The concept and recognition of minorities in the practice of UN treaty bodies – a case study from the Alpine-Adriatic-Pannonian area

by Noémi Nagy[1]

Abstract: International law regularly operates with the term 'minorities' and related concepts when recognizing group-specific rights, without actually setting out definitions on the protected groups. However, while the law itself is largely silent on the issue of conceptualization, the practice of monitoring organs can provide guidance in this regard. Therefore, this paper draws on the comparative legal analysis of the case-law of UN human rights treaty bodies. Specifically, concluding observations on State reports will be analysed in the context of the Alpine-Adriatic-Pannonian area, including Slovenia and its neighbours as well as other former states of Yugoslavia. The paper aims to show the emerging consensus within the approaches of the individual treaty bodies, and to identify elements of the minority concept which appear systematically in the practice of all treaty bodies in the examined region, therefore contributing to the conceptualization of minorities in the framework of international human rights law.

Keywords: conceptualization of minorities, UN treaty bodies, Alpine-Adriatic-Pannonian area, legal regulation of the status of ethnic communities

1. Introduction: the definitional problem

Despite decades of scholarly effort, there is still no universally accepted definition of minorities and other identity-related concepts, such as ethnicity, race or nationality. Yet, international law customarily operates with these terms when recognizing group-specific rights or providing protection from discrimination, without actually setting out definitions on the protected groups (conceptualization) or membership criteria therein (operationalization). According to Alfredsson (2004, 163), comprehensive definitions of the beneficiaries of group rights are missing from international human rights instruments because States are reluctant to deal with rights of groups. Furthermore, ignorance, lack of tolerance and racism play a role in the lack of codified definitions.

This is not merely an unresolved theoretical issue, but a practical deficiency with crucial importance for the protection of minorities. The lack of international regulation leaves States with too much discretion which leads to divergent interpretations and, more often than not, a lower level of protection.[2] Divergent views are well reflected in the national legal regulations of the status of ethnic communities: some States simply refuse to recognize the existence of any minorities in their territory (e.g. France, Egypt); others recognize only certain groups (e.g. Austria, Slovenia); yet others apply a narrow concept, confining protection only to their linguistic (e.g. Italy) or national (e.g. Russia, Ukraine) minorities. In addition, most States differentiate in the rights and status of traditional vs. modern (migrant) communities (Nagy & Tóth 2025; Nagy & Vizi 2024; Spiliopoulou Åkermark 1997, 142).

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[2] Report of the Special Rapporteur on minority issues, A/74/160, 15 July 2019, para. 21.

The main question is: can we effectively protect something that we cannot define? (Marko et al. 2019, 37). To put it more elaborately, „ambiguity in terms of the targeted communities and membership boundaries for minority protection mechanisms and social inclusion measures may hinder the achievement of policy goals. In addition, the potential for abuse can open avenues for further discrimination and marginalization" of these already vulnerable groups (Pap 2021, 214). For example, several abuses occurred during the 2002-2003 elections of minority self-governments in Hungary. There, in the absence of formal identification or registration, anyone could participate: not only persons actually belonging to the given minority, but practically anyone was able to vote and be elected. The possibility of making false declarations about minority affiliation not only interferes with the right to establish minority self-governments, but it also negatively affects the exercise of other minority rights. Unfortunately, the phenomenon of 'ethnobusiness' is widespread in Central and Eastern Europe (Dobos 2020; Korhecz 2022; Nagy 2022, 40–46), deplored by UN treaty bodies.[3]

Following from the above, to give definite answers to the problems of conceptualization and operationalization is vital for the protection of minorities. Whereas it is extremely difficult „to identify common elements which are able to grasp the plurality of existing relevant communities […], the prevailing view is that it is possible to find some elements of the concept of minority endorsed by international law and therefore to determine the scope of application of the respective rules *ratione personae*" (Pentassuglia 2002, 55).

True enough, while international legal regulation in general is silent on the issue of conceptualization of groups,[4] the practice of monitoring organs can provide guidance in this regard. It would be convenient to draw on the extensive monitoring work within the Council of Europe – i.e. that of the Advisory Committee of the Framework Convention for the Protection of National Minorities, and the Committee of Experts of the European Charter for Regional or Minority Languages –, however, this has been widely discussed in scholarship (see, e.g. Craig 2016; for a recent assessment, see Bašić 2023). Less known are the contributions to the definitional problem of minorities offered by monitoring organs within the framework of general international human rights instruments (perhaps with the exception of the UN Human Rights Committee which is quite broadly discussed). Therefore, this paper draws on the comparative legal analysis of the case-law of the UN human rights treaty bodies, i.e. independent expert organs which monitor the implementation of the nine core human rights treaties adopted under the auspices of the United Nations.[5]

[3] For instance, in its most recent report on Bosnia and Herzegovina, the CERD expressed concern about „the reported misuse of national minority status during election processes and in the selection of members of institutions or bodies, where a position for a person belonging to a national minority is guaranteed". CERD/C/BIH/CO/14-15 (2024) para. 19.

[4] A noteworthy exception is indigenous peoples. ILO Convention No. 169 on Indigenous and Tribal Peoples (1989) gives a fairly detailed definition in its Article 1, whereas the UN Declaration on the Rights of Indigenous Peoples (2007) establishes a right for indigenous peoples to determine their own identity or membership in accordance with their customs and traditions, and to select the membership of their institutions (Article 33). On the specific conceptual issues surrounding indigenous peoples, see e.g. Scheinin 2004, or more recently, Imai and Gunn 2018.

[5] These are the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD, 1965); the International Covenant on Civil and Political Rights (ICCPR, 1966); the International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979); the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT, 1984); the Convention on the Rights of the Child (CRC, 1989); the International Convention on the Protection of the Rights of All Migrant

Specifically, concluding observations on State reports will be analysed in the context of the Alpine-Adriatic-Pannonian area, including Slovenia and its neighbours as well as other former states of Yugoslavia.

The paper has two aims. First, to investigate whether there is an emerging consensus or split between the approaches of the individual treaty bodies, therefore in the UN human rights system as a whole. Second, to identify elements of the minority concept which systematically appear in the practice of all treaty bodies in the examined countries, therefore constituting a possible basis for setting forth an all-encompassing definition of minorities, in the framework of international human rights law.

2. Research method

As mentioned above, the research applies comparative legal analysis to reveal the practice of the UN human rights treaty bodies, including first and foremost the Human Rights Committee (CCPR), the monitoring organ of the International Covenant on Civil and Political Rights (ICCPR), which is the only international treaty with a universal scope and general application to contain a minority-specific provision (see below).

In addition, practice of the Committee on the Elimination of Racial Discrimination (CERD); the Committee on Economic, Social and Cultural Rights (CESCR); the Committee on the Elimination of Discrimination against Women (CEDAW); the Committee against Torture (CAT); the Committee on the Rights of the Child (CRC); the Committee on Migrant Workers (CMW); the Committee on the Rights of Persons with Disabilities (CRPD), and the Committee on Enforced Disappearances (CED) will be examined.

From the abundant practice of treaty bodies, the paper will scrutinize the concluding observations adopted on the basis of nine selected States' reports from the Alpine-Adriatic-Pannonian area, namely Austria, Bosnia and Herzegovina, Croatia, Hungary, Italy, Montenegro, North Macedonia, Serbia (including Kosovo[6]) and Slovenia. Concluding observations on former Yugoslavia were also analysed which offers the opportunity to examine historical trends and possible changes in approaches.

Tables 1 and 2 present descriptive statistics of the research, that is the date of entry into force of the individual treaties in the examined States (Table 1), and the number of concluding observations adopted during all monitoring cycles completed until the day of writing and in total (Table 2). Where concluding observations were not yet available/adopted for the last monitoring cycle, lists of issues prior to reporting (LoIPR) were included instead. Altogether, 291 documents were analysed.

All documents analysed in this paper are available from online public databases: the UN Treaty Body Database and/or the United Nations Digital Library. Except quoting directly from or referring specifically to a certain document, concluding observations will not be individually referenced in the paper, for reasons of space constraints and easier readability. However, in the Reference section, individual document identifiers

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Workers and Members of Their Families (ICMW, 1990); International Convention for the Protection of All Persons from Enforced Disappearance (CPED, 2006), and the Convention on the Rights of Persons with Disabilities (CRPD, 2006).

[6] There are only two reports adopted regarding Kosovo, by the CCPR and CESCR, respectively. In both cases, the treaty bodies evaluated the human rights situation in Kosovo on the basis of the reports submitted by the United Nations Interim Administration Mission. CCPR/C/UNK/CO/1 (2006); E/C.12/UNK/CO/1 (2008).

will be provided, categorized according to the respective country and treaty body, thus documents can be easily accessed in the above-mentioned databases.

Table 1: Entry into force of the core human rights treaties in the examined States (prepared by author; source: United Nations Treaty Series)

	ICERD	ICCPR	ICESCR	CEDAW	CAT	CRC	ICMW	CRPD	CPED
Austria	1972	1978	1978	1982	1987	1992	x	2008	2012
Bosnia&Herzegovina	1993	1993	1993	1993	1993	1993	1996	2010	2012
Croatia	1992	1992	1992	1992	1992	1992	x	2007	2022
Hungary	1967	1974	1974	1980	1987	1991	x	2007	x
Italy	1976	1978	1978	1985	1989	1991	x	2009	2015
Montenegro	2006	2006	2006	2006	2006	2006	x	2009	2011
North Macedonia	1994	1994	1994	1994	1994	1993	x	2011	x
Serbia	2001	2001	2001	2001	2001	2001	x	2009	2011
Slovenia	1992	1992	1992	1992	1993	1992	x	2008	2021
Yugoslavia	*1967*	*1978*	*1971*	*1982*	*1991*	*1991*	*x*	*x*	*x*

Table 2: Number of concluding observations adopted by UN treaty bodies in the examined States (prepared by author; sources: United Nations Digital Library and UN Treaty Bodies Database)

	CERD	CCPR	CESCR	CEDAW	CAT	CRC	CMW	CRPD	CED	*total*
Austria	12	6	9	6	6	4	0	2	1	46
Bosnia&Herzegovina	7	3	3	3	3	3	3	2	1	28
Croatia	6	4	2	3	5	4	0	1	0	25
Hungary	13	7	8	7	4	4	0	2	0	45
Italy	11	6	7	6	6	4	0	1	1	42
Montenegro	3	2	1	3	3	2	0	1	1	16
North Macedonia	3	4	2	3	4	3	0	1	0	20
Serbia	2	5	4	3	4	2	0	1	1	22
Slovenia	4	3	2	5	4	3	0	2	0	23
Yugoslavia	12	3	6	1	1	1	0	0	0	24
total	73	43	44	40	40	30	3	13	5	291

3. Preliminary remarks: the relevance of UN treaty bodies

Before turning to the analysis, a few preliminary observations must be made. First, when it comes to minorities, not all human rights treaties come into play with the same weight. To start with sheer numbers, there are only a few documents adopted by the CMW (3), the CED (5) and the CRPD (13) in the examined region. In turn, most documents were adopted by CERD (73), whereas the number of reports under CCPR, CESCR, CEDAW and CAT is in the range of 40 (see Table 2).

The importance of treaty body materials for the purpose of my analysis is obviously also influenced by the minority-relevance of the very treaty they monitor. In fact, only the ICCPR and the CRC contain explicit reference to the rights of minorities. Specifically, Article 27 of the ICCPR sets out the following: „In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language." As can be seen, the provision does not offer a definition of 'minority', only hints to a few objective elements that could be part of the concept and/or taken into consideration for operationalizing the term. In order to qualify for the protection under

Article 27, an individual needs to be a member of an 'ethnic, religious or linguistic minority', yet these terms – ethnicity, religion, or language – were also left undefined during the drafting procedure.

One element of the minority concept was explicitly set out in a 1993 decision of the Human Rights Committee: *numerical inferiority*. The authors of the communication challenged legislation in Canada's Quebec province that prohibited the use of any other language than French in commercial signs. The Committee concluded that English-speakers within Quebec did not qualify as a (linguistic) minority for the purposes of Article 27 of the ICCPR, since „the minorities referred to in article 27 are minorities within a State, and not minorities within any province. A group may constitute a majority in a province but still be a minority in a State and thus be entitled to the benefits of article 27."[7] This criterion, however, does not appear in the concluding observations of the CCPR or the other treaty bodies.

In 1994, the Human Rights Committee adopted a general comment which also discussed conceptual issues, albeit only indirectly and briefly. Setting out that „the persons designed to be protected are those who belong to a group and who share in common a culture, a religion and/or a language", it claimed that Article 27 does not require members of a minority group to be citizens of the State party. For the Committee, „it is not relevant to determine the degree of permanence that the term 'exist' connotes", since under Article 2(1) States are required to ensure that the rights protected under the ICCPR are available to all individuals subject to their jurisdiction, except rights which are expressly applicable to citizens. Thus, Article 27 also entitles non-nationals, including migrant workers or even visitors.[8]

Article 30 of the CRC repeats Article 27 of ICCPR practically *verbatim*, except that it also refers to indigeneity: „In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language." Again, no definitions are provided in the text, and one has to turn to the monitoring materials for more in-depth classifications.

In addition to the above two provisions explicitly related to minorities, most human rights treaties contain some sort of reference to the prohibition of discrimination on the grounds of, *inter alia*, race, colour, descent, language, religion, national, ethnic or social origin, etc. These factors – even on their own but more frequently than not, combined – are standard conceptual elements of a minority group, which provides further proof for the relevance of international human rights treaties in our context.

In the case of ICERD, the prohibition of racial discrimination – that is, „any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life" (Article 1) – is the very purpose and subject-matter of international protection. Unsurprisingly, none of the five suspect grounds are defined in the treaty text, not even 'race' which seems to be the umbrella term for the purposes of the Convention. In the CERD's view, it is not necessary to believe in 'races' or accept racial theory in order to combat racial

[7] CCPR: *Ballantyne, Davidson and McIntyre v. Canada*, Communications Nos. 359/1989 and 385/1989, Views of 31 March 1993, para. 11.2.
[8] CCPR: General Comment No. 23, UN Doc. CCPR/C/21/Rev.1/Add.5, 26 April 1994, paras. 5.1–5.2.

discrimination; on the contrary, both the Convention and the Committee condemn theories of racial superiority as well as racist practice (Thornberry 2005, 250-251). The various grounds of discrimination in Article 1 „do not immediately translate themselves into recognizable varieties of community, vulnerable to discrimination" (Thornberry 2005, 257), and clearly, there are overlaps between them. In fact, according to Thornberry (2019, 326) the *travaux préparatoires* of the Convention suggest that „not every descriptor was understood to mark out a sharply defined conceptual space".

To help clarify the scope and content of the Convention, the CERD adopted various general recommendations, two of which are especially relevant for us. General recommendation VIII (1990) concerns affiliation with a particular racial or ethnic group, and succinctly sets out that „such identification shall, if no justification exists to the contrary, be based upon self-identification by the individual concerned".[9] General recommendation XXIV (1999) concerns the reporting of information on persons belonging to different races and national or ethnic groups and on indigenous peoples, demanding for uniform application of criteria to determine the existence of ethnic groups on the territory of the State, thus avoiding differing treatment for various population groups.[10]

Despite the uneven amount and relevance of available materials, unless otherwise indicated, observations as discussed in the next section equally apply to all treaty bodies.

4. Results of the analysis

4.1. Terminology

Perhaps the most important overall observation about the practice of UN treaty bodies is that there seems to be a consensus in their approach and usage of terms related to minorities. This is reflected in, *inter alia*, a general shift in the past decade from 'minorities' to 'vulnerable/disadvantaged/marginalized groups' as an umbrella term. As Eichler and Topidi (2022, 6) rightly point out, by „shifting the focus of legal protection and policy responses to categorisations beyond [objective criteria], and instead including vulnerability as a determining criterion, the demands of such groups may be captured in a more holistic way, although at the cost of creating an 'open-ended', almost infinite process of judicialising the very protection of collective subjects".

Furthermore, treaty bodies are equally inconsistent in their application of terminology. The following concepts are used interchangeably throughout the reports: ethnic and/or national minorities, ethnic/national communities, nationalities (mostly in earlier reports), ethnic minority groups, national minority groups, ethnic groups, national groups, minorities, minority groups/communities, nations (least frequently). The terms 'race', 'class', 'colour', 'descent', or 'cast' occasionally appear (mostly in CERD reports), but with the exception of Italy where the legacies of the colonial past still linger on,[11] this is not typical in the countries of the Alpine-Adriatic-Pannonian region.

[9] CERD: General recommendation VIII concerning the interpretation and application of article 1, paragraphs 1 and 4, of the Convention. In: Report of the Committee on the Elimination of Racial Discrimination, A/45/18, 1991, p. 79.
[10] CERD: General recommendation XXIV concerning article 1 of the Convention. In: Report of the Committee on the Elimination of Racial Discrimination, A/54/18, Annex V, 1999, p. 105.
[11] CERD/C/ITA/CO/19-20 (2016) para. 26; CERD/C/ITA/CO/21-22 (2023) paras. 36-37.

Furthermore, although the Committees acknowledge that the above-mentioned categories overlap, they rarely pursue conceptual clarification. Requests addressed to States to define/categorize certain population groups (and eliminate differentiations between them) are scarce; and the treaty bodies themselves never give any explanations of the terms. For instance, in its 1993 report on Croatia, the CERD inquired about the legal difference between the terms 'minorities', 'peoples', 'nations' and 'communities'.[12] Since no satisfying explanation was given, in the following concluding observations it identified as a principal subject of concern "the lack of clarity as to the various legal definitions to describe ethnic and national minorities".[13] Similarly, in 1990 the CERD sought clarification as to the criteria for distinguishing between 'nationalities' and 'ethnic groups' in Hungary – alas, no answer was provided by the representative of the State party.[14] With regard to former Yugoslavia, both the CERD and the CCPR asked about the distinction made between 'nations' and 'nationalities', to which the following explanation was given: there were six nations in Yugoslavia (Montenegrins, Croats, Slovenes, Serbs, Moslems and Macedonians), whereas all other groups were considered 'nationalities' or 'national minorities' (in one instance, it was added that they originated in other countries). 'National groups' was an inclusive term for both categories.[15] The various definitions of different ethnic groups are not only confusing for members of the treaty bodies, but they also have potential discriminatory effects.[16]

Conceptual issues also arose in relation to the Muslims (Moslems) and Turks in Yugoslavia. The CERD wanted to know why Muslims were classified as a national group and not a religious one, and why the Turks were classified separately. The State representative explained, somewhat confusingly, that the term 'Moslem' referred to a nation/nationality/ethnic group/national group (all four terms were used in the relevant two reports) of Slavic origin and not to a religious group. They lived mostly in Bosnia and Herzegovina and part of Serbia, whereas persons practising Islam in Yugoslavia might be Serbs or Albanians. Moslems belonged in general to the Moslem religion but were distinct from Turks. Those who had declared themselves as Turks, though they might be practising Moslems, were not considered to be part of the Moslem nation but to be members of a separate nationality.[17]

In the treaty bodies' practice, the terms 'ethnic' and 'national' are not clearly distinguished, and they are often mentioned next to each other, connected/separated by 'and', 'or', or, confusingly, 'and/or'. Still, 'ethnic' seems to be the broader term. For instance, disaggregated data on population composition are almost always required by *ethnic* origin, and race, colour, descent, national or ethnic origin, mother tongues and languages commonly spoken are considered as indicators of *ethnic* diversity.[18]

[12] A/48/18 (1993) para. 481.
[13] CERD/C/304/Add.55 (1999) para. 6; CERD/C/60/CO/4 (2002) para. 8.
[14] A/45/18 (1990) para. 219.
[15] CERD A/36/18 (1981) paras. 213; A/38/18 (1983) paras. 150, 156; A/39/40 (1984) para. 236;
[16] CERD/C/62/CO/9 (2003) para. 7.
[17] A/38/18 (1983) paras. 150, 156; A/40/18 (1985) paras. 542, 552.
[18] CERD/C/ITA/CO/15 (2008) para. 11. Cf. paragraph 11 of revised reporting guidelines for CERD: Guidelines for the CERD-Specific Document to be Submitted by States Parties under Article 9, Paragraph 1, of the Convention. CERD/C/2007/1, 13 June 2008.

4.2. Specific groups

In many reports, certain groups are referred to by name, often without clarifying whether they qualify as minorities, and if so, what type of minorities. For example, reports on North Macedonia refer to the Albanian, Roma and Turkish minorities, whereas in its 1990 report on Yugoslavia, the CERD also inquired about the number of persons of Bulgarian ethnic origin in Macedonia.[19] Frequently, the communities are classified under different categories in different reports. For instance, in the first two CERD reports in Austria, adopted in 1974 and 1976, respectively, only the Croatian and Slovene minorities/languages in Carinthia, Burgenland and Styria were mentioned. The Austrian representative explained that no distinct national/ethnic groups or racial minorities existed in the country, and the only legally recognized minorities were linguistic minorities. One member of CERD pointed out in vain that the 1955 State Treaty for the Re-establishment of an Independent and Democratic Austria referred to these groups as national minorities.[20] Yet, only a few years later, Croats and Slovenes were qualified as ethnic groups in both CERD and CCPR reports, along with Czechs and Hungarians who were not mentioned in the previous reports at all.[21] In Yugoslavia, too, Hungarians were first included in the CERD and CCPR reports as late as the early 1990's[22] (and then neglected again in reports on Serbia). In an early report on Yugoslavia, the CERD also posed the question as to why Austrians and Germans were not classified under one single heading. The State representative explained that they had declared themselves to be members of separate nationalities.[23]

In the reports from the examined region (but also Eastern and Western Europe more broadly) there is a single community that features as a *unique category*: *the Roma* (in earlier reports often referred to as 'Gypsies', 'nomads' or 'nomad populations'). Roma people are sometimes classified as an ethnic group, other times as a national minority, and even other times they are not classified at all, but treated as an in-between or 'outsider' category. A frequent concern of the treaty bodies is that the Roma community is not accorded minority status; thus, they repeatedly call on State parties to recognize the Roma as a (national) minority.[24] In Italy, for instance, where the law protects linguistic minorities only, the representative of the State party explained to the CCPR in 1989 that 'gypsies' are not considered to be a minority, because they are „made up of different groups speaking different languages".[25] Later it was stated that the Roma are not protected as a minority because they do not have a connection with a specific territory. The CCPR recalled that „the absence of connection with a specific territory does not bar a community for qualifying as a minority under article 27" of the ICCPR.[26]

Furthermore, the Roma are often singled out for issues such as child marriage and other harmful practices, health, employment, housing, and they are identified as particularly vulnerable to sexual and economic exploitation, trafficking, and domestic violence. An interesting terminological issue is that in Montenegro, Serbia and Kosovo the 'Roma, Ashkali and Egyptian' communities are mentioned together, but the Roma are also

[19] A/45/18 (1990) para. 194.
[20] A/9618 (1974) paras. 135, 137; A/31/18 (1976) para. 51.
[21] A/35/18 (1980) para. 87; A/47/40 (1992) para. 119. Cf. A/38/40 (1983) para. 218.
[22] A/47/40 (1992) paras. 450, 455; A/48/18 (1993) paras. 515, 526.
[23] A/38/18 (1983) paras. 150, 156.
[24] CCPR/CO/71/HRV (2001) para. 22; CERD/C/304/Add.68 (1999) para. 12; CERD A/56/18 (2001) para. 309; CERD/C/ITA/CO/15 (2008) para. 12; CERD/C/ITA/CO/16-18 (2012) para. 3; CCPR/C/ITA/CO/6 (2017) para. 15.
[25] A/44/40 (1989) para. 595.
[26] CCPR/C/ITA/CO/5 (2006) para. 22.

referred to separately (apparently Roma being the umbrella term also for the other nomadic populations).[27] Likewise, from the end of the 2000' onwards Sinti, and a few years later Camminanti (and on one occasion, Travellers[28]) appear alongside Roma in the reports on Italy.[29]

4.3. Legal recognition

Recognition is the State's legal answer to the question about the existence of a group on its territory. This is especially relevant in the context of the ICCPR since Article 27 only applies in States in which minority groups actually 'exist'. Whereas State parties tend to adopt a restrictive definition in this regard (cf. Nagy & Vizi 2024), treaty bodies embrace an increasingly inclusive approach, and they are critical towards States which restrict the definition of minorities to certain legally recognized groups, excluding others from full legal protection.[30] As mentioned in the previous section, a prime example of such practice is the non-recognition of the Roma.

In this vein, in its latest LoIPR, the CESCR called on Austria to „indicate the measures taken to broaden the criteria for the recognition of a national minority under the Ethnic Group Act so as to ensure that all ethnic minority groups in the State party can receive State support to sustain their culture and identity and fully enjoy their economic, social and cultural rights".[31] Similarly, the CCPR emphasizes that States „should ensure that all members of ethnic, religious and linguistic minorities, whether or not their communities are recognized as national minorities, enjoy effective protection against discrimination and are able to enjoy their own culture, to practise and profess their own religion, and use their own language, in accordance with article 27 of the Covenant".[32]

Italy only recognizes linguistic minorities within its territory (Albanian, Catalan, Croatian, Franco- Provençal, French, Friulian, German, Greek, Ladin, Occitan, Sardinian, Slovenian) and provides special status to the German-, French- and Slovenian-speaking minority living in Alto Adige/Südtirol, Valle d'Aosta/Vallée d'Aoste and Friuli Venezia Giulia, respectively.[33] The legal distinction between

[27] CERD/C/MNE/CO/1 (2009) paras. 6, 16-18; CERD/C/MNE/CO/2-3 (2014) paras. 3, 5, 11-15; CERD/C/MNE/CO/4-6 (2018) paras. 5, 10-21, 23; CERD/C/SRB/CO/1 (2011) paras. 8-9, 14-16, 19; CERD/C/SRB/CO/2-5 (2018) paras. 5, 20-23; CCPR/C/MNE/CO/1 (2014) para. 19; CCPR/C/MNE/QPR/2 (2020, LoIPR) paras. 7-8; CCPR/C/UNK/CO/1 (2006) paras. 13-14, 21-22; E/C.12/MNE/CO/1 (2014) paras. 10, 19, 22-23, 25; E/C.12/UNK/CO/1 (2008) paras. 13, 15, 26, 29, 31; E/C.12/SRB/CO/2 (2014) paras. 4, 11-13, 17, 28, 30-31, 35; CEDAW/C/MNE/CO/1 (2011) paras. 21, 23, 26-31, 34-35, 38-39; CEDAW/C/MNE/CO/2 (2017) paras. 20, 22-25, 30-32, 34-35, 42-43; CEDAW/C/MNE/CO/3 (2024) paras. 25-27, 31-32, 43-44; CAT/C/MNE/CO/1 (2008) para. 16; CAT/C/MNE/CO/2 (2014) paras. 12, 22; CAT/C/MNE/CO/3 (2022) para. 4; CRC/C/MNE/CO/1 (2010) paras. 14, 32-33, 40, 49-50, 55, 57-60, 63, 65, 69; CRC/C/MNE/CO/2-3 (2018) paras. 11, 21-22, 27-28, 35-36, 47, 50, 55, 60; CRPD/C/MNE/CO/1 (2017) paras. 4, 10.

[28] E/C.12/ITA/CO/5 (2015) paras. 5 and 45. Reference is made to the National Strategy for the Inclusion of Roma, Sinti and Travellers.

[29] CERD/C/ITA/CO/15 (2008) paras. 12, 14, 22; CERD/C/ITA/CO/16-18 (2012) paras. 3, 8, 11, 15, 17-21, 24; CERD/C/ITA/CO/19-20 (2016) paras. 14, 21-22, 33; CERD/C/ITA/CO/21-22 (2023) paras. 3, 12, 14-15, 22-27, 34, 36, 45; CCPR/C/ITA/CO/6 (2017) paras. 3, 12-15; CEDAW/C/ITA/CO/7 (2017), CEDAW/C/ITA/CO/8 (2024) paras. 11-12, 17, 25, 35-38; CAT/C/ITA/QPR/7 (2020, LoIPR) para. 26; CRC/C/ITA/CO/3-4 (2011) para. 24; CRC/C/ITA/CO/5-6 (2019) paras. 15, 18, 31-32.

[30] Cf. CCPR/C/79/Add.103 (1998) para. 14; CRC/C/15/Add.98 (1999) para. 30; E/C.12/AUT/CO/4 (2013) para. 24.

[31] E/C.12/AUT/QPR/5 (2019, LoIPR) para. 33.

[32] CCPR/CO/81/SEMO (2004) para. 23.

[33] Cf. A/44/40 (1989) paras. 605-606; A/50/18 (1995) para. 96.

'acknowledged' and 'other minorities' is clearly based on language: the former groups are „numerically quite large, whose members did not speak Italian", whereas the latter are „smaller and much integrated, who spoke Italian and for whom there was no linguistic problem".[34] Here, too, the Committees' problem is that such a restrictive definition may lead to a situation where members of other minorities (such as the Roma) may not enjoy equal protection of their rights.[35] The situation is similar in Slovenia, where only the Hungarians and Italians are recognized as national minorities (in the words of the constitution: 'autochthonous national communities'), thus singled out for special protection. The CCPR reminded that immigrant communities constituting minorities under the meaning of Article 27 are also entitled to the benefit of that article.[36]

Legal distinctions based on race, ethnicity or religion that result in discriminating certain population groups in the exercise of their human rights are a serious concern of UN treaty bodies. In Bosnia and Herzegovina, for example, only the so-called 'constituent peoples'(Bosniaks, Croats and Serbs) enjoy constitutional status, whereas 'Others', that is persons belonging to national minorities or ethnic groups other than Bosniaks, Croats or Serbs, are prevented from practising certain political rights, such as being elected to the House of Peoples and to the tripartite Presidency.[37] In Serbia, when it comes to the official registration of religious communities and the acquisition of legal personality, a distinction is made between 'traditional' and 'non-traditional' religions. This, in the view of the CCPR, violates the principle of equal protection and has a negative bearing on the enjoyment of Article 27 rights.[38]

4.4.Objective characteristics

4.4.1. Distinctive features

As for objective characteristics of the minority concept, the following terms are often mentioned as features that distinguish a minority group from the rest of the population: culture/cultural identity/cultural heritage, own language/mother tongue/national language, history, religion/belief, traditions/customs/way of life. The frequency of mentions suggests that the above characteristics can be seen as conceptual elements of a minority, however, based on a contextual reading, one may also argue that they are simply indicative of ethnic difference since they are almost always mentioned as part of certain rights (e.g. freedom of religion, the right to learn/use the minority language), or as a component of other, albeit related, concepts (such as cultural or ethnic diversity). Logically, when a State only recognizes its linguistic minorities (Austria, Italy), language must be seen as a conceptual element. (The same would apply to religion in the case of religious minorities, but nowhere in the examined region would a State recognize its religious minorities only.) However, for the treaty bodies, it is far from being obvious that linguistic difference necessarily leads to the creation of a minority (in exclusive terms, anyway). For instance, the CERD especially asked Hungary why

[34] A/39/18 (1984) para. 307.
[35] CCPR/C/79/Add.37 (1994) para. XI.
[36] CCPR/C/79/Add.40 (1994) para. 12.
[37] CERD/C/BIH/CO/6 (2006) paras. 11-12; CCPR/C/BIH/CO/1 (2006) para. 8; CCPR/C/BIH/CO/2 (2012) para. 6; CERD/C/BIH/CO/9-11 (2015) paras. 5, 7; CCPR/C/BIH/CO/3 (2017) paras. 11-12; CERD/C/BIH/CO/14-15 (2024) paras. 9-10.
[38] CCPR/C/SRB/CO/2 (2011) para. 20; CCPR/C/SRB/CO/3 (2017) paras. 36-37.

the criterion of mother tongue had been chosen to determine the category to which the various ethnic groups belonged.[39]

Based on the overall practice of UN treaty bodies in the Alpine-Adriatic-Pannonian area, ethnicity seems to be the *sine qua non* of the minority concept. Even in the case of religious minorities (typically Muslims or Jews), CERD only deals with them if they also qualify as ethnic minorities. True enough, this follows from the definition of racial discrimination where religion is not mentioned explicitly (Article 1 of ICERD, see above). As Thornberry (2005, 258) explains, CERD tends to read national, ethnic, linguistic and religious minorities or cultural groups of various kinds within the frame of Article 1; however, in case of religion, the Committee searches for an ethnic, or other, connection or intersectionality between race and religion.[40]

4.4.2. Close ties to the territorial State

According to the unanimous position of UN treaty bodies, *citizenship* is not relevant for establishing minority status. This is so even if 'aliens', 'foreigners', 'migrants', 'refugees', 'asylum-seekers', '(internally/externally) displaced persons', 'returnees' and 'stateless persons' are usually mentioned under separate headings, and/or as frequent victims of violations of certain rights (for instance, in the context of the ICCPR, freedom of movement, the right to liberty and security of person, prohibition of torture, etc.). Although traditional or autochthonous minorities (with an element of ethnicity and long-term connection to the territory where they reside) and new minorities (based on migration status) are differentiated by the treaty bodies, this is mostly a terminological matter and does not involve a difference of treatment in terms of the rights that these groups (or rather: individuals belonging to them) should enjoy.[41] The irrelevance of citizenship as a potential element of the minority concept was confirmed by the Human Rights Committee's General comment No. 23 in 1994 (see above).

This does not mean, however, that citizenship does not matter at all. Statelessness is a situation that human rights instruments and monitoring organs want to avoid by all means, and in practice, the lack of the territorial State's citizenship often leads to violations of civil, political, economic, social and cultural rights. The UN treaty bodies are particularly troubled by the precarious condition of the "erased" persons in Slovenia. The "erased" are former permanent residents of Slovenia originating from other former Yugoslavian republics, including Bosnians, ethnic Albanians from Kosovo, Macedonians and Serbs, whose names were removed from the population registers in 1992, and as a result, they lost their Slovene nationality and their permanent residence

[39] A/37/18 (1982) para. 239.

[40] The intersectionality between religion and ethnic origin is explicitly mentioned by CERD in its 2015 report on Bosnia and Herzegovina (CERD/C/BIH/CO/9-11, para. 11), whereas intersectionality between religion and race is pointed out in its 2012 report on Italy (CERD/C/ITA/CO/16-18, para. 19). Reference is made to 'ethno-religious groups' in the 2018 reports on Montenegro (CERD/C/MNE/CO/4-6, para. 10) and Serbia (CERD/C/SRB/CO/2-5, para. 13), respectively. However, further research is needed to ascertain whether the notion of 'religious minority' implies some ethnic or cultural connection in the practice of other treaty bodies, too.

[41] For instance, in its 2002 report the CERD had „difficulty in understanding the distinction made by [Austria] between autochthonous and other minorities and the legal and practical consequences following from this". CERD/C/60/CO/1, para. 11.

in the country. The Committees have repeatedly urged Slovenia to remedy this situation and resolve definitely the legal status of all concerned individuals.[42]

Similarly to citizenship, the *area of residence* or a *long-term presence* in an independent area – another characteristics of autochthony and a frequent conceptual element in States' minority definitions – is also discarded by UN treaty bodies. Instead, State parties are recommended to adopt a flexible approach and avoid unjustified differential treatment of minority groups on the basis of area of residence or the length of established settlement within their territories.[43] Such is the case for instance in Austria where individuals belonging to 'autochthonous national minorities' residing in the so-called 'historical settlement areas', *inter alia*, the Slovenes in Carinthia and the Roma and Croats in Burgenland, and individuals who do not reside in those areas, such as Slovenes outside Carinthia and Roma and Croats outside Burgenland, are treated differently.[44] In Italy, the CERD observed that the Slovene minority in Trieste had a special status in that its members could use their own language in courts, whereas in areas outside Trieste the Slovene minority could not do so.[45] Slovenia provides special protection for the autochthonous Hungarian and Italian national communities,[46] and also differentiates between autochthonous/indigenous vs. non-autochthonous/non-indigenous/'new' Roma, the latter being denied certain rights, such as the right to education in their mother tongue. To avoid further discrimination of this already marginalized population, treaty bodies repeatedly call on Slovenia to end the distinction between the two types of Roma status and provide the whole Roma community with a status free of discrimination.[47] In Hungary, only those ethnic groups who have lived in the territory of the State for at least one century can be recognized as a minority (with post-2012 terminology: 'nationality') – a statutory condition that, in the opinion of both the CERD and the CCPR, should be repealed. According to the CCPR, such a restrictive requirement could result in the exclusion of nomadic and other groups that do not satisfy the requirement due to their lifestyle from the full protection of the law.[48]

4.4.3. Non-dominant position

A very important element of the minority concept is what Capotorti called 'non-dominant position' in his famous 1978 report.[49] Although this term has never been used

[42] E/C.12/SVN/CO/1 (2006) paras. 16, 32; CERD/C/SVN/CO/6-7 (2010) para. 14; CAT/C/SVN/CO/3 (2011) para. 18; CRC/C/SVN/CO/3-4 (2013) paras. 35-36; CCPR/C/SVN/CO/3 (2016) paras. 21-22.
[43] CERD: General recommendation XIV on article 1, paragraph 1 of the Convention. In: Report of the Committee on the Elimination of Racial Discrimination, A/48/18, 1993, p. 114. Cf. CCPR/C/ITA/CO/5 (2006) para. 22.: „[T]he absence of connection with a specific territory does not bar a community for qualifying as a minority under article 27" of the ICCPR.
[44] CERD/C/AUT/CO/17 (2008) para. 10; E/C.12/AUT/CO/4 (2013) para. 24.
[45] A/39/18 (1984) para. 300.
[46] E.g. CCPR/C/79/Add.40 (1994) para. 12.
[47] CERD/C/62/CO/9 (2003) para. 10; CRC/C/15/Add.230 (2004) paras. 22-23; E/C.12/SVN/CO/1 (2005) para. 11; CCPR/CO/84/SVN (2005) paras. 16-17; CRC/C/SVN/CO/3-4 (2013) paras. 24-25; CERD/C/SVN/CO/8-11 (2015) paras. 6-7; CCPR/C/SVN/CO/3 (2016) paras. 23-24.
[48] A/51/18 (1996) paras. 106-131; CCPR/C/HUN/CO/5 (2010) para. 22.
[49] Among the many attempts to offer a definition of minorities, the most often quoted one was provided by Francesco Capotorti in 1978. As Special Rapporteur of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, in his study on the rights of minorities, he used the following working definition that became widely acknowledged in academia: "a minority is a group numerically inferior to the rest of the population of a State, in a non-dominant position, whose members – being nationals of the State – possess ethnic, religious or linguistic characteristics differing from those of the

in the UN treaty bodies' concluding observations, in CERD reports occasional references have been made to the dominant majority/group (such as the Bosniaks and Croats within the Federation of Bosnia and Herzegovina and the Serbs within the Republika Srpska), from which *a contrario* follows the non-dominant position of minorities.[50] In any case, discrimination is mentioned in each and every report in the context of minorities, along with vulnerability, segregation, social exclusion, marginalization, disadvantaged status and underprivileged backgrounds. These terms all convey the same meaning, namely that minority groups are in an inferior power position within society, which makes their equal protection, inclusion and/or integration vital. In fact, the UN treaty bodies' approach reflects the infamous reality that „minority issues in the everyday world are still concerned with processes of 'othering', of structural discrimination and systemic inequalities" (Eichler & Topidi 2022, 4).

Intersectional/multiple forms of discrimination are very often detected in the reports. Depending on the individual treaty body's mandate, minority/ethnic background can go hand in hand with age (children, the elderly), sex (women, girls), migration status[51] and disability. Interestingly perhaps, no intersection has been pointed out between minority/ethnic background and sexual orientation. This means that if and when LGBTQ+ persons are mentioned in the reports, they are either classified under the broad category of vulnerable/marginalized/disadvantaged groups and treated like other such groups (including traditional, ethnic/national minorities),[52] or discussed under a separate heading.

4.5.Subjective characteristics

Subjective elements of the minority concept – similar to what Capotorti referred to as a 'sense of solidarity' between members of the group, directed towards preserving their distinct identity – are very rarely mentioned in the reports. A noteworthy exception is the CERD's first report on Austria where 'ethnic consciousness' and 'kindred' were mentioned as 'sociological criteria'.[53]

In turn, *self-identification* as an overarching principle for claiming minority membership is a recurring theme in most treaty bodies' reports, but always in the context of the individual, not the community. Interpreted as such, self-identification is not an element of the minority concept *per se*, rather a way of operationalization, i.e. determining who belongs to a(n already established) minority group. Operationalization strategies for minority membership in general include self-identification; identification by other members or elected/appointed representatives of the group; classification made by

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rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their cultures, traditions, religion or language". Capotorti 1978, para. 568.

[50] See, e.g. CERD/C/BIH/CO/6 (2006) para. 11; CERD/C/BIH/CO/9-11 (2015) para. 11; A/48/18 (1993) para. 501 (Croatia); A/40/18 (1985) para. 56 (Hungary).

[51] Within the Alpine-Adriatic-Pannonian area, only Bosnia and Herzegovina ratified the ICMW, and the relevant treaty body has so far adopted three concluding observations. The last two explicitly refer to the situation of the Roma within the migrant communities. CMW/C/BIH/CO/2 (2012) para. 35; CMW/C/BIH/CO/3 (2019) paras. 45-46, 61.

[52] For instance, in the latest LoIPR on Montenegro, the CCPR inquired about „measures taken to combat discrimination and prejudice against lesbian, gay, bisexual, transgender and intersex persons" under the following heading: „Non-discrimination, rights of minorities and prohibition of advocacy of national, racial or religious hatred (arts. 2, 20, 26 and 27)". CCPR/C/MNE/QPR/2 (2020) para. 8.

[53] A/9618 (1974) para. 135.

outsiders („third-party identification"), relying on the perception of the majority; or by using 'objective' criteria, such as name, own language or residence (Pap 2021, 215). The universally accepted view in international law is that the ways in which individuals are identified as members of ethnic/minority/racial groups should be established on a voluntary and anonymous basis, on the basis of self-identification by the individuals concerned (cf. Eichler & Topidi 2022, 4–5). It was in line with this that the CCPR expressed its concern "at the administrative shortcomings of the minority election register, and the self-government system [in Hungary], which, *inter alia*, renders it obligatory for minorities to register their ethnic identity, and therefore deters those who do not wish their ethnic identity to be known, or who have multiple ethnic identities, from registering in particular elections".[54] In several other reports, too, the principle of self-identification is regularly emphasized as a cornerstone for and unavoidable element of the operationalization of minorities.[55]

5. Summary and final conclusions

Based on the 291 concluding observations analysed in this paper, the overall conclusion can be made that there is a consensus in the UN treaty bodies' approach and their usage of terms related to minorities. First and foremost, since the past decade, a general shift can be observed from 'minorities' to 'vulnerable/disadvantaged/marginalized groups' as an umbrella term. However, there is no consistency in the application of specific terms; instead, a variety of concepts are used interchangeably throughout the reports, including ethnic and/or national minorities, nationalities, ethnic minority groups, national minority groups, ethnic groups, national groups, etc. Of course, the easiest solution to avoid definitional problems is to mention certain groups by name. This is often the case when treaty bodies inquire about the situation of specific communities.

In the examined reports, the Roma (in earlier times often referred to as 'Gypsies' or 'nomads', whereas more recently mentioned alongside Sinti, Camminanti, Ashkali and/or Egyptians) stand out as a unique category. They are sometimes classified as an ethnic group, other times as a national minority, and even other times they are not classified at all, but treated as an in-between category. A major concern of the treaty bodies is that the Roma community is usually not accorded (national) minority status in the State parties, which is one the reasons why they face even more discrimination and human rights violations than other minorities.

Various types of minorities – ethnic, national, linguistic, religious and racial – appear in the reports alongside one another, and although the Committees acknowledge that these categories overlap, they rarely pursue conceptual clarification. In fact, the Committees get along quite well without clear definitions, because for them, apparently, the *de facto* protection of human/minority rights matters the most, and their ultimate goal is to expand the highest possible level of protection to the widest strata of society (to all groups that are vulnerable in any way). This is also evident from the fact that whereas State parties tend to adopt a restrictive definition of minorities, UN treaty bodies embrace an increasingly inclusive approach, and they are critical towards States which

[54] CCPR/C/HUN/CO/5 (2010) para. 21.
[55] CERD/C/ITA/CO/16-18 (2012) para. 11. See also A/35/18 (1980) para. 92; A/47/40 (1992) para. 119; CERD/C/HRV/CO/8 (2009) para. 10; E/C.12/MNE/CO/1 (2014) para. 6; CERD/C/MKD/CO/8-10 (2015) para. 7; CERD/C/SVN/CO/8-11 (2015), para. 5; CRC/C/HUN/CO/6 (2020) para. 11; CERD/C/HRV/CO/9-14 (2023) para. 6; CERD/C/ITA/CO/21-22 (2023) para. 5; CERD/C/BIH/CO/14-15 (2024) para. 6.

restrict the definition of minorities to certain legally recognized groups, excluding others from full legal protection. In the treaty bodies' view, neither citizenship, nor long-term presence in the territory of the State should be considered as a pre-condition of minority status, which means that 'new' (migrant) communities could also qualify for protection under minority protection provisions, including Article 27 of the ICCPR.

As for other objective characteristics of the minority concept, the following features are often mentioned as distinguishing the minority group from the rest of the population: culture, cultural identity, cultural heritage; own language, mother tongue, national language; history; religion, belief; traditions, customs, way of life. The frequency of mentions suggests that the above characteristics can be seen as conceptual elements of a minority, however, one may just as well argue that they are simply indicative of ethnic difference. Based on the overall practice of UN treaty bodies in the Alpine-Adriatic-Pannonian area, it can be stated that if anything, 'ethnicity' seems to be the *sine qua non* of the minority concept (whatever the term 'ethnicity' means).

A very important element of the minority concept is what Capotorti called 'non-dominant position' in his famous 1978 report. Although this term has never been used in the UN treaty bodies' concluding observations, discrimination is mentioned in each and every report, along with vulnerability, segregation, social exclusion, marginalization, disadvantaged status and underprivileged backgrounds. These terms all convey the same meaning, namely that minority groups are in an inferior power position within society.

In terms of operationalization of the minority concept, the universally accepted view of UN treaty bodies is in line with that of other international human rights organs, namely that the ways in which individuals are acknowledged as members of minority groups should be established on a voluntary and anonymous basis, on the basis of self-identification by the individuals concerned.

To conclude, the practice of the UN treaty bodies demonstrates the tension between an emerging professional consensus and the existing practice of States. The concluding observations reflect a general concern that specific minority rights, understood as part of universal human rights, should not exclude any potentially affected individual or group from the personal scope of their application. As a colleague of mine and I have argued elsewhere, the development of international law, the prevailing faith in the universality of human rights, and the recent expert interpretations of minority rights point to the understanding that the very justification of minority rights is to counterbalance unequal power relations between different social groups. However, States did not originally assume minority protection obligations for such considerations. In a historical perspective, the international recognition of minority rights served the reconciliation of specific groups, and the management of specific security threats and conflicts. This approach has not significantly changed after the Second World War, albeit minority rights are now embraced as part of the discourse of the international protection of universal human rights (Nagy & Vizi 2025, 52–53). Against this backdrop, no matter how noble and sincere the UN treaty bodies' intentions may be, there is little chance that their recommendations will resonate with States' willingness, at least in the Alpine-Adriatic-Pannonian area (and we may safely add, in the wider Central and Eastern European region) where the nation-state narrative and the traditional concept of minorities still prevail.

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CCPR: A/38/40, paras. 178-219; A/47/40, paras. 80-124; CCPR/C/79/Add.103; CCPR/C/AUT/CO/4; CCPR/C/AUT/CO/5; CCPR/C/AUT/QPR/6 (LoIPR).

CESCR: E/1981/WG.1/SR.7, paras. 35-60; E/C.12/1988/4, paras. 23-48; E/C.12/1988/4, paras. 49-61; E/1986/WG.1/SR.4, paras. 1-51; E/1986/WG.1/SR.7, paras. 22-61; E/C.12/1994/16; E/C.12/AUT/CO/325; E/C.12/AUT/CO/4; E/C.12/AUT/QPR/5 (LoIPR).

CEDAW: A/46/38, paras. 303-333; A/55/38, Part II, paras. 211-243; CEDAW/C/AUT/CO/6; CEDAW/C/AUT/CO/7-8; CEDAW/C/AUT/CO/9; CEDAW/C/AUT/QPR/10 (LoIPR).

CAT: A/44/46, paras. 202-230; A/55/44, paras. 46-50; CAT/C/AUT/CO/3; CAT/C/AUT/CO/4-5; CAT/C/AUT/CO/6; CAT/C/AUT/CO/7.

CRC: CRC/C/15/Add.98; CRC/C/15/Add.251; CRC/C/AUT/CO/3-4; CRC/C/AUT/CO/5-6.

CRPD: CRPD/C/AUT/CO/1; CRPD/C/AUT/CO/2-3.

CED: CED/C/AUT/CO/1.

UN treaty bodies' concluding observations on **Bosnia and Herzegovina**:

CERD: A/48/18, paras. 453-473; A/50/18, paras. 205-225; CERD/C/BIH/CO/6; CERD/C/BIH/CO/7-8; CERD/C/BIH/CO/9-11; CERD/C/BIH/CO/12-13; CERD/C/BIH/CO/14-15.

CCPR: CCPR/C/BIH/CO/1; CCPR/C/BIH/CO/2; CCPR/C/BIH/CO/3.

CESCR: E/C.12/BIH/CO/1; E/C.12/BIH/CO/2; E/C.12/BIH/CO/3.

CEDAW: CEDAW/C/BIH/CO/3; CEDAW/C/BIH/CO/4-5; CEDAW/C/BIH/CO/6.

CAT: CAT/C/BIH/CO/1; CAT/C/BIH/CO/2-5; CAT/C/BIH/CO/6.

CRC: CRC/C/15/Add.260; CRC/C/BIH/CO/2-4; CRC/C/BIH/CO/5-6.

CMW: CMW/C/BIH/CO/1; CMW/C/BIH/CO/2; CMW/C/BIH/CO/3.

CRPD: CRPD/C/BIH/CO/1; CRPD/C/BIH/Q/2-3 (LoIPR).

CED: CED/C/BIH/CO/1.

UN treaty bodies' concluding observations on **Croatia**:

CERD: A/48/18, paras. 474-508; A/50/18, paras. 143-178; CERD/C/304/Add.55; CERD/C/60/CO/4; CERD/C/HRV/CO/8; CERD/C/HRV/CO/9-14.

CCPR: CCPR/CO/71/HRV; CCPR/C/HRV/CO/2; CCPR/C/HRV/CO/3; CCPR/C/HRV/CO/4.

CESCR: E/C.12/1/Add.73; E/C.12/HRV/CO/2.

CEDAW: A/53/38/REV.1, paras. 80-119; A/60/38, paras. 168-209; CEDAW/C/HRV/CO/4-5.

CAT: A/51/44, paras. 151-162; A/54/44, paras. 61-71; CAT/C/CR/32/3; CAT/C/HRV/CO/4-5; CAT/C/HRV/QPR/6 (LoIPR).

CRC: CRC/C/15/Add.52; CRC/C/15/Add.243; CRC/C/HRV/CO/3-4; CRC/C/HRV/CO/5-6.

CRPD: CRPD/C/HRV/CO/1.

UN treaty bodies' concluding observations on **Hungary**:

CERD: A/9018, paras. 188-193; A/9618, paras. 158-161; A/31/18, paras. 103-107; A/33/18, paras. 260-268; A/35/18, paras. 319-329; A/37/18, paras. 238-248; A/40/18, paras. 52-68; A/42/18, paras. 726-744; A/45/18, paras. 215-229; A/51/18, paras. 106-131; A/57/18, paras. 367-390; CERD/C/HUN/CO/18-25.

CCPR: A/32/44, paras. 130-132; A/35/40, paras. 307-333; A/41/40, paras. 371-410; CCPR/C/79/Add.22; CCPR/CO/74/HUN; CCPR/C/HUN/CO/5; CCPR/C/HUN/CO/6.

CESCR: E/1980/WG.1/SR.7, paras. 1-10; E/1982/WG.1/SR.14, paras. 32-48, 71-85; E/1984/WG.1/SR.19, paras. 1-33; E/1984/WG.1/SR.21, paras. 1-24; E/1986/WG.1/SR.6, paras. 44-59; E/1986/WG.1/SR.7, paras. 1-21; E/1986/WG.1/SR.9, paras. 49-70; E/C.12/HUN/CO/3.

CEDAW: CEDAW/C/SR.32, paras. 1-18; CEDAW/C/SR.36, paras. 1-26; A/51/38, paras. 229-264; A/57/38, Part II, paras. 301-338; CEDAW/C/HUN/CO/6; CEDAW/C/HUN/CO/7-8; CEDAW/C/HUN/CO/9.

CAT: A/48/44, paras. 342-364; A/54/44, paras. 78-87; CAT/C/HUN/CO/4; CAT/C/HUN/Q/5-6 (LoIPR).

CRC: CRC/C/15/Add.87; CRC/C/HUN/CO/2; CRC/C/HUN/CO/3-5; CRC/C/HUN/CO/6.

CRPD: CRPD/C/HUN/CO/1; CRPD/C/HUN/CO/2-3.

UN treaty bodies' concluding observations on **Italy**:

CERD: A/32/18, paras. 284-294; A/35/18, paras. 58-73; A/39/18, paras. 297-312; A/45/18, paras. 286-298; A/50/18, paras. 77-109; CERD/C/304/Add.68; A/56/18, paras. 298-320; CERD/C/ITA/CO/15; CERD/C/ITA/CO/16-18; CERD/C/ITA/CO/19-20; CERD/C/ITA/CO/21-22.

CCPR: A/36/40, paras. 104-147; A/44/40, paras. 541-609; CCPR/C/79/Add.37; CCPR/C/79/Add.94; CCPR/C/ITA/CO/5; CCPR/C/ITA/CO/6.

CESCR: E/1982/WG.1/SR.3, paras. 32-47; E/1982/WG.1/SR.4, paras. 1-17; E/C.12/1992/SR.13; E/C.12/1/Add.43; E/C.12/1/Add.103; E/C.12/ITA/CO/5; E/C.12/ITA/CO/6.

CEDAW: A/46/38, paras. 43-83; A/52/38/REV.1, paras. 322-364; A/60/38, paras. 298-338; CEDAW/C/ITA/CO/6; CEDAW/C/ITA/CO/7; CEDAW/C/ITA/CO/8.

CAT: A/47/44, paras. 310-338; A/50/44, paras. 146-158; A/54/44, paras. 163-169; CAT/C/ITA/CO/4; CAT/C/ITA/CO/5-6; CAT/C/ITA/QPR/7 (LoIPR).

CRC: CRC/C/15/Add.41; CRC/C/15/Add.198; CRC/C/ITA/CO/3-4; CRC/C/ITA/CO/5-6.

CRPD: CRPD/C/ITA/CO/1.

CED: CED/C/ITA/CO/1.

UN treaty bodies' concluding observations on **Montenegro**:

CERD: CERD/C/MNE/CO/1; CERD/C/MNE/CO/2-3; CERD/C/MNE/CO/4-6.

CCPR: CCPR/C/MNE/CO/1; CCPR/C/MNE/QPR/2 (LoIPR).

CESCR: E/C.12/MNE/CO/1.

CEDAW: CEDAW/C/MNE/CO/1; CEDAW/C/MNE/CO/2; CEDAW/C/MNE/CO/3.

CAT: CAT/C/MNE/CO/1; CAT/C/MNE/CO/2; CAT/C/MNE/CO/3.

CRC: CRC/C/MNE/CO/1; CRC/C/MNE/CO/2-3.

CRPD: CRPD/C/MNE/CO/1.

CED: CED/C/MNE/CO/1.

UN treaty bodies' concluding observations on **North-Macedonia**:

CERD: A/52/18, paras. 512-529; CERD/C/MKD/CO/7; CERD/C/MKD/CO/8-10.

CCPR: CCPR/C/79/Add.96; CCPR/C/MKD/CO/2; CCPR/C/MKD/CO/3; CCPR/C/MKD/QPR/4 (LoIPR).

CESCR: E/C.12/MKD/CO/1; E/C.12/MKD/CO/2-4.

CEDAW: CEDAW/C/MKD/CO/3; CEDAW/C/MKD/CO/4-5; CEDAW/C/MKD/CO/6.

CAT: A/54/44, paras. 106-117; CAT/C/MKD/CO/2; CAT/C/MKD/CO/3; CAT/C/MKD/CO/4.

CRC: CRC/C/15/Add.118; CRC/C/MKD/CO/2; CRC/C/MKD/CO/3-6.

CRPD: CRPD/C/MKD/CO/1.

UN treaty bodies' concluding observations on **Serbia**:

CERD: CERD/C/SRB/CO/1; CERD/C/SRB/CO/2-5.

CCPR: CCPR/CO/81/SEMO; CCPR/C/SRB/CO/2; CCPR/C/SRB/CO/3; CCPR/C/SRB/CO/4.

CESCR: E/C.12/1/Add.108; E/C.12/SRB/CO/2; E/C.12/SRB/CO/3.

CEDAW: CEDAW/C/SCG/CO/1; CEDAW/C/SCG/CO/2-3; CEDAW/C/SCG/CO/4.

CAT: CAT/C/SRB/CO/1; CAT/C/SRB/CO/2; CAT/C/SRB/CO/3; CAT/C/SRB/QPR/4 (LoIPR).

CRC: CRC/C/SRB/CO/1; CRC/C/SRB/CO/2-3.

CRPD: CRPD/C/SRB/CO/1.

CED: CED/C/SRB/CO/1.

UN treaty bodies' concluding observations on **Slovenia**:

CERD: CERD/C/304/Add.105; CERD/C/62/CO/9; CERD/C/SVN/CO/6-7; CERD/C/SVN/CO/8-11.

CCPR: CCPR/C/79/Add.40; CCPR/CO/84/SVN; CCPR/C/SVN/CO/3.

CESCR: E/C.12/SVN/CO/1; E/C.12/SVN/CO/2.

CEDAW: A/52/38/Rev.1, paras. 81-122; A/58/38, Part II, paras. 184-228; CEDAW/C/SVN/CO/4; CEDAW/C/SVN/CO/5-6; CEDAW/C/SVN/CO/7.

CAT: A/55/44, paras. 189-212; CAT/C/CR/30/4; CAT/C/SVN/CO/3; CAT/C/SVN/CO/4.

CRC: CRC/C/15/Add.65; CRC/C/15/Add.230; CRC/C/SVN/CO/3-4.

CRPD: CRPD/C/SVN/CO/1; CRPD/C/SVN/QPR/2-4 (LoIPR).

UN treaty bodies' concluding observations on **Yugoslavia**:

CERD: A/8027, para. 39; A/9018, paras. 219-223; A/10018, paras. 105-109; A/31/18, paras. 117-121; A/34/18, paras. 210-221; A/36/18, paras. 212-219; A/38/18, paras. 148-161; A/40/18, paras. 538-556; A/45/18, paras. 192-205; A/48/18, paras. 509-547; A/50/18, paras. 226-246; A/53/18, paras. 190-214.

CCPR: A/33/40, paras. 366-398; A/39/40, paras. 193-238; A/47/40, paras. 431-469.

CESCR: E/1982/WG.1/SR.4, paras. 18-50; E/1982/WG.1/SR.5, paras. 1-8; E/C.12/1988/4, paras. 240-269; E/1984/WG.1/SR.16, paras. 26-46; E/1984/WG.1/SR.18, paras. 64-79; E/C.12/2000/21, paras. 496-511.

CEDAW: A/46/38, paras. 334-359.

CAT: A/54/44, paras. 35-52.

CRC: CRC/C/15/Add.49.