

# Monitoring the EU Accession Process:

## *Minority Protection*

### COUNTRY REPORTS

BULGARIA  
CZECH REPUBLIC  
ESTONIA  
HUNGARY  
LATVIA  
LITHUANIA  
POLAND  
ROMANIA  
SLOVAKIA  
SLOVENIA

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# Preface

The EU Accession Monitoring Program of the Open Society Institute was initiated in 2000 to encourage independent monitoring of the process by which the European Union is considering applications for membership from the ten candidate states of Central and Eastern Europe. The Program aims to contribute to this historic process by producing monitoring reports to complement the evaluations already being conducted by the European Commission, as reflected in its annual “Regular Reports” on candidate states’ progress towards meeting accession criteria. The enlargement of the European Union is a positive development, and independent monitoring is one means of magnifying its beneficial effects, both within the candidate countries and in the EU itself.

In keeping with the larger aims of the Open Society Institute, the Program is monitoring compliance with the political criteria for membership as defined by the European Council in Copenhagen in 1993:

*Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities*

In order to determine more specific topics for monitoring, the Program looked to the Regular Reports to identify certain aspects of the political criteria frequently highlighted by the Commission itself: minority rights, judicial independence and corruption. Monitoring was also initiated with regard to a fourth topic of importance to both the Commission and OSI: equal opportunities for women and men.

Monitoring reports were elaborated by independent experts and/or organisations in each of the ten candidate countries on the basis of a methodology developed by OSI with the assistance of an international advisory board. This methodology draws upon existing international standards for minority protection to provide a framework for analysis of corresponding legislation, institutions and practice in the candidate countries.

As explained more fully in this document, using the rubric of “minority protection” these reports adopt the approach of the Commission in addressing both non-

discrimination and minority rights, including the rights of members of minority groups to preserve and cultivate their identity, language, and culture.

The Program's reports follow the Commission Regular Reports for 2000 in focusing on the situation of the Russian-speaking minority in Estonia and Latvia, and the Roma in Bulgaria, the Czech Republic, Hungary, Lithuania, Poland, Romania, Slovakia, and Slovenia. Examination of one highly vulnerable group in each country is intended to underline the universality of these norms for minorities throughout Europe.

First drafts of each report were reviewed by a national expert and an international advisory board. Subsequently, round-table meetings were organised in eight of the ten candidate countries in order to invite critique of the draft from government officials, civil society organisations, minority representatives, and from the Commission itself. In countries where it was not possible to organise a round-table, the draft was submitted for comment by mail. The final reports underwent significant revision on the basis of the comments and criticisms received during this process. The Program assumes full editorial responsibility for their final content.

# Foreword

On 12 July 2000, I was appointed, together with Professor Jochen Frowein and Doctor Marcelino Oreja: *“to deliver, on the basis of a thorough examination, a report covering the Austrian Government’s commitment to the common European values, in particular concerning the rights of minorities, refugees and immigrants and the evolution of the political nature of FPÖ.”* This project, with all its controversial elements, became a unique exercise in the history of the European Union. It proved that the EU is not only an economic entity, and that shared principles, such as democracy, respect for human rights, and the rule of law are essential to future integration.

The measures taken by the 14 member States of the European Union against Austria raised awareness of the importance of common European values including minority rights, not only in Austria, but also in the other EU member States and candidate States. They also spurred efforts by the Austrian government and by civil society actors to defend fundamental rights. However, if continued, those measures would have become counter-productive and therefore had to be ended.

While it helped to resolve that political crisis, our report was aimed more broadly at facilitating discussions on minority rights and the means of preventing and remedying their violation. Our hope was that the EU would make clear that European standards apply equally to present and future member States, and that it would develop a mechanism for regularly monitoring conditions within the Union.

The EU accession process has sparked a number of positive changes in the candidate countries. The Open Society Institute’s EU Accession Monitoring Program is producing in-depth reports on four issues of central importance to the political criteria relating to EU enlargement: minority protection, judicial independence, equal opportunities for women and men, and the elimination of corruption.

I am pleased to introduce the following series of reports about the protection of minorities in the ten EU candidate States in Central and Eastern Europe. I fully agree with the findings of the reports and their suggestion that the potential of the accession process as a catalyst for reform should be even better realized.

The EU has to articulate more clearly the standards that both candidate States and EU member States must meet to satisfy the political criteria with respect to minority protection. At the same time, candidate State governments must demonstrate their determination to the process by developing and implementing sound minority rights policies. Minorities and other representatives of civil society should be meaningfully engaged in the development, implementation and evaluation of these policies.

Ignoring minority protection is like ignoring a volcano. The tensions embedded in the political, cultural and economic lives of minorities are often obscured until an explosion thrusts them to the surface. Europe has an opportunity, through its integration process, constructively to address and ameliorate these dormant and dangerous tensions throughout the continent.

*Martti Ahtisaari*  
*President*