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NATIONAL MINORITY RIGHTS IN EUROPE

Tove H. Malloy

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NATIONAL MINORITY RIGHTS IN EUROPE

To Bill

Acknowledgements

There are many reasons for writing a book on national minority rights. My reasons are linked to two personal experiences. First, during my years with the Danish Foreign Service, I observed the fervour with which seasoned and senior diplomats dealt with the so-called 'border region question'. Denmark's adventure into border region constitutionalism and her subsequent military and political defeat in 1864 continue to have a remarkably strong impact not only on her foreign policy but also on the national identity of her subjects. Secondly, when I was assigned to the Danish Embassy in Budapest, Hungary, I had ample opportunity to observe the impact of Hungary's history on the Hungarian national identity. Thus, it was when I realized the importance to the Hungarian national identity of the large paintings of extra-territorial 'possessions' in the halls of the Hungarian Parliament, that my ideas of researching a Ph.D. and eventually this book began in earnest.

Of course, I had no idea what was entailed in writing a major work on national minority rights, nor did I realize as is often said that it is no simple matter to turn a Ph.D. into a book. It is thus with great humility that I wish first and foremost to thank Professor Michael Freeman of the Department of Government at Essex, for the dedication and conscientiousness with which he attended to my many deficits in the academic disciplines. His attention to detail as well as his untiring readiness to explain complex matters were the supporting pillars when the structure of my work was prone to collapse. Most of the material and the arguments in this book are familiar to him, including the ones where our views did not meet. Some material and arguments will be new to him, and I hope that he will appreciate these with the usual healthy criticism and scepticism. One aspect I know that we have in common is the need to see national minority rights in a multi-disciplinary perspective. I thank Michael Freeman for three memorable years.

I also wish to thank Professors Geoff Gilbert and Frances Millard as well as Dr David Howarth for their enthusiastic comments. I am particularly grateful for the comments I received from Professor Peter Jones of Newcastle as he made me see a number of issues much more clearly. Any deficiencies or inaccuracies are of course mine.

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This book has taken longer than I expected to reach the publisher. This is partly due to the months I took off to join Dr George Ulrich and his team at the European Masters Programme in Human Rights and Democratization. I thank him as well as Professors Manfred Nowak and Horst Fischer for inviting me to Venice. The experience of spending those intensive months with 90 dedicated knowledge-thirsty students was a gift that I will treasure for life.

Another delay was caused by a transatlantic move to join the European Centre for Minority Issues (ECMI). I would like to thank Director Marc Weller for inviting me to work with him in Flensburg even though he knew that there would be times when I might be distracted as the deadline for my book drew closer. The work at ECMI has greatly enhanced my understanding of national minority issues. I also thank ECMI Chairman Ambassador Peter Dyvig as well as my colleagues for support and encouragement, with special thanks to librarian Wes McKinley for helping me on numerous occasions. It is indeed an irony that I have completed this book in Flensburg, a town where national minority rights are seen in action in daily life.

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As often there is unfortunately one who did not live to see the final product but who bears great responsibility for setting the author on a course to seek understanding. In my case this is my late father who was a self-proclaimed observer of the national minority question of the Danish-German border region and who taught me how ingrained the 'lesson of 1864' is in the self-consciousness of the Danish 'nation'. This book is also for him.

Above all, my greatest debt is to Bill, my husband, without whom there simply would not have been a Ph.D. thesis, let alone a book. Bill has supported me from the very first moments of my academic pursuits, he has shared all good as well as bad times, during the preparation of this manuscript. Words cannot express my desire to thank him, but I hope to be able to pay back my debts in full in the future.

T.H.M.
Flensburg, October 2004

Abbreviations

AC	Advisory Committee to the Framework Convention
AER	Assembly of European Regions
CAHMIN	Ad Hoc Committee for the Protection of National Minorities
CDCC	Council for Cultural Co-operation
CDDH	Steering Committee on Human Rights
CDLR	Steering Committee on Local Government
CDMM	Steering Committee on the Mass Media
CEI	Central European Initiative
CEMR	Council of European Municipalities and Regions
CERD	Committee on the Elimination of Racial Discrimination
CFSP	Common Foreign and Security Policy
CLRAE	Congress of Local and Regional Authorities of Europe
CM	Committee of Ministers (Council of Europe)
CoR	Committee of the Regions (European Union)
CPMR	Conference of Peripheral and Maritime Regions
CSCE	Conference on Security and Co-operation in Europe
CSFP	Common Security and Foreign Policy (European Union)
DAHR	Democratic Alliance of Hungarians in Romania
DH-MIN	Committee of Experts for the Protection of National Minorities
EAGGF	European Agriculture Guidance and Guarantee Fund
EC	European Community
ECHR	European Convention on Human Rights and Fundamental Freedoms (1950)
ECJ	European Court of Justice
ECLSG	European Charter of Local Self-Government (1985)
ECMI	European Centre for Minority Issues
ECRML	European Charter on Regional and Minority Languages (1992)
ECtHR	European Court of Human Rights
EEC	European Economic Community
EP	European Parliament
ERDF	European Regional Development Fund
ESF	European Social Fund
EU	European Union
EWS	Early Warning System (EU)
FIFG	Financial Instrument for Fisheries Guidance
FCNM	Framework Convention for the Protection of National Minorities (1995)
FIDH	International Federation of Human Rights

GA	General Assembly (United Nations)
GDP	Gross Domestic Product
GOHMA	Government Office of Hungarian Minorities Abroad
HCNM	High Commissioner on National Minorities
HTMH	Határon Túli Magyarok Hivatala
HRC	Human Rights Committee
IBRD	International Bank for Reconstruction and Development
ICCPR	International Covenant on Civil and Political Rights (1966)
ICERD	International Convention on the Elimination of all Forms of Racial Discrimination (1966)
ICESCR	International Covenant on Economic, Social and Cultural Rights (1966)
ICJ	International Court of Justice
ILO	International Labour Organization
LDA	Local Democracy Agencies
NATO	North Atlantic Treaty Organization
NGO	Non-governmental Organizations
MKP	Hungarian Coalition Party (Slovakia)
OSCE	Organization for Security and Co-operation in Europe
PA	Parliamentary Assembly (Council of Europe)
PCIJ	Permanent Court of International Justice
PLO	Palestinian Liberation Organization
RegLeg	Conference of the Presidents of Regions with Legislative Powers
RFE/RL	Radio Free Europe/Radio Liberty
SEA	Single European Act (EU)
SPD	Social Democratic Party (of Germany)
TBKP	United Communist Party of Turkey
TEC	Treaty establishing the European Community
TEU	Treaty on European Union
ToRs	Terms of Reference
UDHR	Universal Declaration of Human Rights (1948)
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
USSR	Union of Soviet Socialist Republics

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