

EUROREG

EU Policy Paper

Minorities and the EU: Human Rights, Regional Development
and Beyond

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I. Introduction

The principal aim of EUROREG has been to explore the effects of European integration on territorially concentrated ethnic minorities and their politics, examining whether, and the extent to which, EU human rights and regional development policies affect minority mobilisation. The project set out to study comparatively whether EU endeavours to protect human rights and strengthen economic and social cohesion in Europe affect minority interests and identity perceptions, promoting at the same time inter-communal cooperation and a relative decline of nationalist politics.

To reach a clear understanding of the influence exerted by EU human rights and cohesion policies on minority empowerment and inter-ethnic solidarity, so as to produce concrete policy recommendations regarding the place the ‘minority question’ should occupy on the EU agenda, it is essential to clarify the constitutional links between minority protection and EU action promoting human rights and regional development. EUROREG is based on the assumption that cohesion initiatives and human rights safeguards embedded in EU law and policies can exert an influence on the position of ethnic minorities. In fact, it aspires to investigate the exact degree to which they do so. Yet, the principal question - a prerequisite to verifying whether EU human rights and regional development policies affect or create new socio-economic conditions for ethnic minorities present on EU territory - is whether such policies are actually compelled to entertain consideration to the minority concern. Does minority protection constitute a clear policy objective of EU human rights and regional development activities?

The next section seeks to clarify the legal scene, inquiring into the EU’s constitutional ability to introduce explicit minority protection requirements when shaping and implementing actions pertaining to human rights and regional development. Focus then shifts to the precise findings of EUROREG, followed by suggestions for the development of minority-friendly EU human rights and regional development policies. The last section complements the recommendations made, drawing on the contribution that other EU policies can make to minority protection in Europe.

II. Minority Protection in Europe through Human Rights and Regional Development: None of the EU’s Business?

The legal starting point for all EU policies and actions is the principle of enumerated powers, according to which the Union can only act in the areas and for the purposes assigned to it by the Treaties. A first observation in examining the provisions of the EU and EC Treaties is that reference to ‘minority’ or ‘minority protection’ is made nowhere. Under Article 151(1) EC, the Community is bound to respect Member States’ national and *regional* diversity, yet minority protection is neither recognised as a value of the EU, nor is it listed amongst its policy competences. Mention of the term ‘minority’ is solely made in the EU Charter of Fundamental Rights which in Article 21 includes ‘membership of a national minority’ as a prohibited ground for discrimination.

The absence of a clear EU constitutional commitment to minority protection has not carved out a protected domain falling exclusively within the competence of the Member States. Bearing in mind that minority rights are usually conceived as human

rights plus specific rights targeting certain minority needs, some protection for minority interests can be brought about by respecting and enforcing general fundamental rights at the EU level. One could argue, indeed, that EU human rights policy allows for the development of action that partly incorporates a 'minority' concern.

Notwithstanding the lack of a precise legal basis for the formulation of a fully-fledged EU human rights policy, Article 6(1) TEU determines that 'The Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles which are common to the Member States'. Paragraph 2 of the same article further provides that 'The Union shall respect fundamental rights, as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms [ECHR] signed in Rome on 4 November 1950 and as they result from the constitutional traditions common to the Member States, as general principles of Community law'. The abovementioned provisions disclose that fundamental rights form part of the EU legal order as general principles of Community law. This entails important consequences. On the one hand, human rights function as a limitation to the discretion of European institutions. Their protection must be ensured, and is subject to judicial review by the European Court of Justice (ECJ). On the other, Member States have a duty to respect human rights when they act within the scope of EU law, that is, when they implement EU legislation or enact restrictions on the EC free movement principles. Within this framework, the ECJ can monitor their human rights performance.

The ECHR has proved the most common reference for fundamental EC rights. Whilst there are grounds to believe that the EU Charter of Fundamental Rights will gradually gain prominence in ECJ reasoning (particularly once it becomes fully binding), both instruments have the potential to support the emergence of a common, though limited, EU standard for minority protection. Although none of them specifically grants rights for minorities, many of their provisions can be of relevance for minority protection. Respect for private and family life, freedom of thought, conscience and religion, freedom of expression, freedom of assembly and association and the principle of non-discrimination are crucial for the preservation of minority features. Bound to respect general human rights safeguards, and empowered to control the human rights record of the Member States when they take action in the field of EU law, the EU can provide some protection to minority groups present within its borders.

Turning to cohesion policy, the EC Treaty does not draw a direct link between regional development and minority protection. Pursuant to Article 159 EC, the Community aims to 'reduce disparities between the levels of development of the various regions and the backwardness of the least favoured regions or islands, including rural areas'. Article 159 provides for the support of such action *inter alia* by the Structural Funds (SF). During the period of reference of EUROREG, the SF grouped together the European Regional Development Fund, the European Social Fund, the European Agricultural Guidance and Guarantee Fund-Guidance Section and the Financial Instrument for Fisheries Guidance. Reformed in 1999, with a view to increased effectiveness and simplified operation, the SF sustained attainment of three priority goals: promoting the development and structural adjustment of regions whose development is lagging behind (objective 1); encouraging economic and social conversion of areas facing structural difficulties (objective 2); and modernisation of

policies and systems of education, training and employment (objective 3). Action to sustain EC harmonious development was complemented by four Community initiatives: INTERREG regarding cross-border, trans-national and inter-regional cooperation, URBAN concerning economic and social regeneration of cities and urban neighbourhoods in crisis, LEADER relating to rural development and EQUAL pertaining to development of innovative employment policies founded on equal opportunities. Correction of structural difficulties encountered by candidate countries was sought through PHARE, ISPA and SAPARD.

Apparently, objectives pursued under EU cohesion policy differ substantially from those to be attained under a genuine minority protection policy. The focus on regional development does not equal development of regions inhabited by ethnic minorities. Selection of eligible areas for funding is based on poor development conditions and not the minority status of populations residing therein. Plainly, many of the regions financed happen to be regions where minority communities are located. EU action to raise development levels in such areas might improve socio-economic conditions for minorities, but, of course, this is not its primary concern.

That said, the basic conceptual approach followed thus far for cohesion builds on the notion of partnership. With a view to identifying the best policy mix for each region benefiting from EU financial assistance, close involvement of sub-national bodies in the planning and implementation of development programmes is required. The introduction of a platform for increased participation of regional actors in development matters creates fertile ground for minority considerations to be taken on board. EU cohesion policy, representing not just a policy *for* the regions but also a policy *by* the regions, has established a framework structure to which minorities, if properly mobilised, can appeal.

III. EU Human Rights Policy and Minority Protection: EUROREG Findings and Recommendations

The examination of the impact of European human rights norms on state minority policies has yielded disparate results. In order to present the findings of the research conducted in an accurate manner and make appropriate recommendations regarding the place the minority issue should occupy on the EU human rights agenda, it is essential to distinguish between ‘old’ and ‘new’ Member States given the development of an active EU minority rights policy towards the candidate countries for accession on the basis of the famous Copenhagen political criteria.

With respect to ‘old’ Member States, neither the EU demanded protection of ethnic minority groups, nor did it monitor their situation in a systematic manner. Yet, in contrast with the Basque nation case-study which concluded that the EU had little impact on the empowerment of the Basque minority and in the conflict over the political accommodation of the Basque nation, the investigation of national policies regarding the Muslim minority in Greece, the Slovenian minority in Italy, the Burgenland Croats, Hungarians and Roma in Austria and the Catholic minority of Northern Ireland in the UK revealed that European institutions’ growing concern in human rights protection partly exposed national discriminatory policies and practices. **Notwithstanding lack of competence in detailed minority rights standard-setting, the EU’s resolute commitment to protect human rights appears to be a decisive**

constraint against nationalism and discriminatory measures, symbolically important in identifying shortcomings in Member States' minority policies and restoring political and civil rights for members of minority groups. According to the Italian case-study, for instance, European integration, firmly based on respect for human rights and fundamental freedoms, proved key in approving Law 38 in 2001, which recognised Slovenophones as a 'national' minority.

The role of the European Convention on Human Rights is greatly acknowledged in the process. The Greek case-study highlights that individuals asserting a minority belonging resorted to the European Court of Human Rights (ECtHR) on several occasions, claiming breach of religious freedom, freedom of expression and freedom of assembly and association. Recourse to the ECtHR created a climate favourable to domestic reform, facilitating liberalisation of Muslims' rights via increased protection afforded to general human rights. As to Northern Ireland, Strasbourg case-law induced domestic authorities to introduce legislation that bans discrimination in housing, employment and education. The emergence and consolidation of a European-wide human rights framework, based on the operation of the ECtHR and supported by the European Parliament through various activities, 'Europeanised' majority-minority relations in the area bringing the peace process significantly forward.

Undoubtedly, the minority question turned into a salient issue for countries wanting to join the EU club. **The 1993 Copenhagen political criteria were widely employed as an incentive structure and sanctioning mechanism for the EU to encourage human rights protection and increased consideration afforded to minority needs.** EU conditionality catalysed the democratisation process in the candidate states and enhanced minorities' opportunities for fair treatment.

Differences in terms of protective density are of course discernible amongst countries. To illustrate, whilst the 2003 constitutional amendments in Romania were heralded as a breakthrough in the sphere of minority protection, deepening basic human and minority rights with renewed interest taken in minority language use, property enjoyment and education, the 1991 Bulgarian Constitution, though emphasising fundamental human rights, abstained from expressly granting protection to minorities. The argument was that constitutional recognition of minority communities could create grounds for claims going beyond the sphere of human rights and entailing serious implications in the sphere of inter-state relations. Similar considerations affected minority policies in Slovakia. Contrariwise, concerned, amongst others, to ensure the well-being of Slovene minorities in neighbouring countries, Slovenia went to great lengths to adapt and upgrade its minority protection system in line with pluralist criteria. **A major critique, commonly advanced, has been that though legal norms are currently in place, there is marked discrepancy between theory and every day practice.**

The mechanism through which the European institutions evaluated the minority record of acceding states, suggesting policy reforms and expanding protection guarantees, has ceased to exist as these countries became members of the EU. **Given broad consensus emerging from EUROREG as to the importance of European involvement in minority rights discourse, the political criterion of minority protection should remain entrenched in the road map of other states willing to**

accede to the EU. Most importantly, however, given widespread allegations of ‘double standard’, it is apposite to reflect on the place minority protection considerations should (and could) occupy in the development of EU internal human rights policy towards the Member States.

As already mentioned, the EU is obliged to respect human rights, and can monitor the human rights performance of the Member States when they act within the scope of EU law. **Strict observance of human rights by the European institutions and national authorities when they act within the scope of EU law can indirectly support minority protection when relevant human rights possess a minority-friendly dimension.**

Admittedly, the fact that the EU can evaluate Member States’ compliance with human rights only when they act within the scope of EU law leaves a large part of Member States’ human rights record outside EU control. The only exception to this rule may be found in Article 7 TEU. When a Member State commits a *serious and persistent breach* of human rights and fundamental freedoms, the competence argument cannot be advanced, and the European institutions can suspend its rights deriving from the Treaties. Following the Treaty of Nice, the same article provides for a preventing mechanism, enabling the European institutions to send a warning in the case of a *clear risk of serious human rights violations*. **On the basis of Article 7 TEU, it is suggested to introduce a permanent mechanism to monitor Member States’ conformity to human rights in order to facilitate identification of alarming situations. Relevant assessment could include a section on minority protection.**

Policy recommendations on EU human rights policy and minority protection

At the internal level:

- **The EU can indirectly support minorities first, by mainstreaming general human rights in its internal action and secondly, by reinforcing control of Member States’ compliance to human rights when they act within the scope of EU law.**
- **In the light of Article 7 TEU, the EU must introduce a permanent monitoring mechanism of Member States’ human rights performance, enriched with a minority protection component.**

At the external level:

- **Minority protection must remain part of the political conditionality imposed on candidates for EU membership.**

IV. EU Cohesion Policy and Minority Protection: EUROREG Findings and Recommendations

Seeking to redress development disparities among regions, EU cohesion policy has the potential to generate major socio-economic benefits for ethnic minorities living in areas eligible for EU funding. Though not specifically intended to cater for minority needs, the channelling of financial resources to revitalisation of EC declining urban

and rural areas can substantially contribute to improving the living and working conditions of minority groups residing therein. Crucially, given their firm commitment to partnership, the SF (and pre-accession support instruments, like PHARE, ISPA and SAPARD) increase opportunities for minorities to make their voices heard and cooperate with central and regional/local actors to pursue their aims.

One of the main research objectives of EUROREG has been to investigate the transformations minority-inhabited border regions undergo as a result of EC endowments to bolster regional development. **Although it proved hard to isolate and assess the impact of EU funding on regional development**, due attention was given to patterns of minority mobilisation as part of the drive to gain access to, and manage EU resources. The impact of EU cohesion policy on majority-minority relations was also explored in detail.

The findings of EUROREG strongly support the argument that EU cohesion policy cannot be expected to automatically reduce ethnic tensions, promoting inter-communal cooperation and accommodation of minority demands. Though it allows for shifts in the interests of national and sub-national actors, prompting reconsideration of regional development approaches and institutional reforms, it does not necessarily encourage redefinition of minority-majority relations, mandating new inter-ethnic alliances in the forward push towards a market economy.

On the basis of what is reported in the case-study reports, **EU cohesion policy represents one of the principal factors that condition reformulation of domestic regional development agendas, framed through the prism of employment growth. In this context, attempts are made to incorporate a minority concern in the initiatives launched either through initiation or consolidation of power-sharing governance models. The new development opportunities created by EU funds trigger, and occasionally reinforce, political mobilisation of minorities, enhancing local democracy and representation.** No doubt, it is always possible to point to the 'odd' case where institutional changes do not translate into expansion of minority presence in regional/local structures. Unlike the Croats, for instance, the Hungarian and Roma minorities of the Burgenland region in Austria did not pursue increased incorporation into regional institutions. The same applies to the Roma minority residing throughout Romania.

Integration of minority representatives in sub-national institutions is not inexorably linked to economic involvement in regional development activities. A clear example is the low degree of economic mobilisation of Turks in the Kardzhali District of the South Central Region of Bulgaria despite the high level of political mobilisation achieved. **But even in those cases where political and economic representation is ensured, individuals asserting membership of a minority often encounter harsh difficulties in the planning and management of local development strategies. Weak administrative and networking capacities, absence of skilled operators and lack of capital and know-how create or perpetuate barriers in funds allocation and administration.**

Interestingly, excessive minority representation can sometimes have the opposite effect of what it purports to achieve. Ethnic Italians in Slovenia are a case in point.

The minority is represented by self-governing communities, recognised by the 1991 Slovene Constitution as minority elected representative bodies, the Italian Union, an umbrella organisation defending the minority's interests, and numerous associations active in fields ranging from sports to music. Despite such variety of actors addressing minority claims, the community is deemed to lack a common stance. Absence of proper institutional cooperation and coordination dilutes efforts for constructive dialogue, and leads to internal conflicts and tensions.

The main conclusion drawn from EUROREG is that EU structural policy generates opportunities for inter-ethnic cooperation, yet joint political initiatives are rather the exception to the rule. Although there are instances where inter-communal solidarity stems from the desire to improve regional economic performance (this is one of the principal points underlined in the Bulgarian case-study report), on most occasions, divides between majorities and minorities persist along ethno-political issues. EU funds contribute little to overcome mutual mistrust and promote intercultural cooperation.

Often lurking behind regional development initiatives is the danger that EU financial assistance might create greater socio-economic differences along minority cleavage lines. Indeed, there is no shortage of cases where autonomy requests have strengthened. Basques, for example, demand greater political power and real recognition of their national status whilst in Romania, minority claims for self-government and increased access to EU funds have become more pronounced. By contrast, in Austria, **directing EU funding to regional development activities led to territorial divisions, undermining ethnic solidarity.** The incorporation of autochthonous Croats in Burgenland's government and economic development frames was criticised by Vienna-based Croatian associations that endorse nationalist minority ideas, with the argument that intercultural cooperation might lead to cultural assimilation.

Plainly, reluctance to be extrovert and break away from the narrow community shell is one of the main impediments to genuine minority involvement in regional development activities. The Greek case-study may give grounds for optimism. The participation of Turkish Muslims in local and prefecture structures has instilled new dynamics in the minority's self-perception. Growing awareness of the need to change attitudes has been reflected in widespread demands to learn Greek in order to pursue development goals in a more comprehensive way. Moreover, one should not lose sight of cases where central management of EU funds increased intra-community solidarity, downplaying the importance ascribed to ethnic affiliation. The Slovakian case-study reveals that accumulation of EU resources by majority elites in Bratislava strengthened a sense of unfair treatment among the inhabitants of the Košice region, reinforcing bonds between them regardless of ethnic background.

On other occasions, far from creating inter-ethnic ties, **management of EU funds stimulated cross-border cooperation between populations asserting a common ethnic identity.** INTERREG-funded projects in Italy enhanced relations between the Slovenophone minority and its 'twin community' on the Slovene side of the border. Similarly, in Slovakia, the direction of EU resources to cross-border cooperation solidified cooperation between ethnic Hungarians and the kin state.

In general, though EU cohesion policy encourages inter-ethnic cooperation, much depends on the political will of those in power and, crucially, the extent to which minority communities are ready to seize the opportunities provided. State responsiveness to minority economic and social demands varies in line with the minority's organisational strength and its ability to effectively participate in decision-making on different levels of administration.

Clearly, representation arrangements fall outside the scope of EU competence. According to the principle of institutional autonomy, the manner in which Member States define their position in EU decision-making is an entirely internal issue. Whether ethnic minorities and their institutions should play an active role in regional development policy formulation and implementation is strictly a matter to be settled by each country separately, in line with domestic constitutional norms and political practices.

Despite European institutions' inability to mandate minority participation in domestic policy-making, EU cohesion policy represents an optimum platform for accommodation of minority interests. Although minority protection cannot amount to a clear-cut objective of EU cohesion activities, it can cleverly be used as an asset to exploit, an extra means to improve the development image of EC regions. To that purpose, minority protection considerations must be more openly integrated in the identification of thematic priorities for EU financial assistance. Support for the development and structural adjustment of regional economies builds on a wide range of measures designed to foster creation of sustainable jobs, promote investment in infrastructure and maximise the endogenous development potential of regions. Such actions can be enriched with a minority component. The European Regional Development Fund could be used, for instance, to finance activities that encourage job creation by sustaining preservation and further enhancement of minority cultural heritage. It could also help improve the provision of cultural services, upgrade local traditional products, or stimulate tourism through rational exploitation of minority cultural resources. The European Social Fund, in turn, aimed *inter alia* at reinforcing social inclusion of disadvantaged people, could support actions that bolster minorities' labour capacity. In this framework, **inter-communal activities bringing together majority and minority professionals should be especially encouraged.**

Cross-border cooperation promoting inter-ethnic dialogue also needs to be strengthened. Minorities often straddle borders or have proactive homeland states to defend their interests. This trans-national dimension must be given consideration under EU cohesion policy. Funds allocation could target economic or social activities based on joint strategies that reduce minority isolation and promote a spirit of fruitful collaboration. Cross-border integration of markets, encouragement of entrepreneurship, creation of links between rural and urban areas or joint protection and management of development resources could substantially contribute to improving minorities' position, stimulating at the same time territorial development.

Targeted, grass-roots dissemination of information is essential. The EU must maximise efforts to spread knowledge over its funds and hint at their minority empowerment potential. Creating contact points at the national level could facilitate diffusion of information. By highlighting opportunities for financial assistance and

guiding interested applicants in the preparation of relevant documentation, such institutions could alleviate some of the main deterrents to participation in regional development activities for members of minority groups. **Use of minority languages should be particularly promoted in this context.**

Policy recommendations on EU cohesion policy and minority protection

- **In accordance with the principle of institutional autonomy, the EU must refrain from mandating minority participation in domestic planning and implementation of regional development activities.**
- **Minority protection cannot amount to a genuine objective of EU cohesion policy but can be used as an extra means to promote regional socio-economic development.**
- **EU institutions must introduce a minority protection component in the thematic priorities identified for the grant of financial assistance. Inter-communal activities bringing together majority and minority professionals must be especially encouraged.**
- **Cross-border cooperation promoting inter-ethnic dialogue must be strengthened.**
- **The EU must maximise efforts to spread information over its funds and their minority empowerment potential. The establishment of contact points must be given considerable attention. Provision of information in minority languages must also be facilitated.**

V. Minority Protection and Other EU Policies: Increasing Synergies

Despite the absence of an internal EU policy specifically targeting minorities and their rights, there is much scope for building on existing EU competences to develop a minority-friendly policy agenda. Energies for minority-focused action may vary from sector to sector depending on financial resources available, personalities involved and opportunities to render minority protection compatible with other legitimate EU objectives. **This section identifies some of the internal policy areas that are particularly suitable for development and exploitation of synergies without risking strong opposition by the Member States either on competence or subsidiarity grounds.**

By means of Article 13 EC, introduced by the Treaty of Amsterdam, European institutions are empowered to adopt measures to combat discrimination based, amongst others, on 'racial or ethnic origin'. **On 29 June 2000, the Race Discrimination Directive was enacted.** Aimed at ensuring equal treatment of persons irrespective of racial or ethnic origin, the Directive has the potential to turn into the most effective EU minority protection mechanism. Innovative in applying both vertically and horizontally (as a duty for public authorities and private persons), it prohibits direct and indirect discrimination, and has a broad scope of application. It covers employment, social protection, education and housing, and allows for affirmative action to prevent or compensate for invidious treatment linked to ethnicity.

EU educational and vocational training policies can also help advance minority considerations at the EU level. Pursuant to Article 149 EC, the EU contributes 'to

the development of quality education by encouraging cooperation between the Member States and, if necessary, by supporting and supplementing their action, while fully respecting ... their cultural and linguistic diversity'. Relevant activities encourage the development of a European dimension in education, in particular, through teaching and dissemination of the languages of the Member States; promotion of students' and teachers' mobility; reinforcement of cooperation between educational establishments through exchange of information and experience on issues common to the educational systems of the Member States; and stimulation of distance education. In parallel, in accordance with Article 150 EC, the EU conducts a vocational training policy, supportive of Member States' action, to facilitate adaptation to industrial changes, labour market (re-)integration, access to vocational training, mobility and cooperation between educational and training institutions.

In both policy areas, the EU, entrusted with mere complementary powers, cannot enact harmonising legislation. Action takes the form of recommendations or incentive measures, namely action programmes on the basis of which financial assistance is provided to projects implicating operators from various Member States. **Socrates and Leonardo are the main instruments in the field. Aimed to stimulate life-long learning, they can both support projects that address minority educational needs.** When preparing relevant calls for proposals, the European Commission could express a preference for initiatives targeted at improving minority education, with due respect for cultural and ethnic differentiation. **Action centred on the preservation and further enhancement of regional and minority languages should be particularly promoted.**

EU cultural policy and its funding instruments can similarly accommodate a minority concern. In accordance with Article 151 EC, the EU contributes to 'the flowering of the cultures of the Member States while respecting their national and regional diversity and at the same time bringing the common cultural heritage to the fore'. Action is aimed at encouraging cooperation between the Member States, and, if necessary, supporting and complementing domestic activities in strictly-defined areas: improvement of the knowledge and dissemination of the culture and history of European peoples; conservation and safeguarding of cultural heritage of European significance; non-commercial cultural exchanges; and artistic and literary creation. Since harmonisation of the laws and regulations of the Member States is excluded, the mechanisms used to pursue the objectives of Article 151 EC have primarily involved the elaboration of support programmes for cooperation projects, carried out in partnership, and skills improvement of professionals working in the cultural field.

The Culture 2007 programme, adopted on 12 December 2006, seeks to promote cultural and linguistic diversity in Europe, concentrating on three objectives deemed to offer maximum added value at the European level: enhanced trans-national mobility for people working in the cultural field; increased cross-border circulation of artistic and cultural products; and reinforced intercultural dialogue. Within this framework, due attention should be channelled towards projects linked to the recovery, valorisation and documentation of minority heritage and linguistic assets, the promotion and diffusion of minority cultural knowledge, the production and distribution of minority cultural content and the organisation of festivals and exhibitions on minority cultures.

Policy recommendations regarding other EU policies and minority protection

- **Advocating a genuine EU minority policy risks being strongly opposed by the Member States either on competence or subsidiarity grounds. Encouraging development of minority-friendly policies at the EU level is unlikely to face much resistance by domestic authorities.**
- **In addition to human rights and cohesion, various EU policies can be enriched with a minority dimension. EU action in the fields of education, vocational training and culture can occupy a prominent place in the process.**
- **The Race Directive, by seeking to ensure equal treatment between persons irrespective of racial or ethnic origin, might turn into the most efficient EU minority protection tool.**