

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

### **Resolution ResCMN(2006)3 on the implementation of the Framework Convention for the Protection of National Minorities by Bulgaria**

*(Adopted by the Committee of Ministers on 5 April 2006  
at the 961st 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;

Having regard to the voting rule adopted in the context of adopting Resolution (97) 10;<sup>1</sup>

Having regard to the instrument of ratification submitted by Bulgaria on 7 May 1999;

Recalling that the Government of Bulgaria transmitted its state report in respect of the first monitoring cycle under the Framework Convention on 9 April 2003;

Whereas the Advisory Committee accepted the invitation of the Government of Bulgaria to send a delegation to gather further information in Bulgaria, this visit taking place from 9 to 13 November 2003;

Whereas the Advisory Committee’s opinion on the implementation of the Framework Convention by Bulgaria was adopted on 27 May 2004 and then transmitted to the Permanent Representative of Bulgaria and communicated to the Permanent Representatives of all member states as document CM(2004)144;

Whereas the Government of Bulgaria submitted its written comments on the opinion of the Advisory Committee, these written comments having been communicated to the Permanent Representatives of all member states as an addendum to document CM(2004)144, dated 7 April 2005;

Having examined the Advisory Committee’s opinion and the written comments of the Government of Bulgaria,

Having also taken note of comments by other governments,

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

- Following the ratification of the Framework Convention, protection of minorities has received increased attention in Bulgaria both from the authorities and from civil society. Amongst positive developments, the entry into force of the law on protection against discrimination, as well as the first examples of its effective implementation, to the benefit of persons belonging to minorities, are to be welcomed.

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<sup>1</sup> 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”.

- At the same time, shortcomings remain and additional efforts are still required to implement the Framework Convention effectively and to valorise the ethnic and cultural diversity which characterises Bulgarian society. In particular, the authorities are encouraged to pursue an inclusive approach to the personal scope of application of the Framework Convention, in consultation with those concerned and in accordance with the provisions of the Framework Convention.
  - Further action is necessary for promoting a social climate more conducive to intercultural dialogue, and for combating manifestations of intolerance towards certain groups. Despite the authorities' efforts over the last years, Roma continue to be confronted with instances of discrimination and social exclusion, and many Roma are set apart from the population at large by substantial socio-economic differences. Roma still encounter difficulties including in employment, housing and health, as well as in education. In order to improve the educational situation of Roma children, the authorities should keep as a priority poor school attendance and drop-out rates, increasing illiteracy amongst these children, their isolation within the school system as well as any cases of undue placement of Roma children in "special schools".
  - Further attention should be paid to the participation of persons belonging to minorities, including persons belonging to numerically less significant groups, in Bulgarian public life, as well as to these persons' access to, and presence in, the media.
  - Full observance of the right to freedom of peaceful assembly and freedom of association also requires particular attention.
  - Further efforts are needed in the legislative sphere and at the practical level to enable persons belonging to minorities to use their languages in dealings with the administrative authorities and in topographical indications, under the conditions set out in Articles 10.2 and 11.3 of the Framework Convention.
  - In education, there have been certain positive recent developments, including in relation to the teaching of the Roma language. However, additional efforts are expected from the State as regards teaching of and in the languages of persons belonging to minorities as well as in order to promote knowledge of the culture and identity of minorities and foster intercultural dialogue and tolerance through education.
2. Recommends that Bulgaria 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 Bulgaria, 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.