

Joseph Marko

The first part of the presentation will take stock of the development of the international legal regime of human and minority rights after World War II in the interplay with political developments in Europe, in particular after 1989. There are nationalist claims for self-determination in the form of secession in both Western and Eastern Europe, the securitization of human and minority rights in the aftermath of 9/11 and the “war against terrorism” and, the rise of right-wing populism and extremism inspired by ethno-nationalism and racism. The second part will thus critically analyse the historic European models of nation-states having been exported through colonialism and the remaining conundrums of liberal democracy. Since the European nation state models require either the assimilation of members of minorities or lead to exclusion in the form of institutional segregation and territorial separation against the basic values and principles for the protection of human and minority rights, I will finally argue for a change of the paradigm and provide for an alternative model of “multiple diversity governance.”

Bio

Joseph Marko, born 1955, is Professor Emeritus of Comparative Public Law and Political Sciences at the University of Graz/Austria with a special research focus on the protection of human and minority rights in divided societies, comparative federalism and regionalism, and conflict management. He is a former international judge of the Constitutional Court of Bosnia-Herzegovina (1997 – 2002), appointed by the President of the European Court of Human Rights pursuant to the Dayton Agreement, and served as politico-juridical advisor for constitutional reform in B-H for High Representative Schwarz-Schilling in 2006/7. From 1998 – 2002 and 2004 – 2006 he also served as a member of the Advisory Committee for the Council of Europe’s Committee of Ministers under the Framework Convention for the Protection of National Minorities. In 2016/17 he was engaged as legal advisor for the UN Secretary General’s Special Representative, Espen Eide, for the negotiations on the re-unification of Cyprus. He has published and edited more than a dozen of books and more than 120 scholarly articles in his fields of research.