



Devising an Adequate System of Minority Protection: Individual Human Rights, Minority Rights and the Right to Self-Determination (International Studies in Human Rights)

Kristin Henrard

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As several developments have highlighted, there is an urgent need for an improved theoretical framework concerning how best to accommodate population diversity within multicultural societies. The rights of minorities to identity and real, substantive equality are both used to assess the existing standards and jurisprudence and also to argue for additional rights of (members of) minorities and/or a more beneficial interpretation of existing rights. A defining chapter is followed by three which analyze and evaluate the relative contribution to minority protection of, respectively, individual human rights, minority rights and the right to self-determination. It is argued that the acquis of the first category of rights, namely individual human rights, is taken up, furthered and brought closer to the goal of minority protection by the next category, namely minority rights, as the latter deals more explicitly with essential concerns of minorities and thus with their right to identity. Finally, the author turns to the right to self-determination, mainly in its internal dimension, as it seems to take up the acquis of both individual human rights and minority rights while enhancing the protection and promotion of minorities' right to identity. It seems justified to conclude that individual human rights, minority rights and a right to (internal) self-determination would all be needed and would interrelate for the elaboration of an adequate system of minority protection.

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