
Resolution CM/ResCMN(2017)6 on the implementation of the Framework Convention for the Protection of National Minorities by Austria

*(Adopted by the Committee of Ministers on 17 October 2017
at the 1297th 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 [Res\(97\)10](#) of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the voting rule adopted in the context of adopting Resolution [Res\(97\)10](#);^[1]

Having regard to the instrument of ratification submitted by Austria on 31 March 1998;

Recalling that the Government of Austria transmitted its State report in respect of the fourth monitoring cycle under the Framework Convention on 14 January 2016;

Having examined the Advisory Committee's fourth opinion adopted on 14 October 2016;

Adopts the following conclusions in respect of Austria:

The authorities are invited to take account of the observations and recommendations contained in sections I and II of the Advisory Committee's fourth opinion. In particular, they should take the following measures to improve further the implementation of the Framework Convention:

Recommendations for immediate action: [\[2\]](#)

- Engage in a comprehensive process of modernising the legislative framework pertaining to national minorities with a view to ensuring the consistent application of the Framework Convention to all persons belonging to national minorities, based on an individual rights approach and on an article-by-article basis where appropriate;
- Ensure systematically full and effective equality before the law of all persons belonging to national minorities by guaranteeing effective access to a legal remedy to challenge the denial of the enjoyment of minority rights, including language rights;
- Prioritise the reform of the National Minorities' Advisory Councils to ensure that they constitute a functional mechanism through which persons belonging to national minorities can participate effectively in all relevant decision-making processes, beyond the allocation of cultural support.

Further recommendations: [\[3\]](#)

- Promote co-operation between the various entities responsible for the promotion of equality at federal and regional levels, and proactively raise awareness of the applicable standards and legal and non-legal remedies amongst the relevant actors and society at large; bestow upon the Ombudsperson for Equal Treatment the power to address the courts in order to strengthen the effectiveness of the redress mechanism for victims;

- Step up the implementation of measures aimed at the promotion of equal opportunities for the Roma, including in the areas of education, housing, health and employment, based on a clear understanding of the specific challenges faced by them and in close consultation with minority representatives;
- Increase significantly the funds available to national minority associations in order to support their efforts to reverse the growing assimilation trends and effectively preserve and develop their distinct cultures, separately from support for other activities in the education or media fields;
- Foster an overall positive attitude towards integration and diversity in public discourse and promote, in a spirit of dialogue and mutual respect, the distinct interests of persons belonging to national minorities as integral and valued members of Austria's increasingly diverse society;
- Pursue efforts to combat all forms of racism and hate crime more effectively through investigation and prosecution where applicable, and condemn systematically and promptly all instances of hate speech in public discourse, particularly when part of political discourse; promote professionalism and ethical behaviour in the media through targeted training activities;
- Increase the availability of high quality minority language media broadcasts on public television and radio, particularly targeting youth and children, and including independent and small media outlets; increase substantially the subsidies available for minority language print media, including through amending the Press Promotion Act;
- Ensure, in close consultation with national minority representatives, that the history and cultures of their communities are adequately reflected in curricula and education materials and that students of all schools are made aware of the historic diversity of Austria; ensure that teachers and school staff are appropriately trained to accommodate diversity in the classroom and to promote intercultural respect while combating all discriminatory attitudes;
- Consider favourably the amendment of the Private School Act in order to address the long-standing concerns of access to education for persons belonging to national minorities outside Burgenland and Carinthia;
- Extend the availability of specialised teacher training courses for the teaching and learning of minority languages, including Romani and including the preschool level, to promote effectively high quality learning throughout compulsory education; take all necessary measures in close consultation with national minority representatives to enhance access to and the quality of minority language education at the upper secondary level;
- Establish appropriate mechanisms at local, regional and federal levels to promote institutionalised consultation and dialogue between national minority representatives and senior decision makers to ensure that their views and concerns are effectively taken into account.

[1] In the context of adopting Resolution [Res\(97\)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".

[2] The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

[3] The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

Related documents

No related documents