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Comparative Analysis

Minority Rights and Participation, Views from Kosovo, Slovakia, Czech Republic, and Hungary

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Introduction

This comparative analysis is apart of the project titled "Enhancing Minority Participation in Decision-Making Processes Through Policy Work and Exchanges.", implemented by project consortium consisting of NGO AKTIV from Kosovo, The Matthias Bel Institute from Slovakia, The Institute for Modern Development from Czech Republic and Republikon Foundation from Hungary. The project aims to facilitate dialogue and collaboration among civil society organizations, think tanks, and grassroots activists working to promote minority inclusion in decision-making processes. The overriding goal of the program is to contribute to and facilitate better public and institutional policies that empower representatives of minority communities in Kosovo, with a particular focus on Kosovo Serbs.

In contemporary societies, the inclusion and participation of minority communities in decision-making processes are recognized as crucial elements for fostering social cohesion, promoting democratic governance, and addressing systemic inequalities. This paper explores the common challenges faced by non-majority communities in Kosovo, Slovakia, Hungary, and the Czech Republic, drawing on a rich tapestry of qualitative data collected through interviews and focus groups. The data presented in this analysis sheds light on the complex interplay of political, social, and institutional factors that shape the experiences of minority communities in each country. Through a comparative analysis of the data, this paper seeks to elucidate the underlying dynamics that shape minority experiences across different national contexts. By examining the legal and political mechanisms available to facilitate participation, assessing the efficacy of existing policies, and exploring the nexus between inclusion and community safety, the paper offers valuable insights into the opportunities and obstacles facing minority communities in Kosovo, Slovakia, Hungary, and the Czech Republic, while also offering a comprehensive analysis of the challenges, opportunities, and policy implications derived from the data collected. Through an exploration of key themes such as political representation, discrimination, access to services, and community safety, the paper aims to provide a deeper understanding of the complex dynamics shaping minority inclusion in decision-making processes. By engaging with the voices of those directly affected by discrimination and marginalization, this analysis seeks to amplify minority perspectives and advocate for policy reforms that advance social equity and solidarity.

Methodology

This analysis employed a mixed-methods approach to gather and analyse data on the challenges faced by minority communities in Kosovo, Slovakia, Hungary, and the Czech Republic. The methodology was designed to ensure the comprehensive exploration of key themes while also allowing for nuanced insights into the lived experiences of minority individuals and communities.

The sampling strategy aimed to capture a diverse range of perspectives from various stakeholders, including political representatives, civil society organizations, grassroots activists, and members of minority communities. Purposive sampling was utilized to ensure representation from different demographic groups and geographic regions within each country.

Data collection involved three primary methods: interviews, focus groups, and desk research. Twenty interviews and focus groups were conducted in all four countries, resulting in a total of eighty research participants. Semi-structured interview guides and focus group protocols were developed to guide discussions and ensure consistency across data collection sessions.

Interviews were conducted with key informants, including political and social actors, representatives of non-governmental organizations (NGOs), community leaders, and institutional representatives. These interviews provided in-depth insights into the policy landscape, institutional dynamics, and community perspectives related to minority inclusion and participation in decision-making processes.

Focus groups were convened with diverse groups of participants, including members of minority communities, activists, and citizens. These sessions facilitated interactive discussions and allowed participants to share their experiences, perspectives, and concerns in a supportive group setting. Focus groups were conducted in local languages with trained facilitators to ensure effective communication and rapport building.

In addition to primary data collection, desk research was conducted to explore existing legal mechanisms and policies aimed at protecting minority rights in each country. This involved a comprehensive review of relevant legislation, policy documents, and academic literature to provide context and background information for the study.

Following data collection, patterns and common themes were identified across the responses. These were categorized and organized systematically to discern recurring issues faced by minority communities. Through this process, insights emerged regarding discrimination, lack of political representation, barriers to accessing services, and other challenges. Conclusions were drawn based on the analyzed data, aiming to provide a comprehensive understanding of the obstacles encountered by minority groups in the respective countries.

Ethical principles and guidelines were adhered to throughout the research process to ensure the protection of participants' rights and confidentiality. Informed consent was obtained from all participants prior to data collection, and measures were implemented to safeguard their privacy and anonymity. All data were securely stored and accessed only by researchers.

Non-majority communities in Kosovo, Slovakia, Czech Republic and Hungary

Non-majority communities in Kosovo

According to the 2011 demographic census, Kosovo Albanians are the predominant ethnic group in Kosovo, constituting over 93% of the total population[3]. However, this census may have inaccurately reflected the number of Kosovo Serbs due to their boycott of the census, resulting in a reported figure of merely 1.5%. Conversely, estimates provided by the international community present in Kosovo, suggest a significantly higher presence of Serbs, approximately 7% of the overall population. Beyond the Kosovo Serbs and Kosovo Albanians, there are other non-majority communities such as Bosniaks, Turks, Roma, Ashkali, and Egyptians. Nonetheless, precise demographic insights into these groups remain elusive within the scope of the available data. The Kosovo Constitution is the most important in the safeguarding of these non-majority rights, as it delineates the specific rights accorded to members of non-majority communities within Kosovo. These rights, enshrined in the constitution, aim to protect and preserve the non-majority participation, inclusion, cultural, linguistic, and religious identity of these communities in accordance with principles of equality, non-discrimination, and tolerance[4].

In adherence to the Constitution, residents belonging to specific national, ethnic, linguistic, or religious groups traditionally present in Kosovo, are endowed with special rights beyond fundamental human rights. These rights encompass the freedom of choice for each community member regarding their identification, with a categorical prohibition on discriminatory actions based on this choice. Moreover, community members have the unequivocal right to freely express, cultivate, and develop their identity and communal attributes[5]. Importantly, the exercise of these rights is subject to the obligation of adhering to the laws of Kosovo and should not impinge upon the rights of others. Moreover, the Constitution places certain responsibilities on Kosovo to facilitate an environment conducive to the preservation, protection, and development of the identity of communities and their members. Furthermore, there is a commitment to promoting a spirit of tolerance, fostering dialogue, and supporting reconciliation between communities. This commitment aligns with international standards outlined in the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages. Kosovo is obligated to adopt measures ensuring the protection of individuals from threats, discrimination, hostility, or violence arising from their national, ethnic, cultural, linguistic, or religious identity. Special attention is given to the promotion of equality among community members in various spheres of life without constituting discrimination. Moreover, the government commits to implementing robust measures against any attempts to undermine the rights of community members, refraining from policies or practices that seek to forcibly assimilate these individuals. Importantly, the constitution ensures that all communities and their members have nondiscriminatory access to the rights specified within its provisions. In essence, these constitutional provisions underscore Kosovo's commitment to upholding and safeguarding the rights of non-majority communities, ensuring their cultural, linguistic, and religious identity is respected and protected within the legal framework of Kosovo.

3] Kosovo Agency of Statistics https://ask.rks-gov.net/

4] Article 57, Kosovo Constitution

5] Article 58, Kosovo Constitution

Non-majority communities in Slovakia

Slovakia is a multicultural country with an ethnically and linguistically diverse society. In the last census from 2021, 10.8% of the total population with permanent residence declared themselves as belonging to the national minorities from the total number of residents of 5 449 270. Individuals self-identified the most as Slovak (83,82%), Hungarian (7,75%), Roma (1,23%), Czech (0,53%), Ruthenian (0,44%). The share of self-identifications with other nationalities such as Ukrainian, Polish, German, Russian, Vietnamese, Moravian, Bulgarian, Croatian, Serbian, Romanian, Jewish, Albanian, Austrian, Greek, Silesian, Chinese, Italian, Korean, English, French, Turkish, Iranian, Irish, Canadian was less than 0.2%. For more than five per cent of residents, nationality was not detected.[6]

It was possible to self-declare also the second nationality in the last census for the first time. More than three hundred thousand inhabitants or 5.6% of the overall population with permanent residence self-declared their second nationality. Most residents i.e. 29,06% declared their second nationality as Roma, 18,13% Slovak, 13% Ruthenian, 11,13% Hungarian, 5,46% Czech, 1,72% German and the other less than one percent.[7] Language and religious diversity are also present. Most of the population 81,77% identified the Slovak language as a mother tongue, 8,48% as a Hungarian language, 1,84% Roma language and 0,71% Ruthenian language, and 0,62% Czech language as mother tongue.[8] When it comes to religion, people belong the most to Roman Catholic (55,76%), followed by Evangelical (5,27%), Greek Catholic (4%) and Reformed Christian (1,56%). Other religions such as Orthodox, Jehovah's Witnesses, and Evangelical Methodist Church just to name a few, have had a representation of less than 1 per cent in Slovak society. With no religion declared themselves 23,79% individuals.[9]

It was scrutinized elsewhere in great detail what the data collected on nationality in the census actually say and why we need to approach them critically (see Surova, 2021c). Even though the census allows individuals to freely report their first and second nationality, it cannot provide an accurate and complex picture of the national composition of inhabitants. This is due to terminological and methodological limitations when asking questions of nationality or ethnicity. Due to the discrepancy in understanding what nationality is, respondents may not give information about their real identity or identities. If their choices are limited to one or two nationalities, they will fail to cover the multiple identities the residents have and live. The population census provides only informative data concerning national composition and tells us how the respondents decided to answer the questions about their nationality at the given moment and which out of the pre-set answer choices they ticked.[10]

6] ŠÚ SR (Štatistický úrad Slovenskej republiky) [Statistical Office of the Slovak Republic]. 2021. Počet obyvateľov podľa národnosti v SR k 1. 1. 2021 [Number of inhabitants by nationality in the Slovak Republic as of January 1, 2021]. Sčítanie obyvateľov, domov a bytov 2021 [Census of inhabitants, houses and apartments 2021]. https://www.scitanie.sk/obyvatelia/zakladne-vysledky/struktura-obyvatelstva-podla-narodnosti/SR/SK0/SR#

7] ŠÚ SR (Štatistický úrad Slovenskej republiky) [Statistical Office of the Slovak Republic]. 2021. Počet obyvateľov podľa ďalšej národnosti v SR k 1. 1. 2021 [Number of inhabitants by other nationalities in the Slovak Republic as of January 1, 2021]. Sčítanie obyvateľov, domov a bytov 2021 [Census of inhabitants, houses and apartments 2021]. https://www.scitanie.sk/obyvatelia/zakladne-vysledky/struktura-obyvatelstva-podla-dalsej-narodnosti/SR/SK0/SR#

8] ŠÚ SR (Štatistický úrad Slovenskej republiky) [Statistical Office of the Slovak Republic]. 2021. Počet obyvateľov podľa materinského jazyka v SR k 1. 1. 2021 [Number of inhabitants by mother tongue in the Slovak Republic as of January 1, 2021]. Sčítanie obyvateľov, domov a bytov 2021 [Census of inhabitants, houses and apartments 2021]. https://www.scitanie.sk/obyvatelia/zakladne-vysledky/struktura-obyvatelstva-podla-materinskeho-jazyka/SR/SK0/SR#

9] ŠÚ SR (Štatistický úrad Slovenskej republiky) [Statistical Office of the Slovak Republic]. 2021. Počet obyvateľov podľa náboženského vyznania v SR k 1. 1. 2021 [Number of inhabitants by religion in the Slovak Republic as of January 1, 2021]. Sčítanie obyvateľov, domov a bytov 2021 [Census of inhabitants, houses and apartments 2021]. https://www.scitanie.sk/obyvatelia/zakladne-vysledky/struktura-obyvatelstva-podla-nabozenskeho-vyznania/SR/SK0/SR#

10] Surová, Svetluša. 2021c. "Changes in the population census and what they mean in relation to minorities and data collection on nationality." Minority Policy in Slovakia. 4 January 2021. https://mensinovapolitika.eu/en/changes-in-the-population-census-and-what-they-mean-in-relation-to-minorities-and-data-collection-on-nationality/

Non-majority communities in Czech Republic

The Polish minority is the only national (or ethnic) minority in the Czech Republic that lives mainly in a specific geographical area - the Cieszyn region/Cieszyn Silesia (Těšínské Slezsko) situated in the north-eastern part of the country. In Polish the region is called Zaolzie (Over the Olza River) referring to River Olza, which marks the current border between the two countries in this area.

The Cieszyn region became a point of sharp territorial dispute between the newly created states of Czechoslovakia and Poland in 1918 as both sought to establish rule over it. The Polish government referred to ethnic arguments and the principle of national self-determination thus the majority of the population in that region was Polish. The Czechoslovak government justified their right to Cieszyn Silesia mainly by historical and political arguments and administrative ties of former the Duchy of Cieszyn with the Kingdom of Bohemia within the Austrian Empire. For both countries, the region was also of strategic importance due to the rich coal mines and the railway linking the Silesian city Bohumín with Poland (Cracow) and the Slovakian part of Czechoslovakia (Košice).

The division of the region was to be determined by the international arbitration in 1920, at a peace conference in Spa, Belgium). The capital of the region – Cieszyn was also divided, with the city center (market square, official buildings, etc.) incorporated into Poland, and the industrial part with a railway station was granted to the Czechs. Over 120 thousand Poles, which corresponded with 69,2% of the region's population (according to the population census of the Austro-Hungarian Empire in 1910)[11] became a minority in the Czechoslovak state. That led to the change of ethnic structure of the region as Poles moved to the Polish side. In 2021 only 68 thousand people declared to be Polish (38,4% of the region's population)[12] and since then the number of Poles has been steadily declining. In 1938 the Polish control over the region was temporarily restored as Polish troops sized Cieszyn region, but it was incorporated into the Third Reich after it attacked Poland in 1939. After the Second World War, the division of the region was re-established.

The Czech Republic is an almost homogenous country as over 90% of Czechs identify as ethnically Czech, with the 14 officially recognized minorities, which are dispersed over the country. According to the 2021 census, 38215 Poles live in the Czech Republic[13], which corresponds to 0.36% of the total population. Most of them – over 25 thousand live in the Moravian-Silesian Region. They are mainly concentrated in two districts - Frýdek-Místek, where 12416 Poles live (5,8% of the population), and Karviná District with 11035 Poles (4,6%). These two districts cover the area of Cieszyn region. Many Poles living in other regions of the Czech Republic (except the capital city Prague, where there are a lot of professionals coming directly from Poland) have roots in Zaolzie. However, over the course of a century, Poles have gone from being a dominant population to being an inconsiderable minority in the region due to assimilation, low birth rate, and migration[14]. It's also worth noticing that the completion of the question on nationality in the Czech Census was voluntary, and as

11] Pindór M. (2019). Wybory repertuarowe Sceny Polskiej Těšínského divadla w Czeskim Cieszynie na rzecz zachowania tożsamości narodowej i regionalnej polskiej mniejszości narodowej na Zaolziu. Studia Etnologiczne I Antropologiczne, 19.

12] Ibidem

13] People, who declared Polish nationality only or Polish in combination with another one. In the Czech census, it's possible to declare more than one nationality.

14] Zenderowski R. (2021), Preferencje polityczne zaolziańskich Polaków po „aksamitnej rewolucji".

many consider this sensitive information, over 31 % of people left it unfinished. Therefore, the actual number of Poles can be higher. Although, the number of Poles is decreasing, the proximity to the mother country and the good media and educational situation facilitate the preservation of the minority›s language and culture. The general improvement of the relations between Poland and the Czech Republic after the democratic transformation also contributed to the enhancement of the protection of Polish minority rights. The framework of the bilateral relation in the new geopolitical context was established by specified by the Czechoslovak-Polish Treaty of Good Neighbourliness, Solidarity and Friendly Cooperation of 6 October 1991 which was followed by many agreements regulating specific issues that contributed to the mutual understanding, enhanced cooperation, resolving of bilateral contentious issues and improvement of the position of the Polish minority (i.e. agreements on visa-free travel, on cultural and scientific cooperation, and agreement on cross-border cooperation, establishment of the Czech-Polish historical commission). Moreover, the Treaty as such regulates the protection of minorities in both countries, drawing on the Conventions of the Council of Europe. The Agreement on Cooperation in the Field of Culture, Education, and Science of September 30, 2003 supported collaboration in the fields critical from the point of view of the Polish Minority - education and culture, which are the most important ones in the preservation of the national identity.

The cross-border cooperation between the two countries is also a specific aspect of the bilateral cooperation, which influences the position of the minority in the border region of Cieszyn Silesia and enhances cross-border cooperation of the municipalities with a significant proportion of Poles and the development of the whole region. The agreement on the Cieszyn Silesia Euroregion was in 1998. This is a voluntary association of 12 Polish and 33 Czech municipalities on both sides of the border. It facilitates the implementation of the common project of common interest in areas of transport, environment, and development of tourism.

Non-majority communities in Hungary

The Roma minority is the single largest minority group in Hungary historically. It's challenging to approximate the size of the Roma population exactly, as during the national census, answering the nationality section is non-compulsory, and 14% of Hungary's population refused to answer it in 2022, but we can say that the proportion of Roma people in Hungary is at the very least 2,18%[15], but has been estimated as high as 8,8% in 2018[16]. Another expert estimation in 2014 found using a mixed methodology that the number of Roma people in the country is likely around 6,5%[17]. Regardless, we know for a fact that it is the largest minority group in the country (followed by the German minority), and that despite the sizable community, it faces many challenges including segregation, discrimination, or poverty. As the hardships of minorities in a country often signal lack of representation and agency, this study aims to explore the representation of the Roma minority in Hungarian decision-making, including the legal framework and the realized access to decision- and policymaking, along with core issues that the Roma community face in the country, and potential legal and policy changes that could be implemented to improve the situation of the Roma minority in Hungary. The study takes a mixed approach, utilizing publicly available research data from official Hungarian research agencies as well as inputs from our focus groups conducted between September and December of 2023, featuring Roma citizens, decisionmakers and members of NGO-s.

15] https://nepszamlalas2022.ksh.hu/eredmenyek/vegleges-adatok/kiadvany/assets/nepszamlalas2022-vegleges-adatok.pdf

16] https://g7.hu/kozelet/20180222/tobb-mint-ketszer-annyi-roma-el-magyarorszagon-mint-harminc-eve/

17] https://www.tarki.hu/adatbank-h/kutjel/pdf/b333.pdf

Legal and Political Mechanisms for Decision-Making Engagement

Legal framework and Legal and Political Mechanisms in Kosovo

Non-majority participation mechanisms in Legislative of Kosovo (Central Level)

In the Assembly of Kosovo, a proportional representation system ensures that non-majority communities have reserved seats, twenty (20) of the one hundred twenty (120) seats[18]. These reserved seats guarantee representation for parties, coalitions, civic initiatives, and independent candidates aligned with the Serbian community and other specified minority communities, based on their electoral performance. Parties, coalitions, citizens' initiatives and independent candidates having declared themselves representing the other Communities shall have the total number of seats won through the open election, with a minimum number of seats in the Assembly guaranteed as follows: the Roma community, one (1) seat; the Ashkali community, one (1) seat; the Egyptian community, one (1) seat; and one (1) additional seat will be awarded to either the Roma, the Ashkali or the Egyptian community with the highest overall votes; the Bosnian community, three (3) seats; the Turkish community, two (2) seats; and the Gorani community, one (1) seat if the number of seats won by each community is less than the number guaranteed.

The Assembly, with a two-thirds majority vote, has the authority to amend the Constitution, including the reserved seats for minority community representatives. Importantly, Two (2) Deputy Presidents representing non-majority communities in the Assembly and are elected by a majority vote of all deputies of the Assembly[19]. One (1) Deputy President shall belong to the deputies of the parliament holding seats reserved or guaranteed for the Serb community, and one (1) Deputy shall belong to deputies of the Assembly holding seats reserved or guaranteed for other communities that are not in the majority.

Another important mechanism on the central level is The Committee on Rights and Interests of Communities, a permanent assembly committee, comprises representatives from the Serbian Community, other non-majority communities, and the majority community. Proposed laws can be directed to this committee upon request by any member of the Assembly's Presidency, and the committee decides on recommendations within two weeks. The committee has the authority to submit suggestions to other relevant committees or the Assembly to ensure proper consideration of community rights. Additionally, the committee can autonomously propose laws and measures within its jurisdiction, accompanied by individual member opinions. Matters can also be referred to the committee for advisory opinions by the Assembly Presidency, other committees, or a group of at least ten deputies.

Kosovo Constitution stipulates mandatory approval of non-majority communities for the adoption, amendment, or repeal of laws of vital interest. These laws cover various significant

18] Article 64, Kosovo Constitution

19] Article 67, Kosovo Constitution

areas, including municipal boundaries, establishment or abolition of municipalities, powers of municipalities, inter-municipal and cross-border relations, implementation of community rights (excluding constitutional rights), language use, local elections, protection of cultural heritage, religious freedom, agreements with religious communities, education, and the use of symbols, including those related to communities and public holidays. The requirement ensures the inclusion of representatives from non-majority communities in decision-making on this matter.

In essence, the constitutional provisions aim to empower non-majority communities in Kosovo by preserving their cultural identity, ensuring educational rights, facilitating communication, and guaranteeing representation at various levels of governance.

Non-majority participation mechanisms in Executive of Kosovo (Central Level)

The Government must have at least one Minister from the Kosovo Serb Community and one Minister from another non-majority community[20], with a provision for additional representation if there are more than twelve Ministers. Similarly, there should be at least two Deputy Ministers from the Kosovo Serb Community and two from other non-majority communities, with the possibility of additional representation if the number of ministers exceeds twelve. The selection of these officials involves consultations with parties, coalitions, or groups representing non-majority communities. Noteworthy is that the ministers and deputy ministers do not necessarily have to come from the ranks of political entities represented in the Assembly, but they do have to enjoy their formal endorsement.

Another important mechanism for the non-majority participation in decision making process is The Office for Community Affairs, established in 2008 under the Prime Minister of Kosovo, as it serves as an advisory body with functions including advising the Prime Minister on community-related issues, drawing attention to matters requiring personal intervention, coordinating with government bodies and international organizations, monitoring effective implementation of duties and policies, and developing communication channels with communities. Led by a political advisor appointed by the Prime Minister, the office aims to ensure equality in fund allocation, coordinate policies and laws related to communities, and promote positive actions within policy initiatives while maintaining relations with relevant entities.

Non-majority communities on their disposal also have the Consultative Council for Communities (CCC) which is located within the Office of the President of Kosovo and is among the special central-level community interests protection mechanisms. It advises the President on community matters, in particular in terms of the President's authority to promulgate laws adopted by the Assembly. The CCC is a constitutional category and its functions are further elaborated in the Law on the Protection and Promotion of the Rights of Communities and Their Members. It was informally established in 2005 to conduct an advisory function with the Kosovo negotiation team in the Ahtisaari-led process and was then formally constituted by a presidential decree in 2008. It has a designated budget for its operations, which is used to fund a limited number of projects. Article 60 of the Constitution pescribes that the mandate of the CCC is to serve as a mechanism for regular communication between the communities and the authorities. It also enables communities to have an early input into legal and policy initiatives of the government and other central institutions, and it can also propose legislative or policy initiatives on its own. It consists of community representatives and

20] Article 96, Kosovo Constitution

delegates from the Government, Office of the President and other relevant agencies.[21]Two thirds of the CCC members are nominated, while one third comes from the government (parliament) and other agencies. Representatives of the Office of the President of Kosovo, Office of the Prime Minister, Ministry of Communities and Returns, and the Office of the President of the Assembly are permanent members of the CCC. It has five working groups, reflecting its focus areas: education, legislation, employment and social issues, language compliance, and culture.

Non-majority participation in Judiciary of Kosovo

When it comes to the Judiciary in Kosovo, it is organized based on the Constitution of Kosovo, however certain parts defer from it as the Brussels Agreement on the Judiciary brought changes to the organization of the Judiciary, especially in the North of Kosovo. The Constitution stipulates that he Supreme Court and other courts in Kosovo are governed by law, with the Supreme Court being the highest judicial authority. The Supreme Court must have at least fifteen percent (15%) of its judges, but not fewer than three (3), from non-majority communities[22]. The President of the Supreme Court is appointed and dismissed by the President of Kosovo for a non-renewable term of seven (7) years, based on the Kosovo Judicial Council's proposal. Presidents of other courts are appointed as per legal provisions. For other courts with appeal jurisdiction, a minimum of fifteen percent (15%) of judges, but not fewer than two (2), must be from non-majority communities. Following the Brussels Agreement on the Judiciary[23] the integration of the judiciary was completed when 40 judges and 13 prosecutors from non-majority communities, mostly Kosovo Serbs, took the oath before the President of Kosovo. In addition, 149 support staff, previously selected - 115 for the courts and 34 for the prosecutor's offices were also integrated[24].

Non-majority participation mechanisms on local level

The regulatory framework related to citizen participation in Kosovo is diverse and encompasses many areas. However, the applicable regulations often leave a lot of space for the municipal authorities to arrange their protocols within the legal framework and further concretize the municipal level rules[25]. Depending on the municipal administrations' capacities, agility, and the leaderships' willingness to apply the principles of participatory democracy in particular municipalities, the municipalities may implement these processes with different success levels.

Citizen participation and consultation processes lead to policy outcomes that better reflect the population's needs and expectations, draw upon local knowledge, and mitigate potential conflicts. Citizen participation and consultation help local government officials ensure their decisions align with public preferences, ultimately resulting in higher citizen satisfaction levels.

21] From the Kosovo Roma, Egyptian, Ashkali, Gorani, Montenegrin and the Croatian communities there shall be two (2) representatives respectively, one (1) of each of whom may be a member of the Assembly of Kosovo. The Kosovo Bosniak and Turk communities shall have three (3) representatives respectively, one (1) of each of whom may be a member of the Assembly of Kosovo. The Kosovo Serb community shall have five (5) representatives, two (2) of whom may be members of the Assembly of Kosovo and the Gorani community shall have two (2) members, one (1) of whom may be a member of the Assembly of Kosovo.Those members who are not members of the Assembly of Kosovo shall normally be the chairpersons or vice chairpersons or the other senior nominees of community representative organizations or representatives of associations or NGOs affiliated with a particular community.

22] Article 103, Kosovo Constitution

23] The Brussels Agreement on Judiciary: https://www.kim.gov.rs/eng/p06.php

24] Figures on the integrated Judges, Prosecutors and administrative staff https://www.kim.gov.rs/doc/pregovaracki-proces/tabela-eng.pdf

25] Article 12 of Kosovo Law on local self-government

On the one hand, local institutions have a considerable number of possibilities to organize and facilitate citizen participation in the decision-making processes. However, while legal, policy, and institutional provisions exist to allow citizen participation and help provide enough space for citizens to actively participate in local decision-making processes, these opportunities are not sufficiently utilized.

That being said, the Municipal Office for Communities and Return (MOCR) is a key executive mechanism for non-majority communities at the local level. Its role and responsibilities are specified by specific regulation (sub-legal act),[26] which stipulates that MOCRs have a mandate for identifying, implementing, and monitoring policies, as well as directly implementing activities and programmes related to the protection and promotion of community rights and for supporting all returnees, refugees, and internally displaced persons. Their establishment is mandatory for each municipality. The Head of the Office proposes to the mayor an annual budget to ensure the proper functioning of the Office and the implementation of projects and activities based on its responsibilities. The Head of the Office regularly reports to the Mayor and the Municipal Assembly Communities Committee. Another very important mechanism on local level for the non-majority community's participation are municipal Communities Committees[27]. The Communities Committees are a municipal body composed of members from both the Municipal Assembly and community representatives. Each community residing in the municipality must have at least one representative in this committee, with community representatives forming the majority. The committee's primary responsibility is to scrutinize the municipal authorities' adherence to the law and assess all municipal policies, practices, and activities. It aims to ensure the full respect of the rights and interests of communities, making recommendations to the Municipal Assembly for appropriate measures. This includes fostering the expression, preservation, and development of ethnic, cultural, religious, and linguistic identities, as well as ensuring robust protection of community rights within the municipality. In addition, in the municipalities where at least ten percent (10%) of the population belongs to non-majority communities, a reserved position of the Chairperson of the Municipal Assembly for Communities is mandated[28]. This position is exclusively designated for a representative from these communities. Additionally, the Deputy Chairperson of the Municipal Assembly for Communities will be appointed from the candidate of the non-majority community who secured the highest number of votes on the open list during the Municipal Assembly elections. Finally, another non-majority participation mechanism is appointment of the Deputy Mayor for communities[29], The Deputy Mayor for Communities is elected for the same term as the Mayor and is appointed or dismissed based on the Mayor's proposal, subject to approval by the majority of municipal assembly members, including the majority belonging to non-majority communities. The Deputy Mayor for Communities assists and advises the Mayor on matters related to non-majority communities.

26] See the Regulation at: https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=10522.

27] Article 53 of Kosovo Law on local self-government

28] Article 54 of Kosovo Law on local self-government

29] Article 61 of Kosovo Law on local self-government

Legal framework and Legal and Political Mechanisms in Slovakia

The rights of national minorities refer to the right to expression, the right to preservation and the right to development of the identity of national minorities. They are part of human rights and enable minorities to survive, preserve and develop their identities and to be protected against assimilation.[30] According to Surova (2020a), minority rights are important since they enable minorities to fully realize their potential, to make decisions about matters affecting them and their lives, as well as to pursue freedom and happiness. In the Slovak Republic are formally recognized fourteen national minorities.

Surova (2020a) has analyzed the regulation of national minorities' rights in the Slovak legislation and concluded that the rights of national minorities in Slovakia are recognized by the Constitution of the Slovak Republic (hereinafter also as "Constitution"), international treaties such as the Framework Convention on the Protection of National Minorities (hereinafter also as "Framework Convention") and the European Charter for Regional or Minority Languages (hereinafter also as "European Charter") that Slovakia is bound by, as well as by individual acts, such as Act no. 184/1999 Coll. on the use of languages of national minorities and Act no. 138/2017 Coll. on the Fund for promotion of culture of national minorities and on amendments to specific laws. In addition, Government decree refers to minority rights e.g. Regulation of the Government of the Slovak Republic No. 35/2023 Coll. regarding the list of the names of municipalities in the languages of national minorities, where the citizens members of national minorities comprised at least 15% of the population (hereinafter also as "Regulation No. 35/2023 Coll.").

Slovakia has further obligations from the other international treaties and documents regulating the rights of national minorities such as the Universal Declaration of Human Rights (1948); the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950); the International Convention on the Elimination of All Forms of Racial Discrimination (1965); International Covenant on Civil and Political Rights (1966); International Covenant on Economic, Social and Cultural Rights (1966); Convention on the Elimination of All Forms of Discrimination against Women (1979). As a member of the European Union (EU), Slovakia has also obligations concerning equality and anti-discrimination that flow from the EU legislation.[31]

According to the Constitution of the Slovak Republic,[32] members of national minorities and ethnic groups in Slovakia have the right to universal development, particularly the development of their own culture; linguistic rights and the right to disseminate and receive information in their mother tongues; the right to associate in national associations, to establish and maintain educational and cultural institutions (Article 34, section 1 of the Constitution). Further, the constitution guarantees citizens belonging to national minorities or ethnic groups the right to education in their language, the right to use their language in official

30] Surová, Svetluša. 2020a. "Does Slovakia need a law on minorities? If yes, why and what kind of law should it be?" Minority policy in Slovakia. Critical newsletter, September 29. https://mensinovapolitika.eu/en/does-slovakia-need-a-law-on-minorities-if-yes-why-and-what-kind-of-law-should-it-be/

31] Surová, Svetluša. 2023a. "Targeting Marginalised Roma Communities in Slovakia: An Analysis of Official Measures During the Covid-19 Pandemic." In The D-Word: Perspectives on Democracy in Tumultuous Times, edited by C van der Westhuizen, S Dube and Z Jolobe, 57-84, Gqeberha: Mandela University Press.

32] Constitution of the Slovak Republic No. 460/1992 Coll.

communication, and the right to participate in the resolution of matters concerning them in addition to the right to learn the state language (Article 34, section 2 of the Constitution). According to the Constitution "belonging to any national minority or ethnic group must not harm anyone" (Article 33 of the Constitution) and the exercise of these guaranteed rights "must not lead to a threat to the sovereignty and territorial integrity of the Slovak Republic and discrimination against the rest of its population" (Article 34, section 3 of the Constitution).

Regarding the constitutional framework for the protection of minority rights in Slovakia, Surova (2020a) emphasizes two points: firstly, the Constitution guarantees the above-mentioned rights only to citizens who are members of national minorities and ethnic groups. Secondly, the Constitution explicitly guarantees the right to be educated in their mother tongue, use their language in official communications and certain participatory rights. According to the Constitution, the right to participate in decision-making processes for minorities in matters affecting them should be regulated by law. However, guaranteed participatory rights by the Constitution to minorities are currently not regulated by a specific legal norm.[33] In previous work on the topic of the necessity of minority law in Slovakia, it was concluded that there are only two specific minority laws in Slovakia that regulate language rights and the financing of the culture of national minorities whilst other laws deal partially with some minorities rights, do not establish minority rights per se.[34]

As mentioned earlier, the Slovak Republic has obligations in the area of the protection of the rights of national minorities and minority languages rising from the two international treaties that acceded to i.e. the Framework Convention on the Protection of National Minorities and the European Charter for Regional or Minority Languages, both documents of the Council of Europe (CoE). Even though most provisions in these two treaties dealing with the status and the rights of national minorities require their incorporation into the Slovak national legal system, so far, a separate minority law in Slovakia has not been adopted.[35]

At the institutional level, minority rights and the implementation of measures to improve the status of national minorities in Slovakia are within the competence of the Plenipotentiary of the Slovak government for National Minorities.[36]The Plenipotentiary for national minorities ensures the enforcement and compliance of the Slovak Republic's domestic and international obligations relating to the status and rights of members of national minorities, among other tasks.[37] Another institution is a Plenipotentiary of the Government of the Slovak Republic for Roma Communities that serves as an advisory body to the government on the issue of Roma communities, with competencies related to their issues and to measures to improve

33] Surová, Svetluša. 2020a. "Does Slovakia need a law on minorities? If yes, why and what kind of law should it be?" Minority policy in Slovakia. Critical newsletter, September 29. https://mensinovapolitika.eu/en/does-slovakia-need-a-law-on-minorities-if-yes-why-and-what-kind-of-law-should-it-be/

34] Surová, Svetluša. 2020a. "Does Slovakia need a law on minorities? If yes, why and what kind of law should it be?" Minority policy in Slovakia. Critical newsletter, September 29. https://mensinovapolitika.eu/en/does-slovakia-need-a-law-on-minorities-if-yes-why-and-what-kind-of-law-should-it-be/

35] Surová, Svetluša. 2020a. "Does Slovakia need a law on minorities? If yes, why and what kind of law should it be?" Minority policy in Slovakia. Critical newsletter, September 29. https://mensinovapolitika.eu/en/does-slovakia-need-a-law-on-minorities-if-yes-why-and-what-kind-of-law-should-it-be/

36] Surová, Svetluša. 2023a. "Targeting Marginalised Roma Communities in Slovakia: An Analysis of Official Measures During the Covid-19 Pandemic." In The D-Word: Perspectives on Democracy in Tumultuous Times, edited by C van der Westhuizen, S Dube and Z Jolobe, 57-84, Gqeberha: Mandela University Press.

37] Úrad splnomocnenca vlády SR pre národnostné menšiny. (ÚSVSRNM) "Štatút splnomocnenca vlády SR pre národnostné menšiny." [Statute of the Government Plenipotentiary for National Minorities] ÚSVSRNM. Accessed 20 January 2024. https://www.narodnostnemensiny.vlada.gov.sk/splnomocnenec/statut-splnomocnenca-vlady-sr-pre-narodnostne-mensiny/?csrt=6911677016357617868

their status and their integration into society.[38] The brief history of the office and criticism for its securitising approach in the past was introduced elsewhere.[39]

In her previous analysis, Surová summarized provisions relating to the participation of national minorities in international instruments for the protection of the rights of national minorities adopted and ratified by the Slovak Republic.[40] Concretely, she has analyzed stipulations of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities of the United Nations41 and the Framework Convention for the Protection of National Minorities of the Council of Europe[42]. It was concluded that the international documents of the United Nations (UN) and the Council of Europe (CoE) promote the effective participation of national minorities in all spheres of life and at all levels of government "while applying and respecting the principles of sovereignty, territorial integrity and political independence of States".[43]

Besides, the Universal Declaration of Human Rights stipulates that "Everyone has the right to take part in the government of his country, either directly or through freely chosen representatives" and "Everyone has the right to enter on equal terms into the public service of his country"[44]. The International Covenant on Civil and Political Rights also guarantees the right to participate in the conduct of public affairs (Article 25).[45] The 1990 Copenhagen Document of the Conference on the Human Dimension of the Conference on Security and Co-operation in Europe (CSCE) (now the Organisation for Security and Co-operation in Europe - OSCE, hereinafter also as the "Copenhagen Document") guarantees national minorities effective participation in public affairs and in those matters relating to the protection and promotion of their identity (Article 35, paragraph one).[46]

The Framework Convention for the Protection of National Minorities of the Council of Europe is especially important since requires the states parties to create the conditions necessary "for the effective participation of persons belonging to national minorities in cultural, social and economic life, as well as in public affairs, in particular, those that concern them" (Article 15 of the Framework Convention). What effective participation is and how to implement it

38] Úrad splnomocnenca vlády SR pre rómske komunity. (ÚSPVSRRK). "Štatút Splnomocnenca vlády Slovenskej republiky pre rómske komunity." [Statute of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities]. ÚSPVSRRK. Accessed 20 January 2024. https://www.romovia.vlada.gov.sk/site/assets/files/1099/statut_splnomcnenca_uplne_znenie_final_na_vladu.pdf?csrt=17784394057808698674

39] Surová, Svetluša. 2023a. "Targeting Marginalised Roma Communities in Slovakia: An Analysis of Official Measures During the Covid-19 Pandemic." In The D-Word: Perspectives on Democracy in Tumultuous Times, edited by C van der Westhuizen, S Dube and Z Jolobe, 57-84, Gqeberha: Mandela University Press.

40] Surová, Svetluša. 2021a. "Politická participácia v pripravovanom zákone o národnostných menšinách" [Political participation in the draft law on national minorities]. Menšinová politika na Slovensku. Kritický magazín. 19. máj 2021. https://mensinovapolitika.eu/politicka-participacia-v-pripravovanom-zakone-o-narodnostnych-mensinach/ Translated article into Hungarian Language Surová, Svetluša. 2023c. Politikai participáció a nemzeti kisebbségekről szóló készülő törvényben, Fórum Társadalomtudományi Szemle, 2023/2, 53-65, https://forumszemle.eu/

41] UN General Assembly. "Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Adopted in New York on 18 December 1992 (GA resolution 47/135)". UN GA. Accessed 18 January 2024. https://bit.ly/330I0A3

42] Council of Europe. "The Framework Convention for the Protection of National Minorities". Accessed 18 January 2024. https://rm.coe.int/168007cdac

43] See Article 8, paragraph 4 of the Declaration; Article 37 of the Copenhagen Document and the Preamble of the Framework Convention

44] Article 21, paragraphs one and two of the United Nations (UN). "Universal Declaration of Human Rights." UN. Accessed 18 January 2024. https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/slo.pdf

45] United Nations (UN). "International Covenant on Civil and Political Rights. Adopted on 16 December 1966 By General Assembly resolution 2200A (XXI)." UN. Accessed 18 January 2024. https://www.ohchr.org/sites/default/files/ccpr.pdf

46] Organization for Security and Co-operation in Europe (OSCE). "Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE. Adopted 29 June 1990." OSCE. Accessed 18 January 2024. https://www.osce.org/files/f/documents/9/c/14304.pdf

according to the Explanatory Report to the Framework Convention for the Protection of National Minorities[47] was described in Surova (2021a, translation 2023c).

According to the Commentary to the Framework Convention, effective participation is intended to promote "genuine equality between persons belonging to national minorities and those belonging to the majority"[48]. The commentary suggests the following tools for achieving effective participation of national minorities. For example, persons belonging to national minorities should be consulted in the design and adoption of measures that directly affect them; the impact on national minorities should be examined in the design of development projects; persons belonging to national minorities should participate in decision-making processes as well as in elections to national and local bodies; and decentralised or local forms of governance could be introduced. At the level of the Council of Europe, the prevailing view is that the establishment of specific rights for persons belonging to national minorities will enable full participation, equality in society and protection against assimilation (Surova, 2021a; translation 2023c).

One of the measures taken to implement the individual articles of the Framework Convention, concretely Article 15, as a mechanism for effective participation in public affairs, Slovakia has created the Committee on National Minorities and Ethnic Groups (hereinafter also as "Committee"), which is a permanent expert body of the Government Council for Human Rights, National Minorities and Gender Equality. The Committee deals with the issues concerning national minorities and ethnic groups and has certain competence in the area of the implementation of the Framework Convention for the Protection of National Minorities within the meaning of Article 15 and of the European Charter for Regional or Minority Languages within the meaning of Article 7, section 4 of the Charter (Article 2, section 1 of the Statute). As well, the Committee serves as a consultative body concerning the participatory rights of minorities deriving from Article 34, section 2, letter c of the Constitution of the Slovak Republic (Article 2, section 2 of the Statute).[49] This body consists of two chambers. One chamber encompasses the representatives of the Committee for National Minorities and in the other chamber are sitting members of the central government. All members have the right to vote. (Article 4, section 2 of the Statute) The Chairman of the Committee is the Plenipotentiary of the Government of the Slovak Republic for National Minorities, who is appointed and dismissed by the Government of the Slovak Republic (hereinafter referred to as "the Government") (Article 4, section 3). The members of the Chamber's Committee for National Minorities are representatives of national minorities and ethnic groups who are elected by electoral assembly and appointed by the Chairperson of the Committee who can also dismiss them (Article 4, section 6 of the Statute). All fourteen legally recognized national minorities have their representatives in the Committee based on the census results.[50]

47] Council of Europe (CoE). "Framework Convention for the Protection of National Minorities and Explanatory Report." CoE. Accessed 18 January 2024. http://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016800c1317

48] Council of Europe (CoE). "Framework Convention for the Protection of National Minorities and Explanatory Report." CoE. Accessed 18 January 2024. http://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016800c1317

49] Úrad splnomocnenca vlády SR pre národnostné menšiny (ÚSVSRNM). "Štatút Výboru pre národnostné menšiny a etnické skupiny." [Statute of the Committee on National Minorities and Ethnic Groups]. ÚSVSRNM. Accessed 18 January 2024.
https://www.narodnostnemensiny.vlada.gov.sk/site/assets/files/3554/statut_vnmes_konsolidovane_znenie.pdf?csrt=17714508091849776035

50] The committee comprises 5 representatives of the Hungarian minority, 4 representatives for the Roma minority, 2 representatives for the Czech minority, 3 representatives for the Ruthenian minority, 2 representatives for the Ukrainian minority, 1 representative for the German minority, 1 representative of the Polish minority, 1 representative of the Moravian minority, 1 representative of the Russian minority, 1 representative of the Bulgarian minority, 1 representative of the Croatian minority, 1 representative of the Jewish minority, 1 representative of the Serbian minority and 1 representative of the Vietnamese minority.

Recently there has been an initiative to draft complex minority law by László Bukovszky the former Plenipotentiary of the Slovak government for National Minorities (hereinafter also as "Plenipotentiary for National Minorities" or "Plenipotentiary") and his Office of the Plenipotentiary of the Slovak Government for national minorities, and representatives of national minorities since 2019.[51] The author of this report has served as an expert member of the Working group for drafting minority law in Slovakia based on the invitation from the Office of the Plenipotentiary of the Slovak Government for National Minorities and has written several critical articles about the process and proposed institutes especially concerning participatory rights of national minorities in the draft minority bill.[52] The former Plenipotentiary for National Minorities, Lászlo Bukovszky, considered the adoption of the law on minorities as a historical chance to pay the legislative debt in Slovakia towards national minorities.[53] However, this initiative was not successful.

One of the priorities of the Government of Slovak Republic is enhancing Roma's participation at all levels.[54] Concrete steps established to achieve this goal include support for programmes and activities that will lead to the empowerment of the Roma national minority. Established actions include active participation of young Roma and Roma women in the design, implementation, monitoring, review and reporting of Roma-specific measures and policies; promoting the participation of Roma and Romani women in advisory and consultative bodies set up by public authorities; enhancing the participation of young Roma and Roma women in policy-making at all levels; establishment of different programmes to support Roma platforms; and including pro-Rom NGOs in the monitoring and evaluation of the implementation of different funding schemes.[55] Moreover, the Office of the Government Plenipotentiary for Roma Communities has prepared methodological documents for evaluation and monitoring

51] Bukovszky, L. (2020), ´Opening of an Event, Panel discussion: What law does Slovakia need to ensure full exercise of the rights of national minorities?´ and ´Final conclusions from discussion´, Bratislava, Conference on Legislative Models for the Protection of the Rights of National Minorities, 18.2.2020, available at: https://vimeo.com/392461748

52] Surová, Svetluša. 2020a. "Does Slovakia need a law on minorities? If yes, why and what kind of law should it be?" Minority policy in Slovakia. Critical newsletter, September 29. https://mensinovapolitika.eu/en/does-slovakia-need-a-law-on-minorities-if-yes-why-and-what-kind-of-law-should-it-be/
Surová, Svetluša. 2021a. "Politická participácia v pripravovanom zákone o národnostných menšinách" [Political participation in the draft law on national minorities]. Menšinová politika na Slovensku. Kritický magazín. 19. máj 2021. https://mensinovapolitika.eu/politicka-participacia-v-pripravovanom-zakone-o-narodnostnych-mensinach/
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Surová, Svetluša. 2021b. "Analýza a komentár k navrhovanému inštitútu Národnostných rád národnostných menšín v pripravovanom menšinovom zákone" [Analysis and commentary on the proposed institute of National Councils of National Minorities in the prepared minority law]. Menšinová politika na Slovensku. Kritický magazín. 23. november 2021. https://mensinovapolitika.eu/analyza-a-komentar-k-navrhovanemu-institutu-narodnostnych-rad-narodnostnych-mensin-v-pripravovanom-mensinovom-zakone/
Surová, Svetluša. 2023b. Model ústavnoprávnej ochrany práv národných menšín v Srbsku - súčasné výzvy a zohľadňujúce skúsenosti pre tvorbu slovenského menšinového zákona. [Model of constitutional protection of the rights of national minorities in Serbia - current challenges and lessons learned for the drafting of the Slovak Minority Law] In: MENŠINOVÉ PRÁVA A ICH LEGISLATÍVNA ÚPRAVA Príspevky z konferencie Úradu splnomocnenca vlády Slovenskej republiky pre národnostné menšiny, Bratislava: Úrad vlády SR – Úrad splnomocnenca vlády SR pre národnostné menšiny, 2023

53] Surová, Svetluša. 2020b. "Plenipotentiary for minorities Bukovszky: the proposed law on minorities is a result of expert work rather than political pursuit" Minority policy in Slovakia. Critical newsletter, November 16. https://mensinovapolitika.eu/en/plenipotentiary-for-minorities-bukovszky-the-proposed-law-on-minorities-is-a-result-of-expert-work-rather-than-political-pursuit/

54] Úrad splnomocnenca vlády SR pre rómske komunity (ÚSVSRRK). "Stratégia rovnosti, inklúzie a participácie Rómov do roku 2030." [Strategy of equality, inclusion and participation of Roma until 2030.] ÚSVSRRK. Accessed January 14 2024. https://romovia.vlada.gov.sk/site/assets/files/1113/strategia_2030.pdf?csrt=14984862477086025964

55] Úrad splnomocnenca vlády SR pre rómske komunity (ÚSVSRRK). 2022. „Akčné plány k Stratégii rovnosti, inklúzie a participácie Rómov do roku 2030 na roky 2022 – 2024."
Accessed January 14 2024. https://romovia.vlada.gov.sk/site/assets/files/1113/akcne_plany_strategie_2030_na_roky_2022_2024_final.pdf?csrt=14984862477086025964

of the Strategy[56] and methodological documents for calculating the values of the indicators of the Strategy.[57]

In the year 2022, the Plenipotentiary for Roma Communities established the Council of the Slovak Government Plenipotentiary for Roma Communities for Non-Governmental Non-Profit Organizations (hereinafter also as "Council") as a consultative body to promote a participatory approach to Roma integration during the whole cycle of measures targeting Roma in Slovakia. This council has in competence to advise about the implementation of the Strategy of the Slovak Republic for Roma Integration until 2030, European Union legislative and non-legislative acts in the field of Roma integration and other obligations arising from the relevant international treaties in the area of fundamental rights and freedoms that is Slovakia bound by.[58] It is yet to be seen how and with what effect will be these measures implemented in practice.

A great example to illustrate how greater inclusion and participation of minorities in decision-making processes doesn't have to necessarily increase their security is the COVID-19 pandemic, which has negatively affected all areas of people's lives. During the first and second waves of the COVID-19 pandemic in Slovakia, 20 Regional Offices of Public Health issued measures that especially targeted members of MRCs. According to research, 58 decrees affected approximately 46,000 to 49,000 members of MRCs.[59] Militarized quarantines limited or seriously violated the fundamental rights and freedoms of the members of the MRCs in Slovakia.

56] Úrad splnomocnenca vlády SR pre rómske komunity (ÚSVSRRK). 2022. "Metodický dokument: Hodnotenie a monitorovanie Stratégie SR pre rovnosť, inklúziu a participáciu Rómov do roku 2030." [Evaluation and Monitoring of the Strategy for Equality, Inclusion and Participation of Roma until 2030. Guidance document]. ÚSVSRRK. Accessed January 14 2024. https://romovia.vlada.gov.sk/site/assets/files/1113/metodicky_dokument_ham_2022_final.pdf?csrt=14984862477086025964

57] Úrad splnomocnenca vlády SR pre rómske komunity (ÚSVSRRK). 2022. "Metodický dokument k výpočtu hodnôt indikátorov Stratégie rovnosti, inklúzie a participácie Rómov do roku 2030." [Methodological document for calculating the values of the indicators of the Strategy for Equality, Inclusion and Participation of Roma until 2030]. ÚSVSRRK. Accessed January 14 2024. https://romovia.vlada.gov.sk/site/assets/files/1113/05_priloha-ap_metodicky-dokument-k-indikatorom_final.pdf?csrt=14984862477086025964

58] Úrad splnomocnenca vlády SR pre rómske komunity (ÚSVSRRK). 2022. "Príkaz splnomocnenca vlády SR pre rómske komunity z dňa 7.7.2023" [Order of the Government Plenipotentiary for Roma Communities of 7.7.2023]. ÚSVSRRK, July 7. Accessed 18 January 2024. https://romovia.vlada.gov.sk/site/assets/files/1126/prikaz_svsprk_012022_7033_23230_2022_kus_rada_mvo.pdf?csrt=14984862477086025964

59] Surová, Svetluša. 2022. Securitization and militarized quarantine of Roma settlements during the first wave of Covid-19 pandemic in Slovakia, Citizenship Studies. https://doi.org/10.1080/13621025.2022.2131070

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Surova, Svetluša, 2023d. "Database of the official acts of Regional Offices of Public Health (ROPH) targeting Marginalized Roma Communities (MRCs) in the first and second wave of the Covid-19 pandemic in Slovakia". https://doi.org/10.7910/DVN/IVNES9

Legal framework and Legal and Political Mechanisms in Czech Republic

The rights of national minorities are protected based on international law regulations (mainly Council of Europe regulations), bilateral agreements between the Czech Republic and neighboring countries (i.e. Poland), constitutional laws, and domestic laws for some specific areas. The current regulations have mainly been adopted due to the process of the Czech Republic's accession to the European Union as compliance with Copenhagen criteria which include the protection of human rights and respect for and protection of minorities are one of the condition of the membership[60]. The EU expected candidate countries, including the Czech Republic, to join the Council of Europe (COE) and to comply with its standards and conventions on human rights and minorities[61]. The Czech Republic is a signatory of the two key documents of COE regulating minority protection: The European Convention on Human Rights and the Framework Convention for the Protection of National Minorities (signed by CR in 1997) and the European Charter for Regional or Minority Languages. The letter was signed by the Czech Republic in 2000 and ratified in 2007 but with very broad derogations to the use of the Polish language in i.e. judiciary, administration, media, and cultural activities (the official reason was concern for the budgets of the state and municipalities)[62].

The protection of national and ethnic minorities is determined by the Constitution from 1992 and the Charter of Fundamental Rights and Liberties adopted in 1991. The Law on Ethnic and National Minorities (Minority Act) is the key legal act on the protection of national minorities. The later act is largely based on the Framework Convention on the Protection of National Minorities but it differs in terms of some definitions. Regulations on the rights of minorities are also contained in 30 national laws (including the anti-discrimination act of 2009).

The Minority Act foresees the establishment of the Council of the Government for National Minorities as a consultative, initiative-taking, and coordinating body of the Czech Government for matters of policy towards national minorities and their members. The council is headed by a member of the government, appointed by the government upon the proposal of the Prime minister. The body consists of the representatives of state institutions (i.e. ministries of finances, culture, and education) and delegates of 14 minorities (the Polish minority has two representatives in the Council). The council provides opinions on the laws and regulations on the minorities' rights, prepares annually a monitoring report on the situation of national minorities in the Czech Republic63, and works on recommendations for government, state institutions, and local self-governments on the protection of national minorities. Within the council, there is a Committee for cooperation with local authorities and a Grants Policy

60] However some authors claim that although the new legal framework for the protection of minorities was constructed in the course of the EU accession, this system did not constitute a substantial transformation from the previous regimes. Klípa, O. (2018). Old Orders behind the New Façade. Minority Protection in the Czech Republic. Interdisciplinary Polish Studies, 6: Cultures in Times of Transition. East Central Europe after 1989/Kultury w czasach transformacji. Europa Środkowo-Wschodnia po 1989 roku, 70.

61] Ram, M.. (2003). Democratization through European integration: The case of minority rights in the Czech Republic and Romania. Studies in Comparative International Development, 38.

62] Sułkowski J. (2003), Realizacja praw mniejszości polskiej w Czechach i mniejszości czeskiej w Polsce, [in:] Dziedzictwo pogranicza. Realizacja praw mniejszości polskiej na Litwie Białorusi Ukrainie i w Czechach oraz mniejszości białoruskiej, litewskiej, ukraińskiej i czeskiej w Polsce, Dariusz Górecki (ed.), Wydawnictwo Uniwersytetu Łódzkiego.

63] The Reports are regularly discussed by the Czech Government and published on the Council website. Information on the discussion of the Report, including the resolution adopted by the Czech Government, is provided also in the Czech Government Gazette for Regional and Municipal Bodies, issued by the Ministry of the Interior. https://vlada.gov.cz/cz/ppov/rnm/historie-a-soucasnost-rady-15074/

Committee. There is also a possibility of creating minority councils at the local government units in the regions and districts (if the number of minority representatives exceeds 5%), and municipalities (if the number of minority representatives exceeds 10%). No special regulations ensure parliamentary participation for minorities or participation in the local self-government bodies.

The Minority Act guarantees also the right to be educated in the minority language from nursery school level through to secondary school and guarantees state support for the preservation of traditions. The minorities are entitled to grants in the framework of the special programs for cultural activities (theatres, museums, archives) and minority language press and periodicals.

The document also stipulates that bilingual geographical names, e.g. for communities, streets, public places, buildings of government bodies, and territorial self-governing units, can be used in the areas, where 10% of the local inhabitants belong to a national minority upon request of 40% of adult citizens. The representatives of minorities have the right to use their mother tongue in official interactions with state institutions and judiciary (the specific regulations on that issue are regulated by separate laws).

The Secretariat prepares annually a monitoring Report on the situation of national minorities in the Czech Republic (the Report). The obligation to submit the Report arises also from the Minorities Act. The Reports are regularly discussed by the Czech Government and published on the Council website.3 Information on the discussion of the Report, including the resolution adopted by the Czech Government, is provided also in the Czech Government Gazette for Regional and Municipal Bodies, issued by the Ministry of the Interior ("MoI"). The Reports are annually distributed in printed form to members of the Council, public administration bodies, NGOs (mainly associations of national minorities), representatives of local and regional authorities, universities, and interested members of the professional and lay public. The Reports are freely available to anyone at the Secretariat office

Due to the concentration of the population in one region, the Polish minority is the only national minority in the Czech Republic that is entitled to national minority education financed from public budgets. Schools are teaching only in Polish or bilingually, both in Czech and Polish. There are currently 32 nursery schools teaching in Polish or Czech and Polish attended by 830 children distributed to 45 classes (in the school year 2021/2022). 24 primary schools attended by 2,040 pupils are teaching in Polish (some of them are incomplete). There is only one Polish secondary school - Polish Grammar School - Polskie Gimnazjum im. Juliusza Słowackiego, Český Těšín. The Secondary Technical School in Karviná, the Business Academy in Český Těšín, and the Secondary School of Healthcare in Karviná have classes with Polish as a language of instruction. The educational activities of Polish minority schools are supported by the Pedagogical Centre for Polish Minority Schools, which was established in 1995, and The Czech Ministry of Education, Youth and Sports, which created many tools (publishing special magazines, textbooks, educating teachers, etc.) to preserve this segment education. Taking into account the decreasing number of Poles in the Czech Republic preservation of national identity with an emphasis on the use of the Polish language is the primary concern of the representatives of the Polish minority.

The Czech state also supports Polish-language media published in Těšín Silesia i.e. bi-daily Głos, monthly Zwrot, magazine for children and teenagers Nasza gazetka and periodicals, which includes teaching materials. The Czech Radio and the Czech Television branches in Ostrava provide slots for programs in the Polish language.

Although the Polish minority is not the largest one in the Czech Republic the most organized one according to Czech scholars[64]. The main organizations safeguarding the interest of the Polish Minority are The Congress of Poles in the Czech Republic (the umbrella organization of the Polish Minority) and the Polish Association for Culture and Education (PZKO) responsible for education and cultural activities. The Congress coordinates the activities of all Polish organizations, represents the Polish minority, and protects its interests by working with the Czech government and public administration. PZKO with 12 000 members in 84 local branches is responsible i.e. for the network of so-called Polish Houses – cultural centers in the communities. Both organizations aim at maintaining and deepening relations with the homeland (Poland). The Congress is also a member of the European Federation of National Minorities - an umbrella organization of Europe's autochthonous national minorities representing their interest in international organizations (i.e. the EU, the Council of Europe, and the OSCE). In 2016, the Congress adopted the document "Visions and Development Strategy of Polishness in Zaolzie till 2035" aimed at the preservation and development of the Polish minority in the region. The activist established also the Zaolzie Development Fund financed by private sponsors (local business people) to support cultural, educational, and sports activities of the local community.

The Polish minority is not very numerous thus their representatives have no ambition for active involvement in the decision-making process at the national level as most of their problems should be solved at the regional, district, or municipality levels. The Council of the Government for National Minorities is considered as a bureaucratic institution, which meets only two times per year so it is inefficient in solving the issues of minorities. This platform of cooperation is sometimes useful in resolving conflicts with local administration and raising issues important for the community. The Polish minority representatives supported the establishment of the Minority Councils on the regional level and they have been introduced in the Ústí nad Labem Region, The Moravian-Silesian Region, and the South Moravian Region (the number of minorities there is less than 5% but the local government decided to establish a Council with similar competences as the one foreseen by law). In the municipalities, where the Polish minority is significant the Municipal Councils for minorities were established in these areas where it was considered necessary to protect the interests of minority groups. However, the Polish minority has many reservations about the operation of these councils in municipalities and their limited influence on decisions taken as they are only advisory bodies.

During the communist period, the activity of the Polish minority representatives was limited to the cultural and educational activities controlled by the Communist Party. That has changed with democratic change in the Czech Republic and the establishment of the multiparty system. However, there is still no specific regulation in the Czech Republic, that would ensure political representation of minorities in the legislative bodies on national, regional, or municipality levels. After the collapse of communism, the representatives of the Polish minority were active in the established minority "alliance" Coexistentia–Wspólnota–Együttélés–Spivžitja–Soužití–Zusammenleben, a political group which initially operated among national minorities in Czechoslovakia and then in the Czech Republic, aiming at securing the rights of national and ethnic minorities[65]. The movement unsuccessful ran in parliamentary and regional elections and after 2006 decided to focus mainly on economic issues and participate in local elections in some municipalities only. Since then, there has been no specific ethnic party or movement, which represents the Polish minority on the national and regional

64] Klípa, O. (2018). Op.cit.

65] Zendarowski, R. (2020), The election attitudes among the Polish minority inhabiting the region of Zaolzie in the Czech Republic (1990–2018), Analele ştinnţifice de Istorie, codrul cosminului, 20.

level. The political activity of the Poles in the Czech Republic is based on "civic participation" and cooperation with the majority nation in different political projects (as a member of national political parties) and aiming to obtain posts in state institutions. During the elections, Poles don't expose their national identity but focus on the municipality or district problems because that strategy enables them to widen their electoral (ethnic) base and successfully run for mandates as big parties or independent candidates. This strategy turned out to be very effective as Poles tend to be "over-represented" in the municipality council compared to the number of their population in the given municipality[66]. Therefore, in many municipalities Councils are dominated and controlled by their representatives. The Poles were even able to obtain mandates in the parliamentary election (representing different parties).

The protection of the interests of the Poles in Zaolzie is the primary concern of the Congress and most of the grievances and problems are addressed or elaborated in the framework of this organization, which is considered by the local population as the most efficient tool to safeguard their interest. As it's a grassroots organization it enjoys high popularity among the local community. The more complex issues are addressed with the support of the Polish Consulate in Ostrava and/or via the Council of the Government for National Minorities. Especially, as the districts' and municipalities' governments seem to be less willing to follow the regulations on protecting minority rights (for example the language one) than the central government. In such cases, the central government is recognized as an ally of minority representatives in their conflicts with the local administration.

There is no specific system of protection of the social and economic rights of minorities in the Czech Republic. However, the Polish community is not only well-established but also relatively wealthy in comparison with the rest of the population in the region. Therefore, it does not require and does not call for, special regulations in this area. The independent and effective judiciary and the law enforcement agencies (in which a lot of Poles work) are considered institutions protecting the interests of all citizens similarly and treating all of them equally.

The representatives of the Polish minority appreciate the regulations of the Council of Europe on the protection of minority rights that influenced the national regulation in this area and led to establishment of the domestic institutions to protect minorities and enable minority opinions to be taken into account in the formulation of government policies. The Czech Republic is obliged to submit regular reports on the Implementation of the Convention for the Protection of National Minorities and the Advisory Committee on the Framework Convention (ACFC) provides its opinion on the implementation and formulates recommendations based on the delegation visit and the interviews with the representatives of the minorities. This mechanism is considered an efficient tool for monitoring the activities of the government and pushing for the implementation of the regulation. The regular reports mobilize the government to take decisive action to protect and support minorities. The study visits of the representatives of ACFC are also opportunities for the minority to raise different concerns and create additional pressure on the government to solve some contentious issues.

66] Ibidem.

Legal framework and Legal and Political Mechanisms in Hungary

Looking at the different legal and political mechanisms in place that supposedly ensure the protection of minority rights in the country, one could say that Hungary's legal framework is up to the European standard. Hungary, as a member of the European Union and a country with a history of ethnic heterogeneity (though more homogenous in modern times), is subject to EU regulations and directives related to minority rights. The EU promotes the protection of minorities and their cultural diversity as part of its broader human rights framework. The EU Charter of Fundamental Rights also includes provisions on the rights of persons belonging to minorities. Moreover, EU member states are expected to adhere to the principles of non-discrimination and equal treatment. In Hungary, minority rights are protected by law including the former constitution of Hungary (1949) and the 2011 Fundamental Law. After the regime change of 1989, the first major Act on National and Ethnic Minorities, often referred to as the Minority Act, was adopted in 1993. This legislation included guarantees for personal rights, community rights, cultural autonomy, language use, or self-governance in the form of local and national minority governments. The mechanism of minority governments was further developed, receiving a separate election law in 2005, and an amendment of said law in 2010. The latest legislation on the list is perhaps the 2011 Act on Nationality Rights, which includes all the aforementioned rights and responsibilities of minorities. On paper, Hungarian law generally acknowledges and protects rights of minorities, including the use of native language in education, media, and public administration, equal opportunities in education and employment, representation in local and national governance. In reality, however, the largest minority in Hungary, Roma people, who are in the focus of this study, are often excluded from civic life, employment, education and welfare, as we explore further in the "*Segregation policy and its consequences*" chapter below.

Mechanisms for Decision-Making Engagement

There is a legal framework for special minority representation for both the Hungarian municipal and general elections, with the establishment of minority governments through the municipal elections, and the option to register and vote for minority lists during parliamentary elections. These are mostly part of the legislation mentioned in the previous section. There's also the Commissioner for Fundamental Rights, who is legally obligated to pay particular attention to the protection of the rights of national minorities living in Hungary. Finally, there are the Spokespersons for Nationalities, of which there are 11 currently (of the 13 official minorities), but no spokesperson for the Roma minority, because the National Roma Government didn't manage to settle on their parliamentary list before the deadline ahead of the 2022 general elections.

Minority Governments

Individual nationalities in Hungary may establish by direct election municipal governments, regional governments in the capital and in counties, and a national government[67]. Local minority governments can contain 3-5 representatives, regional governments can contain 7 representatives, and the national minority government may contain up to 47 representatives68. Voting rights, passive and active, are connected to a nationality registry, into which any member of an official nationality may request entry. One person can only be registered as a member of one minority at any time. The responsibility of minority governments is the

67] https://net.jogtar.hu/jogszabaly?docid=a1100179.tv

68] Ibid.

management of national public affairs, which include "the expression of the interests of members of national minorities, in particular the cultivation, preservation and enrichment of the mother tongue, and the realization and preservation of the cultural autonomy of national minorities, by providing members of national minorities with specific public services, the independent management of these matters and the creation of the necessary organizational, personnel and material conditions for this purpose"[69]. To put it simply, the job of minority governments is to protect the rights of — and represent in the political sphere — their respective minority and take an active part in providing due services. They supposedly work together with the state and especially municipalities which are obligated to provide essential infrastructure and assistance to minority governments to ensure they can carry out their task. Legally, minority governments can compel local governments to initiate public procedures to provide the due rights and services to minorities and serve as a watchdog in issues that influence the local minority community for which they are responsible. As for the National Roma Government, unfortunately, it is currently fatally dysfunctional, an issue I explore in more detail in the "*Roma political representation in practice*" chapter.

Minority lists and minority representatives in the Hungarian Parliament

Minority organizations can compose a minority candidate list for the parliamentary elections, for which registered members of said minority can vote. The assembly of the national minority government of each minority decides on the final roster of their minority list. Minority voters must decide whether they'd prefer to vote for the list of their respective minority OR a party list. While less votes are needed for a minority mandate than a party mandate, it is exceedingly hard to get into the parliament from a list of one of the nationalities – the most seats a minority has ever won is one – and currently there's only one minority MP in the Hungarian parliament, Imre Ritter, who's a member of the German minority. Minority MPs have less individual 'powers' compared to party representatives, as for them to speak in the parliament, the House Committee must usually agree that the matter concerns their nationality. They also cannot join any party group, which also means they can't be members of parliamentary committees. Due to the almost non-existent political and decision-making power of the minority candidates, as well as the need to register as a member of a minority in order to vote, and even more importantly, the exclusive nature of party and minority list voting, most minority voters don't exercise their right to vote for a minority list. When a minority runs a list for the parliamentary elections but wins no seats (which is common), that is when they receive a minority spokesperson mandate, to which I referred earlier. As established, the Roma minority didn't manage to set a list in 2022, which meant losing their spokesperson (after 8 years of having one) and the chance to win a minority mandate in the parliament.

69] Ibid.

Comparative analysis of the mechanisms

The protection of minority rights is a crucial aspect of ensuring inclusive and democratic societies. This comparative analysis examines the mechanisms for protecting minority rights in all four countries. While each country has its unique historical, cultural, and political context, they all face similar challenges in safeguarding the rights of minority groups within their borders. By examining their legal frameworks, political mechanisms, and the effectiveness of minority representation, we can identify similarities, differences, and best practices in minority rights protection.

All four countries have constitutional provisions and laws aimed at protecting minority rights. In the Czech Republic, the rights of national minorities are protected by the Constitution, the Charter of Fundamental Rights and Liberties, and the Minority Act. Similarly, Hungary's legal framework includes the Fundamental Law and the Act on Nationality Rights. In Slovakia, minority rights are enshrined in the Constitution and the Act on the Use of Languages of National Minorities. Whilst Kosovo has also incorporated minority rights protection into its Constitution and legislation, including the Law on Protection of Rights and Freedoms of Communities and their Members.

While the legal frameworks share common objectives, there are differences in the specific provisions for minority rights. For example, Slovakia and Hungary have specific legal provisions addressing the rights of particular minority groups, such as the Hungarian minority in Slovakia or the Roma minority in Hungary. Kosovo's legal framework emphasizes the protection of communities rather than individual minority rights due to its multi-ethnic nature.

Political mechanisms for minority representation vary among the four countries. Hungary has established minority governments, which allow nationalities to establish municipal, regional, and national governments to represent their interests. These governments have responsibilities related to cultural autonomy, language use, and the provision of specific public services for minority communities. In contrast, the Czech Republic has the Council of the Government for National Minorities, which serves as a consultative body for minority-related policies but lacks decision-making power.

Slovakia has mechanisms such as Committee on National Minorities and Ethnic Groups (hereinafter also as "Committee"), which is a permanent expert body of the Government Council for Human Rights, National Minorities and Gender Equality, while Kosovo has community rights mechanisms to protect the interests of ethnic communities. The effectiveness of these mechanisms depends on their implementation and the level of engagement between minority representatives and government authorities.

The level of minority representation and participation in decision-making processes varies across the four countries. In Hungary, minority representatives can be elected to municipal, regional, and national minority governments, providing them with direct influence over minority-related policies. However, the effectiveness of minority representation in the Hungarian parliament may be limited due to the dominance of major political parties.

In the Czech Republic, minority representatives participate in the Council of the Government for National Minorities, providing input on minority rights legislation and policies. However, minority councils at the local level may have limited decision-making authority, depending on local government structures.

Slovakia has mechanisms for minority representation, such as the Committee, but the extent of their influence on decision-making processes may vary. In Kosovo, the representation of minority communities in government institutions is mandated by law, but challenges related to political fragmentation and inter-ethnic tensions may affect their effectiveness.

Despite efforts to protect minority rights, all four countries face common challenges and opportunities. One challenge is the implementation gap between laws and their enforcement on the ground. In many cases, minority communities continue to face discrimination, marginalization, and socio-economic disparities.

Another challenge is the politicization of minority issues, where political parties may exploit ethnic tensions for electoral gain, undermining efforts to promote inter-ethnic harmony and cooperation. Furthermore, the lack of trust between minority communities and government institutions can hinder effective dialogue and cooperation.

Evaluation of Participation in Decision-Making in Practice

Insights from Kosovo

Before we delve further into the evalution of the decision making in practice, it is important to highlight here that the developments in the second half of 2022, left Kosovo Serbs, the biggest non-majority community in Kosovo, almost totally unrepresented in Kosovo institutions. Namely, in November 2022, the Kosovo Serbs withdrew from Kosovo institutions due to perceived violations of agreements and rights by Pristina, including the suspension of a Serb Kosovo Police Officer and the deployment of additional Kosovo Police Special Units to the north, which exacerbated tensions and security concerns among the Serb population. The Serbs withdrew from all Kosovo institutions, including the assembly, government, four municipalities in the north, judiciary, police, and administration. This decision was made during a meeting of political and institutional representatives of the Serbs in Kosovo. The withdrawal was intended to remain in effect until certain conditions were met by Pristina, including the respect of agreements and rights, withdrawal of the license plate decision, and establishment of the Community of Serb-majority Municipalities in accordance with the First Brussels Agreement and all other relevant agreements reached in the dialogue.

The decision to withdraw from institutions was triggered by Pristina's suspension of Nenad Djuric, director of the Regional Police Directorate North, for refusing to issue warnings to Serbs with 'KM' license plates on their vehicles. Subsequently, the Kosovo Government sent hundreds of police officers from the south to the north in mid-December under the pretext of ensuring security. This influx of police officers, accompanied by armoured vehicles, led to arrests, reported harassment, and an atmosphere of tension among the Serb population.

In analysing the focus group responses regarding minority rights and participation in decision-making processes in Kosovo, it is evident that the Serbian community faces significant challenges. The responses reflect a complex situation marked by concerns over discrimination, ineffective institutional mechanisms, and a perceived lack of genuine political representation.

The perception of minority rights in Kosovo, particularly for the Serbian community, is laden with a sense of vulnerability and peril. One of the participants in a focus group has vividly illustrated this sentiment by stating that, "currently, our community is in a very precarious position, and everything the authorities at the central level do only further endangers us. This situation is unprecedented."[70] This reflects a deep-seated concern about the deteriorating situation and a perceived lack of protection for the Serbian community.

Moreover, the acknowledgment of existing laws and sub-laws regulating minority rights contrasts sharply with the practical realities on the ground. A participant notes, "The status of minority rights in Kosovo is fairly regulated by laws and sub-laws, and Kosovo has aimed to implement these laws. However, this is not always the case, and any change in power in

70] Response from the focus group organized on 17 October in North Mitrovica

Kosovo negatively affects non-majority communities."[71] This suggests a disjunction between legal frameworks and their enforcement, contributing to the community's apprehensions.

When it comes to the situation on the south, according to the participants of the focus group in held in Gračanica/Graçanicë, the perception of minority rights in Kosovo is viewed as challenging, "despite efforts by UNMIK and KFOR to make progress". While some standards have been adopted, there are issues with their implementation, resulting in incomplete realization of basic minority rights. As one of the participants noted "In practice, the rights prescribed by law for minorities are not enforced, and often the minorities are characterised as second-class citizens."[72]

The responses indicate a historical trajectory marked by fair and correct relationships that have progressively deteriorated. One participant observes that the, "relations were very poor after the conflict, but over the years, some trust and attempts at reconciliation were built[73]." This temporal perspective highlights the fragility of inter-ethnic relations and the susceptibility of positive trends to external factors. Whilst in the North, according to the participants of focus groups, recent security and political developments caused deterioration of the inter-ethnic relationships, participants of the focus group organized in Southern Kosovo in Gračanica/Graçanicë, stressed that the deterioration of relationship between communities occurred long before, as they were often mentioning March 2004 riots as a trigger for it. On that note, one participant stressed "our community and other communities, especially the majority population, is characterized by tension. Incidents such as the events in March 2004 highlight existing divisions and challenges in building trust[74]". Interesting for further analysis was that the participants evaluated their relationship with the majority community as not at a satisfactory level, with mutual disagreements on political, religious, and security issues, whilst, the relationship with other minority communities is relatively good.

The economic cooperation mentioned as a positive element is contextualized within the broader challenges. A participant has noted that, "positive relationships are often built through economic cooperation, but they are not immune to the consequences of political decisions"[75]. This underscores the interconnectedness of economic and political dynamics, indicating that economic cooperation alone is insufficient without addressing underlying political tensions.

While certain awareness of institutional mechanisms exists, doubts persist regarding their practical efficacy. A participant with a background in the NGO sector points out, that "there is a consultative council for communities at the president's office that used to provide recommendations to Kosovo presidents on minority rights. However, often, these recommendations are not implemented[76]." The similar answers were provided by the focus group held in Gračanica/Graçanicë "Although there are institutional mechanisms for protecting minority rights, their effectiveness often falls short. Standards have been adopted, but problems remain unresolved, and many members of minority communities face challenges in realizing

71] Response from the focus group organized on 17 October in North Mitrovica
72] Response from the focus group organized on 12 October 2023 in Gračanica/Graçanicë
73] Response from the focus group organized on 17 October 2023 in North Mitrovica
74] Response from the focus group organized on 12 October 2023 Gračanica/Graçanicë
75] Response from the focus group organized on 17 October 2023 in North Mitrovica
76] Response from the focus group organized on 17 October 2023 in North Mitrovica

their rights."[77]. This was highlighted by several focus group participants, and it clearly shows the perception that there is the gap between institutional frameworks and their operationalization, questioning the effectiveness of these mechanisms in safeguarding minority rights.

Notably, the withdrawal of Kosovo Serbs from Kosovo institutions emerges as a critical factor affecting institutional mechanisms. A respondent notes that, "with the withdrawal of political representatives and police officers from the Serbian community, that protection is seriously jeopardized.[78]". This suggests that the effectiveness of institutional mechanisms is contingent on sustained political representation and engagement, as it could be concluded that Kosovo Serbs believe that only political representatives coming from Serbian community could genuinely represent them and advocate for protection of their rights.

The perception of the level of involvement of the minority community in decision-making processes is characterized by limitations and a lack of adequate representation of their voice. Respondents have expressed frustration due to the lack of effective inclusion, noting that their community often faces constraints and feels that it is inefficiently included in the broader system. The withdrawal of political representatives is highlighted as a significant contributor to the community's low level of involvement. A participant asserts, "Unfortunately, with Serbs leaving institutions, I fear there is no one to represent our interests."[79] This suggests that effective political representation is pivotal for community engagement in decision-making processes. As expected, situation was perceived differently in the North and South, as in the South the Kosovo Serbs did not withdraw from local level institutions, as pointed by one of the respondents" involvement in decision-making exists primarily at the local level, whilst there is limited representation and absence of political actors at the central level which is hindering the process".

The low level of involvement in decision-making processes is a recurrent theme, with petitions being one of the few avenues for participation. A participant emphasizes that,"the only form of participation of the Serbian community is through various petitions."[80] This indicates a limited scope for direct engagement and underscores the community's reliance on alternative methods to voice concerns.

The analysis of access to services and documents reveals a profound linguistic and communication barrier for the Serbian community. A participant describes the use of the Serbian language and script as "almost non-existent," emphasizing the systemic nature of this issue. The participant further adds, "Documents are often provided only in Albanian, and even when in Serbian, they are poorly translated to the point of being incomprehensible[81]." This highlights not only the lack of linguistic inclusivity but also the substandard quality of translation, compounding the difficulties faced by the community.

The constitutional guarantee of language rights is contrasted with the stark reality of their implementation. A respondent notes, "I know that the use of the Serbian language is guaranteed by the constitution, but in practice, it's far from that[82]." Access to services and docu-

77] Response from the focus group organized on 12 October in Gračanica/Graçanicë
78] Response from the focus group organized on 13 October in North Mitrovica
79] Response from the focus group organized on 17 October in North Mitrovica
80] Response from the focus group organized on 13 October in North Mitrovica
81] Response from the focus group organized on 17 October in North Mitrovica
82] Response from the focus group organized on 17 October in North Mitrovica

ments in their native language within institutions is often limited, making it difficult to exercise basic rights. This limitation is consistently reported across responses, both at the local and central levels, with inadequate access hindering the realization of fundamental rights. This disjunction between legal guarantees and practical implementation raises questions about the commitment to linguistic diversity within the institutional framework.

Skepticism regarding the effectiveness of mechanisms protecting human and minority rights is a prevailing sentiment. A respondent succinctly states, "The institutions themselves violate mechanisms meant to protect human and minority rights, so their effectiveness and efficiency are far from practical in reality[83]." This stark assessment points to a fundamental lack of confidence in the existing institutional safeguards.

The disappointment in the absence of monitoring mechanisms by Civil Society Organizations (CSOs) and the international community adds another layer to the critique. A participant expresses disappointment, stating, "Yes, I'm familiar with them. I'm disappointed because there are no monitoring mechanisms by Civil Society Organizations (CSOs) and the international community[84]." This underlines the need for external oversight and accountability mechanisms to ensure the protection of minority rights.

Discrimination emerges as a pervasive issue faced by the Serbian community at both individual and community levels. Instances of discriminatory behaviour are cited, such as difficulties in obtaining documents or conducting conversations with authorities in the Serbian language. A participant shares a personal experience, "Yes, the latest example is a conversation with a police officer that could not be conducted in the Serbian language[85]." This first-hand account highlights the tangible impact of discriminatory practices on daily interactions with authorities.

The responses indicate a pervasive sense of discrimination both at the individual and minority community levels within society. Examples cited, especially in Gračanica, include instances of mass emigration and violence during the events of March 2004, highlighting the severity of discriminatory practices. Additionally, language barriers are identified as a common form of discrimination within minority communities, where officials from the majority community often refuse to accept the language of minority groups despite its legal regulation. These examples underscore the multifaceted nature of discrimination experienced by individuals and minority communities, ranging from systemic issues to everyday challenges.

The responses suggest a limited familiarity with political representatives advocating for the community's interests. While some respondents acknowledge awareness of these representatives and follow their work, there is a prevalent sentiment of dissatisfaction. This dissatisfaction stems from the perception of inadequate representation of minority interests, which undermines trust in these representatives. The responses highlight a disconnect between the representatives' actions and the needs and priorities of the minority community they purportedly represent. This lack of satisfaction underscores a broader issue of representation and accountability within the political landscape, where minority interests may not be adequately prioritized or addressed.

83] Response from the focus group organized on 13 October in North Mitrovica

84] Response from the focus group organized on 13 October in North Mitrovica

85] Response from the focus group organized on 17 October in North Mitrovica

The lack of trust in political representatives is a recurring theme, with doubts raised about their competence and alignment with community interests. A participant emphasizes, "I don't trust the current political representatives, nor do I consider them my representatives[86]." This lack of trust suggests a profound disconnect between the community and its appointed representatives.

86] Response from the focus group organized on 13 October in North Mitrovica

Insights from Slovakia

Three participants from the first focus group (1,3,5) shared their perceptions of the position of minority rights in a wider social context in Slovakia as insufficient. They have even provided examples where in their opinion minority rights are not adequately safeguarded. These refer to Roma minority schools, language rights, ethnic political parties, and minority law among others. According to Participant 3 (female, 21, Nové Zámky), there is only a small number of Roma minority schools and they do not function as they should. Further bilingual signs in public places are not always available for minorities. And lastly, according to her, an "ethnic" political party should get into parliament. She thinks that the five per cent threshold for that is very high and difficult to reach.

In addition, Participant 5 (female, 26, Pukanec) from the frist focus group echoed concerns about the absence of a comprehensive minority law and the lack of awareness among minorities about available support organizations. Participant 1 (female, 18, Svodín) from the same focus group emphasized the difficulty minorities face in adapting to societal norms and accessing opportunities, particularly in education and employment. In the second focus group, the participants engaged with the question regarding the status and rights of national minorities in Slovakia and expressed vague concerns. Participant 1 (a former government official aged 50-60), highlighted the diminishing space for the Hungarian minority in various spheres and proposed a new political program to address the crisis. Participant 5 (an entrepreneur and former government official aged 60-70), emphasized the severe decline in the social status of the Hungarian community, attributing it to long-term processes and communication challenges. Participant 3 (a government official aged 50-60), redirected the discussion to the core issue of Hungarian minority rights, questioning the focus on political matters and urging clarity on the discussion's objectives and segments. The participants from the second focus group emphasized the urgency for the Hungarian minority in Slovakia to organize and create an analytical document regarding their current situation. They discussed the need for a new forum to facilitate discussions on minority rights, with particular emphasis on clarifying ongoing initiatives.

When asked about the interethnic relations, Participants highlighted varying dynamics in majority-minority relations across regions and social layers, with stereotypes often leading to the lumping together of minorities, particularly Roma, according to Participant 3 (female, 21, Nové Zámky) from the first focus group. Instances of nationalism occasionally surface, contributing to a sense of superiority among the majority, as noted by Participant 3. Participant 4 (male, 14, Bratislava) from the first focus group, however, shared a dissenting perspective, stating that he doesn't perceive differential treatment despite being part of a double minority, although he recalled childhood experiences of ethnic-based teasing. Participant 1's (female, 18, Svodín) experience in Štúrovo, where Hungarian is predominant, contrasted sharply with her realization of minority status upon moving to Bratislava, prompting introspection. Interactions between different minority groups were characterized by Participant 3 (female, 21, Nové Zámky) as lacking in cooperation, while Participant 5 (female, 26, Pukanec) suggested that relations within the Roma community are influenced by factors such as geographic location and social status.

The vast majority of the participants of the first focus group shared instances of discrimination in various contexts, including school, public spaces, transportation, and offices, with examples ranging from verbal insults to unequal treatment based on ethnicity and language proficiency. Additionally, discussions delved into the complexities of identity, with one

participant highlighting differential treatment based on her Hungarian and Spanish heritage, emphasizing negative perceptions of her Hungarian nationality. Some participants also reflected on their past biases towards their own minority group, Roma, while others highlighted discrimination faced by family members who struggle with the Slovak language.

The participants from the second focus group discussed perceptions of the Hungarian minority by the majority in Slovakia, highlighting concerns about being viewed as an anti-democratic force aligned with populism and conservative ideologies, which differs from the past image of the community as pro-European and pro-Western. There were apprehensions about becoming increasingly irrelevant in the media landscape and facing isolation from other minority groups. Additionally, reflections were made on the Hungarian community's political orientation, with some expressing worries about aligning with Russian propaganda and potential repercussions on solidarity with other groups. The discussion did not extensively cover discrimination, with only two participants sharing experiences of not facing discrimination in Slovak-speaking environments.

When it comes to the political representation and participation, participants from the first focus group discussed advocating minority interests by political representatives. Some had opinions that minorities need their political representation in parliament to push a "minority agenda" (Participant 3, female, 21, Nové Zámky) or somebody strong enough to defend the interests of minorities (Participant 5, female, 26, Pukanec). However, it was acknowledged that "You can't just talk about ethnic politics. That it's not enough, that there are other problems and bigger problems. It would be better to vote based on ideology and programme. Values and solutions are important." Participant 3 (female, 21, Nové Zámky). In a similar vein Participant 2 (female, 18, Nová Dedinka) stated that is not sufficient to have Hungarian political parties which only claim that they are Hungarians. "So what?"- she asks. Participant 4 (male, 14, Bratislava) doesn't follow political representatives that belong to his minority. Participant 6 (female, 35, Nitra) didn't engage in discussion at all. In addition, participants discussed institutional mechanisms for the participation of national minorities in decision-making processes. They were asked if they knew how they could take part in these processes and how their voice could be heard. As a first predisposition, it was identified the language, that members of minorities must learn the Slovak language (Participant 1, female, 18, Svodín; Participant 4, male, 14, Bratislava). Not knowing the majority language can be limiting in many spheres such as education but also public spaces and can lead to discrimination against minorities agreed participants. However, when a member of the national minority lives in a predominately minority environment, she doesn't have adequate opportunities to learn the majority language (Participant 1, female, 18, Svodín). Secondly, it was pointed out the existence of "minority councils" as well as NGOs or other institutions that can represent in some other way minorities and their rights e.g. ethnic political parties in parliament (Participant 3, female, 21, Nové Zámky). Participant 5 (female, 26, Pukanec) stressed that existing mechanisms of giving the floor to minorities are not visible and "minorities are not even often aware that such a mechanism exists". In her opinion, the representatives of minorities who participate in these processes "do not fully represent the real needs of minorities". Moreover, she finds it very "annoying" that for example Roma communities are perceived as objects of social aid. Instead, "little attention is paid to those people who are themselves, for example, representatives of the Roma minority, who are involved somehow in that social and societal life. So, I think that my needs are not really being heard at the moment." concluded Participant 5 (female, 26, Pukanec). Participant 2 (female, 18, Nová Dedinka) and Participant 6 (female, 35, Nitra) didn't engage in this discussion.

The participants from the second focus group expressed dissatisfaction with Hungarian representationcriticizing the Hungarian Alliance for its perceived focus on financial gain and disconnect from constituents' interests. Concerns were raised about the potential appointment of György Gyimesi as Plenipotentiary for National Minorities and his impact on minority representation, with calls for a more proactive and community-focused approach to address societal challenges. The extensive discussion revolved around a theme of the cooperation of the members of the Hungarian minority with the new, fourth Fico government. Participants talked if representatives of the Hungarian minority should cooperate with the new government. Participant 1 (male, 50-60, former government official) announced that he already has prepared "a set of recommendations for the government that they could use. It is a proactive package." According to him now has to be decided "if we want to be part of the processes or not. By this I mean, do we, as a community, want to cooperate with the government or not?" Some participants emphasized that the Hungarian minority has become "irrelevant" and "will remain so for the foreseeable future" (Participant 5, male, 60-70, entrepreneur, former government official). Others thought that "this government will not look for proper cooperation with the minorities" (Participant 4, female, 50-60, media house manager). Participant 3 (male, 50-60, government official) warned that they cannot give up the positions that they already have. "We need to create personal connections. Find people that we can talk to, and talk to those people regularly. I think some of the government parties, Hlas in particular, can be talked to. Maybe even influence the government program."

Only three participants from the first focus group talked about access to services and documents in their native language within institutions in Slovakia. Some were knowledgeable that some laws and documents should be translated into minority languages, but it is not easy to find them (Participant 3, female, 21, Nové Zámky). In some municipalities, in the official use at public offices is only the Slovak language (Participant 2, female, 18, Nová Dedinka) while elsewhere also a minority language (Participant 1, female, 18, Svodín).

The last theme emerging from the discussion relates to the participant's opinions and beliefs about what could improve the rights and living conditions of the members of their community. At the beginning of this discussion, the existence of fascist, neo-fascist political parties that "go against minorities" was brought up. Participant 1 (female, 18, Svodín) was bothered that these kinds of parties exist in the Slovak democratic society. Three participants agreed that education is the most important. Education in general (Participant 4, male, 14, Bratislava) and the education of Roma children and their equal access to education (Participant 5, female, 26, Pukanec). As well it was identified the need for general education about ethnic minorities and that "they don't want to hurt anybody" Participant 3 (female, 21, Nové Zámky). Participant 2 (female, 18, Nová Dedinka) and Participant 6 (female, 35, Nitra) didn't engage in this discussion.

The participants from the second focus group focused on the institutional framework for protecting minority rights in Slovakia, expressing concerns about the diminishing importance of institutions like the government's minority committee, which has been downgraded and disregarded in legislative processes. While some advocated for maintaining and utilizing existing institutions, others emphasized the need for a stronger bureaucratic apparatus and highlighted the importance of resources allocated to minorities, particularly the Hungarian minority, to ensure inclusivity and prevent marginalization. Participant 1 (male, 50-60, former government official) from the second focus group underscored the necessity of equitable support mechanisms and suggested engaging with Roma activists to address these issues comprehensively.

Insights from Czech Republic

There is a huge difference in awareness of the existence of specific regulations on representation of the minority interests between the Poles living in Zaolzie and the population living in the other part of the country. The People from the Zaolzie region know the different mechanisms to protect their interests and use them to shape the decision-making process. They also usually vote for Polish representatives in the election even though they are not running underling their national affiliation.

The community is small so most of the people know their representatives in person and don't need special ethnic labels to recognize them. According to the local Poles, the ability to push for a solution beneficial to minorities mainly depends on the minority's self-organization and the building of shared awareness of the needs and priorities of the community. The individual skills of the Polish mayors and councilors are also an important factor contributing to protecting the interest of this minority.

In contrast, Poles living outside of Zaolzie have little awareness of specific mechanisms, which could be used to protect their specific national interest. However, they are usually well-integrated into the majority community, and they don't feel discriminated. The problems they encounter are similar to the ones affecting the Czech population (problems with access to health system, nurseries, and affordable housing). Therefore, their vote pattern does not differ significantly from the one of the Czechs with similar economic and social status as the programs' of the parties not the ethnicity of candidates shapes their voting behavior. If their personal or national rights are neglected they seek protection through the judiciary and administrative procedures and the institutions for the Protection of human rights (i.e. Ombudsman).

Both groups consider establishment of the stable institutions guaranteeing the rule of law, human rights, etc. in the process of democratic transformation and the EU accession process contributed to the level of protection of the rights as citizens and protect them from arbitrary decisions of the administration and state institutions, especially in comparison the communist period.

Insights from Hungary

The baseline for discussing any form of decision-making in Hungary is to recognize that decision-making in the country is very centralized and non-pluralistic. While I present why Roma representation is lacking in Hungary it's important to point out that there is no pluralism in Hungarian decision-making in general. Lawmaking quickened beyond any possibility of social consultation, the civil sector and the opposition are excluded from the process, and party lines and personal connections define allocation of resources and powers. The current government has been in power for 13 years, almost continuously with a 2/3 majority in the parliament, and it is increasingly present in all walks of life from media through culture and education to industry. As the central government grew stronger, local governance weakened, both in terms of powers and resources. Hungary performs poorly in democratic indexes; the well-recognized Freedom House Index deemed the country a "hybrid regime"[87]. As the country as a whole suffers from a democratic deficit, it is no surprise that the representation of a minority such as the Roma minority is also lackluster.

Starting with the national level, as previously established, the Roma minority doesn't currently have an official MP or a nationality spokesperson in the parliament. There are few Roma MPs, for instance, the 2022 joint opposition agreed to run a number of Roma candidates in the safe slots on the joint list, but, as they are in opposition parliamentary groups, they can't really influence decision-making. The governing coalition of Fidesz-KDNP generally votes one way in perfect unison regardless of ethnic background, and their parliamentary groups are rather homogenous in terms of ethnicity, gender, religion and ideology anyway. Then, there is the National Roma Government.

Currently, the National Roma Government (ORÖ) is insolvent, bankrupt. "Staff have been working without pay since October 2023, Reps have not received their salaries for six months, and utility bills for the Budapest headquarters have not been paid" according to Oszkár Lakatos, acting interim president of the ORÖ, adding that calling a general assembly or voting on this year's budget or is impossible in these circumstances[88]. This is the culmination of an at least 9-year process, which I attempt to summarize here. The first issue emerged in early 2015, when an opposition MP, Ákos Hadházy published the worrying details of the now infamous "Bridge into the world of employment" programme: An initially over EUR 13 million programme, of which more than EUR 1,5 million was provided by the European Union. In the following years, the project budget was reduced by the authorities, then canceled completely. Hungarian authorities as well as the OLAF conducted investigations of the project and found that the project was practically not carried out according to plan, much of the funds were spent on unrelated expenses, and in the end the ORÖ was instructed to pay back over EUR 4,2 million in damages. The Hungarian government agreed to finance the majority of that, but EUR 790 thousand was still demanded from the ORÖ. After years of investigation the authorities decided that a criminal offence was committed, but the investigation was suspended for lack of evidence. Though he was not charged, former president of the ORÖ and leader of the most notable, pro-government Roma organization Lungo Drom, Flórián Farkas fell out of graces as he signed the paperwork for the infamous project as president in 2014. During the scandal, his successor István Hegedűs, also Lungo Drom member, was in office, but resigned in 2016 partially due to health issues. The successor of Hegedűs, János Balogh was in office until 2019, when he was charged and later convicted for bribery, after an alleged attempt to

87] https://freedomhouse.org/countries/nations-transit/scores

88] https://nepszava.hu/3221890_felsooktatas-horizont-mta-freund-tamas-orban-kormany

use ORÖ campaign funds to campaign for the local candidate of the governing party, mobilizing Roma voters[89]. His successor János Agócs was the latest president of the ORÖ but was placed in custody in 2022 and later sentenced to 4 years in prison in first instance for trying to sell his presidential position for money[90]. Thus, the ORÖ doesn't currently have a president, and is lead by vice president Oszkár Lakatos. As for the financial problems, this is not the first instance that the National Roma Government is out of funds, but the current reason is that the Ministry of the Interior has ordered ORÖ in 2021 to repay EUR 1,38 million from a grant received in 2016 due to alleged irregularities, the case is still ongoing, but prevents the ORÖ from receiving additional state funding for the time being.

All in all, the National Roma Government cannot currently fill its function as a representative body of the Roma minority, mostly due to the financial and leadership crisis explained above. Even the dissolution of the ORÖ and Lungo Drom were considered, but eventually both remained. Even if these issues were solved, there is no evidence that it improved the situation of the Roma minority in Hungary even when it had the means, considering the underwhelming realization of the bridge to employment programme, or the unsuccessful attempt at constructing the Roma list in 2022, leaving the minority without parliamentary representation. The reason for this is that the openly government friendly Lungo Drom lost its majority against another Roma coalition in the ORÖ which resulted in a minority candidate list that was unfavorable for the organization. Lungo Drom then convinced the constitutional court to annul the result of the nominating assembly, which led to a scandalous and heated assembly meeting which didn't bear fruit before the deadline, thus leaving the Roma community without parliamentary representation. In general, there is distrust towards the ORÖ and it's ability and willingness to represent the Roma minority in politics. Former member and president-candidate of the National Roma Government Aladár Horváth called the majority of the ORÖ is actually "a congregation of hyenas" claiming "it has always been in the interest of the state that the Roma should be fragmented, at war with each other and contemptible, unable to assert their will. What is needed is primitive, short-tempered, blackmailable people who will tear each other apart if a few hundred million forints come into the picture"[91]. A local Roma representative said in our focus groups regarding the ORÖ: "*Their impact is very, very negligible overall. You can't really measure it, so it's good for some people to be able to promote their social and local political or county political interests a little bit better, but it's not about representing the interests of the majority and not the interests of the community*."

These impressions, combined with the exclusive nature of nationality and party lists, and the fact that Roma nationality leaders often openly campaign for Fidesz-KDNP, and are involved in many scandals, not to mention the insufficient powers of minority representatives contribute to low turnout in case of the minority list and the National Roma Government.

Local Roma Governments, as explained earlier, work together with the local municipality governments in advocating for Roma people. However, the level of their involvement in decision-making and public processes is ultimately up to the graces of the local governments. In our focus groups with local Roma leaders and advocates, we observed that Local Roma Governments and individual representatives face difficulties in accessing processes. "*...The minority municipality feels that it has been pushed out of a certain, a lot of things, or that it has not succeeded in asserting its interests as it wants to*." said one Roma decisionmaker. Others formed unfavorable opinions regarding some minority governments, saying "(T)hey are acting

89] https://merce.hu/2020/02/25/jogerosen-eliteltek-balogh-janost-az-orszagos-roma-onkormanyzat-volt-elnoket/

90] https://hvg.hu/itthon/20231129_Eliteltek_Agocs_Janost_az_ORO_vesztegetessel_vadolt_elnoket

91] https://24.hu/belfold/2022/03/25/cigany-kepviselo-roma-politika-orszaggyulesi-valasztasok-2022-horvath-aladar-berki-sandor/

against the interests of the Roma, still vigorously today." Another participant described the story of their exclusion from decision-making in the municipality: "*...We're the same representatives and we're not taken into account as human beings like the other representatives. Before recently we were never invited to a board meeting, not once*." Yet another participant told us about how a local government tried to keep them from winning a tender for an administrative position: "*...three applications had been received, one of the three applicants met the conditions of the call for applications, the other two did not, and after all this, a long, long process of negotiation began within the Council of Representatives as to what should happen now, whether the application should be accepted or not. Then it was decided to put it out to tender again... I know in hindsight that the mayor had to persuade people within the group to vote for me in the next round, when it was put out to tender again and I applied*." Sadly, these stories are not unique, we regretfully acknowledged during our research that these are common forms of exclusion of local Roma advocates.

When we discuss the struggle of Roma citizens, we must understand that even for a local Roma representative it's a struggle to claim the rights and responsibilities otherwise legally due in their position, and only then can they fulfill their official duties and help the local Roma community. Of course, after the hard work of climbing to that ground level of involvement and acceptance in public processes, many compromises must be made to influence decision-making. "*Advocacy as such, there are two ways of doing it. One is when you get involved in conflicts and fight for the interests of the oppressed in constant confrontation, and then you get boxed into that particular box... the disgruntled citizen who is opposed to power, who is just being clever or a nuisance. And the other one is in your everyday work, even if you know that the mayor is racist, but you don't dismiss them immediately and say to their face that this way of thinking is racist, you try to not to... in the interest of the people living there and the other Roma, by going at the issue a little bit from behind, to help <the mayor> make a slightly different decision... A lot of times you have to grab the bottom of the table so that you don't say I'm very offended. But I have to, because I know that there's a community of <thousands of> people there, and if you don't speak up, they're going to be stuck in one place*."

In local projects, usually, Roma people are "*a partner that has to be ticked off, needed for a signature or a good photo. In reality they don't even know what the partnership is about this time, it is unacceptable that a lot of Roma programmes can be implemented in settlements without Romas*."

All in all, the current system forces the dependency of Local Roma Governments and representatives on municipalities and mayors. Mayors in particular have a strong hold over local processes, especially in the countryside. As a Roma civil advocate explained: "*Mayors are little kings. And those few who the mayor allows to get closer, they can work with them, everybody else is a little bit outside, and whatever good grassroots initiatives are put together, a bunch of civilians get together, take initiatives, the mayor, if he or she doesn't like it, will cross them*." These issues can emerge in any settlement, even if the overwhelming majority of residents are Roma, but the leadership isn't.

In relation to this observation it's important to note that there are some Roma mayors in Hungary too. Some contributed greatly to the betterment of the conditions of local Roma communities, but as stated earlier, the powers and resources of municipalities have been cut drastically in the previous years, and party lines and personal connections define the treatment of local governments, forcing the hand and decreasing local autonomy tremendously.

Finally, the central government also reevaluated its role in social services, denouncing its responsibility for social security, putting the weakened local governments and communities, and civil organizations in the forefront, without the powers or resources needed to provide services. What Roma representation and protection remains on the local level is that of local communities, grassroots initiatives, select socially aware municipalities and individuals, and civil organizations that provide either country-wide or region-specific services.

Comparative analysis of the evaluation

While Kosovo, Slovakia, Hungary, and the Czech Republic each have their unique challenges and contexts regarding minority rights and interethnic relations, certain common themes emerge from the data provided. These include concerns about political representation, discrimination, access to services, and the effectiveness of institutional mechanisms for protecting minority rights. Addressing these challenges requires concerted efforts from governments, civil society organizations, and international actors to foster inclusive societies where all individuals, regardless of their ethnicity or background, can fully participate and enjoy their rights.

Across all four countries, concerns about political representation and participation of minority communities in decision-making processes are evident. In Kosovo, the withdrawal of Kosovo Serbs from political institutions due to perceived violations of their rights reflects a deep-seated frustration with the lack of genuine representation and engagement. Similarly, in Slovakia, participants express dissatisfaction with the representation of minorities, citing high electoral thresholds and a dearth of minority-focused political parties. Based on the data provided it could be concluded that also in Hungary and the Czech Republic, the importance of political engagement and representation likely remains a significant issue in these countries as well, particularly given the diverse ethnic compositions of their populations. Doubts about the effectiveness of institutional mechanisms for protecting minority rights and the need for stronger advocacy and representation of minority interests are common apparent in Kosovo, Slovakia and Hungary whilst it was not specifically mentioned in Czech Republic.

Concerns about the status of minority rights and discrimination against minority communities are prevalent across Kosovo and Slovakia. In Kosovo, the Serbian community perceives itself as vulnerable and endangered, facing discrimination, ineffective institutional mechanisms, and a lack of genuine political representation. In Slovakia, participants highlight issues such as inadequate minority schools, language rights, and political representation, indicating dissatisfaction with the current state of minority rights. The similar things were mentioned by Roma participants from Hungary. Whilst in Czech Republic, the Polish community is well integrated so it is reasonable to assume that similar concerns may not exist in Czech Republic.

Discriminatory behaviour towards minority communities and challenges in interethnic relations are evident in Kosovo and Slovakia. In Kosovo, instances of discrimination and tensions between different communities are reported and they are exacerbating interethnic divisions. Similarly, in Slovakia, participants discuss stereotypes, discriminatory behaviour, and variations in interethnic relations based on regions and social classes. Similar situation was reported in Hungary among the Roma population.

Challenges in accessing services and documents in minority languages are highlighted in Kosovo and Slovakia. In Kosovo, concerns about linguistic barriers faced by the Serbian community are raised, with inadequate access to documents and services in their native language hindering the realization of fundamental rights. Similarly, in Slovakia, participants mention challenges in accessing documents and services in minority languages, reflecting discrepancies in language usage across different municipalities. While access to services and documents in minority languages was not explicitly discussed for Hungary and the Czech Republic, linguistic barriers and disparities in access may still pose challenges for minority communities in these countries.

Doubts about the effectiveness of institutional mechanisms for protecting minority rights and the need for stronger advocacy and representation of minority interests are common apparent in all four countries.

Cross-Cutting Challenges Faced by Minority Communities

Issues faced by non-majority communities in Kosovo

The challenges faced by members of minority communities in Kosovo, as articulated by the respondents, reflect a complex interplay of political, social, and institutional issues. One prominent challenge is the perceived inadequacy of political representation and participation, exemplified by the scepticism and distrust expressed towards current representatives This sentiment underscores a palpable gap between the minority communities and the political entities purportedly representing their interests. Discrimination emerges as another pervasive challenge, with instances of difficulty in obtaining documents and encountering linguistic barriers. A respondent shared a poignant experience, stating, "Yes, the latest example is a conversation with a police officer that could not be conducted in the Serbian language[92]." This first-hand encounter illustrates the tangible impact of language-related discrimination, hindering effective communication with authorities and potentially impeding access to essential services. Institutional mechanisms designed to protect minority rights face scepticism and criticism. The perception that these mechanisms are violated and lack practical efficacy is captured by a respondent who remarked, "The institutions themselves violate mechanisms meant to protect human and minority rights, so their effectiveness and efficiency are far from practical in reality[93]." This scepticism underscores the need for a closer examination of existing mechanisms and their alignment with the actual needs and experiences of minority communities.

The urgency of intervention is evident in the key issues identified by the respondents, such as the return of minorities to institutions and the dismissal of mayors. These demands point to a pressing need for immediate actions to address issues related to political representation and governance. The identification of key issues requiring urgent intervention provides a roadmap for addressing systemic challenges faced by the Serbian community. The call for the return of Serbs to institutions and the dismissal of mayors reflects a deep-seated desire for political representation that aligns with community interests. A participant underscores this urgency by listing, "Return of Serbs to institutions; New elections for mayors in municipalities in the north[94]."

The emphasis on adherence to agreements, protection of cultural heritage, language rights, and freedom of expression indicates a holistic understanding of the multifaceted challenges confronting the community. A respondent provides a comprehensive list of urgent issues, including, "Respect for the Brussels Agreement and its full implementation; withdrawal of special police forces; adherence to laws on expropriation, protection of cultural heritage, language rights, education, healthcare, freedom of expression of religious, ethnic, and other

92] Response from the focus group organized on 17 October in North Mitrovica

93] Response from the focus group organized on 13 October in North Mitrovica

94] Response from the focus group organized on 13 October in North Mitrovica

affiliations[95]." This suggests that the community's priorities extend beyond immediate political concerns to encompass broader issues of cultural preservation and fundamental rights.

The answers provided strongly suggest that greater inclusion and participation in policy and decision-making processes are perceived as crucial factors for enhancing the sense of safety and security within minority communities in Kosovo. Respondents consistently express a low level of involvement in decision-making, emphasizing that the current situation is marked by a lack of effective representation. This raises concerns about the community's ability to influence decisions that directly impact their safety and well-being. The participants highlight discrimination and a lack of trust in political representatives, contributing to a sense of vulnerability. The sentiments observed underscore a prevailing scepticism, suggesting that the community may feel unprotected in the current political landscape. This lack of trust implies that, for the community, meaningful inclusion in decision-making processes could be a pivotal factor in addressing safety concerns. The urgency attached to identified key issues for urgent intervention, such as the return of minorities to institutions and the dismissal of mayors, indicates a close link between active participation in decision-making and addressing pressing safety-related matters. The emphasis on the return of the Kosovo Serbs in the institutions highlights the community's belief that a more active role in decision-making is essential for resolving immediate safety concerns. Challenges related to access to services and language rights are also highlighted. The data suggests that improved inclusion and participation in decision-making could potentially address these challenges by influencing policies that ensure better access to services and linguistic inclusivity. This, in turn, could contribute to an enhanced sense of safety within the minority communities. While the data strongly hints at a positive correlation between greater inclusion and an improved sense of safety, it's important to acknowledge that these are perceptions derived from the participants' experiences and perspectives. The actual impact of increased inclusion would depend on the extent to which the community's concerns and needs are genuinely addressed through participatory processes.

95] Response from the focus group organized on 13 October in North Mitrovica

Issues faced by the non-majority communities in Slovakia

Based on the insights provided through the focus groups organized in Slovakia, the main issues faced by minorities in Slovakia can be summarized as follows. Participants expressed concerns about the insufficient protection of minority rights, including education, language, and political representation. Examples such as the functioning of Roma minority schools, lack of bilingual signage, and the high threshold for ethnic political party representation in parliament are cited as evidence of this issue. Stereotyping of minorities, particularly Roma, and instances of nationalism contribute to strained interethnic relations. The perceived superiority of the majority group and lack of cooperation among minorities themselves exacerbate tensions and hinder social cohesion. Participants share personal experiences of discrimination in various spheres such as education, public spaces, transportation, and public offices. Discrimination based on language, ethnicity, gender, and age is prevalent, creating barriers to equal participation and opportunity. There is a call for increased political representation of minorities to advocate for their interests in decision-making processes. However, challenges such as language barriers, lack of awareness about existing mechanisms, and ineffective representation of minority voices hinder meaningful political participation. Limited access to services and documents in native languages poses a barrier for minorities, with disparities in translation services across municipalities further exacerbating this issue, impeding access to essential services and information. Education is identified as a critical factor in improving minority rights and combating discrimination, with a call for general education about ethnic minorities to foster understanding and respect, along with specific efforts to ensure equal access to education for Roma children. When it comes to the Hungarian minority in Slovakia, it faces significant challenges, including a perceived loss of influence and structural deficiencies in advocating for their rights, as noted by participants. It can be concluded that there is a decline in the social status of the Hungarian community, attributing it to communication issues and identity erosion. Also, participants raised concerns about the lack of clarity regarding discussions on minority rights and their future, highlighting the need for focused dialogue. Themes such as organization, political representation, and cooperation with the government underscore the complexities of addressing minority concerns effectively. Additionally, discussions on media landscape and institutional setups reveal systemic issues impacting the Hungarian minority's ability to assert their rights and maintain cultural identity within Slovakian society.

Issues faced by the non-majority communities in Czech Republic

The biggest challenge for the Polish community is the preservation of the Polish identity and the Polish language as especially the younger generation doesn't consider national affiliation as important. According to the interviewees, only, the well-organized and numerous communities can actively push for the protection of the minority group. Moreover, specific thresholds are required to gain access to specific rights so the decreasing number of Poles can lead to limitation of their rights, especially in education. Therefore, the still ongoing problems with not respecting bilingualism in the administration, and other state institutions is considered a threat as it contributes to the decreasing number of users of the Polish language. Officially, minorities have the right to use their language in contact with the administration, police, judiciary, etc. but it is hardly respected. The is also a problem with bilingual signs, information tables, etc. even in municipalities with a large majority of Poles. Although, the central government supports bilingualism and sometimes finances bilingual signs, the local municipalities block their introduction. There is no documentation and forms in the Polish language available for the citizens in the administration. If somebody insists on speaking Polish in various institutions processing time increases significantly. Since most Poles speak Czech and a lot of administration officials are of Polish origin that does not influence the effectiveness of communication between the community and various institutions. However, it's perceived as an effort to reduce the presence of the Polish language in the public sphere and disrespectful to this minority.

One of the most important challenges to strengthening vulnerable groups is the lack of access to long-term baseline funding. Most of the support schemes are based on yearly projects and that does not allow the associations representing vulnerable groups to draw up long-term plans.

Although the Czech Republic has a well-established system for the protection of minority groups, there is no system, that ensures equal representation of the different vulnerable groups and encourages them to participate in the decision-making process. The consultation mechanisms are not considered effective enough to address the specific needs of different groups. The people in local government administrations, the police, and the judicial system are not trained to respect the sensitivities and vulnerabilities of different groups.

Participants of the focus groups do not encounter any specific cases of discrimination based on national affiliation. They consider the Czech Republic as a safe and secure environment. The official reports don't indicate any racial, national, or other hate crimes committed against the Polish minority. However, the representatives of the Polish minority indicate that Poles are not willing to declare their ethnic affiliation due to fear of negative attitudes from the majority population. Also concerning the use of bilingual geographical names, some representatives are reluctant to support them as they are perceived as irritating to the Czech population in the Zaolzie region (in other areas there is no such problem). The representatives of the Polish minority claim that they don't feel discriminated against or in any sense endangered by the majority population but still they refrain from underlining national identity in the public sphere and are sometimes afraid to admit their Polishness as it's still considered in the local Silesian context as inferior to Czechness. However, Poland's dynamic development in recent years and the general improvement of the Polish-Czech relation contributed to a significant positive change in the perception of the country and of Poles among Czech populations. That resulted in increasing attractiveness of the Polish identity among the local population and as a consequence slowing down the assimilation process.

Issues faced by the non-majority communities in Hungary

Lack of representation and agency leads to a myriad of problems for Roma people in Hungary. The government doesn't explicitly have a Roma policy, good or bad, however, in many areas such as education, labor, welfare or family, it created policies which, without naming Romas, worsened the situation of the Roma community. Through these seemingly non-targeted policies, the silhouette of a "hidden" Roma policy appears, and this network of policies that unadmittedly discriminate against the Roma community, is what I refer to as "segregation policy". Roma segregation in Hungary has many faces. It is not a new phenomenon, it has been present for as long as the Roma minority has been, but little has been done to combat it in the modern era. The forced relocation of Romas has been a common practice for hundreds of years, which wasn't done with assimilation in mind, preserving territorial segregation of Romas, which is constantly worsened by "white flight" from regions with increasing Roma presence today. Apart from territorial segregation, school segregation has taken extreme proportions. Evaluating the Hungarian education system deserves its own book, but in simple terms, the last decade has seen the erosion of public schools and the rise of better-off church schools which are still generally suitable for taking care of children there (though hardly suitable to educate them, because the curriculum is atrocious, there is a shortage of teachers, and Hungary has been an underperformer in international education indexes for years). These church schools have authority over deciding who is admitted, and by what criteria, which in the last ten years lead to separating schools into three major categories: church schools for non-Roma children, public schools for Roma children and a handful of private schools for wealthy children. Roma kids generally end up in mixed-age classes, without teachers, in crumbling buildings, and leave the education system essentially illiterate and hopeless in the job market which already discriminates Roma people even if they have outstanding abilities. The lowering of mandatory school age to 16 years worsened the situation of these children tremendously. The issues mount up, and we haven't even mentioned the lack of representation in the curriculum, despite the Roma being a founding minority in Hungary. As a focus group participant put it: *"Neither non-Roma, nor Roma children, once they enter the education... really hear about the Gypsy people... what they have done in the historical process since Hungary has existed".* Work segregation is the other side of the same coin. Romas face discrimination in the labor market constantly, many employers refuse to hire Romas, they are only employed as physical workers, or not at all. The Hungarian government introduced the public work system in 2011, which aimed to combat unemployment, which it did, but did little else, and instead has many downsides. As a public worker, employees earn a salary below minimum wage which keeps them steadily under the poverty line. It also doesn't provide marketable skills or help employees return or enter the primary job market, the jobs are often obsolete or unfulfilling, and subject to the graces of local "little kings" and mayors, who subject workers to serious dependency and vulnerability, which solidifies the already feudal conditions of Romas, not to mention signs of rampant electoral fraud through intimidation and influence, resulting in the majority of the Roma vote going to the governing parties, despite the total lack of Roma policy.

Poverty is also rampant in the Roma minority. Much data could be presented to prove this, perhaps the most reasonable would be to feature that the proportion of Roma at risk of poverty or social exclusion was 62% in 2022, compared to only 19% for the non-Roma population[96]*. Along with Roma policy, poverty policy is another thing the Hungarian government doesn't have.*

96] https://www.ksh.hu/stadat_files/ele/hu/ele0034.html

Poverty policy is subject to much academic debate, including the author's Masters' thesis, but this publication isn't about this topic. To put it plainly, the Hungarian government doesn't have poverty policy, it has social policy, which also boils down to only two major elements: the previously mentioned public work policy, and family policy. The former was discussed in adequate detail for this study, the latter requires some attention still. The family policy is a flagship policy of the Orbán government, a major campaign topic and an ideological declaration of the Christian-conservative Fidesz-KDNP coalition. The aim of the policy is to halt or even reverse the natural decline of the Hungarian population, however it is carefully constructed to ensure that it only can only ever boost the natality of "the right families", which entails upper-middle class families, and as one of our focus group participants stated: "What we are seeing is that obviously the upper middle class as such no longer exists (within the Roma society), but I don't think the middle class really exists in Roma society either". The criteria for receiving the benefits of family policy are set precisely to exclude those living in poverty and in doing so, it excludes the majority of the Roma too. Co-payment, credit-eligibility, the criteria for full employment, among other things, ensures that those without savings, property or a job are virtually left out of welfare. In fact, the non-means-tested benefits end up benefiting the wealthiest families the most. Essentially, the only general benefits that Roma people can acquire are the family allowance and unemployment benefit, the amount of which have been kept low or unchanged for 15 years, which, considering the Hungarian inflation, rendered these forms of welfare insufficient to provide even the most basic of needs. While there are local social benefits, Roma rarely apply for them due to lack of information. Even when a municipality separates funds for the good cause, the funds stay in. One could go on and on regarding the segregation, discrimination and poverty of the Roma, from health and hygiene, especially women's reproductive rights, through housing and crime, to racism or lack of legal safety net, all of these, combined with the lack of political representation contribute to the sorry state of Hungary's largest minority. Amidst all hardships, we see that even though the Roma population in Hungary seemingly doubled in 30 years97 possibly nearing 10% of the total population, only 2,18% claimed to be Roma in the 2022 population census, a decrease compared to 201198. Many Roma try to distance themselves from their roots or hide their nationality instead of embracing it and keeping traditions, preserving culture or language. Sadly, this issue came up during our qualitative research repeatedly. "For me it is very alarming that, for example, the latest census data from the Hungarian Central Statistical Office (KSH), shows that only around 200,000 people in Hungary declared themselves to be Roma. This says a lot about how safe the Roma feel in Hungary." – said a Roma advocate. Another participant, a Roma representative of a municipality, raised additional concerns: "What I experience is that people who have one or two or three diplomas, or who have a second or third generation family with a high proportion of graduates, are basically whitewashed, i.e. they are not considered gypsies, and thus deprived of their identity in society." Sometimes this happens willingly, too. As a Roma advocate and language enthusiast shared: "Unfortunately, I am surrounded by some people who think that if they are a little whiter, if they can show to society that they are only Hungarian citizens, only Hungarian nationality, then they don't hesitate to deny that they speak the (Roma) language, and they want to leave it."

If minority rights were truly ensured and protected in Hungary, at the very least Roma people would want to stay Roma, be proud of being Roma. Seeing members of a minority lose their sense of belonging speaks volumes of the state of minority rights in a country and calls for immediate action.

97] https://g7.hu/kozelet/20180222/tobb-mint-ketszer-annyi-roma-el-magyarorszagon-mint-harminc-eve/

98] https://nepszamlalas2022.ksh.hu/eredmenyek/vegleges-adatok/kiadvany/assets/nepszamlalas2022-vegleges-adatok.pdf

Comparative analysis of the issues faced by the non-majority communities

The data provided highlights several common issues faced by minority communities across Kosovo, Slovakia, Czech Republic, and Hungary. These issues encompass various aspects of political representation, discrimination, preservation of cultural identity, socioeconomic disparities, and the need for comprehensive reforms.

One prominent issue identified in the data is the inadequate protection of minority rights. In Kosovo, respondents express concerns about the perceived inadequacy of political representation and participation, as well as discrimination in obtaining documents and facing linguistic barriers. Similarly, in Slovakia, there are concerns about insufficient legal protections for minority rights, including education, language, and political representation. In the Czech Republic, there are challenges related to the erosion of Polish identity and language, with instances of discrimination based on language and ethnicity. Hungary also faces issues related to the protection of minority rights,population, with systemic discrimination in various spheres such as education, employment, access to services, and interactions with public institutions.

Discrimination and marginalization emerge as pervasive challenges across the four countries. In Kosovo, discrimination against minority communities, particularly regarding language barriers, hinders effective communication with authorities and access to essential services. In Slovakia, participants report instances of discrimination in education, public spaces, transportation, and public offices, contributing to strained interethnic relations. Similarly, in the Czech Republic, there are concerns about discrimination based on language and ethnicity, with instances of reluctance among minority representatives to assert their national identity due to fear of negative attitudes from the majority population. Hungary also faces significant challenges related to discrimination against the Roma community, including school and work segregation, limited access to essential services, and poverty.

Challenges in political representation and participation are another common theme. In Kosovo, minority communities express skepticism and distrust towards current representatives, highlighting a palpable gap between minority communities and political entities. In Slovakia, there are concerns about the lack of effective representation of minority voices in decision-making processes, hindered by language barriers and ineffective mechanisms. The Czech Republic faces challenges in ensuring equal representation of different vulnerable groups and encouraging their participation in decision-making processes, with ineffective consultation mechanisms and lack of sensitivity training among government officials. Hungary also grapples with the lack of representation and agency for Roma people, with discriminatory policies exacerbating social inequalities and hindering meaningful political participation.

Preservation of cultural identity is a key concern across the four countries. In Kosovo, minority communities emphasize the importance of adherence to agreements, protection of cultural heritage, language rights, and freedom of expression. In Slovakia, there are calls for general education about ethnic minorities to foster understanding and respect, along with efforts to ensure equal access to education for Roma children. The Czech Republic faces challenges related to the preservation of the Polish identity and language, with instances of reluctance among minority representatives to assert their national identity due to fear of

negative attitudes. Hungary also grapples with the erosion of Roma cultural identity, with many Roma individuals distancing themselves from their roots or hiding their nationality instead of embracing it, reflecting broader issues of social exclusion and discrimination.

Socioeconomic disparities and poverty are prevalent issues affecting minority communities in all four countries. In Kosovo, there are concerns about limited access to services and socioeconomic opportunities, exacerbating vulnerability within minority communities. In Slovakia, participants report discrimination in the labor market and limited access to education and social welfare, contributing to cycles of poverty and social exclusion. The Czech Republic faces challenges related to access to long-term baseline funding for associations representing vulnerable groups, exacerbating socioeconomic disparities and hindering community development. Hungary also grapples with rampant poverty among the Roma minority, with high rates of poverty and social exclusion compared to the non-Roma population.

Specific Recommendations

Recommendations for Kosovo

The following recommendations provide a clear roadmap for action to address the challenges faced by minority communities in Kosovo and promote inclusive governance, respect for human rights, and social cohesion. There are developed for the Kosovo institutions, local authorities, International Community and CSOs with a clear roles and responsibilities of each

1. Reinforce Political Representation and Participation

Kosovo Institutions: Establishing structured dialogue channels with minority communities, including the Serbian community, is crucial. This entails creating forums where minority representatives can voice their concerns, propose solutions, and actively participate in decision-making processes. Additionally, Kosovo institutions should work towards ensuring that minority representatives are not only present but also empowered to influence policies and programs that directly affect their communities. This might involve revisiting existing frameworks for minority representation within government bodies to enhance inclusivity and effectiveness.

International Community: Supporting Kosovo's efforts to strengthen minority representation is vital for the promotion of inclusive governance and social cohesion. International stakeholders can provide technical assistance, funding, and advocacy to help Kosovo institutions develop robust mechanisms for minority participation. Moreover, fostering partnerships between Kosovo and international organizations focused on minority rights can facilitate knowledge sharing and capacity building in this area.

2. Enhance Legal and Institutional Frameworks:

Kosovo Government: Beyond merely enacting legislation, the Kosovo government must prioritize the effective enforcement of laws safeguarding minority rights. This involves investing in training programs for law enforcement agencies and government officials to ensure they understand and uphold these rights in practice. Furthermore, improving language accessibility in government documents and services is essential for overcoming communication barriers faced by minority communities. Strengthening the capacity of relevant government departments responsible for translation and interpretation services can help bridge this gap.

Civil Society Organizations (CSOs) and International Organizations: CSOs and international organizations play a critical role in monitoring and advocating for the protection of minority rights. Establishing robust monitoring mechanisms, possibly through collaborative efforts between local and international stakeholders, can help track the implementation of minority rights protections and hold accountable those responsible for violations. Additionally, providing legal assistance and advocacy support to minority communities can empower them to assert their rights and seek redress for grievances.

3. Combat Discrimination and Promote Inter-ethnic Reconciliation:

Kosovo Government: Combatting discrimination requires a multi-faceted approach that

includes both policy interventions and community engagement initiatives. The Kosovo government should prioritize the implementation of anti-discrimination policies and invest in public awareness campaigns to promote tolerance and respect for diversity. Moreover, fostering inter-ethnic dialogue and reconciliation efforts at the grassroots level is essential for rebuilding trust and fostering mutual understanding among different communities.

Community Leaders and NGOs: Grassroots initiatives led by community leaders and NGOs are instrumental in fostering inter-ethnic reconciliation. These organizations can organize cultural exchange programs, peace-building workshops, and collaborative projects that bring together members of diverse communities to engage in dialogue and collaborative activities. By promoting empathy, understanding, and cooperation, these initiatives can contribute to building more inclusive and cohesive societies in Kosovo.

4. Address Socio-economic Disparities:

Kosovo Government and International Donors: Addressing socio-economic disparities requires targeted interventions aimed at improving access to education, healthcare, employment, and other essential services for minority communities. The Kosovo government, in collaboration with international donors, should invest in programs that empower minority individuals and communities economically. This may involve providing training and skill development opportunities, supporting small business initiatives, and improving infrastructure in minority-majority areas to stimulate economic growth and development.

Local authorities and CSOs: Community-driven development projects led by local authorities and grassroots organizations can play a significant role in addressing socio-economic disparities. These projects should prioritize the needs and aspirations of minority communities, leveraging their local knowledge and expertise to design and implement tailored solutions. By promoting economic cooperation and social cohesion at the community level, these initiatives can contribute to reducing disparities and fostering a sense of belonging and inclusion among minority populations.

5. Facilitate International Support and Engagement:

Kosovo Government: The Kosovo government should actively engage with international partners to mobilize support for minority rights and inclusion initiatives. This involves advocating for continued international assistance, funding, and technical expertise to address the challenges faced by minority communities effectively. Furthermore, fostering partnerships with regional actors and neighboring countries can create opportunities for collaboration on cross-cutting issues such as security, economic development, and cultural exchange.

International community: Regional cooperation is essential for promoting stability, security, and prosperity in Kosovo and the broader Western Balkans region. Regional actors and neighboring countries can play a constructive role in supporting Kosovo's efforts to build inclusive and resilient societies by sharing best practices, exchanging expertise, and coordinating efforts to address common challenges. By working together, regional stakeholders can contribute to creating an enabling environment for peace, stability, and prosperity in the region.

Recommendations for Slovakia

1. Enhance Participatory Mechanisms:

Government: Strengthen existing participatory mechanisms to ensure the active involvement of all national minorities, regardless of size, at every level of decision-making processes..

CSOs: Facilitate community engagement sessions and workshops to educate national minorities about their rights and the importance of participation in decision-making processes.

Non-Minority Representatives: Advocate for inclusive policies and actively involve national minorities in political discussions and decision-making processes.

2. Extend Mechanisms for Minority Representation:

Government: Extend participatory mechanisms established for the Roma minority to include other national minorities, ensuring equitable representation and inclusion.

CSOs: Advocate for policy changes that expand participatory mechanisms to include all national minorities, working closely with government agencies and stakeholders.

Non-Minority Representatives: Support legislative initiatives aimed at broadening minority representation in decision-making bodies, emphasizing the need for diversity and inclusivity.

3. Consultation Throughout Policy Cycle:

Government: Implement policies that mandate consultation with national minorities at all stages of the policy cycle, from design to evaluation, ensuring their perspectives are integrated.

CSOs: Offer training and resources to national minorities on how to effectively engage in policy consultations and advocate for their rights and needs.

Non-Minority Representatives: Actively engage with national minority communities to understand their priorities and concerns, advocating for their inclusion in policy discussions.

4. Promovisati raznolikost unutar manjinske zastupljenosti:

Government: Ensure that participatory mechanisms and consultation processes include diverse groups within national minorities, such as women, youth, LGBTQ+ individuals, and people with disabilities.

Media: Feature stories and perspectives from diverse members of national minority communities to highlight their experiences and promote inclusivity.

CSOs: Advocate for policies and programs that address the specific needs and challenges faced by diverse groups within national minorities, fostering inclusivity and representation.
Non-Minority Representatives: Support initiatives that promote diversity within minority representation, advocating for equal opportunities and inclusion for all members of national minorities.

Recommendations for Czech Republic

1. Institutionalize Dialogue for Minority Rights:

Government: Establish structured dialogues between government ministries, state agencies, and minority groups to discuss minority rights issues.

Civil Society Organizations (CSOs): Facilitate the participation of CSOs specializing in minority rights advocacy in these dialogues, ensuring diverse perspectives are heard.

2. Create the Consultative Bodies for Minority Representation:

Government: Propose legislation to establish consultative bodies at national and local levels for minority representation.

Minority Communities: Nominate representatives to participate in these consultative bodies, ensuring their voices are effectively represented.

3. Enhance Monitoring of Minority Rights Implementation:

Government Agencies: Strengthen monitoring mechanisms to assess the implementation of minority rights protections and provide regular reports to the government.

CSOs: Collaborate with government agencies to monitor the implementation of minority rights protections and provide independent assessments and recommendations.

4. Promote Intercultural and Interethnic Dialogue:

Government: Develop educational programs and initiatives to promote intercultural understanding and appreciation for diversity among students.

Media: Promote diversity and inclusion in public discourse by ensuring the representation of minority voices and perspectives in media coverage and programming.

5.Raise awareness Among Civil Servants and Public Officials:

Government: Coordinate training programs for civil servants, judges, prosecutors, and police officers on minority rights and cultural sensitivity.

CSOs: Organize awareness-raising campaigns and training sessions for government officials in collaboration with minority communities to enhance their understanding of minority issues.

6. Increase Attention to Minorities in Public Discourse:

Media: Ensure the representation of minority voices and perspectives in public debates, TV and radio shows, and other media platforms to promote diversity and inclusion.

Minority Communities: Actively engage with media outlets to raise awareness about minority issues and ensure their representation in public discourse.

Recommendations for Hungary

1.Educational Reform:

Government: Implement differentiated teaching methods and curriculum reforms to accommodate diverse learning needs, including the inclusion of Roma culture in the curriculum for Roma children.

Ministry of Education: Increase opportunities for interaction between Roma and non-Roma children, and expand post-curricular activities to foster social integration and mutual understanding. It is also important to ensure sufficient infrastructure and resources for schools, including housing for students if necessary, to create conducive learning environments.

2. Enhance Labor Rights and Employment Opportunities:

Government: Strengthen labor rights and protections for Roma jobseekers, including measures to combat discrimination in the workforce.

Labor Ministry: Review and reform the public work program to provide meaningful employment opportunities and fair wages for Roma workers. In addition, encourage the inclusion of Roma workers in the white market through diversity and inclusion initiatives and fair hiring practices.

3. Promote Community Building and Infrastructure Development:

Government: Increase autonomy and funding for municipalities to support community-building initiatives and improve infrastructure in Roma settlements.

Civil Society Organizations: Advocate for better-funded civil sectors and community development programs to facilitate the growth and empowerment of Roma communities.

Local Authorities: Work with Roma and mixed settlements to address infrastructure needs and enhance access to services, promoting the development of inclusive and sustainable living spaces.

4. Healthcare Access and Discrimination Mitigation:

Government Health Agencies: Improve access to healthcare services in remote areas and address discrimination in healthcare through specialized institutions and preventive measures.

Civil Society Health Organizations: Collaborate with government agencies to advocate for the establishment of specialist healthcare institutions and access points for mental health and reproductive health services.

5. Improve Legal Defense and Enforcement of Minority Rights:

Government: Reinstate and strengthen legal defence mechanisms for Roma people, including legal aid services and networks of lawyers specializing in minority rights.

Legal Aid Organizations: Provide free legal representation for cases of discrimination and advocate for the enforcement of minority rights through legal channels.

6. Improve Media Representation and Image of Roma:

Government: Utilize media platforms to improve the portrayal of the Roma minority,

highlighting their achievements, talents, and contributions to society.
Roma Media Outlets: Showcase Roma history and culture in a positive light to counter negative stereotypes and promote a more accurate and inclusive representation of the Roma community.

7. Strengthen mechanisms for Decision-Making Engagement:
Government: Ensure proportional representation of Roma in the National Assembly and reform voting systems to encourage minority participation in elections.

Local Governance Authorities: Strengthen local governance structures and reform frameworks for cooperation between municipalities and local minority governments to empower minority engagement in decision-making processes.

Political Parties: Encourage inclusivity and diversity within political parties to ensure meaningful representation and participation of minority communities in democratic processes.

General recommendations

1. Establishment of Independent Oversight Bodies:

Create independent oversight bodies tasked with monitoring and ensuring the implementation of minority rights legislation. These bodies should have the authority to investigate complaints of rights violations, provide advocacy and support for non-majority communities, and hold government institutions accountable for their actions.

2. Promotion of Cultural Diversity and Tolerance:

Implement educational programs and public awareness campaigns aimed at promoting cultural diversity, tolerance, and understanding among the broader population.

Foster intercultural dialogue and cooperation between majority and minority communities to build mutual respect and appreciation for each other's cultures.

3. Enhanced Participation in Decision-Making Processes:

Develop mechanisms to enhance the meaningful participation of non-majority communities in decision-making processes at all levels of government. Ensure that minority communities have representation in legislative bodies, executive positions, and advisory councils, and that their voices are heard and considered in policymaking and governance.

4. Capacity Building and Support for Minority Communities:

Provide support and resources for minority communities to build their capacity in areas such as civic engagement, advocacy, and community development. Offer training programs, grants, and technical assistance to empower non-majority communities to advocate for their rights, address their specific needs, and participate more effectively in society.

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