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P8_TA(2018)0447

Minimum standards for minorities in the EU**European Parliament resolution of 13 November 2018 on minimum standards for minorities in the EU (2018/2036(INI))**

(2020/C 363/03)

The European Parliament,

- having regard to Articles 2 and 3(3) of the Treaty on European Union (TEU), and Article 19 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Articles 10, 21 and 22 of the Charter of Fundamental Rights of the European Union,
- having regard to Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin ⁽¹⁾ (Racial Equality Directive),
- having regard to the Copenhagen criteria and to the body of Union rules that a candidate country must fulfil if it wishes to join the Union (the *acquis*),
- having regard to the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and the UN Declaration on the Rights of Indigenous Peoples,
- having regard to the Universal Declaration of Human Rights, adopted by the UN General Assembly in 1948,
- having regard to UN Resolution A/RES/60/7 adopted by the General Assembly on 1 November 2005 on the Holocaust Remembrance,
- having regard to the European Convention on Human Rights and its Protocols, especially Protocol No 12 on non-discrimination,
- having regard to the Fundamental Rights Report 2018 of the European Union Agency for Fundamental Rights (FRA) and to the FRA's Second European Union Minorities and Discrimination Survey (EU-MIDIS II),
- having regard to the UN Convention on the Rights of Persons with Disabilities, and to its Optional Protocol (A/RES/61/106), adopted on 13 December 2006,
- having regard to the Council of Europe's Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages,
- having regard to Resolution 1985 of the Council of Europe Parliamentary Assembly, adopted in 2014, on the situation and rights of national minorities in Europe,
- having regard to Resolution 2153 of the Council of Europe Parliamentary Assembly, adopted in 2017, on promoting the inclusion of Roma and Travellers,
- having regard to Resolution 2196 of the Council of Europe Parliamentary Assembly, adopted in 2018, on the protection and promotion of regional or minority languages in Europe,
- having regard to Resolution 424 of the Council of Europe's Congress of Local and Regional Authorities, adopted in 2017, on regional and minority languages in Europe today,
- having regard to Recommendation 1201 of the Council of Europe Parliamentary Assembly, adopted in 1993, for an additional protocol on the rights of minorities to the European Convention on Human Rights,

⁽¹⁾ OJ L 180, 19.7.2000, p. 22.

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- having regard to the Declaration of the Committee of Ministers of the Council of Europe on the rise of Anti-Gypsyism and racist violence against Roma in Europe, adopted on 1 February 2012,
- having regard to Guideline Number 5 on the Relations between the Council of Europe and the European Union, adopted at the Third Council of Europe Summit of Heads of State and Government in Warsaw on 16 and 17 May 2005,
- having regard to the OSCE 1990 Copenhagen Document and to the numerous thematic recommendations and guidelines on minority rights issued by the OSCE High Commissioner on National Minorities and the OSCE Office for Democratic Institutions and Human Rights,
- having regard to its resolution of 7 February 2018 on protection and non-discrimination with regard to minorities in the EU Member States ⁽¹⁾,
- having regard to its resolution of 25 October 2017 on 'Fundamental rights aspects in Roma integration in the EU: fighting anti-Gypsyism' ⁽²⁾,
- having regard to Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law ⁽³⁾,
- having regard to its resolution of 13 December 2016 on the situation of fundamental rights in the European Union ⁽⁴⁾,
- having regard to its resolution of 15 April 2015 on the occasion of International Roma Day on 'Anti-Gypsyism in Europe and EU recognition of the memorial day of the Roma genocide during World War II' ⁽⁵⁾,
- having regard to its resolution of 11 September 2013 on endangered European languages and linguistic diversity in the European Union ⁽⁶⁾,
- having regard to its resolution of 8 June 2005 on protection of minorities and anti-discrimination policies in an enlarged Europe ⁽⁷⁾,
- having regard to its resolution of 12 December 2017 on 'The EU Citizenship Report 2017: Strengthening Citizens' Rights in a Union of Democratic Change' ⁽⁸⁾,
- having regard to its resolution of 25 October 2016 with recommendations to the Commission on the establishment of an EU mechanism on democracy, the rule of law and fundamental rights ⁽⁹⁾,
- having regard to the judgements and case law of the Court of Justice of the European Union (CJEU), in particular case T-646/13 (Minority SafePack — one million signatures for diversity in Europe v Commission), and to the case law of the European Court of Human Rights (ECtHR),
- having regard to the reports and surveys of the FRA, such as the report entitled 'Respect for and protection of persons belonging to minorities 2008-2010', as well as other relevant reports by national, European and international organisations and NGOs on the matter,
- having regard to the activities and findings of the Intergroup for Traditional Minorities, National Communities and Languages of the European Parliament,
- having regard to Rule 52 of its Rules of Procedure,
- having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinion of the Committee on Culture and Education (A8-0353/2018),

⁽¹⁾ Texts adopted, P8_TA(2018)0032.

⁽²⁾ OJ C 346, 27.9.2018, p. 171.

⁽³⁾ OJ L 328, 6.12.2008, p. 55.

⁽⁴⁾ OJ C 238, 6.7.2018, p. 2.

⁽⁵⁾ OJ C 328, 6.9.2016, p. 4.

⁽⁶⁾ OJ C 93, 09.03.2016, p. 52.

⁽⁷⁾ OJ C 124 E, 25.5.2006, p. 405.

⁽⁸⁾ OJ C 369, 11.10.2018, p. 11.

⁽⁹⁾ OJ C 215, 19.6.2018, p. 162.

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- A. whereas the rights of persons belonging to minorities are an integral part of human rights, which are universal, indivisible and independent; whereas protecting and promoting minority rights is essential for peace, security and stability and for promoting tolerance, mutual respect, understanding and cooperation among all persons living on a given territory;
- B. whereas the EU is a mosaic of cultures, languages, religions, traditions and history forming a community of diverse citizens united by their common core values; whereas this richness of Europe is not a given and should be protected and nurtured;
- C. whereas approximately 8 % of EU citizens belong to a national minority and approximately 10 % speak a regional or minority language; whereas persisting harassment, discrimination — including multiple and intersectional discrimination — and violence limit the ability of people to fully enjoy their fundamental rights and freedoms, and undermine their equal participation in society;
- D. whereas the protection of the rights of persons belonging to minorities can help build a sustainable future for Europe and contribute to guaranteeing respect for the principles of dignity, equality and non-discrimination; whereas the benefits are not limited to minorities, since this protection and promotion will bring stability, economic development and prosperity to all;
- E. whereas the Treaty of Lisbon introduced the term ‘persons belonging to minorities’ into EU primary law, the first-ever explicit reference in the history of EU law; whereas Article 2 of the TEU states that ‘the Union is founded on the values of respect for human dignity, freedom, democracy, equality, the primacy of law and respect for human rights, including the rights of persons belonging to minorities’ and that ‘these values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail’; whereas these values are shared by all Member States and must be upheld and actively promoted by the EU and each Member State individually in all their policies, both internally and externally in a consistent way; whereas these rights deserve to be accorded the same treatment as the other rights enshrined in the Treaties;
- F. whereas the EU Treaties, following the approach of international law in this respect, do not define the term ‘minorities’; whereas Article 17 of the TEU states that the Commission must ensure the application of the Treaties;
- G. whereas Article 19 of the TFEU holds that the Council, acting unanimously, in accordance with a special legislative procedure and after obtaining the consent of the European Parliament, may take appropriate action to combat discrimination;
- H. whereas the Charter of Fundamental Rights of the European Union made the notion of ‘national minorities’ a term of EU law; whereas Article 21 of the Charter explicitly underlines that discrimination is prohibited; whereas special attention should be paid to the protection of the fundamental rights of those in the most vulnerable situations;
- I. whereas in defining Union citizenship, Article 9 of the TEU expressly states that the Union shall observe the principle of equality of its citizens, who shall receive equal attention from its institutions, bodies, offices and agencies;
- J. whereas the FCNM and the Language Charter are major achievements of the international minority protection system and important international standard-setting tools for States Parties; whereas the effect of the agreements concerned is weakened by a slow ratification process, by the reservations entered by the Parties and by a lack of powers of scrutiny, which makes them dependent on the goodwill of states; whereas the systematic non-implementation of judgments, decisions and recommendations also leads to a normalisation of non-compliance with the two international instruments;
- K. whereas best practices already in use in Member States should be taken into account when developing common European minimum standards to protect the rights of persons belonging to minorities, as in Italy (Alto Adige/South Tyrol) or Germany (Schleswig-Holstein);

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- L. whereas the rights of persons belonging to minorities are guaranteed by both multilateral and bilateral international agreements and are enshrined in the constitutional systems of many Member States, and respect for them is an important prerequisite for assessing the rule of law;
- M. whereas the Racial Equality Directive represents a key legal measure for combating ethnic and racial discrimination; whereas several Member States have still not fully implemented it; whereas Article 5 of that Directive states that, with a view to ensuring full equality, the principle of equal treatment shall not prevent any Member State from maintaining or adopting specific measures to prevent or compensate for disadvantages linked to racial or ethnic origin;
- N. whereas the motto of the European Union is 'United in diversity', as adopted in 2000 and underlining respect for diversity as one of the founding values of the European Union;
- O. whereas the Copenhagen criteria are part of the EU accession criteria; whereas one of the three Copenhagen criteria clearly requires countries to guarantee democracy, the rule of law, human rights, and respect for and protection of minorities; whereas there is no further monitoring of minority rights once a candidate country becomes a Member State;
- P. whereas experience shows that pre-accession countries are more willing to respect the Copenhagen criteria; whereas as a consequence of the lack of an adequate framework to guarantee the fulfilment of these criteria after accession, serious backsliding can be experienced in Member States following EU membership; whereas the EU still lacks common standards at Union level for minority protection for Member States;
- Q. whereas at present the Union has tools of only limited efficacy to respond to systematic and institutional manifestations of discrimination, racism and xenophobia; whereas, in spite of numerous calls on the Commission, only limited steps have been taken to ensure effective protection of persons belonging to minorities;
- R. whereas strong rule of law mechanisms and processes need to be developed to ensure that Treaty principles and values are upheld throughout the Union; whereas respect for the rights of persons belonging to minorities is a constituent part of these values; whereas effective mechanisms should exist to close the remaining gaps; whereas such mechanisms should be evidence-based, objective and non-discriminatory, should respect the principles of subsidiarity, necessity and proportionality, should apply to both Member States and Union institutions, and should be based on a graduated approach, including both a preventative and a corrective arm; whereas Parliament has affirmed its support in this respect, in its resolution of 25 October 2016 with recommendations to the Commission on the establishment of a EU mechanism on democracy, the rule of law and fundamental rights, and this could be central to a coordinated European approach to governance, something which is currently lacking;
- S. whereas languages are an integral part of European identity and the most direct expression of culture; whereas respect for linguistic diversity is a fundamental value of the EU, as laid down in, for instance, Article 22 of the Charter, and in the preamble to the TEU, which refers to 'drawing inspiration from the cultural, religious and humanist inheritance of Europe, from which have developed the universal values of the inviolable and inalienable rights of the human person, freedom, democracy, equality and the rule of law';
- T. whereas linguistic diversity is an important part of a region's cultural wealth; whereas 40 to 50 million people in the EU speak one of its 60 regional and minority languages, some of which are at serious risk; whereas the decline of minority languages is perceptible across Europe; whereas languages that are spoken by small communities and have no official status are even more exposed to the risk of extinction;
- U. whereas an estimate one person in a thousand uses a national sign language as their first language; whereas these languages should be awarded official status;

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- V. whereas in inclusive societies, individual identity as well as national identity are important and neither excludes the other; whereas the national legislative systems of the Member States important gaps with regard to minorities and represent a low level of harmonisation and symmetry;
- W. whereas Europe's cultural heritage is rich and diverse; whereas cultural heritage enriches the individual lives of citizens; whereas Article 3 of the TEU affirms that 'the Union shall respect its rich cultural and linguistic diversity, and shall ensure that Europe's cultural heritage is safeguarded and enhanced'; whereas 'persons belonging to minorities that have been living in Europe for centuries' contribute to this rich, unique and diverse heritage and are an integral part of the European identity;
- X. whereas there are high discrepancies across Member States in the recognition of minorities and the respect of their rights; whereas minorities across the EU still face institutionalized discrimination and are the subject of derogatory stereotypes and even their acquired rights are often curtailed or selectively applied;
- Y. whereas there is a difference between the protection of minorities and anti-discrimination policies; whereas non-discrimination is not enough to stop assimilation; whereas effective equality goes further than refraining from discrimination and means guaranteeing minorities the enjoyment of their rights, such as the right to identity, language use and education, cultural and citizenship rights, etc., on a par with the majority;
- Z. whereas the rise of xenophobic violence and hate speech in the European Union, often promoted by far-right forces, affects and targets persons belonging to minorities;
- AA. whereas EU citizens belonging to minorities expect more to be done on a European level for the protection of their rights, as attested by the large number of petitions submitted to the European Parliament in this regard;
- AB. whereas the European Citizens' Initiative 'Minority SafePack' has collected 1 215 879 signatures across the EU, showcasing the will of these EU citizens to strengthen the legislative framework governing minority policies at the EU level;
- AC. whereas there is considerable room for improvement of the way in which the protection of minority rights is effectively put into place in the EU; whereas the legitimacy of the democratic institutions is based on participation and representation of all groups in society, including persons belonging to minorities;
1. Recalls that Member States have an obligation to guarantee minorities the full enjoyment of their human rights, whether as individuals or as a community;
2. Recalls that while protection of minorities is a part of the Copenhagen criteria, both for the candidate countries and for the Member States, there is no guarantee that candidate states will stick to the commitments undertaken under the Copenhagen criteria once they became Member States;
3. Notes that the EU still lacks effective tools to monitor and enforce the respect of minority rights; regrets that in the field of minority protection the EU has either taken for granted the assumption that its Member States comply with minority rights or has relied on external monitoring instruments, such as those of the UN, the Council of Europe or the OSCE;
4. Notes that compliance with the Copenhagen criteria by states before and after their accession to the EU must be subject to constant monitoring and to a constant dialogue within and between Parliament, the Commission and the Council; stresses the need for a comprehensive EU protection system for minorities, accompanied by a robust monitoring mechanism;
5. Recalls that, in accordance with Article 17(1) of the TEU, the Commission, as guardian of the Treaties, has the legitimacy and authority to ensure that all the Member States are upholding the rule of law and other values referred to in Article 2 of the TEU; considers, therefore, that the measures taken by the Commission to carry out the task and to ensure that the conditions which existed before a Member State's accession are still being fulfilled do not violate the sovereignty of the Member States;

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6. Recalls that within existing international standards every Member State has a right to define persons belonging to national minorities;

7. Recalls that there is no common EU standard for minority rights in the EU, nor a common understanding of who can be considered a person belonging to a minority; notes that there is no definition of minorities in the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, nor in the Framework Convention for the Protection of National Minorities (FCNM); underlines the need to protect all national or ethnic, religious and linguistic minorities, regardless of definition, and stresses that any definition should be applied in a flexible manner, as de facto inclusion of beneficiaries under the protection of minority rights often forms part of an evolutionary process that may eventually lead to formal recognition; recommends that, with respect to the principles of subsidiarity, proportionality and non-discrimination, a definition of a 'national minority' should be based on the definition laid down in Recommendation 1201 of the Council of Europe Parliamentary Assembly (1993) for an additional protocol on the rights of minorities to the European Convention on Human Rights, i.e. a group of persons in a state who:

- reside on the territory of that state and are citizens thereof;
- maintain long-standing, firm and lasting ties with that state;
- display distinctive ethnic, cultural, religious or linguistic characteristics;
- are sufficiently representative, although smaller in number than the rest of the population of that state or of a region of that state;
- are motivated by a concern to preserve together that which constitutes their common identity, including their culture, their tradition, their religion or their language;

8. Recalls Guideline Number 5 on the Relations between the Council of Europe and the European Union as adopted by the Heads of State and Government of the Member States of the Council of Europe, meeting in Warsaw on 16 and 17 May 2005, which states that the European Union 'shall strive to transpose those aspects of Council of Europe Conventions within its competence into European Union law';

9. Notes that parts of the provisions of the FCNM and the European Charter for Regional or Minority Languages (the 'Language Charter') fall within the competences of the EU, and recalls the FRA's conclusion that although the Union does not have overall legislative competence to rule on the protection of national minorities as such, it 'may rule on a variety of issues that affect persons belonging to national minorities';

10. Considers that there is a need for a legislative proposal on minimum standards of protection of minorities in the EU, following a proper impact assessment and in line with the principles of subsidiarity and proportionality applying to the Member States, with the aim of improving the situation of minorities and protecting already existing rights in all Member States while avoiding double standards; considers, while respecting the principles of subsidiarity and proportionality, that such standards should start out from those already codified in international law instruments and should be firmly embedded in a legal framework guaranteeing democracy, the rule of law and fundamental rights across the EU and accompanied by a functioning monitoring mechanism; calls on the Commission and the Member States to ensure that their legal systems guarantee that persons belonging to a minority are not discriminated against, and to take and implement targeted protection measures;

11. Recalls that protection of minority rights is a part of the proposal for the conclusion of a Union Pact for Democracy, the Rule of Law and Fundamental Rights (DRF Pact); recalls, in this regard, the request made in its resolution of 25 October 2016 on an EU mechanism on democracy, the rule of law and fundamental rights, and reiterates its call on the Commission to submit a proposal for the conclusion of a DRF Pact; calls on the Commission to mainstream minority rights into all possible subparts of the EU mechanism on democracy, the rule of law and fundamental rights;

12. Encourages the Commission to set up an organ at Union level (either within existing structures or a separate body) for the recognition and protection of minorities in the EU;

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13. Welcomes the successful registration of and collection of signatures under the European Citizens' Initiative entitled 'Minority SafePack', which calls for a European framework for the protection of minorities; encourages the Commission to explore ways forward by which the interests and needs of minorities could be better represented at EU level;

14. Encourages the Commission and the Member States to safeguard the right of persons belonging to minorities to preserve, protect and develop their own identity, and to take the necessary steps to promote the effective participation of minorities in social, economic and cultural life and in public affairs;

15. Recalls that EU citizenship is gained through nationality of a Member State, which is regulated by national laws; recalls that in the context of access to national citizenship, Member States should be governed by the principles of EU law, such as those of proportionality and non-discrimination, which are both well elaborated in the case law of the CJEU; whereas Article 20 of the TFEU provides that any person who holds the nationality of a Member State is also a citizen of the Union, with the rights and obligations enshrined in the Treaties and the Charter; recalls that according to the Treaties every EU citizen must receive equal attention from the EU institutions;

16. Recalls its deep concern regarding the numbers of stateless Roma in Europe, a situation which leads to the total denial of their access to social, educational and healthcare services and pushes them to the very margins of society; calls on the Member States to abolish statelessness and ensure the enjoyment of fundamental human rights by all;

17. Encourages the Member States to take effective measures to remove any barriers to accessing the healthcare system by persons belonging to minorities; notes that minority groups have less access to health services and health information; encourages the Commission and the Member States to ensure that minorities have access to healthcare, both physical and mental and without discrimination;

18. Calls on the European Union to accede to, and the Member States to ratify the FCNM and the Language Charter and to respect the principles laid down in those documents; calls on the Member States and the Commission to refrain from acts that go against those principles; stresses that while creating minimum standards for minorities in the EU, the institutions and the Member States must refrain from adopting laws and administrative measures that weaken or derogate from the rights of persons belonging to minorities;

19. Reaffirms that indigenous people, in the exercise of their rights, should be free from discrimination of any kind and have the right to the dignity and diversity of their culture, traditions, histories and aspirations, which must be appropriately reflected in education and public information; encourages those Member States that have not yet done so to ratify the Indigenous and Tribal Peoples Convention (ILO Convention No 169) and to implement it in good faith;

20. Considers that common European minimum standards to protect the rights of persons belonging to minorities should be developed in the EU, following the procedural principles of good neighbourliness and friendly relations and ensuring cooperation both between Member States and with neighbouring non-EU countries, on the basis of the implementation of international standards and norms; considers that the adoption of common European minimum standards should not diminish the already existing rights and standards protecting persons belonging to minorities; recalls the need to implement the commitments adopted and principles developed in the framework of the OSCE, particularly in its thematic recommendations and guidelines; recalls that the Commission has already taken those standards into account in the context of the Copenhagen criteria during the accession negotiations; calls on the Commission, in this regard, to apply the same standards to all EU Member States;

21. Stresses that non-discrimination policies alone do not solve the issues minorities are faced with and do not prevent their assimilation; notes that persons belonging to minorities are in a special category with regard to the right to remedy and have specific needs that must be met if they are to be ensured full and effective equality, and that it is necessary to respect and promote their rights, including the right to freely express, preserve and develop their cultural or linguistic identity, in keeping with the identity, values and principles of the country in which they live; encourages the Commission to promote regular monitoring of linguistic and cultural diversity in the EU;

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22. Encourages the Commission and the Member States to continue supporting and funding the collection of reliable and robust equality data, in consultation with minority representatives, in order to measure inequalities and discrimination; calls for effective EU-wide monitoring of the situation of national and ethnic minorities; considers that the FRA should carry out enhanced monitoring of discrimination against national and ethnic minorities in Member States;

23. Recognises the important role of civil society and non-governmental organisations in minority protection, combating discrimination and promoting minority rights; encourages the Commission and the Member States to promote sufficient funding and support for those organisations;

24. Calls on the Commission and the Member States to safeguard the protection of minorities within minorities and tackle the inequalities within inequalities, since people belonging to minorities often face multiple and intersectional discrimination; asks the Commission and the Member States to conduct research in order to address the complex issue of multiple and intersectional discrimination;

Combating discrimination, hate crime and hate speech

25. Is concerned about the alarming increase of hate crime and hate speech, motivated by racism, xenophobia or religious intolerance, directed at minorities in Europe; calls on the EU and the Member States to step up the fight against hate crime and discriminatory attitudes and behaviour; calls on the Commission and the FRA to continue their work on monitoring hate crime and hate speech in the Member States aimed against minorities, and to report regularly on cases and tendencies;

26. Condemns unequivocally all forms of discrimination on whatever grounds and all forms of segregation, hate speech, hate crime and social exclusion, and calls on the Commission and the Member States to clearly condemn and sanction the denial of atrocities against national and ethnic minorities; reiterates its position expressed in its resolution of 25 October 2017 on 'Fundamental rights aspects in Roma integration in the EU: fighting anti-Gypsyism'; recalls that all European citizens should receive equal assistance and protection regardless of their ethnic or cultural origin; calls on the Commission to create a European framework and on the Member States to draw up specific national plans to tackle xenophobic violence and hate speech against persons belonging to minorities;

27. Stresses that Member States should promote friendly and stable relationships between each other, and encourages them to maintain an open and supportive dialogue with neighbouring countries, especially in border regions where several languages and cultures may be present;

28. Encourages the Commission and the Member States to introduce awareness-raising activities that sensitise the EU population to diversity, and to promote all peaceful forms of manifestation of minority cultures; encourages the Member States to include the history of national and ethnic minorities and to promote a culture of tolerance in their schools as part of their curricula; encourages the Commission and the Member States to launch cultural dialogues, including but not exclusively in schools, concerning the different forms and faces of hate against minority groups; encourages the Member States to ensure that non-discrimination, as well as the history and rights of people belonging to minorities, are mainstreamed as components of their national education system;

29. Encourages the Commission and the Member States to launch anti-hate speech campaigns, to set up anti-hate crime units within police forces based on awareness of the challenges facing different minority groups and carry out in-service training, and to guarantee that persons belonging to minorities enjoy equality before the law and ensure that they have equal access to justice and procedural rights;

30. Considers that the Commission and the Member States must ensure that persons belonging to minorities can exercise their rights without fear; in this respect, encourages the Member States to include mandatory education in human rights, democratic citizenship and political literacy in their school curricula at all levels; encourages the Commission and the Member States to provide mandatory training for duty-bearers, who are key to the correct implementation of EU and Member State legislation and who have to be equipped to serve all citizens employing a human rights-based approach; calls on the Commission and the Member States to address intersectional discrimination, both in their policies and through their funding programmes;

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31. Encourages the Member States, with a view to creating mutual trust, to set up national truth and reconciliation commissions in order to acknowledge the persecution, exclusion and disownment of persons belonging to minorities through the centuries, and to document these issues; calls on the Member States to clearly condemn and sanction the denial of atrocities against persons belonging to minorities, and encourages them to hold and honour major commemoration days of minority groups at state level, such as the Roma Holocaust Memorial Day; encourages them to establish institutions displaying the history and culture of minority groups and to support them both financially and administratively;

32. Considers active and meaningful social, economic, political and cultural participation by minority groups to be key; calls, therefore, on the Commission and the Member States to design strategies featuring both proactive and reactive measures on the basis of real, systematic consultations with minority group representatives, and to involve them in the running, monitoring and evaluation of mainstream programmes and projects launched at all levels, including at the local level, in order to ensure that they are inclusive and non-discriminatory;

33. Calls on the Commission and the Member States to ensure full and thorough implementation, application and enforcement of the Racial Equality Directive, and encourages them to engage in awareness-raising campaigns regarding anti-discrimination legislation; believes Member States should ensure that sanctions are sufficiently effective, proportionate and dissuasive, as required by the Directive; calls on the Commission to properly monitor the implementation of the Directive;

34. Regrets that the proposed Equal Treatment Directive from 2008 (COM(2008)0426) is still pending for approval by the Council; reiterates its call on the Council to adopt its position on the proposal as soon as possible;

National and ethnic minorities

35. Notes that national and ethnic minorities are groups of persons belonging to minorities who have been living on the same territory and sharing a common identity, in some instances as a result of border changes, in others as a result of living a long time in an area, whereby they have managed to preserve their identity; calls on the Commission and the Member States to protect the cultural and linguistic identity of national and ethnic minorities, and to create conditions for the promotion of that identity; points to the important role that regional and local authorities in the EU can play in protecting national and ethnic minorities, and considers that administrative reorganisation and territorial redistricting must not have negative consequences for them; encourages Member States to provide financial resources for the implementation of minority rights from the central budget, so as not to burden local budgets;

36. Encourages the Commission and the Member States to guarantee equal opportunities for national and ethnic minorities to participate in political and social life; encourages Member States to adopt electoral systems and laws facilitating the representation of national and ethnic minorities; calls on the Member States to take immediate corrective measures to stop discriminatory birth registration, to carry out birth registration of members of minority groups without discrimination, and to ensure that the ID cards issued are non-discriminatory;

37. Encourages the Commission and the Member States to carry out a coherent analysis of current policies on minorities, in order to clarify strengths and challenges and to secure compliance with the rights of national and ethnic minorities;

38. Calls on the FRA to draft an opinion on how to create means to protect and promote the rights of persons belonging to national minorities, in line with CJEU judgement in case T-646/13;

Cultural rights

39. Stresses that cultural activities are essential areas for preserving the identity of national and ethnic minorities, and that the preservation of the traditions of minorities and the expression of artistic values in the mother tongue are particularly important when it comes to preserving European diversity; notes that maintaining the cultural heritage of minorities is a common interest of the EU and the Member States; encourages the Commission and the Member States to support, enhance and promote the cultural rights of minorities;

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40. Recalls that an understanding of what is meant by 'culture' is essential in order to define the scope of minority rights in this respect; notes that, in a broad sense, culture amounts to the sum total of the material and non-material activities and achievements of a given community and to that which distinguishes it from others; stresses that cultural rights should include the right to participate in cultural life, the right to enjoy culture, the right to choose to belong to a group, language rights, and the protection of cultural and scientific heritage;

41. Encourages the Commission and the Member States to recognise the contribution of national and ethnic minorities to the cultural heritage of the Union, to reinforce dialogue with the representatives of and persons belonging to minorities, and to identify and implement coordinated policies and actions for the sustainable management of the preservation and development of their culture; encourages the Member States to guarantee an adequate degree of institutionalisation of practices on the national level so as to protect cultural rights;

42. Encourages the Commission and the Member States to involve and support national and ethnic minorities and persons belonging to them in fostering knowledge and skills which are necessary in order to safeguard and sustainably manage and develop cultural heritage and which should be handed down to future generations; encourages the Commission and the Member States to establish and maintain substantive cultural funds for persons belonging to minorities, at both horizontal and vertical levels, in order to ensure effective, transparent and equitable support for the cultural life of minority communities;

43. Highlights the fact that the media play a central role with regard to cultural and linguistic rights; recalls that the ability to access, receive and publish information and content in a language one can fully understand and communicate in is a precondition for equal and effective participation in public economic, social and cultural life; notes in this regard that special attention must be paid to the needs of persons belonging to national and ethnic minorities living in border, rural and remote areas; expresses concern over the underfunding of media outlets that publish or broadcast in regional or minority languages; encourages the Commission and the Member States to provide appropriate funding to organisations or media outlets representing minorities in order to contribute to the preservation of minorities' cultural identities and enable them to share their views, language and culture with the majority;

44. Calls on the Commission and the Member States to ensure that the media can operate independently, to promote the use of minority languages in media, and to take into account national and ethnic minorities when licensing media services, including assigning TV and radio broadcasters; calls on the Commission and the Member States to provide appropriate funds to organisations representing minorities, with a view to fostering their sense of belonging to and identification with their respective minority groups, as well as to bring their identities, languages, histories and cultures to the attention of the majority;

45. Recalls the fundamental role of the public media in promoting such content, particularly in the context of democratic scrutiny by local or regional authorities; encourages the Commission to create the legal and regulatory conditions to ensure freedom of service, passage and reception of audiovisual content in regions where minorities live, so that they can watch and listen to content in their mother tongue, with the latter being broadcast cross-border without being geoblocked;

46. Calls on the Commission and the Member States to ensure by appropriate means that audiovisual media services do not contain any incitement to violence or hatred directed against people belonging to minorities; highlights that the media play an important role in covering violations of minority rights and that if unreported the daily realities confronting minorities remain invisible;

47. Encourages the Member States to refrain from political and legal acts and policies that aim to prescribe restrictive measures, such as subtitling and/or translation obligations and mandatory quotas for programmes in official languages; encourages the Commission and the Member States to enable and promote the presence of regional or minority-language media, also on online interfaces; calls on the Commission and the Member States to ensure appropriate funding or grants for organisations and media representing national and ethnic minorities, in view of their regional specificities and needs;

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48. Calls on the Member States, in light of the European Year of Cultural Heritage, to enhance and promote their minority cultures, thereby encouraging the dissemination of their history and traditions and ensuring that the communities concerned do not remain isolated;

49. Stresses that the development of any cultural heritage policy should be inclusive, community-based and participatory, involving consultation and dialogue with the minority communities concerned;

Right to education

50. Notes that education has a key role in socialisation and identity development and remains the main tool to revitalise and maintain endangered minority languages; stresses that every person belonging to a national minority has the right to education in a minority language; stresses that the continuity of mother-tongue education is vital to the preservation of cultural and linguistic identity; notes that when it comes to minority language education there is no one single best-practice model that is suitable for all national and ethnic minorities; notes the need for special attention to be paid to people using sign language;

51. Recalls that Article 14 of the Council of Europe Framework Convention for the Protection of National Minorities recommends that the States Parties endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to national minorities have adequate opportunities to be taught the minority language concerned or to receive instruction in that language, without prejudice to the learning of the official language or to teaching in that language;

52. Encourages the Commission and the Member States in their further actions to create suitable tools for achieving promotion and support of the official use of languages spoken by national and ethnic minorities in the territories where they live, at local or regional level and in conformity with the principles of the FCNM and the Language Charter, while ensuring that the protection and encouragement of the use of regional and minority languages is not to the detriment of the official languages and the obligation to learn them;

53. Expresses its regret that some Member States have not yet ratified the Language Charter and that even so, some of those which have ratified it do not implement it effectively; is disappointed by the fact that in some Member States existing rights are either not implemented or flouted outright;

54. Encourages the Commission and the Member States to ensure that, in line with international norms, persons belonging to national and ethnic minorities have their rights guaranteed and adequate opportunities ensured as regards receiving education in a minority language as well as instruction in their mother tongue, in both public and private educational institutions; encourages the Member States to formulate appropriate education policies and to implement those which are best suited to the needs of national and ethnic minorities, including through specific educational programmes or through special curricula and textbooks; encourages the Member States to provide funding for teacher training in order to ensure effective instruction in minority languages, and to incorporate best practices in teaching foreign languages into the methodology for teaching official languages when it comes to curricula for schools which provide education in a minority language; stresses that Member States should promote the teaching of both the regional or minority languages and the official language using appropriate methods;

55. Encourages Member States to ensure that those who speak a regional or minority language as their mother tongue have the opportunity to learn the official language sufficiently, by incorporating good practice from the teaching of foreign and second languages into the methodological approach adopted for teaching the official language of the state;

56. Stresses that those belonging to minorities should also learn the language, history and culture of the majority population, and that pupils belonging to the majority population, as well as the general public, should be made acquainted with the history and culture of minorities and given the opportunity to learn minority languages;

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57. Encourages the Member States to promote the production of textbooks that meet the requirements of the speakers of regional or minority languages, or, should that prove impossible, facilitate the use of textbooks from other countries published in those languages, in cooperation with the educational regulatory bodies of the countries where the languages concerned are used;

58. Emphasises the importance of mother-tongue higher education and of training specialists with knowledge of specific terminology, especially in regions having large numbers of speakers of the language concerned; highlights the critical need to instruct medical doctors in minority languages;

59. Encourages Member State governments to include minority representatives in deliberations on the organisation of their education systems;

60. Encourages the Member States to define preferential thresholds for the learning of regional or minority languages, so as to ensure equity in education; encourages the Commission and the Member States to promote the right of people belonging to national or ethnic minorities living in areas with substantial numbers of such minorities, including rural areas or areas with widely scattered settlements, to receive education in a minority language, notably in their mother tongue, if there is sufficient demand; calls on the Commission and the Member States to ensure that educational reforms and policies do not restrict the right to receive education in a minority language;

61. Encourages the Commission and the Member States to promote the availability of integrated support at a vertical level for minority and regional languages in education systems, specifically by creating, in Member State education ministries as well as within the Commission, units responsible for incorporating minority and regional language education in school curricula; encourages Member States to promote a continuous learning line for minority languages, from pre-school to tertiary education;

62. Stresses that the training of teachers and access to textbooks and learning material of good quality are essential preconditions for ensuring quality education for students; considers that curricula, educational materials and history textbooks should provide a fair, accurate and informative portrayal of the societies and cultures of minority groups; notes that a widely recognised problem regarding minority language education that needs to be addressed is the insufficient availability of high-quality teaching materials and properly skilled minority language teachers; notes that the multidimensional teaching of history should be a requirement in all schools, whether in minority or majority communities; notes the importance of developing teacher training in order to fit with teaching needs at different levels and in different types of school;

63. Underlines that teaching minority languages contributes to mutual understanding between majorities and minorities and brings communities closer together; encourages Member States to apply positive measures in order to ensure the proper representation of minorities in education, as well as in public administration and executive agencies at national, regional and municipal levels;

64. Encourages the Commission to strengthen the promotion of programmes focused on the exchange of experiences and best practices concerning education in regional and minority languages in Europe; calls for the EU and the Commission to put greater emphasis on regional and minority languages in the future generation of the Erasmus+, Creative Europe and Europe for Citizens programmes under the new multiannual financial framework (MFF);

65. Deeply regrets the fact that in some Member States pupils belonging to minorities are not integrated in mainstream educational establishments but are placed in special schools on the grounds that they are not sufficiently proficient in the language of instruction; recalls that education in a minority language or the fact of belonging to any particular minority cannot be used as an excuse to segregate children on grounds of identity; calls on the Member States to refrain from such segregation and to take adequate measures to enable such pupils to attend classes in mainstream schools; encourages Member States to consider the introduction of topics on fundamental human rights and minority rights in particular in the school curricula, as a means of promoting cultural diversity and tolerance through education;

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Language rights

66. Notes that language is an essential aspect of cultural identity and the human rights of minorities; stresses the need to promote the right to use a minority language, both in private and in public and without discrimination, in areas where there are substantial numbers of persons belonging to minorities, to ensure that languages can be passed on from one generation to the next, and to protect linguistic diversity within the Union; calls on the Commission to strengthen its plan to promote the teaching and use of regional languages, as a potential means of tackling language discrimination in the EU, and to promote linguistic diversity; recalls that promoting knowledge of minority languages by people who are not members of the minority concerned is a way to foster mutual understanding and recognition;

67. Stresses that in its resolution of 11 September 2013 on endangered European languages and linguistic diversity in the European Union ⁽¹⁾ Parliament recalled that the Commission should pay attention to the fact that, with their policies, some Member States and regions are endangering the survival of languages inside their borders, even if those languages are not in danger in the European context; calls on the Commission to examine the administrative and legislative obstacles that exist to the practice of the languages concerned;

68. Notes that in addition to its 24 official languages, the EU is home to 60 other languages which are also part of its cultural and linguistic heritage and which are spoken in specific regions or by specific groups by 40 million people; notes that the multilingualism of the European Union is unique at the level of international organisations; notes that the principle of multilingualism is enshrined in the Charter of Fundamental Rights of the European Union, which obliges the EU to respect linguistic diversity and to support Europe's rich linguistic and cultural heritage by promoting language learning and linguistic diversity;

69. Encourages the Commission and the Member States to allow and promote, in the context of administrative authorities and public service organisations, the use of regional or minority languages in practice, in line with the principle of proportionality, e.g. in relations between private individuals and organisations on the one hand, and public authorities on the other; encourages Member States to make information and public services available in these languages, including on the internet, in areas with substantial numbers of people belonging to national and ethnic minorities;

70. Encourages the Member States to foster access to minority and regional languages by means of funding and support for translation, dubbing and subtitling activities and the codification of appropriate and non-discriminatory terminology in the administrative, commercial, economic, social, technical and legal registers;

71. Encourages municipal authorities in the areas concerned to ensure the use of regional and minority languages; encourages Member States to use as guidelines the good practices already existing at national level;

72. Encourages the Commission and the Member States to promote the use of regional or minority languages at local and regional level; with this aim in mind, actively encourages municipal authorities to ensure the use of the languages concerned in practice;

73. Encourages the Commission and the Member States to ensure that in areas with substantial numbers of inhabitants belonging to national minorities, safety and security marking and labelling, important mandatory instructions and public announcements of import to citizens, whether provided by the authorities or the private sector, as well as place names and topographical designations, are written in their correct form and are available in the languages commonly used in a given region, including on signs indicating entry into or exit from urban areas and on all other road signs providing information;

74. Notes that the visual representation of regional and minority languages — road signs, street names, the names of administrative, public and commercial institutions, etc. — is essential to promoting and protecting national and ethnic minority rights, as it reflects, and contributes to, the vital use of regional and minority languages, encouraging persons belonging to national and ethnic minorities to use, preserve and develop their specific linguistic identity and language rights, express their multi-ethnic local identity, and strengthen their sense of ownership as members of groups living in a local or regional community;

⁽¹⁾ OJ C 93, 9.3.2016, p. 52.

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75. Calls on the Member States to refrain from or abolish legal practices that impede the accession of minorities to the full spectrum of professions exercised in a given state; calls on the Member States to guarantee adequate access to legal and judicial services; stresses that representatives of minorities should be explicitly informed regarding the procedures to be followed under national law where their rights as persons belonging to a minority have been violated;

76. Encourages the Commission and the Member States to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to their official recognition, including in the context of freedom of movement in the EU;

77. Encourages the Commission and the Member States to take action to remove administrative and financial obstacles that could hinder linguistic diversity at European and national level and impede the enjoyment and implementation of the language rights of persons belonging to national and ethnic minorities; urges the Member States to put an end to linguistically discriminatory practices;

Conclusion

78. Calls on the Commission to draw up a common framework of EU minimum standards for the protection of minorities; recommends that this framework should contain measurable milestones with regular reporting, and should consist, as a minimum, of:

- the drafting of guidelines reflecting good practices within the Member States, in cooperation with different stakeholders involved in minority rights protection;
- a Commission recommendation, taking into consideration existing national measures, subsidiarity and proportionality;
- a legislative proposal for a directive, to be drafted following a proper impact assessment, in line with the principles of subsidiarity and proportionality as applying in the Member States and based on the aforementioned points, on minimum standards for minorities in the EU, including clear benchmarks and sanctions;

79. Calls on the Commission and the Member States to ensure that the framework includes data collection, as well as fieldwork-based, financial and quality-oriented monitoring and reporting methodologies, since these elements strengthen effective evidence-based policies and can contribute to improving the effectiveness of the strategies, actions and measures taken;

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80. Instructs its President to forward this resolution to the Council, the Commission, the European Union Agency for Fundamental Rights, the governments and parliaments of the Member States and the candidate countries, the OSCE, the OECD, the Council of Europe and the United Nations.
