|  |  |  |  |
| --- | --- | --- | --- |
| **MINISTERS’ DEPUTIES** | Decisions | **[CM/Del/Dec(2018)1330/10.4e](https://search.coe.int/cm/Pages/result_details.aspx?Reference=CM/Del/Dec(2018)1330/10.4e" \o "European Charter for Regional or Minority Languages - e. Strengthening the monitoring mechanism of the European Charter for Regional or Minority Languages)** | 28 November 2018 |

|  |
| --- |
| **1330th meeting, 28 November 2018****10.4 European Charter for Regional or Minority Languages**e. Strengthening the monitoring mechanism of the European Charter for Regional or Minority Languages Reference document[CM(2018)165](https://search.coe.int/cm/Pages/result_details.aspx?Reference=CM(2018)165" \o "European Charter for Regional or Minority Languages - e. Strengthening the monitoring mechanism of the European Charter for Regional or Minority Languages [1330 meeting]) |

*Decisions*

The Deputies, having consulted the Committee of Experts of the European Charter for Regional or Minority Languages (ETS No. 148, hereafter “the Charter”), and noting that there is consensus among the States Parties to the Charter on the changes to be made in the operation of its monitoring mechanism,

1. decided as follows with effect from 1 July 2019:

1. the Parties shall present every five years periodical reports on the implementation of the Charter and two and a half years thereafter information on the implementation of a limited number of recommendations, if any, namely only those that have been identified by the Committee of Experts in its evaluation report as being for immediate action;

b) while emphasising that the Charter and the Framework Convention for the Protection of National Minorities (ETS No. 157, hereafter “the Framework Convention”) have distinct aims and purposes and that they remain two separate instruments, giving rise to distinct obligations, with separate monitoring mechanisms and expert committees, the Parties to the Charter which are also Parties to the Framework Convention shall present their periodical reports on the Charter and on the Framework Convention by the dates set out in the Appendix. During a transition period of five years starting from the date the present decisions take effect, information on recommendations for immediate action from the Committee of Experts’ evaluation report shall be presented by the dates set out in the Appendix;

c) if a Party has not presented its periodical report or, where relevant, information on the implementation of the recommendations for immediate action five months after the due date and where two reminders have been made by the Secretariat General, the Chair of the Deputies shall address a letter to the Party concerned inviting it to submit the report or information without further delay;[[1]](#footnote-1)

d) the Committee of Experts is authorised to submit a proposal to the Deputies regarding the commencement of the monitoring of the Charter without a periodical report when a Party is more than twelve months behind in submitting a report, together with the information received from this Party concerning the reasons for the delay. In so doing, the Committee of Experts shall invite the Deputies to take a decision on the matter without a debate, unless at least one delegation requests that the matter be discussed;[[2]](#footnote-2)

e) a Party may submit comments on the Committee of Experts’ evaluation report within two months of its transmission. In these comments, the Party may ask the Committee of Experts for a confidential dialogue, which functions according to rules established by the Committee of Experts. Where the Party does not ask for a confidential dialogue, the evaluation report, together with any comments received from the Party, becomes public upon expiration of the two-month deadline where the Party does not submit comments, or upon receipt of the Party’s comments, whichever is the earlier date;

f) in the event that a confidential dialogue has taken place, the Party may submit possible further comments within two months of the transmission of the final evaluation report, which becomes public upon receipt of any such comments from the Party, or following the expiration of the two-month deadline, whichever is the earlier date. Any such comments received from the Party become public together with the evaluation report;

2. decided that members of the Committee of Experts appointed for the first time on or after 1 July 2019 shall be eligible for reappointment once. As a transitional rule, the members in office on that date may be appointed to serve another term; the term of members in office on that date who are completing their predecessor’s term shall be extended to a total period of six years;

3. encouraged wider use of the Committee of Experts’ rapid reaction capacity and ad hoc missions, as foreseen in its Rules of Procedure, and encouraged the Committee to keep the pertinent rules under review;

4. noted that the reflection document “Strengthening the monitoring mechanism of the European Charter for Regional or Minority Languages” ([CM(2018)165](https://search.coe.int/cm/Pages/result_details.aspx?Reference=CM(2018)165" \o "European Charter for Regional or Minority Languages - e. Strengthening the monitoring mechanism of the European Charter for Regional or Minority Languages [1330 meeting])) provided useful background information to the present decisions.

**Appendix**

**Alignment of periodical reports on the European Charter for Regional or Minority Languages (ECRML) and on the Framework Convention for the Protection of National Minorities (FCNM)**

**and information on the implementation of recommendations for immediate action under the Charter**

**(2020-2024)**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **STATE PARTY** | **2020** | **2021** | **2022** | **2023** | **2024** |  |
| Armenia |  | 1-May\* |  |  | **1-May** |  |
| Austria | **1-Oct** |  |  | **1-Apr** |  |  |
| Bosnia and Herzegovina |  | **1-Jun** |  | 1-Dec |  |  |
| Croatia | 1-Mar\* |  |  | **1-Mar** |  |  |
| Cyprus |  | 1-Dec\* |  |  | **1-Feb** |  |
| Czech Republic | 1-Mar\* |  |  | **1-Mar** |  |  |
| Denmark | 1-Jan\* |  |  | **1-Jan** |  |  |
| Finland | 1-Mar\* |  |  | **1-Mar** |  |  |
| Germany |  | **1-Jul** |  |  | **1-Jan** |  |
| Hungary | 1-Mar\* |  |  | **1-Mar** |  |  |
| Liechtenstein | 1-Mar\* |  |  | **1-Mar** |  |  |
| Luxembourg |  | **1-Oct** |  |  | 1-Apr |  |
| Montenegro |  |  | **6-Jun** |  | 6-Dec |  |
| Netherlands |  | **1-Jun** |  | 1-Dec |  |  |
| Norway | **1-Jul** |  |  | 1-Jan |  |  |
| Poland |  |  | **1-Jun** |  | 1-Dec |  |
| Romania |  | 1-May\* |  |  | **1-Feb** |  |
| Serbia |  |  | **1-Sep** |  |  | 1-Mar 25 |
| Slovak Republic |  | 1-Jan\* |  |  | **1-Jan** |  |
| Slovenia | 1-Jan\* |  |  | **1-Jan** |  |  |
| Spain | 1-Aug\* |  |  | **1-Aug** |  |  |
| Sweden |  | **1-Jun** |  | 1-Dec |  |  |
| Switzerland | **1-Dec** |  |  | 1-Jun |  |  |
| Ukraine |  |  | 1-Jan\* |  | **1-May** |  |
| United Kingdom | 1-Jul\* |  |  | **1-Jul** |  |  |
|  |  |  |  |  |  |  |
|  | Date | ►Dates for submission of ECRML information on implementation of recommendations for immediate action |  |
|  |  |
|  | **Date** | ►Dates for submission of ECRML and FCNM periodical reports |  |
|  |  |
|  | **Date** | ►Dates for submission of ECRML periodical report |  |
|  |  |  |
|  | **Date** | ►Dates for submission of FCNM periodical report and of ECRML information on implementation of recommendations for immediate action |  |
|  |
|  |  |  |
| \* This date replaces the date for submission of the Language Charter periodical report provided such a report was submitted in 2017, 2018 or first half of 2019. Otherwise, a periodical report should be submitted by this date. |  |

1. In conformity with the Committee of Ministers’ decision of 30 January 2008. [↑](#footnote-ref-1)
2. See [CM/Del/Dec(2008)1016/10.4](https://search.coe.int/cm/Pages/result_details.aspx?Reference=CM/Del/Dec(2008)1016/10.4" \o "European Charter for Regional or Minority Languages – Failure to comply with the reporting obligation). [↑](#footnote-ref-2)