

RESUME

István LAKATOS

The UN Minority Protection System

This paper intends to give a comprehensive overview about the approach and related measures of the United Nations to address—in a completely different way as it was done previously in the League of Nations—the plight of national, ethnic and religious minorities. The author aims to introduce the development and the transformation of the minority protection mechanisms during the history of the United Nations, always taking into account existing political realities in the world, which cannot be ignored in such a sensitive area. In the interest of the above mentioned aims, the paper goes through the process in a chronological order, leading to the establishment of the mandate of the UN Special Rapporteur on Minority Issues and of the Forum on Minority Issues, which constitute the two main pillars of the UN minority protection system today.

Gábor KARDOS

Minority Language Charter on the Balance Sheet

This paper analyses certain inherent problems of the European Charter for Regional or Minority Languages, such as its effort to separate from politics the protection of minority languages as a part of the European cultural heritage, its relationship with official languages and the issue of dialects. This paper also deals with the delays of submitting governmental reports, the political debates over draft recommendations in the Council of Ministers, the reduction of efforts to implement recommendations and the inadequacies of the monitoring process between governmental reports.

Elisabeth SZALAY-SÁNDOR

**The Framework Convention for the Protection of National Minorities
Twenty Years After: Experiences at the End of the Fourth Monitoring
Cycle**

Twenty years have passed since the introduction of the Framework Convention for the Protection of National Minorities (Framework Convention), and there are increasingly more indications that the Framework Convention has become an international human rights instrument able to set standards for the protection of the rights of persons belonging to national minorities. This process requires periodically the solution of procedural and substantive questions. Moreover, the number and the gravity of the challenges affecting the effective application of the Framework Convention has not diminished in recent years – still, or indeed for this very reason, the implementation of the convention by the states needs to be continuously monitored. This paper aims, at the advent of the fifth monitoring cycle, to highlight the features that were developed during the first two decades of the mechanism.

János FIALA-BUTORA

**The Implementation of the Framework Convention for the Protection
of National Minorities and of the European Charter of Regional and
Minority Languages: Common Standards or Diverging Practice?**

This paper analyses the effectiveness of the European minority protection system through the opinions of Council of Europe's monitoring bodies. It shows that the Advisory Committee on the Framework Convention for the Protection of National Minorities (AC FCNM) and the Committee of Experts of the European Charter of Regional and Minority Languages (CoE ECRML) have evaluated Slovakia's performance under these two treaties very differently in the last monitoring cycles. These divergences cannot be explained by differences in the two treaties or by inadequate sources of information, since both bodies received almost identical shadow reports from civil society. This paper concludes that in the examined cases, the CoE ECRML is taking a stricter position on violations of minority rights, while the AC FCNM is much more deferential towards the government's opinions and formalistic, superficial and dismissive with regard to concerns of the minority communities.

Norbert TÓTH

**Changing the Leopard's Spots: Reflections on the Fourth Thematic
Commentary of the Advisory Committee on the Framework
Convention for the Protection of National Minorities**

The Advisory Committee on the 1995 Framework Convention for the Protection of National Minorities (Framework Convention) adopted a thematic commentary on the scope of the Framework Convention on May 27, 2016. This was the fourth thematic commentary in a row, and as such, the committee relied on its experiences and observations made during the previous monitoring cycles. This text aims at analysing the thematic commentary in question by using strictly the methods for interpreting international treaties. By doing so and as a conclusion, this paper studies the gap between the text of the Framework Convention and the interpretation provided within the thematic commentary.

Péter VARGA – Balázs TÁRNOK

European Citizens' Initiatives for the Protection of National Minorities

The European Citizens' Initiative, which has been in operation since April 2012, is a new instrument of the European participatory democracy, inspired by the constitutional development of member states and incorporated into EU Law by the Lisbon Treaty. Citizens' committees established by members of national minority organisations have attempted to make use of the opportunities provided by this new instrument. This paper analyses the two initiatives that national minorities launched so far and their legal fates, with special emphasis on the impact they had on the evolution of the ECJ's case law.

Mihály NYILAS – Zsuzsanna MACKÓ

**Action Plan of the Republic of Serbia for the Realisation of the Rights
of National Minorities**

This paper provides a presentation and analysis of the Action Plan for the Realisation of the Rights of National Minorities adopted by the government of Serbia on May 3, 2016. The analysed topics include: reasons that led Serbia to elaborate and adopt an action plan for the protection of minority rights; the drafting process; topics, objectives and activities with special relevance for the Hungarian community; an evaluation of the plan's content and the process of its implementation; other considerations and activities envisaged under the plan.