

Appendix 3

“Checklist” on Minority Rights

[NB. Not all of these questions are relevant for each state/entity/group, nor do they need to be asked every time a monitoring exercise takes place. Also, the effectiveness of minority protection/any minority rights regime cannot solely be judged on the basis of whether it includes ALL elements listed below.]

Have new minority rights been legislated, or new programs for ethnic or linguistic minorities been initiated?

Does the parliament monitor the implementation of minority rights and programs?

Is there a general policy with a long-term strategy for the implementation of minority rights and programs? Are there shorter-term action plans to coordinate and monitor implementation?

Does the country have anti-discrimination and/or equality legislation?

Is this legislation implemented?

Is there evidence of discrimination against minorities?

Are there provisions for positive discrimination or affirmative action in relation to minorities?

Are these provisions used and implemented?

Is there a public body/institution dedicated to such implementation and promotion?

Does the judiciary consider cases related to minority rights?

Is there a complaint procedure for minorities who feel their rights are not sufficiently respected, protected or otherwise implemented?

Have there been incidents of ethnically motivated violence against members of a minority? If so, how many? And how are they monitored?

How have these been dealt with by police, the judiciary or other elements of the administration of justice?

Are there programs to protect the cultural heritage of minorities?

Does this extend to particular cultural goods (e.g., culture *per se*, language, monuments, properties, etc.)? How are these programmes funded, implemented and monitored/assessed?

To what extent are the minorities themselves involved in the formulation, implementation and monitoring/assessment of these programmes? Do they have a degree of autonomy in terms of spending allocated funds on issues important to them in relation to their culture/cultural heritage?

Are minorities represented in the government/parliament/state administration and judiciary (along with other elements of the administration of justice including police)?

If so, how does their representation compare to their population shares?

Are there reserved seats for minorities in the parliament or sub-state assemblies?

Are (ethnic) minority parties banned by law?

Are there specific bodies or fora for minorities (e.g. ‘minority councils’)?

If so, which functions do they have, and how often do they meet?
How are they financed (their activities and – if they are elected bodies – their elections)?

Is dual citizenship possible/allowed for persons belonging to minorities?

If there is the possibility of education in a minority language, have all members of the minority access to it?

What are the educational enrolment and educational achievements of minorities? Do these differ from the majority population?

Are there provisions for the use of minority languages in public life (especially in interactions with state authorities and public organisations)?

Are there provisions for bilingual signs and place names in areas of minority settlement (and beyond, e.g., national capital)?

Is there an official policy on personal names?

Are there media programs in minority languages?

Is there any monitoring of the portrayal of minorities in the media?

How high is unemployment among minorities?

If unemployment among minorities is disproportionately high, are there any programs aimed at reducing the disparity?

If there are programs aimed at minorities, how are they financed?

If they are included in the state budget, is the funding sufficient to implement the programs?

Are the funds committed in the budget actually spent?

Are there special programs for refugees and internally displaced persons?

How high is their rate of return?

What are the arrangements for their property rights?

Are there specific programs and arrangements for Roma?

How well are they funded and by whom? Are committed funds spent?

Is the implementation of programmes monitored and assessed? By whom? Does the monitoring and assessment process involve Roma organisations/individuals?