

The European Standard for the Protection of Language Rights

Abstract

The aim of the dissertation is to propose a European standard for the protection of linguistic rights, which should be pursued in the process of creating, applying and supervising compliance with law. Human rights have been analysed as human rights, fundamental rights and (subjective) rights. The inspiration for focusing on the protection of language rights was the need to introduce changes to the approach to language rights and their protection caused by the change in the geopolitical situation.

According to the hypothesis of the dissertation, the provisions of substantive law are not sufficient to ensure the effective protection of linguistic rights. To this end, it is necessary to develop a European standard for the protection of language rights. In the dissertation, an attempt has been made to prove the need to develop such a standard based on an analysis of substantive law provisions concerning language rights, and at the same time to demonstrate that a broader approach to the protection thereof is needed due to the fact that substantive law provisions do not keep up with the changes and challenges of the contemporary world. Therefore, it is necessary to resort to the procedural and practical solutions in order to ensure effective protection of subjective rights.

The analysis carried out in the dissertation proves that despite the need to introduce changes in substantive law, referred to in respective chapters thereof, in order to protect linguistic rights effectively, it is necessary to apply a European standard of protection, going beyond the norms of substantive law, and corresponding to the current standards of social, economic and technological development. The assessment of that standard should be made on the case to case basis cases, since the standard is subject to dynamic development.