



Minorities and Diversity
International Instruments
and
Regional Players

Minority Protection in Europe

• Domestic Issue or International Issue?

- State Sovereignty
- Council of Europe (CoE)
- Organisation for Security and Co-operation in Europe (OSCE)
- European Union (EU)

• Revolution of the 1990ies

- Internationalisation of domestic law and “constitutionalisation” of internat. law
- 3 actors effective in overcoming the emergencies
- From emergency to consolidation – victims of their own success

• “Statism” since 2000

- OSCE: Securitization of ethnic conflicts and state loyalty
- CoE: No more ratifications and “bilateral” veto
- EU: Instrument for accession and “export product”

Future Challenges

•Sovereignty of States

- Kin-state practice
- Citizenship issues
- Double standards in minority protection (own state and minorities abroad)
- Re-Internationalisation
- Less pressing measures since less violent situations
- No homogeneity of minority issues – weakness of the international minimum standards

•Practical Issues

- Territorial/Cultural Autonomy – Economic issues
- Representation of minorities and decision making process
- Roma
- Integration of new minorities

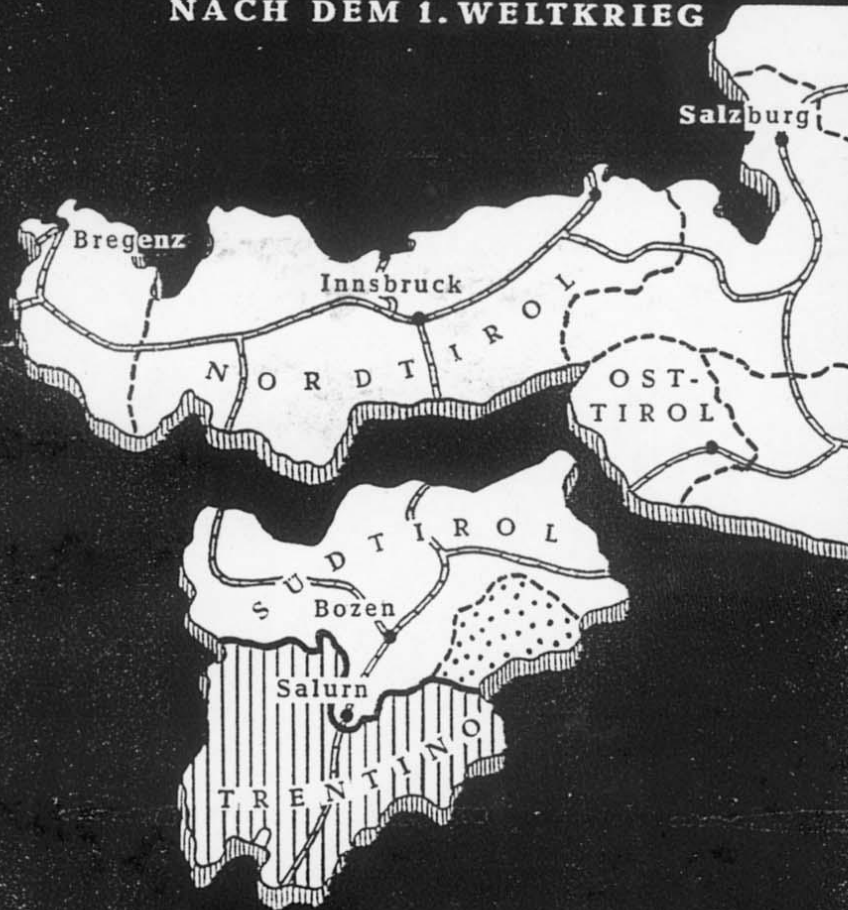
Castle Tyrol

centre of the shire/county of Tyrol



DIE ZERREISSUNG TIROLS

NACH DEM 1. WELTKRIEG



Deutsches Sprachgebiet

Ladinisches Sprachgebiet

Italienisches Sprachgebiet

Fascist Tactics 1922-1943

Phase One:

Forced Assimilation through repression and Italianization (i.e. use of German language prohibited, catacomb schools")

Phase Two:

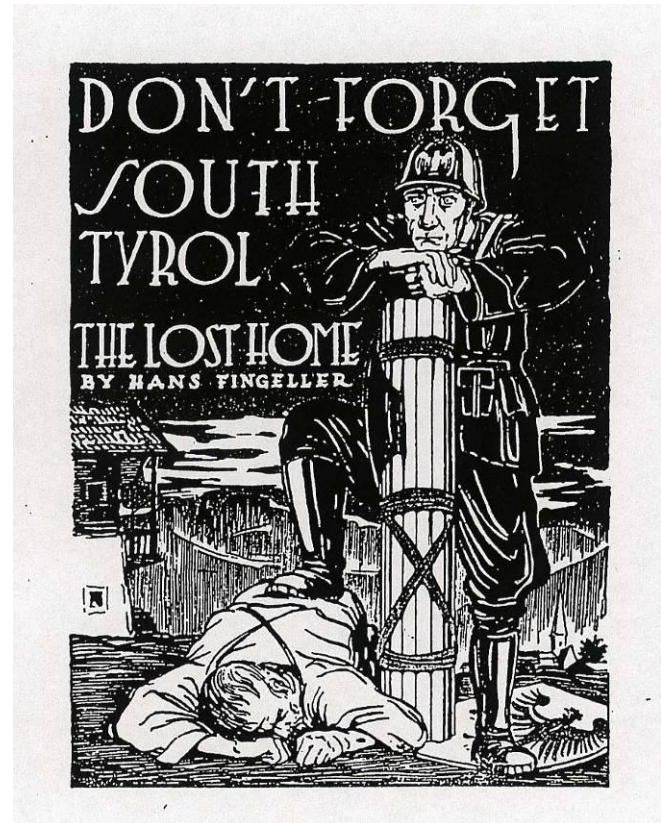
Industrialization and Migration

Policies

Phase Three:

The Option -

resettlement of the German-speaking population



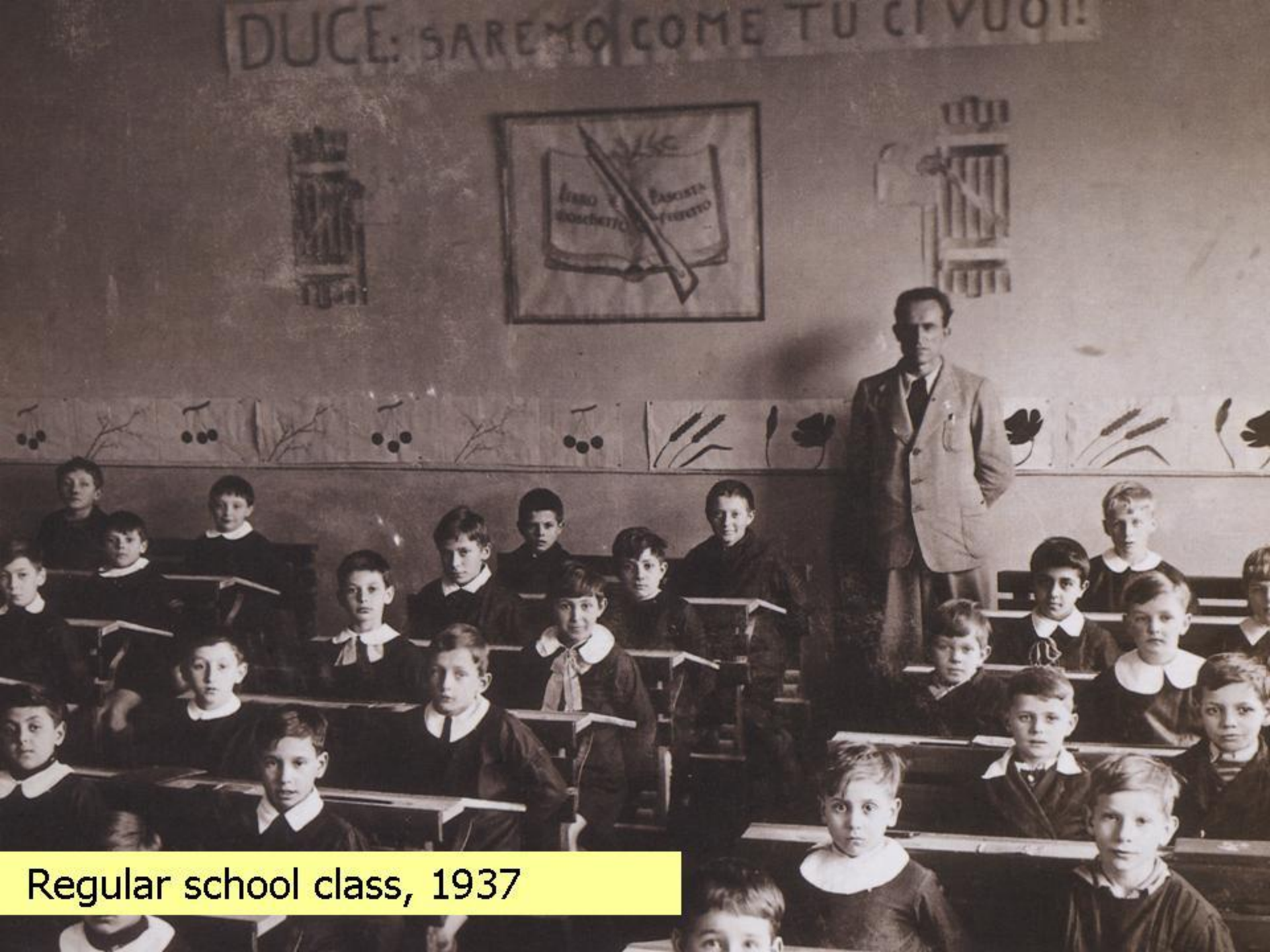
Gravestone, 1960



FRANCISCO ATZ

★ 25-3-1854

+ 2-2-1939.



DUCE: SAREMO COME TU CI VUOI!



Regular school class, 1937

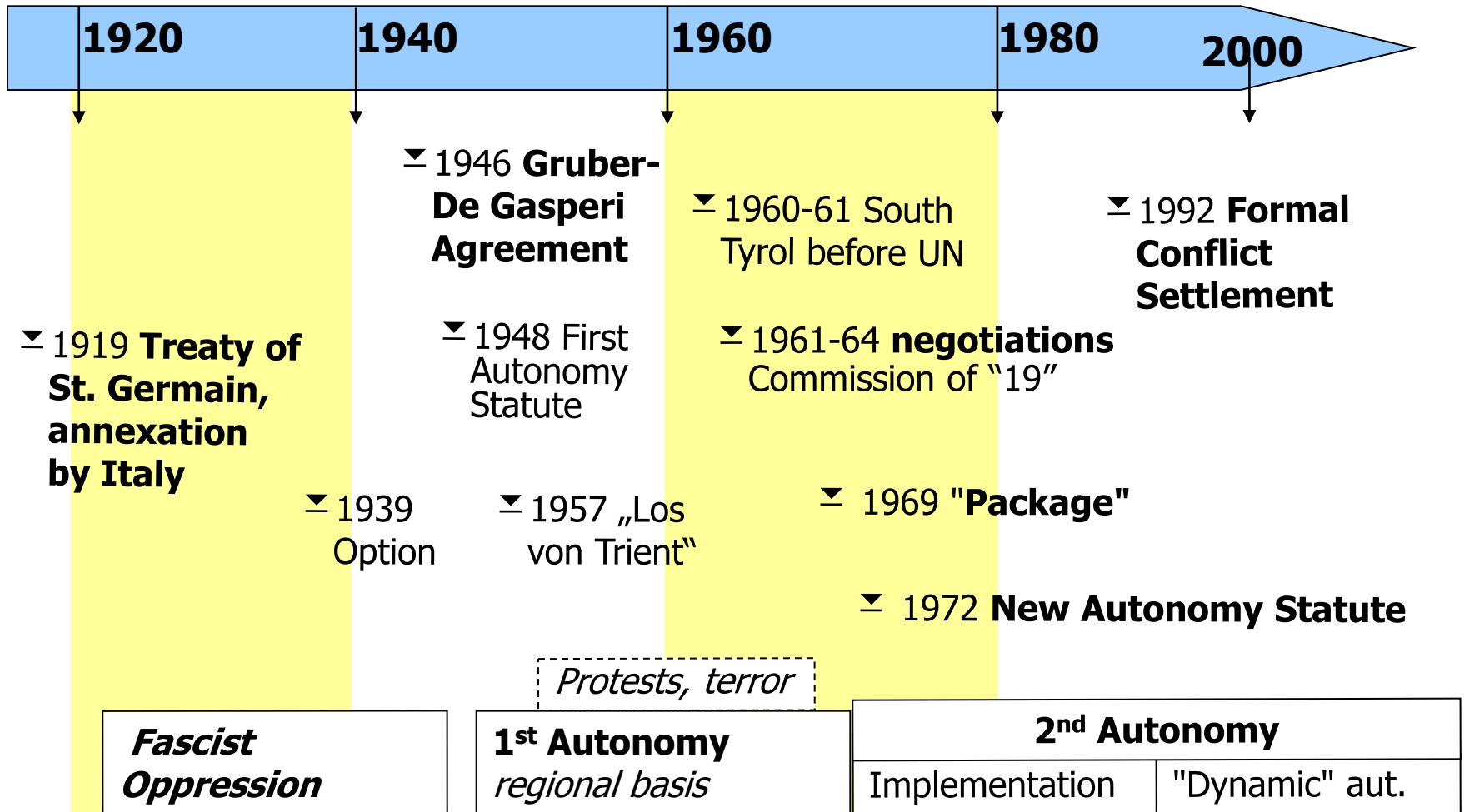


Catacomb school class, 1930

Industrial zone, Bozen, 1936



20th century - overview



Unrest in South Tyrol

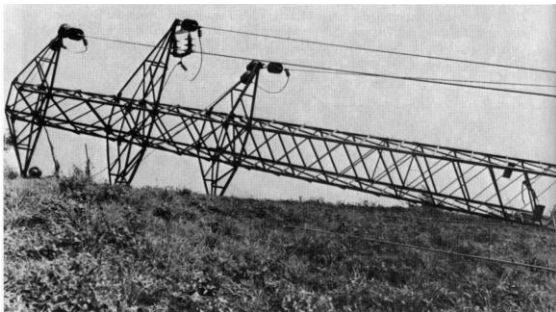
Increasing dissatisfaction

with the autonomy:

- protests and rallies
(*"Todesmarsch"*, *"Los von Trient"*)
- demonstrations (Sigmundskron 1957)

The escalation:

bombings, esp. on power-lines





South Tyrol before the UN

- Raised by Austrian FM Bruno Kreisky
- Debate in the General Assembly
- Two resolutions (1960, 1961)
- Bilateral negotiations encouraged

→ International recognition of the conflict

Negotiations - Commission of "19"

- Joint commission
- established 1961 by the Italian government to find solutions for South Tyrol
- composed of
 - 12 Italians
 - 6 German-speakers
 - 1 Ladin
- Parallel negotiations with Austria led to less concessions



→ Commission agreed upon a "package" of 137 concrete measures

The "Model" and its Different Levels

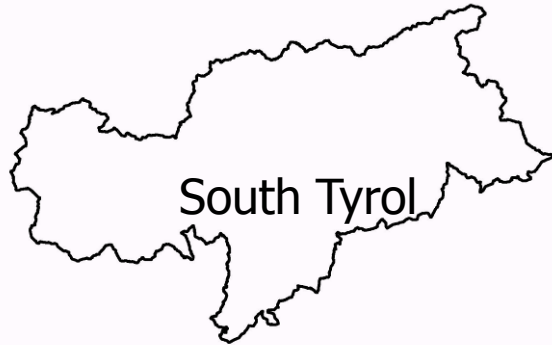
Compromise:

- Recognition of (cultural) differences
- Autonomy as (internal) self-determination

Process:

- * Negotiations and special procedures (joint commissions)
- * International Anchoring

Lessons to be learned



Case-specific factors of success

- political conditions
- economic situation
- international anchoring
- dimension of time

⇒ The Process

- internationalized conflict de-escalation
- single procedures (time-frame, joint commissions, enactment norms)

⇒ "Mix" of segregation and integration (within the autonomous entity)

- coexistence:*** legally guaranteed distance between the groups, segregationist character
- + living together:*** "institutionalised" forms of cooperation, power sharing and proportional representation, compromise across ethnic cleavages, increased inter-ethnic interaction