**BOOK REVIEW**


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The Institute of International Relations at Warsaw University and the Centre Thucydide Université Pantheon-Assas have recently succeeded in hosting a conference dealing with the most acute problems of international law. The book under review covers the presentations delivered to the participants of the conference by Ch. Strohal, Director of the osce Office for Democratic Institutions and Human Rights, and K. Drzewicki, Senior Legal Adviser to the osce High Commissioner on National Minorities. While the former presented the minority activities of the osce, the latter emphasizes two challenges for the High Commissioner: the transformation of his mandate towards integrating a role of human-dimension monitoring, and the controversial question of whether migrant communities or 'new minorities' should also be regarded as national minority communities.

The volume also brings together papers presented during this conference, divided into three parts and seven chapters concerning selected issues on the protection of minorities within the framework of the osce. The 20 contributors from different countries, specialists in international law and relations, discuss the following topical themes: minority issues in post-communist Europe; the state of minority issues in Western Europe; minorities in the North American region; the resurgence of minority issues in the post-Soviet era; the evolution of the OSCE’s normative response: from collective to individual rights; action tools and the effectiveness of the High Commissioner and the osce field missions; the osce and other international institutions — complementation, concurrence, cooperation. S. Sur runs through the included essays as well as the conclusions which the presenters arrived at in his outline L’OSCE et les minorités – bilan et perspectives. It is impossible to examine all the studies in depth. Therefore, I shall make only some general remarks with regard to the book as a whole.

In his contribution entitled *Merits and Shortcomings of the European*

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Minority Regime, L. Salat states that, at present, 87 ethnic and 337 minority communities inhabit Europe. On average one notable national minority exists in 36 European states. Members of no less than 26 ethnic groups reside in 5 countries of the Old World. Although less than a million citizens live in 9 of them, there are at least 5 national minorities numbering between 5 and 10 million people, and a further 5 which have 2 to 5 million members. Another 12 minorities are estimated to number between 1 and 2 million people. An additional 23 minorities number from 500,000 to a million members. The minorities which dwell in Europe and the post-Soviet territories represent not only a linguistic diversity but are the heirs of various traditions, cultures and beliefs. The case of Georgia analysed by J. Wheatley in his paper on 'Civic' and 'Ethnic' Nationalism Revisited: The Conceptualisation of State, Nation and Citizen in the Former Soviet Union illustrates this situation perfectly. Besides Georgians themselves, Armenians, Russians, Azeris, Ossetians, Abkhaz, Greeks and other minorities are present in this state. They have no common roots, language or religion and, what is perhaps worse, no interests which could consolidate them. The high proliferation of minority issues within the OSCE area additionally strengthens the particular attitudes towards minorities that have emerged in North America, but which lack explicit relevance to Europe or Russia. As W. Kymlicka correctly stresses in his paper Minorities in North America: Do OSCE Norms Apply? the status of minorities in this region differs since it emerged during a dissimilar historical process. This environment obviously provokes political tensions and social conflicts and the OSCE has had to find the most suitable way of reacting, given that such a task falls within its competence.

The complexity of European, Asian and North American cooperation has led to a formula of political commitments. Over time, its reasonableness and usefulness have been proved, despite or rather because East is East and West is West, to paraphrase the title of A. Liebich's article. The OSCE has established its unique legal and institutional framework to accomplish the ambitious aim of ensuring adherence to and the protection of human rights and fundamental freedoms, also including those of minorities. It constantly emphasises that friendly relations among nations based on peace, stability and democracy call for the protection of the ethnic, cultural, linguistic and religious distinctiveness of national minorities. The basic conditions to ensure the preservation of minority identities are the rule of law, independent courts and democratic policies.

The flexibility of the OSCE political commitments allowed for an almost immediate response to the increase in friction involving questions of minorities at the beginning of the 1990s in Europe. The OSCE set up a new institution, namely the High Commissioner on National Minorities (HCNM). It shares a responsibility for promoting and safeguarding the OSCE minority regime. The HCNM is mandated to issue early warning and early action in cases of ethnic tensions that could jeopardize security and friendly relations between the OSCE participating states. It may establish direct contacts with Governments when