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Defining the Concepts “Nation” and “National Minority”

Concurrent Debates and Perceptions

The “nation” is a much debated concept on several levels. Although the priorities of the political, legal and academic debates are different, the outcome of each of them is almost identical: there is no clear and universally accepted definition of the “nation.” Correspondingly, the definition of “national minorities” has a similar fate; concurrent definitions and perceptions circulate in the political and academic arenas without any consensus or compromise from the actors involved.

In my paper, I analyze two documents adopted by the Parliamentary Assembly of the Council of Europe (PACE) – Resolution 1335(2003) *Preferential treatment of national minorities by the kin-state: the case of the Hungarian Law on Hungarians Living in Neighboring Countries (“Magyars”) of 19 June 2001* and Recommendation 1735(2006) *The concept of “nation.”*

Beyond the documents’ implications for the political and legal definitions of the “nation” and “national minority”, an analysis of the two documents can provide the reader partial insight on how European institutions approach controversial topics such as this one.

My analysis is structured in the following way. First, I focus on the texts themselves and the parliamentary debates that they generated, emphasizing the most important differences between the two. Second, I contextualize the texts and disputes by connecting them to the existing political debate between those who favor the promotion of generic

minority right and those who prefer targeted ones. Finally, I show a few important implications of Recommendation 1735 and argue that in a specific context the documents and the principles that they serve can, despite their obvious divergence, mutually enforce each other.

*Resolution 1335(2003)*¹

Resolution 1335 was one of the documents that were adopted by the different European institutions as a response to the Hungarian Status Law, which was issued in 2001 and amended in 2003. The Status Law's main aim was to

ensure that Hungarians living in neighboring countries form part of the Hungarian nation as a whole and to promote and preserve their well-being and awareness of national identity within their home country.²

The intervention of the Venice Commission and Council of Europe was possible after Romania and Slovakia, two countries neighboring Hungary that have large Hungarian minorities, criticized the law.

The resolution focuses on the Hungarian Status Law and the role of kin-states in the protection of their kin-minorities in neighboring states. It mostly reiterates the Venice Commission's decisions that 1) minority protection is the home-state's responsibility, 2) kin-state intervention is welcomed, but it should not act unilaterally and should occur only within the boundaries set by international norms, 3) it should focus on cultural, educational fields and 4) it must respect the territorial sovereignty of other states.³ However, beyond these decisions, the resolution provides important arguments for defining "nation" and "national minority" as well. Most importantly it states that "*up until now there is no common European legal definition of the concept of 'nation'*" (Article 10). Con-

¹ Resolution 1335(2003): <http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta03/ERES1335.htm>.

² The quote can be found in the Preamble of the Act LXII of 2001 on Hungarians Living in Neighboring States (Hungarian Status Law). However, this part was removed from the amended version of the law. http://src-h.slav.hokudai.ac.jp/coe21/publish/no4_ses/documents497_528.pdf

³ The Report of the Venice Commission: http://www.kbdesign.sk/cla/projects/comparative_statuslaw/related/velencei_bizottsag.htm.

trariwise, the Explanatory Memorandum⁴ that was submitted to the Parliamentary Assembly demonstrates that the rapporteur clearly favored the civic as opposed to the ethnic understanding of “nation.” He labeled the ethnic/cultural meaning of the term as “old,” and indicated that

Historically the word was used to denote groups of which the members identify themselves as culturally, ethnically or linguistically as belonging to that group. (Article 5)

On the other hand, Mr. Jürgens denoted the civic understanding of nation as a new meaning in which nation coincides with the state. Moreover, in his explanation of the “nation” (Articles 19–29), he argued that

The Council of Europe, and public international law in general, is based on the concept of “state” and “citizenship”. This leaves no room for the concept of “nation”. (Article 22)

Thus, in his reading, the legal use of the “national” concept as such is erroneous. Following these ideas, the rapporteur made an arbitrary distinction between the Hungarians – as citizens of Hungary – and Magyars – Hungarians from the neighboring states.⁵ As Zoltán Kántor cleverly points out, this distinction does not exist in the Hungarian language; thus, the distinction is only possible when someone is exclusively employing the political understanding of the concept.⁶ Consequently, Jürgens questions the terminology related to national minorities as well. He argues that by utilizing the “cultural/ethnic” nation,

claims are made on the citizens of other states by virtually “enrolling” them as members of that “nation” which the kin-state seeks to bring together and to represent, this nation-concept which is too strong could endanger the traditions of the Council of Europe (Article 22)

Moreover, he states that it challenges the “‘modern’ principles of both territoriality and citizenship.”⁷ Therefore, there is a clear discrepancy

⁴ The Explanatory Memorandum of Resolution 1335: <http://assembly.coe.int/Documents/WorkingDocs/doc03/EDOC9744.htm>.

⁵ Resolution 1335(2003) Explanatory Memorandum (Article 1)

⁶ Kántor Zoltán: The Recommendation on the Concept “Nation” of the PACE. *Regio*, Vol. 9, 2006. 91.

⁷ Resolution 1335(2003) Explanatory Memorandum (Article 25)

between the adopted resolution and the explanatory memorandum. By stating that there is no clear definition of the concept, the former takes a neutral stance in regards to the question of definition; the latter reinforces the bad ethnic/cultural nationalism vs. good civic/political nationalism dichotomy.⁸ This was highlighted by Mr. Jürgens in his speech to PACE⁹ as well. He argued that the concept of nation, and nationality “*as they are used in constitutions and legal documents in Europe [in] western Europe especially... [a] nation is the same as a state.*”

In conclusion, in Resolution 1335 the “nation” is used strictly in the political/civic sense and does not apply any other definition. Moreover, the rapporteur criticized the use of the concept – both the political and ethnic – in legal documents and in reference to minorities as well.

*Recommendation 1735(2006)*¹⁰

In order to clarify the ambiguity surrounding the concept of the “nation” as it was introduced by Resolution 1335(2003), a new document with two declared aims was created. Its goals were 1) to clarify the terminology utilized in the concept of nation and 2) “whether, and how, this concept “can help to address the question of national minorities and their rights in 21st-century Europe.”¹¹ However, a third personal aim could be suspected: an attempt to enforce a new definition instead of the one promoted by Mr. Jürgens and Resolution 1335(2003). Two arguments point toward this possibility: first, Recommendation 1735 refers to the abovementioned resolution and its definition of the concept

⁸ In the academic arena, several scholars pointed out that the use of the dichotomy is erroneous. In several places, Rogers Brubaker demonstrates the fallacy of such an argument. Rogers Brubaker: *Myths and Misconceptions in the Study of Nationalism*. In Hall, John A. (ed.) *The State of the Nation: Ernest Gellner and the Theory of Nationalism*. Cambridge University Press, 272–305. and Rogers Brubaker: *The Manichean Myth: Rethinking the Distinction Between Civic and Ethnic Nationalism*. In Hanspeter Kriesi and others (eds): *Nation and National Identity. The European Experience in Perspective*. Zürich: Rüegger, 1999. 55–71.

⁹ The minutes of the PACE Ordinary Session 20th sitting on 2003 June 25th <http://assembly.coe.int/Main.asp?link=/Documents/Records/2003/E/0306251000E.htm>.

¹⁰ Recommendation 1735(2006): <http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta06/EREC1735.htm>.

¹¹ See Explanatory Memorandum of Recommendation 1735(2006) on the Concept of “nation”: <http://assembly.coe.int/Documents/WorkingDocs/Doc05/EDOC10762.htm>.

“nation” several times; second, the political power of this recommendation is greater than that of a resolution.¹² This third aim is underscored by the rapporteur’s status, György Frunda. According to this, he can be considered the political delegate of both the Hungarian minority from Romania and the Romanian state. This is important because the civic definition promoted by Mr. Jürgens in the Resolution 1335(2003) would make this kind of duality impossible.

The documents’ authors used the following method: the committee led by rapporteur György Frunda, conducted an inquiry in 35 states pertaining to each state’s constitutional treatment of the concept of “nation”, the relation that they foster with their kin-minorities living abroad, the existence and status of national minorities, and the situation (ratification, signing) of several European minority protection norms.

Having said this, one can identify several important issues upon which the recommendation touches. First and foremost, it states that both conceptions of “nation” – the civic/political and the ethnic/cultural one – coexist and have historically existed simultaneously in the European political realm.

The Assembly has acknowledged that in *some Council of Europe member states*, the concept of nation is *used to indicate citizenship*, which is a legal link (relation) between a state and an individual, irrespective of the latter’s ethno-cultural origin, while *in some other member states* the same term is used in order to *indicate an organic community speaking a certain language and characterized by a set of similar cultural and historic traditions*, by similar perceptions of its past, similar aspirations for its present and similar visions of its future. *In some member states both understandings are used simultaneously* to indicate citizenship and national (ethno-cultural) origin respectively. To this end, the term “nation” is sometimes used with a double meaning and at other times two different words are used to express each of those meanings. (Article 5; *with italics my emphasis*)

The rapporteur argues that there is no single common definition of the concept. Rather, and there are five different legal uses of the term

¹² According to the Resolution 1202(1999) on the Rules of Procedure of the Assembly, a recommendation is adopted with a majority of two-thirds, whereas a resolution has a simple majority. http://assembly.coe.int/Main.asp?link=http://assembly.coe.int/RulesofProcedure/2006/APCERules_I.pdf.

that range from the pure civic to the pure ethnic one in European constitutions.¹³

A second important outcome refers to the relationship between the two conceptions. The recommendation states that

The Assembly also notes that because of the way in which the nation-states were formed during the 19th century and the first part of the 20th century, as well as because of nation-states' border changes at the end of the Second World War and of the Cold War, on the territories of *almost all the Council of Europe member states there live various groups of people who are at the same time citizens of the same state or civic nation, but who belong to and are part of different cultural nations*. As compared with the biggest group of citizens having the same ethno-cultural background, those groups, who are relatively smaller, constitute and are called national minorities. (Article 8; *with italics my emphasizes*)

Thus, the borders of civic nations and ethnic nations do not always coincide. As affirmed in the report presented to PACE, moreover, these facts indicate that there is no need for a new all-comprehensive definition but that “the transversality of the nation across boundaries” should be acknowledged.¹⁴ However, this article has two important conclusions. On one hand, it legitimizes states' pursuits of different kin-state policies that are in accordance with existent European norms regarding cooperation between states.¹⁵ On the other hand, it defines the concept of “national minority” as groups who are members of one civic nation but belong to another cultural nation and who are smaller in number than “the biggest group of citizens having the same ethno-cultural background.”

A third result of the recommendation is pertains to national minority protection. The document points out several practices that are beneficial for states to follow, such as granting territorial autonomy and special status to national minorities (Article 14). Moreover, it invites states

¹³ For more on the five legal uses, see in the Explanatory Memorandum of Recommendation 1735(2006), article 28–52

¹⁴ Explanatory Memorandum of Recommendation 1735(2006), Article 103

¹⁵ These are the same as laid down in Resolution 1335 and the conclusions of the Venice Commission. However, Recommendation 1735 goes further than the other two documents by recommending to the Committee of Ministers of the Council of Europe to develop further norms in the question of kin-state – kin-minority cooperation.

to sign and ratify several European documents on minority protection, such as the Framework Convention for the Protection of National Minorities, the European Charter for Regional or Minority Languages and the European Charter of Local Self-government (Article 16/1).

In conclusion, Recommendation 1735 not only defines the concept of "nation" differently, but it also provides a definition for "national minorities" as well. Furthermore, it proposed some welcomed practices for states' when dealing with these groups.

A broader context

Comparing both of the aforementioned documents' definitions, there are clear differences in principles between the chosen conceptions on "nation." On one hand, Mr. Jürgens argued that there is no need for the concept as such in international law and that it can be substituted with "citizenship" and "state." On the other hand, Mr. Frunda stated that the value of the concept lies in its ability to describe the two different understandings of "nation" that are used by states in their constitutive documents. Similarly, while Resolution 1335(2003) argued against the differentiation between national minorities and other minorities, Recommendation 1735(2006) defined the term and made a clear distinction between national and other minorities.¹⁶

Considering the documents from this perspective, the two can clearly be framed by a larger debate: the discussion about minority protection between those who favor generic minority protection norms and those who militate for targeted minority norms. As Will Kymlicka argues, when international organizations formulated minimal standards, they first adopted generic minority protection norms; then, in the 1990s, these organizations attempted to formulate different standards for every minority category.¹⁷ The idea behind this distinction was that the former would ensure protection for a broad category of people; the latter

¹⁶ One of the main arguments for this distinction is delivered by Mr. Frunda in a parliamentary debate on the question. He argued that there is a clear difference not only in the formation but the needs of national minorities from other minority groups, such as immigrants. (PACE, 26th January 2006, Ordinary Session, 7th sitting – <http://assembly.coe.int/Main.asp?link=/Documents/Records/2006/E/0601261500E.htm>).

¹⁷ Will Kymlicka: *The Global Diffusion of Multiculturalism and Minority Rights*. Forthcoming at Oxford University Press, 179–182.

assesses more personalized rights for their needs and would restrict the groups that could benefit from the protection. The best example of the first set of norms is Article 27 of the *International Covenant on Civil and Political Rights* that pronounces the “right to enjoy one’s culture.”¹⁸ There are several examples of second set of norms as well: the International Labour Organization *Convention Indigenous and Tribal Peoples* (1989), the United Nations’ *Draft Declaration on the Rights of Indigenous Peoples* (1993) or the *European Framework Convention for the Protection of National Minorities*. This last document is crucial in framing the two aforementioned documents within a larger debate.

Despite the fact that is created as a targeted norm for the national minorities, María Estébanez and Kinga Gál importantly note in an ECMI Report on the implementation of the Framework Convention that the document does not clearly define a target group.¹⁹ Thus, the target group may be continuously debated. Some voices argue that the Framework convention should be broadened to include other minority groups;²⁰ others emphasize the need for a clear definition or, at least, for a list of eligible groups that is constantly revised and updated.²¹ Another important aspect of the Framework Convention is that it makes no reference to territorial autonomy or internal self-determination of minority groups. Thus, as Kymlicka argues, the convention does not go much further than the aforementioned Article 27, yet it is still formulated in a targeted way.²² Additionally, the Advisory Committee that monitors the implementation of the Framework Convention commanded a shift toward a broader definition of “national minority.” For example, the first opinion adopted in Albania clearly demonstrates this shift:

The Advisory Committee encourages the Government, [...] to re-examine the question of the designation of the Roma and Aromanians / Vlachs as linguistic minorities, as opposed to national minorities, ensuring at the

¹⁸ Kymlicka, 179.

¹⁹ María Amor Estébanez and Gál Kinga: *Implementing the Framework Convention for the Protection of National Minorities*. European Centre for Minority Issues, Report 3/1999. 18.

²⁰ Carmen Thiele: Citizenship as a Requirement for Minorities. *European Human Rights Law Review*, Nr. 3, 2005. 281.

²¹ Estébanez and Gál, 20–22.

²² Kymlicka, 145–146.

same time that this distinction has no impact on the application of the Framework Convention to these communities.²³

As Thiele observes, the Committee argues in other cases that the parties should “consider the inclusion of additional persons belonging to minorities, in particular non-citizens.”²⁴ The term “non-citizens” clearly refers to the inclusion of large immigrant groups that are present in many Western European countries.

However, this discursive shift can be measured not only by the Advisory Committee’s opinions but within the Council of Europe and the Organization for Security and Cooperation in Europe as well. As Kymlicka puts it, “[t]he main strategy for broadening the class of eligible groups is to simply redefine the term ‘national minorities’ so that it becomes essentially an umbrella term for all ethno-cultural groups.”²⁵

Having said this, it is clear that the difference between the two documents is embedded within a broader debate. On one hand, the rulings of Resolution 1335(2003) is in accordance with the dominant pro-generic rights discourse and supports broadening the eligible categories included in the Framework Convention in Europe. On the other hand, Recommendation 1735(2006) defines and reinforces the traditional understanding of national minorities. Furthermore, it attempts to redirect attention to the importance of differentiating between categories of minorities.

The clash between the two different perceptions can be clearly traced in the parliamentary debate on the adoption of Recommendation 1735(2006). Two of the speakers argued that although the definition of the concept of “nation” is important – being the “renovating concept of modern Europe”²⁶ – differentiating between minority groups is dangerous. In their reading,

²³ See the Opinion of the Advisory Committee: http://www.coe.int/t/e/human_rights/minorities/2_framework_convention_%28monitoring%29/2_monitoring_mechanism/4_opinions_of_the_advisory_committee/1_country_specific_opinions/1_first_cycle/PDF_1st_OP_Albania.pdf

²⁴ CEAC Opinion on Estonia, in Thiele, 282.

²⁵ Kymlicka, 149.

²⁶ PACE 26th January 2006, Ordinary Session, 7th sitting

[The] Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages [...] formed a social contract between all member nations to respect different cultures as equal [...] It would not be acceptable to grant rights to one ethnic minority and not another. (PACE 26th January 2006, Ordinary Session, 7th sitting)

These voices clearly represent the dominant idea that the categories included in the Framework Convention should be broadened. On the other hand, Mr. Frunda clearly separates traditional minorities from immigrants on two accounts: first, the historical injustices and changes, which also represent the core of the definition adopted by the recommendation; second, the different motifs and aims of these groups. As he puts it, immigrants “come to our country because they are poor and hope to have a better life and a better standard of living,” while national minorities should “have the right to speak their own language, [and] that is the tolerant approach that we should take.”²⁷

*Implications of Recommendation 1735(2006)*²⁸

Before analyzing the main implications and effects of the two documents issued by PACE, an important observation should be made. To many, the adoption of two seemingly contradictory documents opens questions pertaining to how European institutions function. However, when the apparent currents with minority protection debates are taken into consideration, the adoption of the two documents as a part of this struggle becomes apparent. And, as evidenced by the previous chapter, the appointed rapporteurs possess a high degree of autonomy when preparing these documents for adoption. Therefore, despite the current power relations between the two abovementioned sides, both voices – militating for generic or targeted rights – could push through resolutions and recommendations in the name of PACE.

As for the two documents’ implications, the aims of Resolution 1335(2003) were to issue an opinion on the Hungarian Status Law, and

²⁷ idem

²⁸ I do not measure the impact of Resolution 1335(2003) because, first and foremost, the main purpose of its adoption was to release an opinion on the Hungarian Status Law. Moreover, Mr. Jürgens conception of the “nation” and “national minority” is an outcome of general trends in European organizations.

in the question of the concept “nation,” the chosen voice represents a shift among European organizations in regards to minority protection and the definition of target groups in the Framework Convention. Following this logic, then, Recommendation 1735(2006) is positioned against the current notions.

In order to measure Recommendation 1735's impact, two important factors must be taken into consideration: time and reference. Regarding the issue of time, I believe that the past two years has not generated enough distance to measure the one single document's possible impact.²⁹ The other factor, the number of references to this recommendation at the level of PACE, can highlight different actors' dissimulation or real support of Mr. Frunda's ideas.

On the level of PACE, there are three references to Recommendation 1735(2006). A first reference is issued by the Committee of Ministers. Under the internal regulations of the Council of Europe, the Committee of Ministers must take action on every Parliamentary recommendation.³⁰ Thus, the recommendation was forwarded to each and every government and to several international bodies such as the following: the *Advisory Committee on the Framework Convention for the Protection of National Minorities*, the *Committee of Experts on Issues relating to the Protection of the National Minorities*, the *Committee of Experts for the European Charter for Regional or Minority Languages*, the *European Committee on Legal Co-operation* and the *Venice Commission*. Moreover, they scheduled the preparation of a draft reply for adoption.³¹

²⁹ This argument can be supported by the empirical observation of the time elapsed between issued documents and the response to them. Two important examples are mentioned in this paper as well: 1) Resolution 1335(2003), the PACE response to the Hungarian Status Law is adopted after two years, and 2) Recommendation 1735(2006), a clarification to Resolution 1335(2003) is finalized and presented to PACE after two and a half years.

³⁰ See the decisions of the Committee of Ministers: <http://assembly.coe.int/main.asp?Link=/documents/workingdocs/doc06/edoc11090.htm>.

³¹ At this point, I could not find any opinions issued by the international bodies mentioned above in this question. The only reference to the document can be found in a report issued by the European Committee on Legal Co-operation, which “took note of Parliamentary Assembly Recommendation 1735 (2006) on the concept of “nation”” (Report of the 75th Bureau Meeting – http://www.coe.int/t/e/legal_affairs/legal_co%2Doperation/steering_committees/cdcj/documents/2006/CDCJ_BU_2006_12e.pdf)

A second reference can be found in the Explanatory Memorandum of Recommendation 1770(2006) pertaining to the promotion of local self-government along Council of Europe borders.³² The recommendation emphasizes the importance of local self-governments as institutions that can more adequately ensure the principles of democracy for those living on their respective territories. In this context, the findings of Recommendation 1735(2006) represent the basis for the legitimization of the claim of “any people to regard itself as a nation and consequently wish to manage its own affairs.”³³

The last reference is linked to the situation of the Russian minority in Latvia. In the Explanatory Memorandum of Recommendation 1772(2006) on the rights of national minorities in Latvia,³⁴ the recommendation for the concept of “nation” is the basis for the recognition of the Russian minority in Latvia as a “national minority”. Furthermore, it references Russia as a possible kin-state that has “no more right than any other state to support the effort dedicated to the preservation and consolidation of the cultural identity of the Russian community in Latvia.”³⁵

Conclusions

The main implication of Recommendation 1735(2006) is that it introduced both the ethnic and civic conceptions of “nation” into legal circulation. Moreover, it clearly defined “national minorities” as groups who are member of one civic nation yet belong to another cultural nation and are smaller in number than “the biggest group of citizens having the same ethno-cultural background.” This represents a huge difference to the definitions promoted by Resolution 1335(2003), which are critical of the use of “nation” and “national minority” in international legal documents as such.

³² The recommendation can be found on <http://assembly.coe.int/main.asp?Link=/documents/adoptedtext/ta06/erec1770.htm>, while its Explanatory Memorandum is at <http://assembly.coe.int/main.asp?Link=/documents/workingdocs/doc06/edoc11009.htm>.

³³ Explanatory Memorandum of Recommendation 1770

³⁴ See the recommendation: <http://assembly.coe.int/main.asp?Link=/documents/adoptedtext/ta06/erec1772.htm>, the Explanatory Memorandum: <http://assembly.coe.int/main.asp?Link=/documents/workingdocs/doc06/edoc11094.htm>.

³⁵ Explanatory Memorandum of Recommendation 1772

As a second step in this paper, I tried to contextualize the primary differences in a broader debate. Namely, I attempted to situate the debate on minority rights between those who try to promote the formulation of generic right, which are “right to enjoy one’s culture” style rights, and those who militate for targeted rights, which are personalized to the needs of the concerned groups. In this debate, those voices that argue against the concepts of “nation” and “national minority” are arguing – directly or indirectly – for generic rights, while those who take a traditional approach to national minorities belong to the latter group. An important aspect of the “generic vs. targeted rights” debate is the focus on the interpretation of the usage of the term “national minority” in the European Framework Convention for the Protection of National Minorities. The document was intended for the protection of traditional minorities but did not provide a clear definition of the concept. Additionally, its spirit is similar to the spirit of Article 27 of the *International Covenant on Civil and Political Rights*, which stipulates a generic right. Therefore, the generic vs. targeted debate is developed around the interpretation of the concept “national minorities.” In this concept, the aim of Recommendation 1735(2006) is to reinforce the traditional definition of national minorities while concurrently diminishing the possibilities for the new inclusive interpretation.

As I shown above, many scholars have argued that there is a clear and observable shift toward the inclusive understanding of national minorities. Thus, Recommendation 1735(2006) was adopted as a means to protect against the obvious current. Neither the logic, nor the outcome of this decision can be measured at this point; the past year and a half is too short a period to do so. However, one implication can be stated. There are situations where the two apparently contradictory views reinforce each other. The most important being the question of Russian minorities in post-Soviet states. In this case, both the definition provided by Recommendation 1735(2006) and the more inclusive understanding of “national minorities” demonstrate that these Russian groups can and must be included in the national minority category.

As can be concluded, there have not yet been many important changes generated by Recommendation 1735 (2006). However, this recommendation it could be an important cornerstone for minority protection, even though its adoption can be considered somewhat surprising. Moreover, it is too early to pronounce its exact implications. The only viable conclusion

that can be drawn at this moment is that the recommendation is most beneficial when its usage is in accordance with the “inclusionist” aim.

List of legal documents

- Advisory Committee on The Framework Convention for the Protection of National Minorities, *Opinion on Albania*, ACFC/INF/OP/I(2003)004
- Committee of Ministers of the Council of Europe, Review of action taken by the Committee of Ministers on Parliamentary Assembly Recommendations, CM(2006)149, 2006, 12th of October
- Explanatory Memorandum of PACE Resolution 1335(2003) on the *Preferential treatment of national minorities by the kin-state: the case of the Hungarian Law on Hungarians Living in Neighboring Countries (“Magyars”) of 19 June 2001*
- Explanatory Memorandum of PACE Recommendation 1735(2006) on *The concept of “nation”*
- Explanatory Memorandum of PACE Recommendation 1772(2006) on *The rights of national minorities in Latvia*
- Explanatory Memorandum of PACE Recommendation 1770(2006) on *The promotion of local self-government along Council of Europe borders*
- Hungarian Act LXII of 2001 on Hungarians Living in Neighboring States (Hungarian Status Law)
- Minutes of PACE Ordinary Session, 20th sitting, 2003, 25th of June
- Minutes of PACE Ordinary Session, 7th sitting, 2006, 26th of January
- PACE Recommendation 1735(2006) on *The concept of “nation”*
- PACE Recommendation 1772(2006) on *The rights of national minorities in Latvia*
- PACE Recommendation 1770(2006) on *The promotion of local self-government along Council of Europe borders*
- PACE Resolution 1202(1999) on the *Rules of Procedure of the Assembly*
- PACE Resolution 1335(2003) on the *Preferential treatment of national minorities by the kin-state: the case of the Hungarian Law on Hungarians Living in Neighboring Countries (“Magyars”) of 19 June 2001*.
- European Committee on Legal Co-operation, Report of the 75th Bureau Meeting, 2006, 10th of February
- Venice Commission, REPORT on the *Preferential Treatment of National Minorities by their Kin-State*, 2001, 19–20 October