



COUNCIL OF EUROPE CONSEIL DE L'EUROPE
Committee of Ministers
Comité des Ministres

**Resolution CM/ResCMN(2007)12
on the implementation of the Framework Convention for the Protection of National Minorities
by Portugal**

*(Adopted by the Committee of Ministers on 5 September 2007
at the 1003rd meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as “the Framework Convention”),

Having regard to Resolution (97) 10 of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention, in particular rule 39¹ of Resolution (97) 10;

Having regard to the voting rule adopted in the context of adopting Resolution (97) 10;²

Having regard to the instrument of ratification deposited by Portugal on 7 May 2002;

Recalling that the Government of Portugal transmitted its state report in respect of the first monitoring cycle under the Framework Convention on 23 December 2004;

Whereas the Advisory Committee held a meeting with representatives of the Portuguese authorities on 14 September 2006, in Strasbourg, in order to gather further information;

Whereas the Advisory Committee’s opinion on the implementation of the Framework Convention in Portugal was adopted on 6 October 2006 and then transmitted to the Permanent Representative of Portugal and communicated to the permanent representatives of all member states and to the representatives of non-member States Parties as document CM(2006)196;

Whereas the Government of Portugal submitted its written comments on the opinion of the Advisory Committee within the time-limit of four months following the communication of the said opinion, these written comments having been communicated to the delegations of all member states and the non-member States Parties as an addendum to document CM(2006)196 dated 2 March 2007;

Having examined the Advisory Committee’s opinion and the written comments of the Government of Portugal;

Having also taken note of comments by other governments,

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

¹ According to Rule 39 of Resolution (97) 10, “the Committee of Ministers shall invite a representative from each non-member Party to attend the meetings of the Committee of Ministers whenever it exercises its functions under the Framework Convention, without the right to participate in the adoption of decisions”.

² In the context of adopting Resolution (97) 10 on 17 September 1997, the Committee of Ministers also adopted the following rule: “Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour”.

- Although the state report states that there are no national minorities in Portugal, the position expressed by the authorities with regard to the scope of application of the Framework Convention has evolved and, in particular, the relevance of Article 6 of the Framework Convention has been recognised. The authorities are encouraged to take further steps in this respect, including engaging in consultations on the Framework Convention with the groups considered ethnic minorities by the authorities.
 - Efforts have been made by the authorities to adopt legislative, institutional and practical measures to combat discrimination and racism. Integration policy, coupled with the promotion of multicultural education, has also remained high on the agenda. Moreover, measures have been taken to improve the socio-economic and educational situation of the Roma. However, a number of Roma are still at a disadvantage in this respect and they could be confronted with discrimination, social exclusion and marginalisation.
 - Further measures should be developed, in co-operation with the persons concerned, to promote the full and effective equality of the Roma, in particular in the fields of housing, education, employment and health and to continue to combat prejudice and hostility against them.
2. Recommends that Portugal take appropriate account of the conclusions set out in section 1 above together with the various comments in the Advisory Committee's opinion.
 3. Invites the Government of Portugal, in accordance with Resolution (97) 10:
 - a. to continue the dialogue in progress with the Advisory Committee;
 - b. to keep the Advisory Committee regularly informed of the measures it has taken in response to the conclusions and recommendations set out in section 1 and 2 above.