

ABSTRACTS

Vesna CRNIĆ-GROTIĆ

The Right to Education in Minority Languages Before the European Court of Human Rights – Recent Case Law

This article analysed the most recent decisions delivered by the European Court of Human Rights on the right to have education in minority languages for the members of such minorities based on the European Convention on Human Rights. The Court basically confirmed its long-established stance that state parties have no duty to ensure education in languages other than the official one (or more, as the case may be). These decisions have also confirmed that the European Convention on Human Rights is not suitable or is suitable in a limited fashion for the protection of some specific human rights of the members of national and linguistic minorities. It is regrettable that the Court did not use the opportunity to expand the interpretation of the Convention to also cover the right to education in minority languages. Such an interpretation could have relied on the two Council of Europe treaties dedicated specifically to the protection of minorities and their languages. These treaties have recently celebrated the 25th anniversary of entering into force: the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities.

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Tamás KORHECZ

**The Constitutional Status of Nationalities in the Socialist
Federal Republic of Yugoslavia between 1974 and 1990
– Lessons learned from Fifty Years of History**

This study explores the constitutional status of nationalities in the Socialist Federal Republic of Yugoslavia from 1974 to 1990, focusing particularly on the federal level, and on Serbia and its autonomous provinces. The primary research question investigates how the 1974 constitutional framework addressed the protection and equality of non-Slavic nationalities within the socialist, multiethnic state. Employing a legal-dogmatic and comparative methodology, the study analyses the minority rights provisions across four constitutions (Yugoslavia, Serbia, Vojvodina, and Kosovo) and compares them to Serbia's 2006 constitutional framework. The findings reveal that while the 1974 system guaranteed extensive collective and individual rights—especially in Vojvodina and Kosovo—these rights were only partially implemented. Structural decentralisation enabled localised protection, yet political resistance, particularly from the Serbian majority, and lack of consensus within the ruling Communist Party, ultimately undermined the system. The study concludes that Yugoslavia's minority protection model, though normatively advanced, lacked the sociopolitical cohesion needed for long-term stability. The research offers critical insights into federal and multicultural constitutional design, emphasising the necessity of broad political support and administrative commitment for effective minority protection, a lesson still highly relevant in contemporary multinational states.

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Dóra PAP

From Spanish Sahara to Moroccan Sahara – A contemporary case of denial of the right of peoples to self-determination

This study investigates the international legal status of Western Sahara through the lens of the right to self-determination, with a focus on the implications of Morocco's occupation and international recognition dynamics. The primary research question explores how international legal norms, especially self-determination, have been applied or circumvented in the case of Western Sahara since Spain's withdrawal in 1975. The paper employs a historical-legal analytical method, tracing developments from decolonisation processes to current geopolitical alignments, including key events such as the International Court of Justice's advisory opinion, the UN's MINURSO mission, and recent international recognitions of Moroccan sovereignty. Findings indicate a consistent pattern of international legal ambiguity and political opportunism, where the self-determination of the Sahrawi people is often subordinated to great power interests. The study highlights how shifting international alliances, such as the Abraham Accords and US, Israeli, and French recognitions, undermine multilateral efforts and legal norms. The paper contributes uniquely by combining historical depth with legal analysis, emphasising how Western Sahara exemplifies the erosion of *jus cogens* norms in international law. It underscores the broader implications for the international legal order and the precedent it sets for other territorial conflicts.

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István János GÁCSER
Role models and Limitations: Lessons from South Tyrol's
Autonomy for Szeklerland

This study investigates whether the institutional system of South Tyrol's autonomy can serve as a viable model for autonomy aspirations in Szeklerland, a region in Romania with a significant Hungarian population seeking larger territorial self-governance within the state. Using a comparative institutional analysis, the paper examines the structural and functional elements of South Tyrol's autonomy statute. It evaluates their potential transposability by analysing historical, constitutional, and sociolinguistic contexts, particularly focusing on the Bakk and Csapó autonomy proposals for Szeklerland. The study finds that South Tyrol offers several replicable institutions, such as ethnic quotas, linguistic parity, and the „Commission of Six”, that could theoretically support balanced governance in Szeklerland. However, substantial legal and political barriers exist. Romania's constitutional framework precludes territorial autonomy, and the internal divisions among Hungarian minority stakeholders further complicate institutional consensus. This paper contributes to minority rights scholarship by identifying concrete mechanisms of institutional transfer and their limits in ethnically divided societies. It underscores that while South Tyrol's autonomy remains a valuable international precedent, its full application in Szeklerland is constrained by divergent political realities. Understanding these differences is essential for realistic autonomy discourse in Romania

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Laura GYENEY – Zsuzsanna TARPAI

**The Importance of Mother Tongue Education in Exercising
Minority Rights: The Case of the Ethnic Hungarian Minority
of Ukraine in Transcarpathia**

This paper examines the legal framework governing the right to mother tongue education for national minorities, with a specific focus on the ethnic Hungarian community in Ukraine's Transcarpathian region. It asks how recent Ukrainian legislative reforms, particularly since 2017, have reshaped or curtailed previously acquired language rights, and to what extent these changes align with international standards on minority protection. The study employs a legal-analytical methodology, systematically reviewing relevant international instruments, domestic Ukrainian legislation, and case law, alongside contextual political analysis. Special attention is given to the ambiguities in legal interpretation and implementation, as well as the evolving role of kin-state advocacy by Hungary. Findings reveal that while formal guarantees for minority language education still exist, their scope has been significantly reduced by recent education and language laws. Although a 2023 amendment restored certain rights for EU-language minorities, such as Hungarians, the broader legal and institutional environment remains fragile and politically contingent. The case study contributes to the literature by highlighting the central role of linguistic rights within the broader framework of minority protections and by demonstrating how legal uncertainty and gradual legislative regression can erode previously established guarantees in this field. Its conclusions offer critical insights into the tension between nation-building and minority inclusion in post-Soviet and conflict-affected Ukraine.

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