

## INTERVENTION OF THE INSTITUTE FOR THE PROTECTION OF MINORITY RIGHTS - EUROPEAN FORUM ON MINORITY ISSUES

The Institute for the Protection of Minority Rights is based in Budapest and was founded in 2012 with the aim of supporting individuals and organizations providing legal aid to members of Hungarian minority communities when their human- and minority rights have been violated.

Our institute considers, that the rights of minorities, including those on the use of their mother tongue in education, are indeed fundamental human rights that must be respected everywhere. State practices, however, show that in many cases the respect for these rights is absent. While some countries adopt legislation that manifestly target education in minority languages, others fail on purpose to implement existing legislation or international treaties that promote and safeguard such education.

In recent years we have seen a growing number of backlashes, eroding minority protection standards both globally, as well as regionally in Europe. This phenomenon underlines the importance of international organisations, and their specific mechanisms aimed at improving respect for and implementation of minority rights. The involvement of international organisations in general, and the UN Special Rapporteur on Minority Issues in particular, helps to facilitate dialogue between parties of minority rights-related disputes. Such active engagement could contribute to *de-politicize* these debates, the importance of which rests on two main pillars:

I) Firstly, education in and the use of minority languages are *human rights* that are firmly entrenched within international legal norms, and as such, they should not be subject to divisive political action.

II) Secondly, *scientific literature* regarding effective methods on education in minority languages is abundant. Political actors should use the findings of such literature as guidelines in shaping public policy decisions on the education of minority languages, thus also contributing to a better integration of minority citizens into their respective societies. "*Bad education strategies can violate human rights as much as good strategies enhance rights and freedoms*".<sup>1</sup>

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<sup>1</sup> Office of the High Commissioner for Human Rights: *United Nations Forum on Minority Issues - Compilation of Recommendations of the First Four Sessions 2008 to 2011*. Geneva: OHCHR publication, para. 04.

While the politicisation of some neuralgic issues pertaining to the use and education of minority languages can cause lasting political conflict between linguistic-groups, the same question might be more easily resolved if viewed as an education-policy matter. De-politicisation of linguistic issues not only helps to implement the fundamental rights of minorities in this field, but also contributes to strengthen social cohesion within multi-linguistic polities by offering practical guidance, and scientifically substantiated methodology for building education systems that enable members of minorities to adequately learn the state language, while at the same time preserve their own minority cultures.

Consequently, we think that the guidelines that will be developed by the experts of this Forum, should put emphasis on the need for having *evidence-based policy practices* regarding minority education on the national level. The guidelines could foster such an evidence-based approach by elaborating a *comprehensive list of scientific literature* that is recommended as sources of inspiration for states in drawing up education systems that are favourable with respect to education in minority languages. Given that in some issues even scientists might have diverging opinions, it would also be useful if these guidelines would *identify those findings within this literature that enjoy overarching scientific consensus*. Such reflections could serve as a point of reference for national- and international stakeholders in de-politicizing minority-related disputes.

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