Bringing Minority Rights Home
The Effective Protection of Minorities in the Enlarged European Union: Possible Goal or just a Myth?

12.7.2011
European Inter-University Centre for Human Rights and Democratisation
Eliška Pírková
ABSTRACT

This thesis analyses whether the European Union needs to establish a legal framework to protect the rights of national minorities living in its Member States. It focuses mostly on the accession process to the European Union, as minority protection constitutes one of the Copenhagen Political Criteria. This matter is examined through case studies of Slovakia, Latvia and Turkey, countries with complicated situations of their minority groups. It shows how strong impact, if any the EU conditionality had within the candidate states regarding minority protection. As it is demonstrated, the European Union has not resolved these problems, largely because the European Union lacks consistent and uniform standards on minority protection. It is argued that as the European Union enlarges further, there is a strong need for consistent and uniform standards of internal and external protection of minority rights. In its conclusion the study proposes several possible alternatives that could help the European Union to ensure consistency of standards in the accession process, as well as resolve remaining issues of minorities internally.
# CONTENT

0 Why Minorities Matter ........................................................................................................... 4

1 Eastern European Enlargement ............................................................................................. 8
  1.1 The Legal Framework of the EU Conditionality: Its Scope and Limits ............................ 10
  1.2 The EU’s Monitoring Function of Conditionality Principles ........................................ 12
  1.3 The Main Paradox of Minority Protection in the EU: Internal v. External Aspects of Minority Rights ........................................................................................................... 15
  1.4 The Treaty of Lisbon and the Charter of Fundamental Rights of the EU: A New Hope or Empty Shells? ............................................................................................................ 18
  1.5 Concluding Remark: Did Conditionality Really Fail? .................................................... 20

2 Conditionality in Practice: The Case of Slovakia and Latvia ............................................... 23
  2.1 Slovakia ........................................................................................................................... 23
     A: Domestic Background after Gaining Independence ....................................................... 24
     B: Applying Conditionality in Slovakia ........................................................................... 26
     C: Ethnic Hungarians and their Language Rights ........................................................... 29
     D: To Conclude ............................................................................................................... 31
  2.2 Latvia ................................................................................................................................ 31
     A: Domestic Background after Gaining Independence ....................................................... 32
     B: Applying Conditionality in Latvia .............................................................................. 34
     C: Russian-Speaking Non-Citizens and their Language Rights ........................................ 37
     D: To Conclude ............................................................................................................... 39

3 Turkey in Europe? A Challenge for the EU and its Conditionality ....................................... 41
  3.1 ‘Hot and Cold’ Relationships ............................................................................................ 43
  3.2 Application of EU Conditionality in the Context of Minority Protection ....................... 52
  3.3 The Credibility of the European Union: The EU losing its Face ...................................... 57
  3.4 Concluding Remark ......................................................................................................... 60

4 Searching for a Right Direction .............................................................................................. 62

BIBLIOGRAPHY .......................................................................................................................... 65
2011

Bringing minority rights home: the effective protection of minorities in the enlarged European Union: possible goal or just a myth?

Pirkova, Eliska

https://doi.org/20.500.11825/966

Downloaded from Open Knowledge Repository, Global Campus’ institutional repository