MINORITY RIGHTS IN THE ‘NEW’ EUROPE

Edited by

Peter Cumper
Lecturer, Law School, Leicester University, United Kingdom
and
Steven Wheatley
Senior Lecturer, Department of Legal Studies,
University of Central Lancashire, United Kingdom

MARTINUS NIJHOFF PUBLISHERS
THE HAGUE / LONDON / BOSTON
# Table of Contents

Foreword vii
  *Max van der Stoel, OSCE High Commissioner on National Minorities*

Introduction: In the Strongroom of Vocabulary 1
  *Patrick Thornberry*

Minority Rights in the ‘New’ Europe: An Introduction 15
  *Steven Wheatley and Peter Cumper*

## The Institutional Response of the ‘New’ Europe

Minority Protection and the Organisation for Security and Co-operation in Europe 31
  *María Amor Martín Estébanez*

Minority Rights Under the Council of Europe 53
  *Geoff Gilbert*

Monitoring Minority Rights under the Council of Europe’s Framework Convention 71
  *Gerd Oberleitner*

The European Union and Minority Nations 89
  *Adam Biscoe*

Bilateralism versus Regionalism in the Resolution of Minorities Problems in Central and Eastern Europe and in the Post-Soviet States 105
  *Istvan Pogany*

## The Content of Rights in the ‘New’ Europe

The Northern Ireland Constitution Act 1973: Lessons for Minority Rights 129
  *Brigid Hadfield*

Preferential Treatment and the Right to Equal Consideration 147
  *John Edwards*
Contents

The Rights of Religious Minorities: The Legal Regulation of New Religious Movements 165
Peter Cumper

The International Status of Cultural Rights for National Minorities 185
Wolf Mannens

The Challenges of State Building in the ‘New’ Europe

Minority Rights, Power Sharing and the Modern Democratic State 199
Steven Wheatley

The Concept of Autonomy and Minority Rights in Europe 217
Javaid Rehman

New Nations and National Minorities: Ukraine and the Question of Citizenship 233
William Bowring

The Rights of National Minorities in Ukraine: An Introduction 251
Myroslava Antonovych

Conflict Resolution and National Minorities

The Dayton Peace Accords: Lessons From the Past and for the Future 261
Julie Mertus

International Legal Order and Minority/Government Conflict 285
Nedzad Basic, Donald J. Fleming and William M. Vaughn

Minorities Rights and Conflict Resolution in Northern Ireland 305
Christine Bell

Contributors 325

Selected Documents on Minority Rights 327

Index 375