

Terms of reference of the Committee of Experts on Issues relating to the Protection of National Minorities (DH-MIN)

1. Name of committee:	COMMITTEE OF EXPERTS ON ISSUES RELATING TO THE PROTECTION OF NATIONAL MINORITIES (DH-MIN)
2. Type of committee:	Committee of Experts
3. Source of terms of reference:	Steering Committee for Human Rights (CDDH)
4. Terms of reference:	
Having regard to:	
-	the Declaration and the Action Plan adopted at the Third Summit of Heads of State and Government of the Council of Europe member states (Warsaw, 16-17 May 2005); CM(2005)80 final 17 May 2005 ;
-	the Road map for the implementation of the Action Plan (974 th meeting of the Deputies – 27 September 2006, item 1.6), Chapter I.2 ;
-	Decision No. CM/Del/Dec(2003)845/1.6 containing the specific terms of reference of the DH-MIN adopted at the 902 nd meeting of the Committee of Ministers held on 3 November 2004 ;
-	the Convention for the Protection of Human Rights and Fundamental Freedoms (1950, CETS No. 005) and the Framework Convention for the Protection of National Minorities (1995, CETS No 157).
	Under the authority of the Steering Committee for Human Rights (CDDH) and in relation with the implementation of Project 2004/DG2/76 “Protecting and promoting the rights of persons belonging to national minorities”, the Committee is instructed to:
i.	act as a forum for the exchange of information, views and experience on policies and good practice for the protection of national minorities at domestic level and in the context of relevant international legal instruments, including those of the Council of Europe, without pursuing activities relating to monitoring the situation in individual member states ;
ii.	carry out a reflection on transversal issues relevant to member states, drawing on the results of the monitoring mechanism of the Framework Convention for the Protection of National Minorities and, where appropriate, the work of other bodies dealing with related issues and especially the OSCE High Commissioner on National Minorities ;
iii.	identify and assess ways and means of further enhancing European co-operation on issues relating to the protection of national minorities and, where appropriate, to make proposals to this effect for consideration by the CDDH, including studies and draft recommendations on issues of general interest ;
iv.	prepare draft opinions for the CDDH on relevant issues, including in particular recommendations of the Parliamentary Assembly or the Congress of Local and Regional Authorities of the Council of Europe ;
v.	In so doing, it shall, where appropriate,
-	carry out or commission relevant policy-research ;
-	involve in its work representatives of national minorities and non-governmental organisations with recognised competence in this field, notably by organising hearings with them.
	While carrying out its terms of reference, the DH-MIN shall ensure full respect of the functioning of the monitoring mechanism of the Framework Convention for the Protection of National Minorities and other monitoring mechanisms in related fields.
5. Composition:	
5.A Members	
	Governments of member states are entitled to appoint representatives with the relevant qualifications in the field of protection of national minorities.
	The Council of Europe budget will bear the travel and subsistence expenses of one representative from each member state (two in the case of the state whose expert has been elected Chairperson).
	Each member state participating in the meetings of the Committee has the right to vote in procedural matters.
5.B Participants	
i.	The Parliamentary Assembly may send a representative to meetings of the Committee, without the right to vote and at the expense of its administrative budget.
ii.	The Congress of Local and Regional Authorities of the Council of Europe may send a representative to meetings of the Committee, without the right to vote and at the expense of its administrative budget.
iii.	The Council of Europe Commissioner for Human Rights may send a representative to meetings of the Committee, without the right to vote and at the expense of its administrative budget.
iv.	The European Commission against Racism and Intolerance (ECRI) may send (a) representative(s) to meetings of the Committee, without the right to vote and at the expense of its administrative budget.
v.	The Advisory Committee of the Framework Convention for the Protection of National Minorities may send (a) representative(s) to

	meetings of the Committee, without the right to vote and at the expense of its administrative budget.
vi.	The Conference of INGOs of the Council of Europe may send (a) representative(s) to meetings of the Committee, without the right to vote and at the expense of the body that (s)he (they) represent(s).
5.C	Other participants
i.	The European Commission and the Council of the European Union may send (a) representative(s) to meetings of the Committee without the right to vote or defrayal of expenses.
ii.	States with observer status of the Council of Europe (Canada, Holy See, Japan, Mexico, United States of America) may send (a) representative(s) to meetings of the Committee without the right to vote or defrayal of expenses.
iii.	The following bodies and intergovernmental organisations may send (a) representative(s) to meetings of the Committee without the right to vote or defrayal of expenses : <ul style="list-style-type: none"> - the Organisation for Security and Co-operation in Europe (OSCE) / the Office for Democratic Institutions and Human Rights (ODIHR) - United Nations High Commissioner for Human Rights - United Nations High Commissioner for Refugees - OSCE High Commissioner on National Minorities.
5.D	Observers
	The following non member states: <ul style="list-style-type: none"> - Belarus - the Republic of Montenegro
	and the following non governmental organisations: <ul style="list-style-type: none"> - Amnesty International - International Commission of Jurists (CIJ) - International Federation of Human Rights (FIDH) - European Coordinating Group for National Institutions for the Promotion and Protection of Human Rights - European Roma and Travellers Forum <p>may send (a) representative(s) to meetings of the Committee without the right to vote or defrayal of expenses.</p>
6.	Working Methods and Structures:
i.	Within the limits of available budgetary appropriations and to expedite the progress of its work, the Committee may entrust specific tasks to ad hoc advisory groups (i.e. groups of specialists, of limited composition, not necessarily drawn from the parent committee) and may, where necessary, call on external experts or consultants.
ii.	Within the limits of available budgetary appropriations, the Committee may organise hearings with representatives of NGOs and of national institutions for the promotion and the protection of human rights (NHRIs), as well as with any other third party in a position to contribute to its work. It is also entitled to establish any contact or have consultations with other bodies dealing with issues relating to national minorities.
7.	Duration:
	These terms of reference will expire on 31 December 2008.