in accordance with the statute.

#### Article 5

Self-governing national communities shall co-operate with representatives of national communities elected to the bodies of local self-governing communities and the National Assembly, with the bodies of local self-governing communities and state bodies.

# SWEDEN

## I. Representation in political parties

<b>1. Parties that specifically represent a minority</b>	There are no national political parties in Sweden that represent minority groups. However there are political parties that represent the Sami people in local elections and in the municipal councils in the north of Sweden. There are also Sami parties in the Sami Parliament.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	The question does not apply to Sweden.

## II. Parliamentary representation

<b>3. Reserved seats in Parliament for minorities</b>	There are no seats in the Riksdag, the Swedish Parliament, reserved for minorities
<b>4. Seats gained by political parties mentioned in table I</b>	The question does not apply to Sweden.
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	Sweden does not publish official statistics on persons belonging to minority groups. As a result no information is available on the number of elected persons in the last election on 20 September 1998 belonging to minority groups.
<b>6. Special provisions for minority parties regarding thresholds</b>	There are no special provisions regarding election thresholds for minority parties.
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	There are 16 standing committees in the Riksdag. Each one has its special area of expertise, which is usually indicated by the name of the committee. There is no special committee in charge of minority issues. Any committee may be responsible for handling issues concerning national minorities. It depends on the subject field at stake.

## III. Ombudsperson for minority/human rights or parliamentary committee for petitions

<b>8. Official titles of such bodies</b>	Sweden has several ombudsmen yet only two are involved in issues relation to minorities: the Ombudsman against Ethnic Discrimination (DO), the Parliamentary Ombudsman (JO). Sweden does not have a parliamentary committee for petitions.
<b>9. Legal basis on which they were established</b>	The legal basis for the Parliamentary Ombudsmen is regulated in the Instrument of Government (the Swedish constitution) and the basis for the Ombudsman against Ethnic Discrimination is regulated in the Act on the Ombudsman against ethnic discrimination and in the Act on measures against ethnic discrimination in working life.
<b>10. Way of election/nomination of the Ombudsperson</b>	The Parliamentary Ombudsmen's enjoys full autonomy from its principal, the Riksdag. The Parliamentary Ombudsmen are elected for four-year periods by the Riksdag and the Ombudsman against Ethnic Discrimination is government-appointed.
<b>11. Main functions and mandate of the Ombudsperson</b>	<ul style="list-style-type: none"> <li>- <u>The Parliamentary Ombudsmen</u> are empowered to prosecute officials and can also report officials for dismissal, suspension or disciplinary measures;</li> <li>- <u>The Ombudsman against Ethnic Discrimination</u> shall combat ethnic discrimination in working life and other spheres of social life in accordance with the Act on the Ombudsman against ethnic discrimination and in the Act on measures against ethnic discrimination in working life.</li> </ul>

<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	The Ministry of Culture is responsible for the co-ordination of the Governments policy on national minorities. Consequently there is a minister in charge of issues concerning national minorities, Mrs Ulrica Messing. Furthermore the Ministry of Agriculture, Food and Fisheries is responsible for the Government's policy on issues related to the Sami population.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	Apart from the Ministry of Culture and the Ministry of Agriculture, Food and Fisheries other ministries are also concerned with issues relating to national minorities within their own field of activities..

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	The Division for Immigrant Integration and Diversity, within the Ministry of Culture, is responsible for Swedish policy on national minorities. The Sami and Educational Division within the Ministry of Agriculture, Food and Fisheries is responsible for the administration of the budget of the Sami Parliament.
<b>15. Legal basis on which it has been established</b>	No special legal basis.
<b>16. Main functions of this office</b>	The Division for Immigrant Integration and Diversity is responsible for monitoring the measures taken in relation to the obligations following Sweden's ratification of the Council of Europe's Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages on 9 February 2000. Recognised national minorities in Sweden include the Sami, Swedish, Finns, Tornedalers, Roma and Jews. The languages concerned are Sami (all forms), Finnish, Meänkieli (Tornedal Finnish), Romany Chib (all forms) and Yiddish.
<b>17. Functioning of this office</b>	The Division for Immigrant Integration and Diversity is responsible for co-ordinating matters concerning national minorities within the Cabinet Office and the Ministries as well as in relation to authorities in the field of education, culture and media. Furthermore the Division is responsible for allocating financial support to various organisations representing national minorities and holding continuous consultations with these organisations when decisions are taken which affect them. Lastly emphasis is also given to informing the general public of the new policies on national minorities.
<b>18. Links with other institutions</b>	As far as links with minority associations are concerned the Division for Immigrant Integration and Diversity has continuous contacts with the associations representing minorities in Sweden and the Samsi and Educational Division keeps in close contact with the Sami parliament and the Sami parties..
<b>19. Minorities involved/covered</b>	The Division for Immigrant Integration and Diversity is responsible for issues relating to immigrants as well as issues relating to national minorities (the Sami, Swedish Finns, Tornedalers, Roma and Jews).
<b>20. Name(s) of contact person(s)</b>	Ms. Josefin BRATTBERG and Mrs Cissi STORCK are contact persons for matters concerning national minorities at the Division for Immigrant Integration and Diversity at the Ministry of Culture. Furthermore Sami-issues are also handled by Mr Göran TERNBO at the Sami and Education Division at the Ministry of Agriculture, Food and Fisheries.

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	<p>The Swedish government has established The Swedish Delegation on Indigenous Peoples for the purpose of increasing awareness among the public about the aims of the international decade of the world's indigenous people by arranging exhibitions and seminars. Furthermore the delegation has been commissioned to take measures to promote Sami culture, traditional Sami economic activities and the Sami language by taking initiatives for various reports within the Government Offices.</p> <p>The Swedish government has also established The Working Group for Roma issues which include representatives of the Roma in Sweden. The Working Group for Roma issues was established in order to promote policies that can improve the situation of the Roma in Sweden, in accordance with a report issued by the Ministry of the Interior in 1998. Several members of the board of the National Roma Union in Sweden are among the members of the Working Group for Roma issues.</p> <p>The Working Group has arranged several seminars on various issues relating to the Roma population. Often the aim has been to promote good practices on how to handle some of the problems the Roma face. Recently the group invited the local authorities in Sweden to a seminar where they could share their experience of how to deal with various problems relating to the Roma and Travellers. At the seminar representatives of Roma and Travellers were among the participants and they themselves also suggested how the local authorities could succeed in their support for the two groups.</p>
<b>22. Legal basis on which they have been established</b>	" "
<b>23. Main functions of these bodies</b>	" "
<b>24. Functioning of these bodies</b>	" "
<b>25. Links with other institutions</b>	" "
<b>26. Minorities involved/covered</b>	" "
<b>27. Name(s) of contact person(s)</b>	The contact person for the Working Group for Roma issues is Mrs Cissi STORCK at the Division for Immigrant Integration and Diversity at the Ministry of Culture and the secretary of the Swedish Delegation on Indigenous Peoples is Mr Göran TERNBO at the Sami and Education Division at the Ministry of Agriculture, Food and Fisheries.

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	<p>In 1993 Sweden established a Sami Parliament, an independent elected body whose duties and authority are prescribed by the Sami Parliament Act, which entered into force in 1992. The Sami Parliament was established because it was considered desirable that the Sami had an elected representative body with public legal status. This implies recognition of the Sami as a specific people.</p> <p>The Sami have special status as an ethnic minority and as an indigenous population in Sweden. This has been recognised by the Riksdag in 1977. The number of Sami is estimated at approximately 20,000.</p>
<b>29. Legal basis on which they have been established</b>	" "
<b>30. Number of self-governments and minorities concerned</b>	" "
<b>31. Main functions of these bodies</b>	The fundamental duty of the Sami Parliament is to promote a vital Sami culture. Culture is to be seen in a wider perspective which includes Sami economic activity. This means that the Sami Parliament can freely raise matters and make suggestions in any area which the Parliament deems to be of special interest with regard to vital Sami culture. The Sami Parliament is also a public administrative authority that has been given considerable freedom to determine its own mode of work. The scope of the mandate of the public administrative authority is basically to allocate governmental subsidies, resources from the Sami fund and from other



	<p>sources made available to the Sami, to Sami culture and Sami organisations and to appoint the board of directors for the Sami school.</p> <p>Other important responsibilities of the Sami Parliament include directing work relating to the Sami language and disseminating information about the situation of the Sami people. In addition, the Sami Parliament may appoint committees to prepare, administer and carry out its decisions as it finds necessary.</p>
<b>32. Functioning of these bodies</b>	<p>The decision-making body is the plenary session of the Sami Parliament when other arrangements have not been made. Since the Sami Parliament is not in session to the extent necessary to administer routine matters, it has appointed an executive council. The executive council has the responsibility of running the operation and therefore making necessary decisions. The executive council also prepares the agenda for the plenary sessions, carries out the decisions made by the Sami Parliament and executes the mandates given to the council. In addition the executive council is responsible for giving directions and co-ordinating the task of formulating the overall goals, guiding principles and framework for the activity of the Parliament as a whole.</p> <p>The policy-making body of the Sami Parliament consists of 31 members representing 10 parties. Sessions are conducted by a presidium whose chairperson is commissioned by the Government upon the recommendation of the Sami Parliament, in accordance with the Sami Parliament Act. The Sami Parliament has an administrative office headed by a director. The administration is responsible for the daily activities and preparations of the agenda for the executive council and parliamentary sessions and for public information concerning the Sami Parliament.</p>
<b>33. Links with other institutions</b>	-

#### **VIII. Public institutions or organisations**

<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	<p>Various public authorities are responsible for defending the rights and interests of national minorities such as the Ombudsman against Ethnic Discrimination, the National Council for Cultural Affairs.</p>
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#### **IX. Civil society: minority associations and NGOs**

<b>35. Registered minority associations</b>	<p>There are several national minority associations in Sweden.</p> <ul style="list-style-type: none"> <li>- <i>Swedish National Tornedal Association</i>; represents a minority in the north-east of Sweden. Their language is called meänkieli (our language).</li> <li>- <i>The National Organisation of Swedish-Finns</i>; represents the large Finnish-speaking minority in Sweden.</li> <li>- <i>The National Roma Union</i>: represents various Roma associations in Sweden.</li> <li>- <i>The Jewish Council</i>: represents the different Jewish communities in Sweden.</li> </ul> <p>There are also 10 different political Sami parties: the Samiland party, the reindeer owner's party, the Forest Samis, the Swedish Sami Federation, Our way, the Samis, the Hunting and Fishing Samis, We the Sami and the Same for the Future.</p>
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	<p>There is a Swedish branch of the Minority Rights Group and a Swedish branch of EBLUL called SWEBLUL (the Swedish Bureau for Lesser Used Languages).</p>

## X. Legal texts

**37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously**

As a result of Sweden's ratification of the Council of Europe's Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages, Sweden has passed new Acts concerning the right to use the Sami, Finnish and Meänkieli languages at courts of law and public authorities. The new legislations implies that private individuals should be given the right to use Sami, Finnish and Meänkieli in dealings with administrative authorities and courts of law in the geographical areas in which the languages have traditionally been used and are still used to a sufficient extent. This right applies to contacts with administrative authorities (such as police authorities, tax authorities and employment offices), country councils and municipal administrative authorities, district and city courts, country administrative courts and certain special courts.

A person is entitled to speak Sami, Finnish or Meänkieli in oral proceedings in a court of law in the municipality concerned, irrespective of whether or not he or she has a command of Swedish. The individual is also entitled to submit documents in these languages.

Furthermore, the new legislation means that the municipalities in the administrative regions where Sami, Finnish and Meänkieli are prevalent should give parents the opportunity to place their children in pre-school and offer elderly people care in which all or some of the activities are carried out in Sami, Finnish or Meänkieli.

# SWITZERLAND

## General remarks

Switzerland is a federal state, largely on account of its minorities: the majority of the population is German-speaking, approximately 19% of the population has French as mother tongue, roughly 6% Italian and 0.6% of the population speaks Romansh. Switzerland has four national languages. The two main religious denominations – Protestantism and Catholicism – which had a larger number of followers in the past than today are more or less on a par. The Swiss political system takes specific account of the foregoing particularities: there are guarantees not only at federal level but also at cantonal level that ensure broad participation by minorities and the various regions in determining policy and in the exercise of power.

Switzerland's distinctive features have an impact on the political system. This is reflected not so much in a variety of provisions protecting minorities but in its very structure, which strikes a balance between the various groups, be they majority or minority. The questionnaire has been designed primarily for systems which are somewhat different from the one outlined above. For this reason, we are unable to reply in a specific way to many of the questions asked.

## I. Representation in political parties

<b>1. Parties that specifically represent a minority</b>	In principle, there are no parties in Switzerland specifically representing a minority. There are, however, parties which have a limited regional footing such as the “Lega dei Ticinesi”, which exists only in the Italian-speaking canton of Ticino but whose policies are not limited to defending exclusively Ticino interests.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	See below.

## II. Parliamentary representation

<b>3. Reserved seats in Parliament for minorities</b>	As noted above, the Swiss system guarantees the various population groups broad participation in determining policy. For example, all cantons are represented in the two chambers of parliament, in the National Council in relation to the number of inhabitants and in the Council of States by a fixed number (2) of representatives per canton. The most recent elections for the National Council, and, to a large extent, the Council of States, were held in 1995.
<b>4. Seats gained by political parties mentioned in table I</b>	-
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	-
<b>6. Special provisions for minority parties regarding thresholds</b>	-
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	There are no committees specifically dealing with minority issues.

<b>III. Ombudsperson for minority/human rights or parliamentary committee for petitions</b>	
<b>8. Official titles of such bodies</b>	There is no post of ombudsperson as dialogue is conducted directly in Parliament.
<b>9. Legal basis on which they were established</b>	-
<b>10. Way of election/nomination of the Ombudsperson</b>	-
<b>11. Main functions and mandate of the Ombudsperson</b>	-

<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	None
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	-

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	There is no such office at federal government level. However, some departments (ministries) have posts whose incumbents deal, often in the context of equality between the sexes, with questions such as the promotion of minorities with a view to ensuring that work posts are shared out equitably among, for instance, the different national languages. For example, the Federal Department of Foreign Affairs has recruited a person to deal with equality between the sexes, minorities, culture and regional policy.
<b>15. Legal basis on which it has been established</b>	-
<b>16. Main functions of this office</b>	-
<b>17. Functioning of this office</b>	-
<b>18. Links with other institutions</b>	-
<b>19. Minorities involved/covered</b>	-
<b>20. Name(s) of contact person(s)</b>	-

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	There are no such councils. The Federal parliament is also responsible for taking account of interests among the regions.
<b>22. Legal basis on which they have been established</b>	-
<b>23. Main functions of these bodies</b>	-
<b>24. Functioning of these bodies</b>	-
<b>25. Links with other institutions</b>	-
<b>26. Minorities involved/covered</b>	-
<b>27. Name(s) of contact person(s)</b>	-

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	The Swiss federal system confers on the cantons and municipalities significant areas of responsibility, primarily public education, police, health, regional planning and construction, tax system and the economy.
<b>29. Legal basis on which they have been established</b>	-
<b>30. Number of self-governments and minorities concerned</b>	-
<b>31. Main functions of these bodies</b>	-
<b>32. Functioning of these bodies</b>	-
<b>33. Links with other institutions</b>	-

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	<p>The brochure Punts-Info published by the Office Fédéral de la Culture and distributed by the Department of Foreign Affairs lists the following institutions, among others, as dealing with minority issues and inter-cultural relations in general:</p> <ul style="list-style-type: none"> <li>- Waldegg meeting centre (Feldbrunnen-Solothurn), which promotes relations between the various linguistic regions of Switzerland;</li> <li>- Office Fédéral de la Culture (Bern), which is responsible, among other things, for promoting Romansh and Italian, in the media for example;</li> <li>- DynamiCHa – movement for a multicultural Switzerland (Neuchâtel), which promotes personal and cultural contacts and exchanges between the linguistic regions of Switzerland;</li> <li>- Fondazione lingue e culture (Comano), which raises public awareness of language and culture issues;</li> <li>- Lia Rumantscha (Chur), which defends the interests of the Romansh people and language in Switzerland;</li> <li>- Maison Latine (Bern), which seeks to give prominence to the identity of communities with a Romance language and culture;</li> <li>- Pro Grigioni Italiono (Chur), which seeks to improve the cultural and living conditions of the Italian people of Graubünden;</li> <li>- Pro Svizra Rumantscha (Landquart), which seeks to promote Romansh language and culture;</li> <li>- Pro Ticino (Adliswil), which defends and promotes the interests of the inhabitants of Ticino.</li> </ul>

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	See section VIII
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	See section VIII

<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	Please refer to the Federal Constitution, in particular Articles 3, 5, 6, 10, 72, 80, 83, 84, 95, 96, 116 and 123.

# “The Former Yugoslav Republic of Macedonia”

<b>I. Representation in political parties</b>	
<b>1. Parties that specifically represent a minority</b>	<p>The list of political parties, which specifically represent a certain minority in the Republic of Macedonia are the following:</p> <p><u>As regards the Albanian ethnic minority:</u></p> <ul style="list-style-type: none"> <li>- People’s Democratic Party, seated in Tetovo;</li> <li>- Party for Democratic Prosperity (PDP), seated in Tetovo;</li> <li>- Republican Party for People’s Unity (RPPU), seated in Skopje;</li> <li>- Party for Democratic Prosperity of Albanians (PDPA) seated in Tetovo;</li> <li>- Democratic Alliance of Albanians, seated in Skopje.</li> </ul> <p><u>As regards the Turkish ethnic minority:</u></p> <ul style="list-style-type: none"> <li>- Democratic Party of Turks in Macedonia, seated in Skopje.</li> </ul> <p><u>As regards the Roma ethnic minority:</u></p> <ul style="list-style-type: none"> <li>- Party for Full Emancipation of Roma in Macedonia (PFERM), seated in Skopje;</li> <li>- Democratic Progressive Party of Roma in Macedonia, seated in Skopje;</li> <li>- Alliance of the Roma in Macedonia (ARM), seated in Skopje;</li> <li>- Democratic Party for full emancipation of Roma in Macedonia (DPFPRM) seated in Kumanova.</li> </ul> <p><u>As regards the Serbian ethnic minority:</u></p> <ul style="list-style-type: none"> <li>- Democratic Party of Serbs in Macedonia, seated in Skopje.</li> </ul>
<b>2. Parties that especially represent minorities’ interests but which are not minority parties as such</b>	<p>Undoubtedly, the political parties stated in reply to the previous question are at the same time the parties which “especially represent the interest of the minorities” in the Republic of Macedonia. However, in view of the fact that these are “minority parties as such”, i.e. their membership is based on ethnic affiliation, these political parties may not be subsumed, nor incorporated in reply to this question.</p> <p>On the other hand, in their platforms, the largest number of political parties active in the Republic of Macedonia pay attention to the minorities’ interests, aimed at the protection of their cultural, religious, linguistic and ethnic identity, as well as at the establishment of conditions for fostering and promoting their identity. Yet, considering the formulation used in the questionnaire – “parties which especially represent the minorities’ interests”, it seems that these political parties should not be put in this category.</p>

<b>II. Parliamentary representation</b>	
<b>3. Reserved seats in Parliament for minorities</b>	<p>In accordance with the constitutional order of the Republic of Macedonia there are no seats reserved for minorities in the Assembly of the Republic of Macedonia.</p> <p>Representatives to the Assembly are elected in general, direct and free elections, by secret ballot (Article 62, paragraph 2 of the Constitution of the Republic of Macedonia), while the right to vote and the right to be elected belongs to all nationals of the Republic of Macedonia under equal conditions (ibid., Articles 22 and 23). Furthermore, the freedom of association of citizens to exercise and protect their political, economic, social and cultural and other rights and convictions, is guaranteed in Article 20 of the Constitution of the Republic of Macedonia.</p> <p>In this context, according to Article 48 of the Constitution, which especially regulates the rights of persons belonging to minorities, they have the right to establish institutions, thus political parties as well, for expression, fostering and development of their identity (see the reply under 1).</p> <p>This legal framework, which is otherwise substantially different from the concept of reserved seats or decreased election threshold for minorities, it is not at all a limiting factor for minorities' parties at the Assembly (see point 4). Parties of Macedonian Albanians and of Macedonian Roma have such electoral bodies, which enable them to appropriately participate in the Assembly. On the basis of the composition of the Assembly, the last four governments are coalition ones, while one of the coalition parties is the party of the Albanian ethnic minority (firstly PDP and in the pending composition of the Government – PDPA-NDP). Furthermore, the new combined election model (proportional and majority model), promoted before the forthcoming parliamentary elections, shall enable even less numerous minorities, by way of eventual coalitions, to win a certain number of seats in the Assembly of the Republic of Macedonia.</p>
<b>4. Seats gained by political parties mentioned in table I</b>	<ul style="list-style-type: none"> <li>- Party for Democratic Prosperity (PDP) won 14 seats;</li> <li>- Party for Democratic Prosperity of Albanians (PDPA) in coalition with the People's Democratic Party (NDP) won 11 seats;</li> <li>- Alliance of Roma in Macedonia (ARM) won 1 seat.</li> </ul>
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	<p>In the present composition of the Assembly of the Republic of Macedonia, the number of representatives belonging to ethnic minorities-candidates of other political parties is relatively minor. Namely, only one representative of one of the parties – member of the ruling Coalition for Changes – Democratic Alternative is of Bosnian ethnic origin.</p>
<b>6. Special provisions for minority parties regarding thresholds</b>	<p>In the election system of the Republic of Macedonia there are no special provisions regarding the election threshold for minorities' political parties (see the reply under 3).</p>
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	<p>The Commission for Inter-Ethnic Relations at the Assembly of the Republic of Macedonia was established on 8 January, 1991 (on the basis of Article 76, paragraph 1 of the Constitution), as a permanent working body of the Assembly. It is composed of a President and 10 members elected from the rank of representatives to the Assembly. Six of its members are Macedonian, two Albanian, 1 Roma and the other Bosnian. This Commission considers issues related to legal regulation of the rights of persons belonging to minorities, determined by the Constitution, with a special emphasis on the following areas:</p> <ul style="list-style-type: none"> <li>- securing the use of the language and alphabet of minorities;</li> <li>- securing the right to instruction in the minority languages in the sphere of education;</li> <li>- guaranteeing the protection of ethnic, cultural and religious identity of minorities.</li> </ul> <p>At the local level, analogously to the Commission on Inter-Ethnic Relations at the Assembly of the Republic of Macedonia, according to Article 25, paragraph 3</p>

	of the Law on Local Self-Government, in units of local self-government in which persons belonging to a minority constitute majority or significant number, there are commissions on inter-ethnic relations, the members of which are representatives of all minorities in the concerned unit of local self-government.
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<b>III. Ombudsperson for minority/human rights or parliamentary committee for petitions</b>	
<b>8. Official titles of such bodies</b>	<p>In the Republic of Macedonia there is no specialised body which, in this context, would be competent exclusively for the protection of minority rights. Thus, the issue has been incorporated in the wider competencies of the Ombudsman and the permanent Survey Commission for the Protection of the Freedoms and Rights of Citizens at the Assembly of the Republic of Macedonia.</p> <p>In addition to other issues within its competencies, the Commission also undertakes activities in connection with individual communications filed by citizens concerning holders of public offices. The findings of this Commission form the basis for the institution of proceedings to establish the liability of the holders of public offices.</p>
<b>9. Legal basis on which they were established</b>	The conditions for election and dismissal and the proceedings of the National Ombudsman are regulated by the Law on the National Ombudsman, adopted on the basis of Article 77 of the Constitution of the Republic of Macedonia. The legal basis for the establishment of the permanent Survey Commission for the Protection of the Freedoms and Rights of Citizens at the Assembly of the Republic of Macedonia are to be found in paragraph 4, of Article 76 of the Constitution.
<b>10. Way of election/nomination of the Ombudsperson</b>	According to Article 4 of the above-mentioned Law, the Ombudsman is elected by the Assembly of the Republic of Macedonia for an 8 year term. He may be re-appointed once. In accordance with Article 5, a person that meets the general conditions specified by the Law on Employment in State Administration organs, a lawyer having more than 9 years experience and whose work in the field of protection of the rights of citizens has been acknowledged may be elected National Ombudsman.
<b>11. Main functions and mandate of the Ombudsperson</b>	<p>The National Ombudsman is a state organ which protects the constitutional and legal rights of citizens when violated by state administration organs and by other organs and organisations having public mandates.</p> <p>Within the framework of his/her jurisdiction, during a legal procedure the National Ombudsman may:</p> <ul style="list-style-type: none"> <li>- request necessary explanations and additional information from the organs and organisations in connection with the allegations in the petition;</li> <li>- perform a direct inspection of the work under jurisdiction of the organs and organisations;</li> <li>- invite to an interview an official or employee of the organ or organisation and any other person;</li> <li>- request an opinion from scientific and other expert institutions.</li> </ul> <p>If the National Ombudsman ascertains that the constitutional and legal rights of citizens have been violated he/she may:</p> <ul style="list-style-type: none"> <li>- suggest that the organ or organisation carries out again the procedure in question, in accordance with the law;</li> <li>- submit a request to the organ in charge for commencement of administrative action before the Supreme Court;</li> <li>- submit a request to the organ or organisation for temporary stay of the execution;</li> <li>- suggest the initiation of disciplinary action against an official of the organ or organisation;</li> <li>- submit a request to the competent public prosecutor for initiating legal proceedings for establishment of offence or criminal responsibility;</li> <li>- give suggestions to organs or organisations for the improvement of their</li> </ul>



	<p>work and conduct towards individuals.</p> <p>If the organ or organisation does not inform the National Ombudsman about the implementation of his/her suggestions or recommendations, or the suggestions and recommendations are only partly accepted, the National Ombudsman may inform the directly superior organ, the competent ministry, the Government of the Republic of Macedonia; he/she may prepare a special report to the Assembly of the Republic of Macedonia or make the case public.</p>
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<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	In the Republic of Macedonia there is no ministry which is exclusively or especially responsible or competent for the issue of ethnic minorities.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	Within their competencies, the ministry of Foreign Affairs, the Ministry of Education, the Ministry of Justice and the Ministry of Culture of the Republic of Macedonia deal, <i>inter alia</i> , with ethnic minority issues.

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	<p>In the Republic of Macedonia, there is no organ for minorities directly subordinated to the Government of the Republic of Macedonia, outside the organisational units operating within the Ministries, listed under 13. This results from the participation of persons belonging to minorities in all levels of power.</p> <p>Aware that such a body does not correspond to, nor can it be a substitute, in view of the function and organisational set-up of a specialised government office which deals with the status of minorities, the Human Rights Directorate, at the Ministry of Foreign Affairs could, however, be mentioned in this context. In this regard, the Directorate follows and analyses the problems within the corpus of human rights, including minority rights, from the perspective of the foreign policy of the Republic of Macedonia.</p>
<b>15. Legal basis on which it has been established</b>	-
<b>16. Main functions of this office</b>	-
<b>17. Functioning of this office</b>	-
<b>18. Links with other institutions</b>	-
<b>19. Minorities involved/covered</b>	-
<b>20. Name(s) of contact person(s)</b>	-

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	At the national level, in the Republic of Macedonia there is the Council for Inter-Ethnic Relations
<b>22. Legal basis on which they have been established</b>	The Council for Inter-Ethnic Relations was established through a Decision of the Assembly of the Republic of Macedonia (dated June 1993, published in the Official Gazette No. 41/93) adopted on the basis of the Article 78 of the Constitution of the Republic of Macedonia, which principally regulates the composition and competencies of this body. That Decision has been updated on the session of the Parliament held on 4 December 1997 and 12 new members were elected (Decision for amendment of the Decision for establishment of a Council for Inter-Ethnic Relations, published in Official Gazette of the Republic of Macedonia number 62/97 from 9 December 1997).
<b>23. Main functions of these bodies</b>	<p>The Council considers issues of inter-ethnic relations in the state and makes appraisals and proposals for their solution. More precisely, according to Article 4 of the said Decision, the Council:</p> <ul style="list-style-type: none"> <li>- follows and considers the securing the equality and rights of persons belonging to minorities, determined by the Constitution and laws;</li> </ul>

	<ul style="list-style-type: none"> <li>- considers issues in the field of inter-ethnic relations and execution of laws, other regulations and general acts in this sphere;</li> <li>- points to the need of adopting laws and other regulations and general acts which regulate and secure equality;</li> <li>- considers draft laws and other draft regulations and general acts adopted by the Assembly of the Republic of Macedonia and other issues in the field of inter-ethnic relations, elaborated by the Assembly;</li> <li>- follows the realisation of the right to instruction in the language of the minorities in the field of education determined by the Constitution and laws;</li> <li>- follows the development of the press, radio and TV, culture and other activities for expressing the identity.</li> </ul>
<b>24. Functioning of these bodies</b>	This body performs its activities at sessions, which as a rule are open to the public, in accordance with its Rules of Procedure. The sessions are held at the initiative of the members or of the President of the Council for Inter-Ethnic Relations. In connection with certain issues the Council may establish working groups composed of its members, who consider the concerned issues and prepare opinions and proposals which are later submitted to the Council to be discussed further.
<b>25. Links with other institutions</b>	The Assembly of the Republic of Macedonia acts upon the opinions and proposals of the Council for Inter-Ethnic Relations, in accordance with its constitutional status and competencies. According to paragraph 6 of Article 78 of the Constitution, the assembly is obliged to consider these opinions and proposals and to adopt appropriate decisions. Depending on the character of the issue concerned, and on the appropriate level of its regulation, the Assembly, if it accepts the position of the Council, may encourage the competent organs to prepare a proposal for the adoption of a certain legal act.
<b>26. Minorities involved/covered</b>	The Council is composed of President of the Assembly, who at the same time, is also the President of the Council and 12 members elected by the Assembly for a four year term, upon the proposal of the President of the State. Among the members, there are two representatives of Macedonians, Albanians, Turks, Roma, Vlachs and Serbs respectively.
<b>27. Name(s) of contact person(s)</b>	Ms. Jelica Savinova, Counsellor at the Assembly of the Republic of Macedonia, is the Secretary of the Council for Inter-Ethnic Studies.

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	In the political and legal system of the Republic of Macedonia there is no separate minority self-government, i.e. forms of territorial autonomy, at the local or regional level. However, it should be underlined that according to existing legislation, persons belonging to ethnic minorities, directly and through their representatives, participate in the decision-making processes in the units of local self-government.
<b>29. Legal basis on which they have been established</b>	The concept of local self-government has been regulated in the Law on Local Self-Government (published in November 1995 in the Official Gazette No. 52/95), adopted on the basis of Article 114 of the Constitution of the Republic of Macedonia.
<b>30. Number of self-governments and minorities concerned</b>	At the last local elections, held in October 1997, out of the total number of 1860 members of the Municipal Councils, 466 are persons belonging to ethnic minorities (401 persons belonging to the Albanian, 44 to the Turkish, 6 to the Serbian, 15 to the Roma ethnic minority), while out of the total number of 124 mayors, 26 are persons belonging to ethnic minorities (22 belong to the Albanian, 2 to the Turkish, 1 to the Serbian and 1 to the Roma ethnic minority).
<b>31. Main functions of these bodies</b>	The competencies of the units of local self-government, in accordance with the Constitution and the Law on Local Self-Government, are of course related to issues of local character. Certain functions and competencies of the units of local self-government which could be underlined in this context. They: <ul style="list-style-type: none"> <li>- adopt development programmes which are of importance to the unit of local self-government and citizens on issues under its jurisdiction;</li> <li>- establish secondary schools in accordance with the law;</li> </ul>

	<ul style="list-style-type: none"> <li>- give opinion on the establishment of primary schools;</li> <li>- finance, according to the law, facilities for primary schools, above the level provided by the state;</li> <li>- raise initiatives, give opinions and proposals for development of the network of institutions in the areas of culture, sport, social and child welfare, pre-school education, basic health care, protection of animals, plants, protection and promotion of the environment, as well as in other cases of importance to the interests of the citizens;</li> <li>- establish media of importance to the local self-government in accordance with the law;</li> <li>- determine the zones and collect real estate tax in accordance with the law;</li> <li>- determine the names of streets, squares, bridges and other infrastructure facilities of local importance in accordance with the law;</li> <li>- participate through their representatives in the work and decision-making in the management boards of schools in the primary education and in institutions established in the areas of culture, sport, social and child welfare, pre-school education, health protection, protection of animals and plants, promotion of the environment;</li> <li>- perform certain ownership authorisations for goods of common use and for natural resources in their territory in accordance with the law;</li> <li>- establish public services, public institutions, and public enterprises for the performance of matters of local relevance, in accordance with the law and expert control over their operations;</li> <li>- establish inspections agencies and services in the areas, for which units of local self-government have original jurisdiction in the regulation and performance of issues in those areas.</li> </ul>
<p><b>32. Functioning of these bodies</b></p>	<p>The organs of the units of local self-government are: a council, mayor, governing and administrative organs.</p> <p>The Council of the unit of local self-government is a representative organ of the citizens which decides within the framework of the jurisdiction of the unit of local self-government. This organ works in sessions, convened upon the initiative of the Chairman or at the request of at least ¼ of its members, but at least once every three months.</p> <p>The mayor represents the unit of local self-government. He/she promulgates and publishes the acts and decisions of the Council and its concerned with ensuring the enforcement of the decisions of the Council. Among other competencies determined by article 43 of the Law on Local Self-Government, the mayor is responsible for the performance of the activities entrusted to the unit of local self-government by law, then he/she proposes to the Council the enactment of decisions and other general acts under its jurisdiction and manages the governing and administrative organs and services.</p> <p>The administrative organs of the unit of local self-government, <i>inter alia</i>, draft acts and perform professional services for the council, i.e. for the Mayor and enact individual acts.</p>
<p><b>33. Links with other institutions</b></p>	<p>The units of the local self-government in carrying out the co-operation with the regional units of the ministries and other organs of the state administration exchange information necessary for the performance of their activities, each one from the area of competence which they have at their disposal and which they acquire through their work; they organise meetings and other joint sessions with the persons in charge of the units of local self-government, i.e. regional units of the organs of the state administration for researching certain issues, drafting regulations, providing opinions and proposals and are engaged in other types of mutual co-operation.</p> <p>The supervision of the legality of the operations of the units of local self-government is performed by the Government of the Republic of Macedonia and by the competent ministries. In this context, in cases where it is possible that</p>

	<p>irreparable damages could be caused, the governmental shall withhold the enforcement of a general act adopted within the framework of the original jurisdiction of the units of local self-government, or an act adopted in conjunction with a competent organ of the state administration, if it considers that the said act is not in accordance with the Constitution and laws, and shall institute proceedings before the Constitutional Court for assessment of the constitutionality and legality of the concerned act.</p> <p>The Council and the mayor of the unit of local self-government, on the other hand, may file a request with the Constitutional Court for assessment of the constitutionality of the law and of the constitutionality and legality of the general acts of the ministries and other state administration organs, which violate the constitutional status and rights of the unit of local self-government, determined by the constitution and the law. Furthermore, units of local self-government are guaranteed court protection before the competent courts against acts and activities of the Government which impede their ability to perform the competencies prescribed by the Constitution and the law.</p> <p>Furthermore, the units of local self-government have a consultative role in the process of adoption of laws concerning their interests before the Assembly of the Republic of Macedonia.</p>
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<b>VIII. Public institutions or organisations</b>	
<p><b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b></p>	<p>In this context, the Centre for Inter-Ethnic Relations, operating within the Institute for Political, Legal and Sociological Research should be mentioned.</p> <p>Furthermore, the Republic of Macedonia completely finances the programmes broadcast on the Macedonian Radio and Television in the languages of the minorities and subsidises the press (newspapers and magazines) in minority languages.</p> <p>The state also finances the Theatre for National Minorities, in the framework of which there are two units: the Albanian drama and the Turkish drama. The following number of associations of culture and art are partly state financed: 8 Albanian, 4 Turkish and 1 Roma. There are also mixed associations: 2 Macedonian-Roma and 1 Macedonian-Albanian-Turkish-Roma.</p>

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	<p>The following are registered minority associations in the Republic of Macedonia:</p> <ul style="list-style-type: none"> <li>- League of the Vlachs in Macedonia (established in 1990, areas of activities: ethnic minorities, human rights, conflict resolution);</li> <li>- “Cerenja” – association of Roma (established in 1995, areas of activities: ethnic minorities, children, disabled persons, senior citizens);</li> <li>- “Radost” (Joy) - humanitarian association of the Roma;</li> <li>- “Homos” – humanitarian organisation (established in 1993, areas of activities: ethnic minorities);</li> <li>- “Mesecina” (Moon) – humanitarian and charity association of Roma (established in 1992), areas of activities: children, senior citizens, disabled persons, ethnic minorities);</li> <li>- “Daja” – Roma women’s organisation (established in 1993, areas of activities: women, children, disabled persons);</li> <li>- “Esma” – association of Roma women (established in 1995, areas of activities: women, children, youth, students, environment);</li> <li>- Association of Vlach Women of Macedonia (established in 1994, areas of activities: humanitarian assistance, education);</li> <li>- Association of Serbian Women in Macedonia (established in 1992, areas of activities: women, children, senior citizens, refugees);</li> <li>- Association of Albanian Women in Macedonia – AAWM (established in 1992, areas of activities: women, health protection, rural areas, conflict resolution, humanitarian assistance).</li> </ul>
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	<p>National non-governmental organisations which deal with minority issues:</p> <ul style="list-style-type: none"> <li>- Centre for Multicultural Understanding and Co-operation – CMUC (established in 1996, areas of activities: conflict resolution);</li> <li>- Centre for Urban and Media Action – CUMA (areas of activities: women, human rights, ethnic minorities, conflict resolution);</li> <li>- Pan-European Union of Macedonia (established in 1993, areas of activities: youth and students, human rights, ethnic minorities);</li> <li>- Macedonian Centre for International Co-operation (MCIC), humanitarian association (established in 1993, areas of activities: ethnic minorities, human rights, rural areas, women, disabled persons, environment);</li> <li>- Democratic Forum for Human Rights in Gostivar;</li> <li>- Project for Conflict Resolution (financed by the International NGO Search for Common Grounds and by the Desk for Psychology at the Faculty of Philosophy in Skopje).</li> </ul> <p>Local branches of international NGOs dealing with minority issues:</p> <ul style="list-style-type: none"> <li>- Helsinki Committee for Human Rights of the Republic of Macedonia (established in 1994, areas of activities: human rights);</li> <li>- Search for Common Grounds (projects: bilingual groups at kindergartens, environment, TV series for conflict resolution, promotion of the understanding and tolerance).</li> </ul>

<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	-

# UKRAINE

<b>I. Representation in political parties</b>	
<b>1. Parties that specifically represent a minority</b>	None.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	<p>Programmes of most political parties contain provisions which concern national minority rights protection.</p> <p>The following parties are active in the Autonomous Republic of Crimea:</p> <ul style="list-style-type: none"> <li>- the Russia Bloc (composed of various pro-Russian parties, such as the Party of Crimea);</li> <li>- the Organisation of the Crimean Tatars Movement;</li> <li>- the National Movement of the Crimean Tatars;</li> <li>- the National Party "<i>Milli Firka</i>".</li> </ul>

<b>II. Parliamentary representation</b>	
<b>3. Reserved seats in Parliament for minorities</b>	None. The Tatars also have their own representing organ: the <i>Mejlis</i> .
<b>4. Seats gained by political parties mentioned in table I</b>	<p>There are no parties established on an ethnic basis.</p> <p>The Social-Liberal grouping "The Elephant" and "The Union" party which had as principal slogan during the elections "the protection" of the Russian population gained little support. The same can be said about the "National front" and the "Less words" parties, which focus attention on the problems of the ethnic Ukrainian nation.</p>
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	In the previous parliament about 20% of deputies had a nationality other than Ukrainian. Official statistics on the current composition are not available, but it is thought there is no significant change in this respect. Leaders of national minority organisations such as Mr Kovatch (Hungarian Cultural Society in the Carpathian region) and Mr Popeskus (of the Romanian national minority) other representatives of that nationality have often been elected to Parliament for parties with opposite political orientations. Also, the leader of the "Medjilis" of the Crimean Tartars, Mr Mustafa Djemilev, was elected on the list of "Roukh" and another leader of Crimean Tatars, Mr Lentum Baziev, was elected to the Parliament of the Autonomous Republic of Crimea as a member of the Communist Party.
<b>6. Special provisions for minority parties regarding thresholds</b>	None.
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	There is a Supreme Soviet Committee of Ukraine on Human Rights, National Minorities and Inter-ethnic Relations. Deputies from Romanian, Hungarian and Russian origin belong to this Committee. The leader of this Committee is Mr. G. Udovenko, former Minister of Foreign Affairs of Ukraine.

<b>III. Ombudsperson for minority/human rights or parliamentary committee for petitions</b>	
<b>8. Official titles of such bodies</b>	The officer of the Supreme Soviet of Ukraine for Human rights is Mrs Nina Karpatchova.
<b>9. Legal basis on which they were established</b>	The law on the Officer of the Supreme Soviet of Ukraine on Human Rights of 23 December 1997.
<b>10. Way of election/nomination of the Ombudsperson</b>	The Officer is elected by the Supreme Soviet of Ukraine
<b>11. Main functions and mandate of the Ombudsperson</b>	<p>Main functions are:</p> <ul style="list-style-type: none"> <li>- The realisation of parliamentary control for the respect for constitutional rights and freedoms of persons and citizens, as well as the protection of the</li> </ul>

	rights of each citizen on the territory of Ukraine.
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<b>IV. Minister/Ministry for minorities</b>	
<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	None.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	The Autonomous Republic of Crimea is an inseparable, integral part of Ukraine with its own Constitution adopted by the Supreme Council of the Autonomous Republic of Crimea and approved by the <i>Verkhovna Rada</i> .  There is no representative of this Autonomous Republic within the Ukrainian Government.

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	The State Committee of Ukraine for Nationalities and Migration.
<b>15. Legal basis on which it has been established</b>	The State Committee of Ukraine for Nationalities and Migration was established by the Presidential Decree No. 596/96 (October 26, 1996).
<b>16. Main functions of this office</b>	The State Committee of Ukraine for Nationalities and Migration: <ul style="list-style-type: none"> <li>- represents and protects the rights and interests of all national minorities;</li> <li>- assists in dialogues between the Government and minorities;</li> <li>- advises the Government on draft legislation;</li> <li>- organises projects for minorities;</li> <li>- collects statistics.</li> </ul>
<b>17. Functioning of this office</b>	See above.
<b>18. Links with other institutions</b>	-
<b>19. Minorities involved/covered</b>	All recognised minorities are involved. Every ethnic minority group can declare and organise themselves as a minority according to the Ukrainian Law which does not specify who the national minority groups are in Ukraine.
<b>20. Name(s) of contact person(s)</b>	The contact person for the State Committee of Ukraine is Mr. Mykola RUDKO, Head of the State Committee of Ukraine for Nationalities and Migration, 21/8 Instytutska St., Kyiv 252021, Ukraine, tel./fax: ++380.44.293.53.35.

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	The Council of Representatives of All-Ukraine Public Communities of National Minorities of Ukraine.  At local level consultative councils of representatives of national and cultural organisations exist in regions of Ukraine such as: Vinnitsa, Lougansk, Nikolaev, Ternopil, Kharkov and Tchernivtsi. In 1998 the Autonomous Republic of Crimea established the Interethnic Council which has similar responsibilities.
<b>22. Legal basis on which they have been established</b>	The Council is within the jurisdiction of the State Committee of Ukraine for Nationalities and Migration.  Its functions are established by a special regulation. It has a regular session once a year but extraordinary sessions can be requested by two thirds of the Council's members.
<b>23. Main functions of these bodies</b>	The functions of the Council of Representatives of All-Ukraine Public Communities of National Minorities of Ukraine are: <ul style="list-style-type: none"> <li>- to take into consideration issues relating to international relations, culture development, traditions of national minorities;</li> <li>- to implement programmes and projects in the sphere of education and culture;</li> <li>- to ensure national minority rights and liberties according to the existing legislation in Ukraine.</li> </ul>
<b>24. Functioning of these bodies</b>	-
<b>25. Links with other institutions</b>	-

<b>26. Minorities involved/covered</b>	-
<b>27. Name(s) of contact person(s)</b>	-

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	-
<b>29. Legal basis on which they have been established</b>	-
<b>30. Number of self-governments and minorities concerned</b>	-
<b>31. Main functions of these bodies</b>	-
<b>32. Functioning of these bodies</b>	-
<b>33. Links with other institutions</b>	-

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	<p>There are 21 All-Ukraine public associations of national minorities officially registered by the Ministry of Justice of Ukraine. The list stands as below:</p> <ul style="list-style-type: none"> <li>- the Association of National Societies and Communities of Crimea;</li> <li>- the Community of Germans of Ukraine "<i>Wiedergeburt</i>";</li> <li>- Pushkin's Community of Ukraine;</li> <li>- the Community of Russian Culture "<i>Rus</i>";</li> <li>- the Association of Jewish Organisations and Communities of Ukraine;</li> <li>- the Association of Bulgarian National-Cultural Communities and Organisations of Ukraine;</li> <li>- the Association of Estonians in Ukraine;</li> <li>- the Union of Poles of Ukraine;</li> <li>- the Council of National Communities of Ukraine;</li> <li>- the Association of National-Cultural Communities of Sebastopol City;</li> <li>- the Czech National Council of Ukraine;</li> <li>- the Christian-Democratic Alliance of Romanians in Ukraine;</li> <li>- the Federation of Greek Communities of Ukraine;</li> <li>- All-Ukraine Community of Meskhetian Turks "<i>Vatan</i>";</li> <li>- the Azerbaijani Public-Cultural Centre of Ukraine;</li> <li>- the Association of Koreans of Ukraine;</li> <li>- the Assyrian Association of Ukraine;</li> <li>- the Democratic Union of Hungarians of Ukraine;</li> <li>- the Republican Community of Armenian Culture;</li> <li>- the Federation of Polish Organisations in Ukraine;</li> <li>- the Union of Greeks of Ukraine.</li> </ul>

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	<p>About 300 national minority organisations are acting in Ukraine, e.g. the Tatar Cultural Centre "<i>Tougan Tep</i>".</p> <p>The Roma Association and the Cultural Moldovan Association "Luceaferul" are in the process of being registered.</p>
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	<p>Among NGOs dealing with minorities are:</p> <ul style="list-style-type: none"> <li>- the Association "For Inter-Ethnic Peace and Concord in Ukraine";</li> <li>- the International Foundation "Renaissance";</li> <li>- the Ukrainian Association "Amnesty International".</li> </ul>



**X. Legal texts**

**37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously**

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# UNITED KINGDOM

## I. Representation in political parties

<b>1. Parties that specifically represent a minority</b>	There are no political parties which specifically represent ethnic minorities within the UK. However, all parties represent the interests of the communities they serve.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	There are political parties which represent the interests of people living in Scotland, Wales and Northern Ireland. These are as follows: <ul style="list-style-type: none"> <li>- in Scotland – the Scottish National Party;</li> <li>- in Wales - Plaid Cymru;</li> <li>- in Northern Ireland – the Ulster Unionist Party, the Social Democratic and Labour, the Democratic Unionist Party and Sinn Fein.</li> </ul>

## II. Parliamentary representation

<b>3. Reserved seats in Parliament for minorities</b>	-
<b>4. Seats gained by political parties mentioned in table I</b>	The Welsh, Scottish and Northern Irish parties have the following Members of Parliament: <ul style="list-style-type: none"> <li>- Scottish National Party - 6 ;</li> <li>- Plaid Cymru - 4;</li> <li>- Ulster Unionist Party - 10;</li> <li>- Social Democratic and Labour - 3;</li> <li>- Democratic Unionist Party - 2;</li> <li>- Sinn Fein - 2.</li> </ul>
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	Any individual who meets a citizenship qualification may put himself or herself forward for election at local government or parliamentary elections. There are currently nine elected Members of Parliament from ethnic minority groups.
<b>6. Special provisions for minority parties regarding thresholds</b>	-
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	There are specific parliamentary committees dealing with Scottish and Welsh affairs.

## III. Ombudsperson for minority/human rights or parliamentary committee for petitions

<b>8. Official titles of such bodies</b>	No such position exists within the UK.
<b>9. Legal basis on which they were established</b>	-
<b>10. Way of election/nomination of the Ombudsperson</b>	-
<b>11. Main functions and mandate of the Ombudsperson</b>	-

## IV. Minister/Ministry for minorities

<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	Mr. Mike O'Brien, Parliamentary Under Secretary of State at the Home Office, is the Minister responsible for Race Relations. Mr. Donald Dewar is Secretary of State for Scotland, Mr Alun Michael is Secretary of State for Wales and Ms. Marjorie Mowlem is Secretary of State for Northern Ireland.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	-

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	<p>The Scottish Office, Welsh Office and Northern Ireland are responsible for affairs in Scotland, Wales and Northern Ireland.</p> <p>The Home Office is responsible for government policy on race relations.</p>
<b>15. Legal basis on which it has been established</b>	See below.
<b>16. Main functions of this office</b>	See below.
<b>17. Functioning of this office</b>	<p>Mr O'Brien, the Minister responsible for Race Relations, is working with the Home Secretary, Mr Jack Straw, to develop a community relations strategy which fully takes into account the needs of all ethnic minority communities. Mr O'Brien has been meeting with a series of community groups and individuals to discuss their views of the problems and how these can best be addressed by the Government.</p> <p>Ministers are supported in this work by a specific Race Equality Unit which includes an independent consultant and ministerial adviser drawn from the ethnic minority communities.</p> <p>The Home Office also funds the Commission for Racial Equality (CRE) which was established under the Race Relations Act 1976. The CRE's statutory functions under the Race Relations Act are to:</p> <ul style="list-style-type: none"> <li>- work towards the elimination of racial discrimination;</li> <li>- promote equality of opportunity, and good race relations, between persons of different racial groups generally;</li> <li>- keep under review the working of the Race Relations Act 1976 and to draw up and submit the Secretary of State proposals for amending it.</li> </ul> <p>In addition to reviewing the Race Relations Act, the CRE:</p> <ul style="list-style-type: none"> <li>- legally assists complainants in cases of discrimination;</li> <li>- tackles institutional discrimination by encouraging public and private sector leaders to publicly commit themselves to using their power and influence to end racial discrimination;</li> <li>- raises public awareness of the problems of racism and advantages of multiculturalism through public education programmes and advertising campaigns;</li> <li>- works in partnership with local anti-racist groups, many of whom receive partial funding from the CRE.</li> </ul>
<b>18. Links with other institutions</b>	The CRE works closely with the Home Office and with smaller, local anti-racist organisations which are funded by the CRE. The CRE also advises and works closely with many other public and private organisations in the UK.
<b>19. Minorities involved/covered</b>	-
<b>20. Name(s) of contact person(s)</b>	<p>The Contact person for the Race Equality Unit is Ms. Julie Clouder, Home Office Race Equality Unit, Room 1273, 50 Queen Anne's Gate, London SW1H 9AT.</p> <p>The CRE's governmental contact is Mr. Z Ebrahim, Race Relations Unit, Home Office, Room 1273, Queen Anne's Gate, London SW1H 9AT.</p>

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	<p>The Home Secretary has recently created a Race Relations Forum to advise him on issues affecting ethnic minority communities.</p> <p>The Commission for Racial Equality is empowered under Section 44 of the Race Relations Act 1976 to give financial or other assistance to any organisation that it deems to be concerned with the promotion of equality of opportunity and good relations between persons of different racial groups.</p> <p>Race Equality Councils are autonomous, voluntary organisations, funded jointly by the Commission for Racial Equality and local authorities.</p>
<b>22. Legal basis on which they have been established</b>	See above.
<b>23. Main functions of these bodies</b>	<p>Members of the Race Relations Forum are drawn from a broad spectrum of community groups and bring together a wealth of experience and expertise. The Home Secretary chairs the Forum which will meet three times a year. The Forum will make a positive and practical contribution to policy development and will give minority communities a new and effective voice at the heart of Government.</p> <p>The broad function of the Race Equality Councils is to represent the Commission for Racial Equality at a local or community level with objectives similar to those of the Commission, i.e. the elimination of racial discrimination, and the promotion of equality of opportunity and good relations between different racial and ethnic groups.</p>
<b>24. Functioning of these bodies</b>	See above.
<b>25. Links with other institutions</b>	-
<b>26. Minorities involved/covered</b>	See above.
<b>27. Name(s) of contact person(s)</b>	-

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	A referendum in September 1997 showed a majority in favour of a devolved Scottish Parliament and a devolved National Assembly for Wales.
<b>29. Legal basis on which they have been established</b>	<p>The Scotland Act, which provided for the establishment of the Parliament, received Royal Assent in November 1998. Elections to the Scottish Parliament were held on 6 May 1999. The Parliament has met once, to nominate the First Minister. It will assume its powers on 1 July 1999.</p> <p>The Parliament has 129 members, 73 from single member constituencies (elected by the majority voting system) and 56 additional members (selected from party lists drawn up from each of the current European constituencies). Elections to the Parliament will take place every four years. When it assumes its powers, the Parliament will have primary legislative powers and full executive powers. It is adopting the Westminster model of Cabinet government – the First Minister will appoint Ministers. The Scottish Executive consists of the First Minister and the team of Scottish Ministers, including Law Officers.</p> <p>There are 60 members of the Welsh Assembly – 40 from single member constituencies (elected by the “first past the post” method), and 20 additional members (selected from party lists). Elections to the Assembly will take place every four years. The Assembly has met once, to elect the Assembly First Secretary. The assembly, which will have secondary legislative powers only, will assume its powers on 1 July 1999.</p> <p>Powers are to be devolved to the Northern Ireland assembly in due course.</p>
<b>30. Number of self-governments and minorities concerned</b>	See above.
<b>31. Main functions of these</b>	The Scottish Parliament will be responsible for health, education and training,

<b>bodies</b>	<p>local government, social work and housing, economic development and transport, law and home affairs, the environment, agriculture, forestry and fishing and sport and the arts in Scotland.</p> <p><u>The National Assembly of Wales</u> will take over the responsibilities exercised by the Secretary of State for Wales. These include responsibility for education, health, training, economic development, housing, agriculture, transport, industry, the environment, sport and recreation and the Welsh language.</p>
<b>32. Functioning of these bodies</b>	-
<b>33. Links with other institutions</b>	-

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	Please see information on the Commission for Racial Equality in response to question V above.

<b>IX. Civil society: minority associations and NGOs</b>	
<b>35. Registered minority associations</b>	A list of non-governmental organisations within the UK which represent the interests of ethnic communities has been submitted.
<b>36. National NGOs or local branches of international NGOs dealing with minorities</b>	See above.

<b>X. Legal texts</b>	
<b>37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously</b>	<p>Under the <u>Race Relations Act 1976</u> discrimination is unlawful in employment, education, and the provision of goods, facilities, services and premises. The Act also makes unlawful "indirect discrimination" - that is, requirements or conditions which are imposed equally on all racial groups, but which could only be met by a much smaller proportion of one particular group. The Act provides for enforcement through industrial tribunals, or, in some cases, civil proceedings.</p> <p>The <u>Local Government Act 1966</u> (Section 11) empowers the payment of grant by the government to local authorities which need to make special provision in carrying out their functions to meet the needs of those whose language or customs differ from the majority community.</p> <p>The <u>Public Order Act 1986</u> prohibits the use of threatening, abusive or insulting words or behaviour with intent or likelihood to stir up racial hatred. It is also an offence to use threatening, abusive or insulting words, behaviour or displays with intent to cause harassment, alarm or distress.</p> <p>The <u>Crime and Disorder Act 1998</u> creates new offences of racially aggravated violence and harassment and gives statutory force to the case-law which requires judges to consider evidence of racist motivation as an aggravated factor in sentencing. The Act requires the court to consider the aggravating factor as one meriting an increased sentence and to state in open court that the offence was so aggravated (clause 68). This provision will ensure that any racist element is not overlooked in the detection and prosecution of the case.</p>

### **Additional information**

Action is being taken by the Government to ensure that ethnic minorities are properly represented across all government offices and public services.

All government departments are expected to abide by the Civil Service Management Code. This requires organisations to implement strategies for promoting equality of opportunity and providing staff with a working environment which is free from unfair discrimination. This is supported by the Civil Service's Programme for Action which aims to provide an up-to-date framework to help departments and agencies to recruit, retain and promote the best available people regardless of race.

The Government has drawn up a plan of action to promote and encourage the increased participation of members of ethnic minorities in public life. This involves all government departments in a long term strategy which includes specific objectives for increasing the number of appointments held by ethnic minorities. Details of the Government's plan of action and individual departmental plans were published in a paper, "Quangos: Opening up Public Appointments" on 29 June 1998.

This work is supported by a Public Appointments Unit which advises departments and monitors progress. The Unit is currently involved in a series of seminars to encourage more members from ethnic minority communities to participate in public life. It also has regular contact with companies, universities, professional bodies and other organisations representing ethnic minorities.

The "Service First" programme was recently launched by the Government and aims to improve service delivery across the public sector. One of its objectives is to ensure that the interests of minority groups are taken into account in the policy-making process and are built into the design of government services. A new principle has been introduced which states that public services should be available to all, regardless of race, sex, age or ability. People's privacy and dignity should also be respected. And they should be treated with courtesy and helpfulness.

# **NON-MEMBER STATES**

## « ARMENIA »

Essential human rights and freedoms currently occupy an important place in international relations. International politics, relations between states and their role and place in the world are closely bound up with these problems. Even though the rights of national minorities are essentially part of universal human rights they also have certain distinctive features.

Protecting the rights of national minorities is very important for Armenia.

1. The presence of Armenians throughout the world, forming national minorities in their countries of residence, increases our understanding of the problems faced by minorities.
2. Armenia considers that protecting national minority rights remains one of the key elements of peace by providing stability in the political and social environment.
3. The statutory protection of national minority rights and respect for undertakings in this sphere are among the conditions for Armenia's accession to the Council of Europe, which is of crucial importance for our country.

There is no public body in Armenia responsible for national minorities. At present, such matters are dealt with by an adviser to the President of the Republic. All the values and principles adopted by the Council of Europe concerning human rights and the religious practices of minorities, which form the basis of countries' independence and democracy, have been accepted by the Armenian Republic and enshrined in its Constitution.

There are currently more than twenty national minorities in Armenia, representing some 3 to 4% of the total population. They are all members of an association called the "Union of National Minorities of Armenia".

Armenia subscribes to several international documents concerned with protecting national minority rights.

On 17 February 1998, the country's National Assembly ratified the Framework Convention for the Protection of National Minorities, which came into force on 1 November 1998.

Armenia is currently making practical efforts to implement the provisions of this convention and honour the commitments which its adoption entails.

With the Council of Europe's help, the Framework Convention and other material on protecting national minorities have been translated into Armenian, to ensure they have maximum impact.

In 1998, a seminar on the Framework Convention, organised jointly by the Council of Europe and Armenia, was held in Erevan, in order to inform members of national minorities of the convention's provisions and enable them to discuss their problems with government bodies.

Draft legislation on national minorities is currently under consideration, as is the establishment of a special body to deal with such matters. We hope that the joint European Commission-Council of Europe programme for national minorities in Europe will help lead to the enactment of the minority rights bill and the establishment of a national body for these matters.



# AZERBAIDJAN

## I. Representation in political parties

<b>1. Parties that specifically represent a minority</b>	There are no political parties in the Azerbaijan Republic that represent only national minorities.
<b>2. Parties that especially represent minorities' interests but which are not minority parties as such</b>	National Minority representatives are represented enough in major political parties of the Azerbaijan Republic.

## II. Parliamentary representation

<b>3. Reserved seats in Parliament for minorities</b>	Out of 124 deputies in the Azerbaijan Republic Milli Mejlis (1 Chamber Parliament), more than 20 deputies are representatives of national minorities.  Note: The Chairmen of Parliament's three Commissions and Deputy Chairman of 1 commission are the representatives of national minorities.
<b>4. Seats gained by political parties mentioned in table I</b>	-
<b>5. Election of persons belonging to minorities on the list of other political parties</b>	Out of 68 deputies elected to Parliament from the Ruling New Azerbaijan Party (NAP) in 1995 elections, 10 deputies are the representatives of national minorities.
<b>6. Special provisions for minority parties regarding thresholds</b>	-
<b>7. Parliamentary committees and/or sub-committees dealing with minority issues</b>	A Human Rights Commission functions in Parliament, which deals with the protection of human rights.

## III. Ombudsperson for minority/human rights or parliamentary committee for petitions

<b>8. Official titles of such bodies</b>	There is no such activity field in the Azerbaijan Republic.
<b>9. Legal basis on which they were established</b>	-
<b>10. Way of election/nomination of the Ombudsperson</b>	-
<b>11. Main functions and mandate of the Ombudsperson</b>	-

## IV. Minister/Ministry for minorities

<b>12. Name of minister/ministry specifically responsible for national minority issues</b>	There is a State Advisor's Service and Department on National Policy, functioning at the President's Administration which deals with the field covered in this section.
<b>13. Ministries dealing with minority issues in their own fields of activity</b>	“...”

<b>V. Governmental office for minorities</b>	
<b>14. Exact name of this office</b>	The President of the Azerbaijan Republic has already signed a decree on establishment of State Committee on National Relations at the Cabinet of Ministers of the Azerbaijan Republic. Work is currently being conducted on establishment of that Committee.
<b>15. Legal basis on which it has been established</b>	“ “
<b>16. Main functions of this office</b>	This Committee plans to implement national minority-related decrees, instructions, decisions, laws and other legislative acts of the President of Azerbaijan Republic, Milli Mejlis (Parliament), Cabinet of Ministers according to the laws and Constitution of the Azerbaijan Republic.
<b>17. Functioning of this office</b>	Provisions of rights and freedoms of minorities, protection and development of their languages and cultures, national-cultural diversity
<b>18. Links with other institutions</b>	It is planned that the Committee will be in close co-operation with the structures and departments of Azerbaijan Republic Office of the President, Milli Mejlis (Parliament), Cabinet of Ministers, as well as human rights, non-governmental organisations and national-cultural societies, functioning in our Republic.
<b>19. Minorities involved/covered</b>	The structure of the Committee is being formed and it is planned to involve the representatives of national minorities in the work of the Committee.
<b>20. Name(s) of contact person(s)</b>	Abbas Aydin oglu Abbasov – First deputy of the Prime Minister, the Chairman of the Committee.

<b>VI. Councils or round-tables with representatives of minorities</b>	
<b>21. Exact name of these bodies and level of application</b>	An Advisory Council is functioning at the Azerbaijan Republic Office of the President’s State Advisor on national policy, which includes the famous representatives, intellectuals, scientists and public figures of national minorities.
<b>22. Legal basis on which they have been established</b>	The Advisory Council was created by the decree of the President of the Azerbaijan Republic.
<b>23. Main functions of these bodies</b>	The Advisory Council participates in the preparation of programmes and projects on determination and implementation of national minorities development strategy, provision of rights and freedoms of national minorities, development of their languages and cultures; gives recommendations and suggestions to state offices on related problems
<b>24. Functioning of these bodies</b>	The Advisory Council is an advisory body, which represents the interests of national minorities, participates in the regulation of national relations, regulates the activity of national cultural organisations and the relations between them and the state offices. The Advisory Council bases its activity on the Constitution of the Azerbaijan Republic, other legislative acts and its own Charter.
<b>25. Links with other institutions</b>	The Advisory Council functions at the Office of the State Advisor on National Minorities of the Azerbaijan Republic and through the State Adviser passes its recommendations and suggestions to the Parliament and other relevant state offices and bodies.
<b>26. Minorities involved/covered</b>	The known representatives and intellectuals of all national minorities, living in the Azerbaijan Republic are present in the Advisory Council.
<b>27. Name(s) of contact person(s)</b>	Mr Hidayat Khudush oglu Orujov – State Adviser on national minorities of the Azerbaijan Republic.

<b>VII. Self-governments and forms of territorial or cultural autonomy at regional or local level</b>	
<b>28. Self-governments or other forms of representation at regional or local level</b>	<p>There is not national autonomy in the Azerbaijan Republic, except the Nagorno-Karabakh autonomous region which was created in 1923 as a result of Lenin-Stalin regime's anti-Azerbaijan state policy. Thus, without considering the political and economic objectives and other factors of the historically predominately Azerbaijani populated Karabakh region, this region was divided into two parts and an autonomous region was declared in the mountainous part, where there was an Armenian majority. With this, in a very questionable situation, Armenians were given a second time (after Armenia proper) the right for self-governement.</p> <p>The Constitution of the independent Azerbaijan Republic says, Azerbaijan is a unitary republic.</p>
<b>29. Legal basis on which they have been established</b>	"....."
<b>30. Number of self-governments and minorities concerned</b>	"....."
<b>31. Main functions of these bodies</b>	"....."
<b>32. Functioning of these bodies</b>	"....."
<b>33. Links with other institutions</b>	"....."

<b>VIII. Public institutions or organisations</b>	
<b>34. Public institutions or organisations playing a significant role in the field of the protection of minorities</b>	<p>The Public organisations and national-cultural centres of all national minorities living in the Azerbaijan Republic are functioning in our republic. Those organisations are provided with relevant offices in Baku city and released from office rent payment. National-cultural organisations and publishing houses of national minorities are assisted financially from the state budget and Azerbaijan Republic presidential fund.</p>

## IX. Civil society: minority associations and NGOs

<p><b>35. Registered minority associations</b></p>	<p>The following is the list of registered public organisations and national-cultural centres of national minorities living in the Azerbaijan Republic:</p> <ul style="list-style-type: none"> <li>- Talysh Cultural Centre (Talysh)</li> <li>- “Mada” International Society (Talysh)</li> <li>- “Avesta” Society (Talysh)</li> <li>- “Ronayi” Kurdish Cultural Centre (Kurds)</li> <li>- “Azeri” Tat Cultural Centre (Tat)</li> <li>- Avar Society named after Imam Shamil (Avar)</li> <li>- “Samur” Lezgi National Centre (Lezgi)</li> <li>- Lezgi Mythology Education Center (Lezgi)</li> <li>- Azerbaijan European Jews Community (Jewish)</li> <li>- Azerbaijan Mountain Jews Community (Jewish)</li> <li>- Azerbaijan Georgian Jews Community (Jewish)</li> <li>- “Azeri” Jewish International Charity Society (Jewish)</li> <li>- Jewish Women Society (Jewish)</li> <li>- “Alef” Ganja Jewish Organisation (Jewish)</li> <li>- Rakhamim International Jewish Children Mercy Fund (Jewish)</li> <li>- Azerbaijan Republic Russian Community (Russian)</li> <li>- Azerbaijan Ukrainian Community (Ukrainian)</li> <li>- German National-Cultural Society (German)</li> <li>- “Tugan Tel” Tatar Cultural Centre (Tatar)</li> <li>- Azerbaijan Tatar Community (Tatar)</li> <li>- Tatar Youth Society (Tatar)</li> <li>- “Veten” Society of Akhiska Turks (Akhiska Turks)</li> <li>- Akhiska Turks Cultural Centre (Akhiska Turks)</li> <li>- “Orain” Udi Cultural Center (Udi)</li> <li>- Sakhur Cultural Center (Sakhur)</li> <li>- Azerbaijan Georgian Community (Georgians)</li> <li>- Azerbaijan Ingiloy Community (Ingiloy)</li> <li>- “Budug” Cultural Centre (Budug)</li> <li>- “Khinalig” Cultural Centre (Khinalig)</li> <li>- Lahich Charity Society (Lahich)</li> </ul>
<p><b>36. National NGOs or local branches of international NGOs dealing with minorities</b></p>	<p>Registered public associations of national minorities:</p> <p>“Sodruzhestvo” (Commonwealth) Society (Common society of national minorities living in our republic)</p> <p>“Judaika” International Society (Society for International relations between Azeri Jews and world Jews)</p> <p>“Azerbaijan-Israel” Society (Azerbaijan – Israel public-cultural relations society)</p> <p>Azerbaijan Slavs Cultural Centre (Common society of all Slavs living in our republic)</p> <p>“Dagestan” Cultural Centre (Common society of Dagestanis or Dagestani ethnic groups living in our republic)</p> <p>Society of Mountainous and Dagestani nations (Common society of Dagestanis or Dagestani nations living in our republic)</p>

## X. Legal texts

**37. Any legal texts referring to the participation of minorities in decision-making processes not mentioned previously**

The Azerbaijan Republic Constitution was adopted in 1995 by an all people referendum.

Part II: Main rights, freedoms and responsibilities

Part III: Main human and citizen rights and freedoms,

Article 25 (Right to Equality):

3. Every person shall have equal rights and freedoms irrespective of race, nationality, religion, sex, origin, property status, social position, conviction, political party, trade union and social unity affiliation. Limitations or recognition of Rights and Freedoms because of race, nationality, social status, language origin, convictions and religion shall be prohibited.

Article 44 (National and Ethnic Identity)

1. Every Person shall have the right to preserve national/ethnic identity
2. No one can be deprived of the right to change national/ethnic identity

Article 45 (Right to use mother tongue)

1. Every person shall have the right to their mother tongue. Everyone shall have the right to be raised and get an education, be engaged in creative activities in their mother tongue.
2. No one can be deprived of the right to use their mother tongue.

Article 54 (Right to participate in political life of society and state)

1. Citizens of the Azerbaijan Republic shall have the right to participate without hindrance in the political life of the society and the state.

Article 55 (Right to participate in the state governing)

1. Citizens of the Azerbaijan Republic shall have the right to participate in the Government. They can implement this right directly or via their representatives.
2. Citizens of the Azerbaijan Republic shall have the right to serve in government bodies. Officials to government bodies shall be appointed from citizens of the Azerbaijan Republic.

Article 127 (Principles of Justice)

10. Legal proceedings in the Azerbaijan Republic shall be conducted in the official language of the Azerbaijan Republic or in the language of the population which constitute the majority in the area concerned.

Persons participating in a court examination who do not know the language in which legal proceedings are held shall be guaranteed via the interpreter the right to get fully familiarised with the materials of the case, participate in legislative enactments and speak in their native language in the court.