

European Yearbook of Minority Issues

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PART I: THEMATIC ARTICLES

How Social are Social Media for Minorities? Perspectives from the FCNM
Bojana Kostić and Tarlach McGonagle

Abstract:

How Social are Social Media for Minorities? Perspectives from the FCNM
Bojana Kostić and Tarlach McGonagle

Abstract: Understanding the transformation of digital communication gives important insights into how new media, including social media, affect the ability of persons belonging to national minorities to exercise their rights to freedom of expression and participation in society. Thus, the new media ecosystem calls for greater attention for minority-related issues. The Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC) has already observed that the media ecosystem is increasingly used for the expression of intolerance and hostility towards minorities, but that it also provides them with valuable expressive opportunities. This article starts with an analysis of how the advent and growing dominance of social media are causing far-reaching changes in how we communicate in the new media ecosystem. The potential and drawbacks of new and social media for national minorities is the next focus. The article then analyses the ACFC's monitoring work regarding new and social media. The article's conclusions are supplemented by a set of recommendations that may guide the ACFC's future monitoring work on relevant issues.

PART II: REPORTS

A. International Developments

Sociocultural rights and the media: international developments 2017
Mariya Riekkinen

Abstract: This article provides an overview of international developments in the area of the sociocultural and economic rights of European minorities, including access to and portrayal in the media, throughout 2017. The year brought several significant advancements in these areas. The adoption of the 2017 UNESCO Declaration of Ethical Principles in Relation to Climate Change acknowledged the role of indigenous knowledge in counteracting the challenge of climate change. Protection and integration of Roma was addressed in the activities of the human rights organizations and bodies at the level of the UN, the Council of Europe, the OSCE and the EU. The European Court of Human Rights (ECtHR) delivered a series of significant judgments specifying the factors that would allow a court to classify an act as a hate crime. The ECtHR also instituted procedural rules protecting people from violence based on ethnic and racial motives.

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Language rights of minorities in the areas of education, the administration of justice and public administration: European developments in 2017

Noemi Nagy

Abstract: This section overviews the 2017 situation of the language rights of European minorities in the fields of education, the administration of justice and public administration. The author presents the relevant legal developments in the activities of the major international organizations, i.e. the United Nations, the Organization for Security and Cooperation in Europe, the European Union, and the Council of Europe including the case law of the European Court of Human Rights, and the implementation of the European Charter for Regional and Minority Languages as well as the Framework Convention for the Protection of National Minorities. In the concluding remarks, tendencies and common patterns are emphasized.

Participation, Citizenship and Transfrontier Exchanges—2017

Anna Barlow

Abstract: This article provides an update on the protection of minorities in Europe during 2017, in the areas of participation, citizenship and transfrontier exchanges. It will summarize developments at the United Nations level as well as regional information from the Organization for Security and Cooperation in Europe (OSCE), the Council of Europe (CoE) and the European Union (EU) and identify trends.

B. National Developments

Asymmetry and (Dis)accommodation of Minority Nations in a Complex Constitutional Framework: Catalonia, the Basque Country and other Autonomous Regions within the Spanish Kingdom

Eduardo J. Ruiz Vieitez

Abstract: The Spanish 1978 Constitution establishes a complex state. In constitutional terms, it is not defined as a federal state, but rather as a unitary state with significant scope for political decentralization. This complex constitutional arrangement is in response to both internal and cultural features, and to a search for greater administrative efficiency. The pluri-national character of the state is the subject of fierce debate in Spain, while the way in which certain minority nations (Catalonia and the Basque Country) are accommodated is a permanent source of friction. This paper seeks to provide an overview of this complex political/constitutional situation by analysing the historical, political and legal developments that have occurred during the last 40 years, with a focus on the last developments of the Catalan crisis. Although Spain is markedly asymmetric in political and identity terms, this asymmetry is not adequately reflected in Constitutional Law. In addition, the ongoing tension between unionism and separatism in some regions poses significant challenges to the Spanish constitutional system as a whole, in particular, through the pro-independence process in the autonomous region of Catalonia.

Language and Cultural Politics in Northern Ireland

Ronnie Moore

Abstract: This paper presents an outline of the circumstances surrounding the current political stalemate in Northern Ireland. It considers the role of language as a key justification for the unravelling of the complex political arrangements formulated by The Belfast Agreement or Good Friday Agreement (GFA). The discussion begins by problematizing the notions of “identity” and

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“minority” in the Irish / Northern Irish context as an important backdrop and within the framework of the European commitment to, and Charter for, Regional or Minority Languages (ECRML). In particular it looks at historical memory, constructed history, ideology and notions of nationalism, as well as the role of politics and manipulation of language.

Special status of the Crimean Tatars in the Legislation of Ukraine

Csilla Fedinec

Abstract: Though the Ukrainian state has not had sovereign rights over Crimea since 2014, Crimean Tatars have continued to repeatedly and emphatically assert their rights to self-determination. In March 2014, the Ukrainian Parliament (Verkhovna Rada) adopted a resolution on guarantees of the rights of the Crimean Tatar people as a part of the state of Ukraine. The resolution formally recognized the UN Declaration on the Rights of Indigenous Peoples. The resolution proposes that the Verkhovna Rada of Ukraine instructs the Cabinet of Ministers of Ukraine to urgently submit draft laws on status of the Crimean Tatar people as indigenous people of Ukraine. However, at the end of 2017, no such draft law or regulatory legal act has been seen. The purpose of this article is to analyse the situation of the Crimean Tatars in the Ukrainian legislation.

Language Conflicts in Russia’s Education System

Szymon Jankiewicz and Nadezhda Knyaginina

Abstract: This article analyses changes to the language policy in Russia in 2017, and their effects on the state (national) languages of Russia’s republics within the education system. In July 2017, Russian President Vladimir Putin gave a speech at the Council on Interethnic Relations, addressing the language rights of the Russian-speaking population and stressing the existing limit of the power of Russia’s 22 ethnic republics to introduce compulsory study of their official languages. The President’s statements provoked widespread prosecutorial inspections in the republics’ schools and a new round of public discussion about language policy. Public discontent in Tatarstan, Bashkortostan and Komi led to protests against both ethnic Russians and the native speakers of languages recognised as co-official with Russian (‘state languages of the republics’). The authorities of some republics publicly disagreed with the position taken by the federal government. In other republics, however, the President’s speech did not trigger any public discussion. In many republics, it looks like the regional authorities will ultimately accept the decision of the federal government and speakers of republican languages will not actively defend their languages. Effectively, the balance of rights of the federation and the republics for the establishment of state languages, achieved in the 1990s, was violated.

Developments in the Kurdish Issue in Syria and Turkey in 2017

Cengiz Gunes

Abstract: This article explores the main political developments taking place in Kurdish politics in Syria and Turkey in 2017. It first focusses on the developments taking place in Syria and provides an account of the Kurds’ ascendancy there, including the establishment of a de facto Kurdish-led autonomous region in Syria’s north and northeast. Then an Account of Turkey’s Kurdish conflict is provided, highlighting the positive developments during the 2000s and the first half of the 2010s that transformed it. However, since the summer of 2015 these positive developments have been reversed with an acceleration of violence in the conflict. In conclusion, I briefly assess the future prospects for the Kurds in Syria and Turkey in light of the developments connected to the ongoing Syrian conflict and the wider region.

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PART III: BOOK REVIEWS

Katharina Crepaz, *The Impact of Europeanization on Minority Communities* (Springer, Wiesbaden, 2016, ISBN 978-3658121150 (paperback))

Aistè Mickonytė

Balazs Vizi, Norbert Toth, and Edgar Dobos (eds.), *Beyond International Conditionality: Local Variations of Minority Representation in Central and South-Eastern Europe* (Nomos, Baden-Baden, 2017) ISBN-13: 978-3848730674 (paperback)

Lura Pollozhani

Kamrul Hossain and Anna Petrétei (eds.), *Understanding the Many Faces of Human Security: Perspectives of Northern Indigenous Peoples* (Brill Nijhoff, Leiden/Boston, 2016), ISBN 978-90-04-31438-2 (hardback)

Marzia Scopelliti

John Coakley (ed.), *Non-territorial Autonomy in Divided Societies – Comparative Perspectives* (Routledge, Abingdon, 2017), ISBN 978-1-13-895395-6 (hardback)

Mattia Zeba