Among the innovations brought by the Lisbon Treaty, lies the addition of “respect for the rights of persons belonging to minorities” to the list of basic values on which the European Union (EU) is founded, pursuant to Article 2 of the Treaty on European Union (TEU). This represents a notable shift in the legal discourse of the EU which, for most part of its history, accorded only minor attention to the minority question. This started to change with the fall of the Berlin Wall: as well-known, minority protection was included among the Copenhagen criteria, that is the criteria for admission established in 1993 in prevision of EU enlargement to the East. Yet, the EU Charter for Fundamental Rights, adopted in 2000, does not recognise any specific right to members of minorities, beyond protection against discrimination based on membership of a national minority (Article 21). It confines itself to vaguely stating that the “Union shall respect cultural, religious and linguistic diversity” (Article 22), without specifying whether the diversity at stake is diversity between member states or within states. This cautious formulation is revealing of the traditional reluctance of various old member states towards the notion of minority protection, which in turn prompted accusations of double standards: the EU was criticised for imposing minority-related obligations on candidate countries while not applying similar requirements to old member states. This situation became increasingly untenable after the 2004 and 2007 enlargements, which saw many countries with substantial minority groups joining the EU. The Lisbon Treaty finally provided an opportunity to amend the TEU in order to acknowledge that respect for minority rights were part of EU fundamental values. Whether this reference to minority rights in the Treaty will remain a declaration of good intention or whether it will mark the start of a new era of better integration of minority protection concerns within EU action, however, remains to be seen.

Given these developments, it is a very timely moment to critically assess how and to what extent the EU, in its existing form, can impact on minority rights protection. This is an enterprise which Tawhida Ahmed carries out with remarkable clarity and conciseness in this book. Her study is divided into three parts. Part I starts with an overview of minority rights standards in international law (Chapter 2) against which EU action is evaluated in the remaining of the book. It then outlines the structure of the EU’s legal order (Chapter 3) and highlights EU law provisions, principles and competences that are relevant from a minority protection perspective (Chapters 4 and 5). Part II of the book examines in more detail actual and potential EU contribution to the furthering of two sets of particularly important minority rights, namely cultural rights and linguistic rights.
(Chapters 6 and 7). Finally, Part III focuses on one specific minority group, the Roma, and examines how EU law operates in relation to the minority rights of this population (Chapter 8).

One central thesis runs through the entire book: whilst the EU is not meant to be a minority rights organisation and whilst it lacks the power to introduce legislative standards of minority protection, it nonetheless has the capacity to positively impact on minority rights. A number of its competences can be interpreted so as to allow it to act in this direction. The most obvious example is its power to take action to combat discrimination based *inter alia* on race, ethnic origin and religion (Article 19 TFEU). But Ms. Ahmed shows that other EU competences offer potentialities in relation to minority protection. For instance, Article 167 TFEU (ex Article 13 TEC), which commits the EU to contributing to the “flow-ering of the cultures of the Member States, while respecting their national and regional diversity” could be understood as referring not only to *national* cultures but also to *minority* ones. In the field of employment policy, the EU could encourage best practices that facilitate the accommodation of religious needs in the workplace. One interesting dimension of the book is that it does not only contemplate how EU law provisions are presently understood and implemented; it also considers how they could be interpreted in the future. This way, it seeks to identify potentialities within the European legal framework that are currently not or not sufficiently exploited. A second originality of the study is that it applies to the issue of minority rights the “respect, protect, and fulfil” framework which has become increasingly common in the works of United Nations human rights institutions. This model enables Ms. Ahmed to argue that whereas EU’s contribution to ensure respect and protection of minority rights, through the establishment of normative obligations, is rather limited, its ability to further the fulfilment of these rights, in particular through the promotion of good practices and the funding of relevant programmes, is significant.

The author, however, is forced to admit the limits of the actual and potential involvement of the EU with minority protection. There are aspects of minority rights to which the EU cannot contribute based on its present powers. Moreover, while in theory some EU law provisions could be interpreted in a minority-friendly fashion, this is not the interpretation that prevails in current EU practice. Thus, “the concept of ‘diversity’ in the EU means primarily diversity among the majority cultures of the EU’s Member States”. (p. 200) Accordingly, in her conclusion, the author seems to be torn between optimism and realism. On the one hand, she insists that the EU has the powers to do much more than usually thought for minority protection: “For an organisation with limited explicit powers on minority rights, the EU is, through the aid of original and new competences, legal interpretation and widening techniques of governance, constructing an implicit, though not purposeful or coordinated, portfolio of involvement in matters relating to minority rights.” (p. 195) On the other hand,
she recognises that the political will to use this framework to advance minority protection seems to be presently lacking. She even observes that “the positive influence of EU law on minorities, though greater than originally envisaged, is less prominent than the general negative sides of EU law”. (p. 199) This may seem somewhat contradictory with the assertion that “the EU already contributes significantly to minority protection”. (p. 201) But this tension is probably a good reflection of the current ambivalence of the EU towards minority protection.

Well-written and stimulating, this book will be of great interest to both EU law and minority rights scholars. It is also of relevance to lawyers and practitioners engaged with minority protection and Roma rights.

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