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The Issue of National Minorities: An Old Problem in the New Europe

1. Introduction

The unification of Europe within the framework of the EU is a story of success, even when one takes into account impartial and justified criticism of individual regulations. The original association, for economic purposes, of 6 founder-member states, has now become a community of 25 members with a common destiny and values, wide-ranging responsibilities, and a generally accepted procedure for resolving conflicts.

Those who wish to speak about European integration would do well to remember that we Europeans have been experiencing, at close quarters, and very recently, two contradictory developments on our continent. In the West we are witnessing a coming together – in the East, a process of disintegration. For years we have seen, and we continue to see, the disastrous consequences of the latter, brought to us on the television screens in our living rooms.

For example - waves of nationalism, hate between people of different national, ethnic, linguistic and religious affiliations, and murder and expulsion - these characterised for years the situation in the former Yugoslavia. Huge streams of refugees and population migrations were the consequences.

Other trouble spots are still, unfortunately, cause for serious concern. For instance, in Russia, and above all, the problem of Chechnya, which remains completely unresolved from a humanitarian and political standpoint.

Nevertheless, we all welcomed the democratic awakening in eastern Europe. We experienced the years of the fall of communism as a time of new hope for democracy and human relations at the end of the 20th century.

Because, for many peoples, above all, for the ethnic and national minorities in Europe, this century had been a period of extermination, deportation and forced assimilation.

With the collapse of the multi-national empires – Russia, Austria-Hungary, Germany and the Ottoman Empire – new nation states with new borders emerged under the banner of national self-determination. However, these usually reflected, not President Wilson's 14 points, but the dictates of the Entente and the nationalist pretensions of new national majorities.

Hitler, Stalin, and other European Fascist dictators of the right and the left, pursued a new inhuman form of aggression against smaller nations and ethnic groups, and national, religious and social minorities.

Then, there was a widespread view in League of Nations circles, and amongst the victorious allies of the Second World War, the liberators of Europe from Fascism, that as a result of extermination, mass migration and expulsion, there were no "national minorities" any more, only ethnically homogenous nation states. But it became clear that this did not reflect reality. The new Europe soon revealed that it had no ethnically and linguistically homogenous states, apart from a very few exceptions such as Iceland, Liechtenstein or San Marino.

At that time they believed it was sufficient to formally emphasize human rights and fundamental freedoms, and that the national minorities which still existed would be sufficiently protected in this way.

For decades there was no breakthrough for a genuine protection of national minorities. European politics became entrenched in the Cold War, which swept the concerns of national minorities off the political agenda. The fact that the protection of minorities is a measure of the democratic nature and level of civilization of a community was simply ignored.

Since the collapse of communism, major security and politico-economic problems have increased the pressure for, and attraction of, European integration, the other line of development on the continent. This led to the largest expansion of the Union so far, on May the 1st this year.

Since the ending of the East-West conflict and the disappearance of most of the oppressive regimes in eastern European states, nationality conflicts, which were often seething under the surface, have broken out and come dramatically to the attention of political circles. In the "New Europe" of today we have an old problem again.

It is not surprising, therefore, that as a result, since 1990, leading international governmental organisations have taken up this theme with increasing intensity. The first was the Conference for Security and Cooperation in Europe (CSCE, later OSCE), then the United Nations and the Council of Europe. Finally the European Union also got involved with peace conferences, for instance for the resolution or containment of the regional conflicts that had broken out in south-eastern Europe, and, with the help of a Stability pact for the Balkans, an effective strategy of future prevention.

As a result of these efforts, a system of European minority protection has gradually emerged. Moreover, it has developed an amazing impetus, but the empirical aspects have not been sufficiently addressed. For instance, if one tries to take stock of the national minorities in Europe one encounters a series of problems.

2. The problem of defining “national minority”

The definition of the term „national minority“ is itself problematic. According to the South Tyrolean Institute of Ethnic Groups, there are a wide variety of attempts at definition, but there is no legally binding one.

Following the UNO definition by the legal expert Capotorti a “minority” is defined as a community:

- a) compactly or dispersedly settled on the territory of a state;
- b) which is smaller in number than the rest of the population of a state;
- c) whose members are citizens of that state;
- d) which have ethnic, linguistic, or cultural features different from those of the rest of the population; and
- e) whose members are guided by the will to safeguard these features.

On this basis there are over 300 national minorities in Europe, with over a 100 million members.

The process of democratisation signifies a cultural and political discovery of one’s own regional space, and makes possible a veritable Renaissance of ancient peoples, ethnic groups and nationalities within existing nation states. An example is the re-establishment of the “Bundesländer” in East Germany. The new transparency of political and demographic structures, and the efficient tools of information technology, allow the identification of national minorities, about whom one knew little or nothing. Examples of these are the Tschango in Romania or the Mirandes and Baranquinhos in Portugal.

3. The current problem of national minorities in Europe

The present situation regarding national minorities can be summarised as follows:

- In Europe there are 36 states, each with over 1 million inhabitants:
- in five states there are, or have been until recently, violent ethnic conflicts (Bosnia-Herzegovina, Yugoslavia, Croatia, Russia and Turkey)
- seven states have to, or have had to, deal with ethnic conflicts with neighboring states (Albania, Bulgaria, Greece, Estonia, Latvia, Macedonia and Ukraine)
- in six states ethnic tensions are, or were until recently, in existence (the United Kingdom, France, Moldavia, Romania, Slovakia and Spain).

Thus, up till now, only half the states of Europe have been spared tensions, at least to the degree of those just mentioned, as a result of the national minorities issue. This does not mean that these states are all immune to them.

The conclusion is unmistakable: without a resolution of the problems of ethnic and national minorities, European peace and security policy cannot succeed. Politicians and citizens of the countries of Europe must recognize that their internal and external security is dependent on the respectful treatment of national minorities.

4. The current problem of national minorities in the New European Union

In the Europe of 15 nations, approximately 15 million out of a total of 371 million spoke a language which was not the official language of the country of which they were citizens. These figures alone illustrate why, in the European Union, the problem of the protection of minorities has to be addressed. On May the 1st the total population of the EU increased to 450 million, and the EU is now confronted with additional challenges in the area of minority problems.

Many of the new member states have unresolved situations in this connection. It was a step forward that, for the latest expansion, the EU insisted on the clarification of possible problems with minorities in the run-up to concrete membership negotiations. Critics rightly point to the existence of dual standards in the EU when it comes to the question of minorities. They identify, on the one hand, an absence of internal policy, and, on the other hand, an active policy towards the new member states. The Copenhagen criteria were demanded from the new member states, while old-established members, such as France and Greece still have their internal problems. The candidates for membership must demonstrate they have stable institutions, but also guarantee the safeguarding of democracy, rule of law, human rights and respect for minority protection.

I do not have the time to take you through the detailed statistics, but I have them available and I will be happy to discuss them at the end, if you wish. These relate to the ethnic variety of both new EU member states, and the states with whom negotiations have already started (Bulgaria, Croatia and Romania) or are expected soon to be started (Turkey). Even allowing for certain inaccuracies and inconsistencies, the statistics demonstrate, unambiguously, that the question of minorities in the EU of 25, and in a few years almost 30, members is more urgent than ever.

This has been shown particularly clearly, for instance, in the latest developments in Slovakia concerning the Roma, one of the largest future minorities in the EU, who are threatened with a drastic reduction in social assistance. Censuses and estimates, which vary greatly from one another, indicate that there are between 4 and 8 million Roma living in Europe. An exact numerical count is not possible on account of various factors, such as the high degree of mobility. Approximately 1.5 million Roma live in Slovakia, the Czech Republic, Hungary and Slovenia alone. In a study by the UN

Development Programme, the Roma's situation was described as "a Third-World island in the First World". An article by Jacqueline Henard in the *Franfurter Allgemeine Zeitung* of March the 4th 2004 warned "that the Union actually knows nothing about its new members, their citizens and their minorities".

Another example of an unresolved situation is the position of the Russian and White Russian minorities in Latvia – the new language laws are a cause for concern - and Estonia - about 1.2 to 1.5 million people, who are seen by political scientists such as Eduard Franz as "a potential for EU destabilization that must be taken seriously."

These selected cases show that the EU has to deal sensitively and practically with the minorities and their problems. Much is expected, in particular, of the European Union, which Michael Frank in the *Süddeutsche Zeitung* describes, specifically in the case of minorities, as "an intensive care unit for the treatment of deep national wounds."

5. The system of minority protection in Europe

When it comes to national minorities, all international agreements for the protection of human rights have for too long contained only a prohibition of discrimination. This applies equally to the United Nations' "Universal Declaration of Human Rights" of December the 10th 1948 and to its "International Covenant on Civil and Political rights" of December the 16th 1966.

In 1949 the Council of Europe was founded. One of its first decisions, the passing of the "European Convention for the Protection of Human Rights and Fundamental Freedoms" (ECHR), on November the 4th 1950, represented a break with the past. It resulted in a fundamental change in the states' national-political organisational model. In 1953 the ECHR came into force after obtaining the required number of ten ratifications. In 2004 it had 44 member states. The ECHR is subject to a continual process of development, reflected in the 13 additional protocols to date. The effects of the ECHR in setting norms range from 'changes to national law' to 'practical results when the ECHR is invoked in court judgements'.

Therefore, whoever exercises sovereign jurisdiction over a specific territory in Europe has to respect the human rights of the inhabitants of that territory, especially those who speak a different language from the majority population, but who have always lived there.

Article 14 of the ECHR states that enjoyment of the rights and freedoms laid down in the Convention is to be guaranteed, without any discrimination based on sex, race, color, language, religion, political or other opinions, national or social origins, membership of a national minority, wealth, birth or any other status.

Nevertheless, far too many states maintain that a minority problem is automatically resolved with the establishment of human rights and democracy – or - they often try to solve minority problems by means of a policy of assimilation. This can, of course, be pursued passively as well as actively: that is, by the absence of positive measures of protection. But assimilation is simply a subtle variant of ethnic cleansing, and, therefore, a breach of human rights.

Only since the changes in Europe in 1989-90 has a new dynamic been triggered that is favorable for the system of minority protection - one which takes into account the human rights dimension in the relations between states and peoples, as set out in the CSCE protocols of 1990.

The first important stimuli came from the CSCE process, and in particular from the Copenhagen Document of 1990. In it, the necessity of protecting ethnic, cultural, linguistic or religious minorities was emphasized and the demand was made for the states to protect and foster their identity. The catalogue of minority rights in the Copenhagen document is of such great significance because it was the first time that a large group of over 30 states reached an agreement under international law in the mostly unregulated area of unified principles and norms for minorities. Although this result of the CSCE processes in the period 1990 to 1992 carried no legally binding authority, it had strong implications in the formation of policy guidelines.

A particularly important result was that the protection of minorities is not considered an internal matter for states, but constitutes an aspect of European public order and is an important factor in regional and overall European stability and security.

The establishment of full equal rights between members of national minorities and the rest of the population needs special additional measures, in order to compensate for the disadvantages that result from belonging to a minority (Compensatory Rights).

The CSCE, now OSCE, has two mechanisms available for action in the field of minority protection: the Observer mission and the Office of High Commissioner on National Minorities (HCNM - from 1992 to 2001 Max van der Stoep, since 2001 Rolf Ekeus). The latter was established in 1992 on the occasion of the Helsinki summit. The mechanisms include early warning and preventive diplomacy in the case of infringements regarding minorities. Involvement by the HCNM does not require the approval of the Senior or Permanent Council, or of the State concerned. The observer missions identify infringements of human and minority rights. They have a precisely formulated political mandate and a right to take initiatives. The missions are required to last at least 6 months and, depending on the specific mandate and for example: cease-fires are monitored; the de-escalation of ethnic and nationality conflicts is attempted; support is provided to the construction of a democratic constitutional state; and, protection of minorities is guaranteed. The HCNM should recognize early signs of tensions involving minorities and take appropriate measures. He is subject to the principles of

independence, impartiality, confidentiality and a duty of accountability. Cases in which organised terrorism is involved are excluded from his remit.

d. Since the Council of Europe summit in Vienna in October 1993, the development has moved towards a system of minority protection in several parts, of which two sections have already been created. Work on a third section has been temporarily suspended, and further sections are under consideration. The individual parts are as follows:

- 1) The European Charter for Regional or Minority Languages;
 - 2) The Framework Convention for the Protection of National Minorities;
 - 3) An Additional Protocol to the ECHR: Fundamental Rights of the Members of National Minorities in Europe;
- and
- 4) A Convention on Autonomy, demanded, above all, by the European National Minorities.

ad 1)

The European Charter for Regional or Minority Languages was adopted by the Council of Europe in June 1992, after several years of protracted negotiations. It finally entered into force on March the 1st 1998. In the meantime 30 states have signed the Charter, 17 of which had also (as of October 2004) ratified it. It relates specifically to the linguistic-cultural sphere and it can be considered complementary to the Framework Convention, but goes into more detail. Its monitoring system is weak, however, and one major problem lies in the “à la carte system” which means that the parties to the treaty may themselves select those 35 requirements, out of a possible 100, which they are obliged to follow.

ad 2)

The Framework Convention for the Protection of National Minorities was adopted by the Committee of Ministers of the Council of Europe in November 1994, and has been in force since February the 1st 1998. As of October 2004 it had been signed by 42 of the 45 member states of the Council of Europe and ratified by 35 of these.

The main weight of the agreement lies in the area of fundamental political principles. It consists of a series of goals, but leaves the definition of national minorities, the object of the protective measures, to the parties to the agreement, and also contains only a weak monitoring mechanism. With good intentions, much can come of it, but in the opposite case, a state can also use the agreement as a legal means to avoid granting minority protection.

ad 3)

To follow this, there is a plan for an Additional Protocol to the ECHR. Its realization fell through at the first attempt in mid-January 1996. Proposals to date have included: rights for minorities to their own languages, schools and organisations; to unrestricted contact and information; to rights to proportional access to jobs in the public service; and to political representation or autonomy. The right of not just states, but also individuals and associations, to appeal in matters of minority rights to the European Court of Human Rights, has also been proposed.

6. Protection of minorities in European Union Law

6.1. The Charter of Fundamental rights of the EU

On October 2nd 2000 the Convention on Fundamental Rights presented a draft of a Charter of Fundamental Rights in accordance with a mandate from the Cologne EU Council of June 1999. After approval by the European Parliament (on November 14th 2000) and the Commission (on December 6th 2000), the Charter was signed on December 7th 2000 in Nice by the President of the European parliament, the Council and the Commission, and proclaimed in the name of these institutions.

In the preamble to the Charter, paragraph 3, it is laid down that the Union “contributes to.....the preservation and to the development of these common values while respecting the diversity of the cultures and traditions of the peoples of Europe”.

It is also significant that the Charter reaffirms the “rights as they result, in particular, from the constitutional traditions and international obligations common to the Member States, the Treaty on European Union, the Community Treaties,” and “the European Convention for the Protection of Human Rights and Fundamental Freedoms”. So, already in the preamble, the influence of the ECHR and the bracketing of it with the Charter is quite clear, with all the positive consequences for the protection of minorities.

Moreover in Article 52, “Scope of guaranteed rights”, and Article 53, “Level of protection” the anchoring of the ECHR in the Charter is expressly confirmed.

In the section „Freedoms”, “freedom of expression and information” is firmly laid down in Article 11, and “freedom of assembly and association, also for political parties”, in Article 12, which are naturally basic to the protection of minorities.

The section „Equality” lays down, first of all, in Article 20, the fundamental equality of all citizens before the law. In Article 21, “Non-discrimination”, a prohibition of discrimination is expressly laid down. “Any discrimination based on any ground such as sex, race, color, ethnic or social origin.....political or any other opinion, membership of a national minority.....shall be prohibited.”

As a further principle of equality, there then follows in Article 22 the declaration “the Union shall respect cultural, religious and linguistic diversity”.

6.2. The EU Constitution

At its meeting on December 14th and 15th 2001 in Lacken (Belgium) the European Council noted that the European Union was at a decisive turning point in its history, and convened the European Convention on the Future of Europe. The Convention was asked to draw up proposals on three subjects: how to bring citizens (including, of course, those belonging to national minorities) closer to the European Project and European Institutions; how to organize politics and the European political area in an enlarged Union; and - how to develop the Union into a stabilizing factor and model in the new world order.

In the course of its deliberations, the Convention was successful in developing the draft of a treaty on a Constitution for Europe, and general consensus was reached on this in plenary meeting on June the 13th and July the 10th 2003. The result was presented to the President of the European Council in Rome on July the 18th 2003.

During the debates on the draft constitution the EU parliament detected many deficiencies, especially in the area of protection of minorities.

Romedi Arquint, President of the Federal Union of European Nationalities (FUEN) also gave the draft constitution poor marks, making the observation “The draft constitution is not a success story as far as the current problem of protection of national minorities is concerned. There are, admittedly, remarks about linguistic and cultural variety, but no indication of EU political responsibility in the area of ethnic and national minority conflict.”

In the text approved by the EU Council in June 2004, and signed very recently by them in Rome, there is, however, a new and significant statement regarding the protection of minorities. In Part I, Title I, Article 2 “The Union’s Values”, minority protection was added to the original text proposed by the convention, in which reference to the rights of members of national minorities was not envisaged. The phrase is as follows: “The Union is founded on the values of respect for human dignity..... including the rights of persons belonging to minorities.”

Nevertheless Marjan Pipp, President of the Austrian Centre for Ethnic Groups (the organisation that brings together all recognized Austrian national minorities) is of the opinion that the “protection of minorities” in the EU Constitution is a minimal formulation that does not go far beyond protection from discrimination. Fundamental rights for national minorities with a direct right of appeal to the European Court of Human Rights would have been of particular significance for these minorities. What remains is, nevertheless, of great symbolic significance – the fact that minority protection is anchored in the fundamental values of the Union.

However, the Treaty establishing a Constitution for Europe already states, in its preamble, that Europe is united in its cultural and linguistic diversity. And who is it that makes the greater contribution to this diversity? We, the national minorities, if you will allow me to be so arrogant.

In Part I, Title I, Article 3, paragraph 3, among the Union’s objectives there is a clear rejection of every kind of discrimination, and the preservation of its rich cultural and linguistic diversity. The Union is also concerned with the protection and development of Europe’s cultural heritage, including, therefore, the contribution which national minorities have made over the centuries.

In Article 5 of the same Title, it says „The Union shall respect the national identities „of the Member States,inclusive of regional and local self-government..” For national minorities this means that regional autonomies and local self-government by minorities enjoy the full respect of the Union.

In Part I, Title II, Article 9 “Fundamental rights”, paragraph 2, the Union shall accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms” which is so important from the point of view of national minorities. In paragraph 3, these Fundamental Rights are declared to belong to the general principles of the Union’s law.

In Part I, Title II, Article 10, Paragraph 2, letter d, the Treaty states that the citizens of the Union shall enjoy the right: to address the Institutions and Advisory Bodies of the Union in any of the Constitution’s languages and to obtain a reply in the same language.

During the Irish EU Presidency in the first six months of 2004, it was agreed that the EU Constitution could be translated into regional and minority languages if the member states in which the minorities were situated agreed. This is, to date, the unique acknowledgement of the diversity of languages in Europe. On the basis of this decision, for example, the Spanish Government has declared that in future the Catalan, Galician and Basque languages will be used.

Part II, “Fundamental Rights”, takes on essentially the Charter of the Convention on Fundamental Rights with the position relevant to minorities already mentioned above when describing the Charter.

In Part III "The Policies and Functioning of the Union" Title I, Article 118, the declared intention of the framer of the EU constitution is laid down: "In defining and implementing policies and activities referred to in this Part, the Union shall aim to combat discrimination based on,among other things "ethnic origin".

In Part III, Title II, Article 124, a constitutional task is assigned to the EU legislator who "may establish the measures needed to combat discrimination based on..." among other things "ethnic origin *by means of a European law or framework law of the Council of Ministers*"

6.3. The EUMC

The European Monitoring Centre on Racism and Xenophobia (EUMC), founded in 1997, works for a Europe free of racism, xenophobia and anti-Semitism. It supports values such as tolerance, equality, solidarity, respect for human rights (including minority rights) and democracy. To this end it presents analysis and reports.

7. Conclusions

The basic question is whether the existing instruments at the European level for the protection of minorities are sufficient and simply need reinforcing, or whether the EU should: set itself stricter principles; extend the existing ones; or, reconfigure them.

At an event at the European Commission in Berlin on February 21st 2002, the scientist Sabine Riedel maintained that the subject of minority protection has for too long been credited with little importance in the EU – that it has not gone beyond measures and recommendations of the OSCE and the Council of Europe. However, the expansion of the EU to include new members presents it with new challenges. This is partly because the new members have problems with their minorities, notwithstanding their formal fulfillment of the Copenhagen criteria. And also because the politics of minorities is regarded as a central theme of their foreign policy and has major relevance for these states. Hence the need at EU-level to address this subject carefully and decisively.

There are many suggestions and proposals to resolve the issues in the area of minorities. It remains questionable, however, whether the political will exists among those responsible. It should be born in mind that small ethnic conflicts can be the catalyst for unpredictable chain reactions and the spread of conflicts.

The political establishment is challenged with the creation of instruments and institutions which can work for crisis- and conflict-prevention. Established standards should be maintained by all, without exception, and adjusted dynamically to new situations. Possibilities for sanctions should be reinforced, improved and adapted to the individual situation, because, especially in the area of minority issues, there are many indicators specific to a country, which perhaps appear incomprehensible to other states.

The EU, the Member States, the majority populations and the political establishments should listen carefully to what those affected, that is, the minorities themselves, offer as suggestions for a lasting improvement in minority protection. It would be very significant for the future of EU minority protection if representative positions of the minorities found an appropriate degree of entry into EU law. In addition to the classic recipe for progressive minority protection within states – namely, the introduction of measures in agreement with those affected - there should also be a reflection of this at EU level.

With all this in mind, at the beginning of 2004, some 90 NGO representatives, experts and political figures convened at the European Academy in Bolzano/Bozen to discuss the EU's engagement in the areas of minority protection after enlargement. On May the 1st 2004, they submitted the following proposals to the European Union and its member states, old and new, for urgent consideration.

1. Improve monitoring of candidate states
2. Integrate minority protection into EU monitoring of human rights within member states
3. Improve cooperation among the EU, the Council of Europe and the OSCE
4. Bring to life the new constitutional motto "united in diversity"

1. IMPROVE MONITORING OF CANDIDATE STATES

- In the framework of the accession negotiations with Bulgaria, Romania, probably Croatia, possibly Turkey and any other future candidate states, the European Union should improve the consistency, credibility, and, thereby, the potential impact of its assessments of national policies regarding minorities.
- The European Union should intensify its institutional dialogue with the Council of Europe. When assessing the performance of candidate states in the area of minority protection, the Union should use the standards the Council of Europe has developed. The Union should continue, for example, to rely and draw upon the findings produced through instruments such as the Council of Europe's Framework Convention for the Protection of National Minorities (FCNM).
- The European Union should considerably improve its in-house expertise in the area of minority protection, but avoid duplicating efforts that the Council of Europe has already undertaken. The Union should increase the number of European Commission personnel who monitor minority situations in candidate states.

- The European Union's future monitoring effort should be transparent. Its reporting should establish explicit links between its sources of information, its findings, and any recommendations that may flow from them. The monitoring effort should also be made consistent by focusing not only on a candidate state's formal compliance with international standards, but on the process by which it complies in practice at the national, regional, and local level.

2. INTEGRATE MINORITY PROTECTION INTO EU MONITORING OF HUMAN RIGHTS WITHIN MEMBER STATES

- The European Parliament should introduce a separate subheading on minority rights into its regular reports on human rights.
- If the European Commission submits a proposal to expand the mandate of the current European Monitoring Center on Racism and Xenophobia (EUMC) in Vienna, this proposal should pay requisite attention to the protection of minorities.
- If the European Union establishes a human rights agency –as already decided by EU institutions – or monitoring mechanism, member states should be required to submit annual reports containing a separate subheading on minority rights. If the EU extends its activities into the area of human rights, it should take into account the Council of Europe's experience and seek close inter-institutional cooperation.

3. IMPROVE EU-CoE-OSCE COOPERATION

- The European Commission's Directorate General for Justice and Home Affairs, as well as the Directorate General for Culture, should enter into regular and institutionalized dialogue with the two independent and expert committees supervising the implementation of the Council of Europe's Framework Convention as well as its Language Charter. The same goes for Parliament's Committees for Human Rights and Culture. This will enable EU institutions to identify problem areas needing special attention, and these areas must be considered when determining aims, financial guidelines, and priorities under relevant EU policies.
- The European Commission should make more active use of the Framework Convention when monitoring candidate states' performance in the field of minority rights. For example, the Commission should take part, regularly and actively, in monitoring debates in the Committee of Ministers or make use of the Union's political weight in order to leverage the Committee of Ministers to ask a state to submit a timely report on relevant issues.
- Joint program planning between the Union and the Council of Europe should be intensified in both quantity and quality. Emphasis should be placed upon cooperation on equal terms, based not only on joint action but also on joint planning and programming.
- As regards the evolving common foreign and security policy of the EU-tasked to "safeguard common values"- the OSCE High Commissioner on National Minorities (HCNM) should be invited to assist in developing approaches to and policies toward third countries, including: the conditionality of aid and trade, support for EU conflict prevention and preventive diplomacy, and developing EU and EC expertise within the offices or at the disposal of the prospective new EU foreign minister.
- The EU foreign ministers and representatives of the Political and Security Committee should convene once a year in order to exchange information and observations with the HCNM.

4. BRING TO LIFE THE NEW CONSTITUTIONAL MOTTO UNITED IN DIVERSITY

- The Commission should report annually on compliance with the horizontal integration clause. This report should examine the effects of EU secondary legislation and the extent to which it takes into account linguistic diversity, specific national and regional features, and the cultural heritage of member states and regions under EU policy. This "diversity impact report" should be delivered to national parliaments and the Committee of Regions.
- The Commission should propose a multi-year program for linguistic diversity with funds earmarked for regional and minority languages.
- In order to underline the important sub-national dimension of diversity, the Constitutional Treaty should be amended by adding the following specification (indicated in italics): "The Union shall respect its rich cultural and linguistic diversity *at the national and sub-national level*, and shall ensure that Europe's cultural heritage is safeguarded and enhanced."

It is the case that the integration of Europe needs the full involvement of all sub-national regions, autonomous communities, in the EU because they embody the soul of Europe. The cooperation within these regions must increase in a spirit of partnership and solidarity. At the practical level, the European Union can best be achieved if there is cooperation between self-confident and efficient regions.

In view of continuing nationalism and resurgent right-wing extremism in Europe, for European Integration there is no alternative to the cooperation between peoples, nationalities and national minorities at transnational and regional levels. We national minorities want fully to accept our responsibilities within this great European peace initiative. At the same time, we expect the full protection of the EU for the national minorities.