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European Commission against Racism and Intolerance (ECRI)
in the European System of the Protection of Human Rights

ABSTRACT

The repercussions of World War II, especially the transformations taking place throughout the years following the end of World War II, contributed to attempts at creating better systems of protection against racism and any intolerance in Europe. Their dynamics was conditioned by political factors, particularly the ones resulting from the bipolar rivalry and the cold war.

The formation of the Council of Europe in 1949, and the subsequent implementation of the European Convention of Human Rights, whose article 14 prohibited any discrimination, constituted the confirmation that discrimination was one of the key problems which had to be solved by the Council of Europe. Moreover, the change of the territorial map of the Council of Europe involved the necessity to implement new mechanisms of monitoring the abidance of law, respect of human rights, and protection of the rights of the minorities.

A breakthrough was observed at the Vienna Summit of the Council of Europe in 1993, when the heads of states and governments declared to respect the commitments. In particular, they declared to both implement the commitments concerning the protection of ethnic minorities, and to fight off racism, xenophobia, antisemitism and intolerance.

The object of the dissertation is to determine to what extent the European Commission against Racism and Intolerance (ECRI), formed at the Vienna Summit, contributes to the protection of human rights in Europe.

The dissertation consists of an introduction, five chapters and conclusions. The first chapter contains a general description of the research area. More specifically, the following key terms are defined: racism, intolerance, antisemitism, xenophobia, speech of hatred, discrimination of the Romanians, and discrimination of immigrants. The second chapter contains a general description of the Council of Europe and its role in the protection of human rights. One of the goals of the chapter is to describe the origin, the structure and the axiological system of the Council of Europe, with a particular focus on the standards of counteracting racism and intolerance, as well as the mechanisms of its implementation. The chapter also contains a description of both the legally binding and the so-called “soft law” instruments of the influence of the Council of Europe on the member countries. The third chapter is devoted to the origin and legal status of the European Commission against Racism and Intolerance. To this end, the following key concepts were described: the origin of ECRI, its legal status, its structure, its functions, its legal instruments, as well as its spheres of activity, i.e. fighting off racism and intolerance, fighting off antisemitism and xenophobia, fighting off the speech of hatred, fighting off the discrimination of the Romanians, fighting off the discrimination of immigrants, and the methods of work of ECRI. The fourth chapter contains a description of the main directions of the activity of the European Commission against Racism and Intolerance, in the timespan 1994-2018, with regard to its main spheres of activity. An attempt was also made to determine the tendencies in increasing the effectiveness of the influence of ECRI on the political systems of the member countries. The fifth chapter contains an analysis of the relationship of the European Commission against Racism and Intolerance with other institutions of the European system of the protection of human rights. The object of this chapter was an analysis of the European Commission against Racism and Intolerance in a wider context of the activity of the three main organisations in Europe, involved in the protection of human rights: The Council of Europe, The Organisation for Security and Cooperation in Europe, and the European Union.

Key words: European Commission against Racism and Intolerance, racism, xenophobia, antisemitism, intolerance, speech of hatred, discrimination of the Romanians, discrimination of immigrants, Council of Europe, The European System for the Protection of Human Rights, human rights.