



# Minority Protection and the EU The Way Forward

Conference

30 and 31 January 2004

European Academy Bolzano/Bozen

## THE TASK

At the end of January 2004 - that is, four months before Eastern Enlargement becomes a *fait accompli* - a dozen experts in the area of European integration and minority protection will present their ideas in Bozen/Bolzano about how the enlarged Union should approach the countless minorities living on its substantially enlarged territory.

The "respect for and protection of minorities" has been one of the prominent EU-imposed Copenhagen criteria which the candidate countries have had to fulfill in the last decade. Various pre-accession instruments have served to streamline candidates' attitude vis-à-vis their minorities. In the EU's internal sphere, however, this topic has remained very much a *non*-topic. Will minority protection vanish from the EU-scene once the candidate states acquire full EU membership?

This conference brings experts, NGO representatives and politicians together in order to raise and discuss the question of how the importance of the integration and protection of minorities (which is acknowledged at the political level) could be transformed into concrete legal instruments inside the framework of the newly-enlarged and re-designed European Union.

## PROGRAMME

Friday, 30 January 2004

09:15: Registration

09:45: Welcome, Joseph Marko

### I. THE EUROPEAN UNION AS MONITORING BODY 1997-2003: THE EXPERIENCE SO FAR

10:00 - 10:30

Rachel Guglielmo, The OSI reports - assessing the needs of minority groups

10:30-11:00

Gwendolyn Sasse, Assessing the European Commission's monitoring exercise

11:00-11:30

Respondent: European Commission (DG Enlargement, invited)

Respondent: Guido Schwellnus

11:30 - 12:30

General Discussion

12:30-14:30 Lunch break

### 2004: THE TRANSITION

14:30-15:00

Frank Hoffmeister, Whether and how to substitute the monitoring process vis-a-vis the candidate states with a new internal EU policy?

15:00-15:15

Respondent: Peter Hilpold

15:15-16:30

General Discussion

16:30-17:00 Coffee break

### II. TOWARDS AN EU (MINORITY) LANGUAGE POLICY?

17:00-18:30

Round table discussion

Minority languages and the EU's policy on linguistic diversity

Discussant: European Parliament (invited)

Discussant: Bojan Brezigar

Discussant: Boris Tsilevich

Discussant: European Commission (DG Culture, invited)

General Discussion

Saturday, 31 January 2004

### III. MINORITY PROTECTION IN THE RELATIONS BETWEEN THE EU AND ITS MEMBER STATES

09:00-09:30

Bruno de Witte, The Constitutional Resources for an EU Minority Protection Policy

09:30-09:45

Respondent: Roberto Toniatti

09:45-10:30

General Discussion

10:30-11:00 Coffee break

### IV. DESIGNING THE FUTURE INTERPLAY: OSCE - CoE - EU

11:00-11:30

Rainer Hofmann, The enlarged EU and the Council of Europe: the transfer of standards and the quest for future cooperation

11:30-11:45

Respondent: Marc Weller

11:45-12:45

General Discussion

12:45 -14:30 Lunch break

14:30-15:00

John Packer, The enlarged EU and the OSCE: models of future cooperation

15:00-15:45

General Discussion

15:45-16:15 Coffee break

### V. THE EU: NEW CLOTHES FOR THE NEW MINORITIES?

16:15- 16:45

Steve Peers, "New minorities" - what future status for Third Country Nationals in the EU system?

16:45-17:00

Respondent: Stefan Oeter

17:00-18:30

General Discussion

## THE SPEAKERS

**De Witte** is a Professor of European Law at the European University Institute, Florence. He has worked for years on the protection of minorities and the diversity of languages within the EU system.

**Guglielmo** is the Executive Director of the Center for Human Rights & Conflict Resolution, The Fletcher School of Law and Diplomacy (USA). She formerly served as Director of the "EU Accession Monitoring Program" (EUMAP).

**Hofmann** is a Professor in International Law at the University of Kiel (D). He is the President of the Advisory Committee of the Council of Europe's Framework Convention for the protection of minorities.

**Hoffmeister** is a legal expert who, after working for the DG enlargement, joined the Legal Service of the European Commission. He was also a researcher at the Walther Hallstein Institut.

**Packer** is a Visiting Assistant Professor of International Law at the Fletcher School of Diplomacy (USA) and Director in the Office of the High Commissioner on National Minorities (HCNM) of the OSCE.

**Peers** is a Professor at Essex University and a member of its Human Rights Centre. He is a well-established expert in the various aspects of the standing of third country nationals within the EU system.

**Sasse** is a Lecturer at the London School of Economics. She specializes in the field of Eastern enlargement and minority protection. Currently, she is a JM Fellow at the EUI Florence.

## THE RESPONDENTS

**Brezigar** is president of EBLUL (Brussels) and chief editor of Primorski Dnevnik (Slovenian minority daily in Trieste).

**Hilpold** is Professor of International and European law at the University of Innsbruck.

**Oeter** is Professor of public and international law at the University of Hamburg and director of the Institute of International Affairs Hamburg.

**Schwellnus** is a PhD researcher at the Queen's University of Belfast who focuses on the Union's perception of 'Minority protection'.

**Toniatti** is Professor of comparative public law and Dean of the Law faculty of the University of Trento.

**Tsilevich** is a member of the Parliament of Latvia and founder and consultant of MINELRES (minority electronic resources).

**Weller** is Professor at Cambridge University and director of the European Centre for Minority Issues in Flensburg.

## THE BACKGROUND

The conference bases on the COMIR (Consortium of Minority Resources) network and a project called PECEDE (Platform for an Enriching Culturally and Ethnically Diverse Europe) which is co-sponsored by the European Commission and the Open Society Institute.

The project is run in cooperation with the Local Government and Public Service Initiative (LGI, Budapest, Petra Kovacs), and the European Academy Bolzano (EURAC). The latter provided the European Commission already in 1998 with a bundle of proposals for EU involvement in the area of diversity and minorities - the so-called "Package for Europe").

The conference proceedings will be published in June 2004. Project Manager is Gabriel N. Toggenburg; [Gabriel.vonToggenburg@eurac.edu](mailto:Gabriel.vonToggenburg@eurac.edu).

## THE STRUCTURE

The conference consists of five thematic blocs. All speakers will make suggestions from their respective fields of expertise. Each of these contributions will be complemented and commented on by a respondent, i.e. a relevant expert in the field. Each session will be followed by a general discussion. Participation is open to everybody as long as space is available.

## THE CONFERENCE VENUE

The conference takes place in the new Convention Centre of the European Academy.

Contacts:

EURAC Convention Centre  
Viale Druso 1/Drususstrasse 1  
I-39100 Bolzano/Bozen

## HOW TO REGISTER

Participation in the conference is free. However, space is limited. Please do, therefore, register in due time - at the latest, before the end of December via email, phone or fax:

Mr. Robert Asanger

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Email: [Robert.Asanger@eurac.edu](mailto:Robert.Asanger@eurac.edu)

## USEFUL WEBLINKS

HOTEL BOOKING: <http://www.sudtirol.com/bolzano/>

EURAC: <http://www.eurac.edu>

CONVENTION CENTRE: [http://convention.eurac.edu/index\\_en](http://convention.eurac.edu/index_en)

LGI: <http://lgi.osi.hu/>

PACKAGE for EUROPE: <http://www.eurac.edu/Press/Publications/package.asp>

THE COMIR NETWORK: <http://lgi.osi.hu/comir/>