
In former book reviews I have pointed out that much has been written in recent times on the issues of minorities, closely related to subjects such as the State, sovereignty, non-State entities and the nature of minorities. The Yearbook to which this review refers is, in its 666 pages, a massive and important addition to the already abundant literature on the subject. It is very difficult, in a short note, to do justice to the variety of topics covered, without exceeding the central point of interest of the volume, ‘all aspects of the study and management of relations between dominant and non-dominant groups in European societies’.

Part I of the Yearbook contains articles on A) ‘Minority Rights as a New Regime of Multilevel Governance in Europe’; B) Non-discrimination; C) ‘Complex Power-Sharing Arrangements as a Means of Overcoming Self-Determination Disputes’, and D) Miscellaneous. Part II contains reports on international developments, national developments, and a chronological review. In the Foreword it is admitted that the volume left out, for different reasons, some aspects that it intended to include. However, the volume is broad and comprehensive, and this is promising with regard to future volumes.

Some of the articles in Part I deserve special mention. Gaetano Pentassuglia, whose book on Minorities in International Law was reviewed in a former issue of this Journal, writes ‘On the Models of Minority Rights Supervision in Europe and How They Affect a Changing Concept of Sovereignty’. He rightly points out that the diverse range of exercises in standard setting and monitoring, at the intergovernmental and non-governmental levels, ‘is incrementally impinging upon state sovereignty’.1 In fact, how to commit States to effectively protect minorities is one of the main issues in contemporary discussions on sovereignty. Pentassuglia focuses his paper on the judicial and non-judicial means of enforcing international minority rights, within the European context. To that effect, he examines the basic elements of the supervision process. That process creates patterns likely to intrude on sovereignty, but political realities set limits to the evolving framework, ‘posing the difficult task of achieving a balance between overarching human/minority rights visions and “sovereign rights” in the traditional sense’.2

Part I C, under the heading of ‘Complex Power-Sharing Arrangements as a Means of Overcoming Self-Determination Disputes’, presents examples of attempts to

1 At p. 31.
2 At p. 64.
achieve such a balance. Consociationalism, autonomy, decentralization and other forms of power sharing, particularly in conflict situations such as Bosnia and Herzegovina, Northern Ireland, and Corsica, illuminate the issue. As Ted Robert Gurr concludes, there are no easy solutions and therefore he favours the identification of processes and institutional arrangements most likely to be effective in resolving self-determination disputes.

This pattern is followed in some of the articles on minority rights in Europe, as exemplified by Anthony Carry and Petra Roter. Roter relates the minority problem in post-Cold War Europe to world wide developments, as for instance the 1992 United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which I have discussed elsewhere. Minority problems may be particularly complex in some countries of Europe, but it is important to consider them in the more general, universal, context.

Three articles, in Part I B, are devoted to the issue of non-discrimination, central to all minority issues. Alexander Morawa examines the evolving human right to equality; Frank Selbmann discusses non-discrimination in the access to the public service, and Gabriel Toggenburg refers to ‘The Race Directive: A New Dimension in the Fight against Ethnic Discrimination in Europe’.

Several articles, grouped under the heading of ‘Miscellaneous’, also deal with some concrete situations in Europe, including the case of the Roma.

Part II, ‘Reports’, refers to A. International Developments, B. National Developments, and C. Chronological Review. The emphasis is again on Europe, but there is an article on ‘The Jurisprudence of the United Nations Human Rights Committee and Other Treaty Monitoring Bodies’, by Alexander Morawa. All the other articles in this section deal with the European Convention on Human Rights, the Council of Europe, the European Court of Human Rights, South Eastern Europe, and the OSCE High Commissioner.

Two articles are devoted to national developments. Sergiu Constantin writes on ‘The Hungarian “Status Law” on Hungarians Living in Neighbouring Countries’.

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1 See article by F. Bieber, p. 269.
2 See article by J. McGarry, p. 283.
3 See article by F. Daftary, p. 299.
4 At p. 327.
5 At p. 65.
6 At p. 85.
7 At p. 157.
8 At p. 207.
9 At p. 231.
10 See article by P. Vermeersch, p. 373.
11 At p. 461.
12 See article by F. Buonomo, p. 425.
13 See article by R. Hofmann, p. 435.
14 See article by R. Medda-Windischer, p. 487.
15 See article by E. Lantschner and R. Medda-Windischer, p. 535.
16 See article by S. Holt, p. 565.
17 At p. 593.