of problems of minorities. Last April, the Committee suspended its work on this "machinery" in view of the fact that the CSCE was already studying similar proposals. The report of the Committee also envisages confidence-building measures to enhance dialogue between minorities and the majorities.

The American Convention on Human Rights, developed by the OAS, also set high standards for member states. But as in other cases, implementation remains the difficult issue. The Inter-American Commission on Human Rights, as well as the Inter-American Court of Human Rights, if they were used, have the necessary tools to overview implementation and to remedy violations on the part of member states. In Africa, the OAU adopted in 1981 the African Charter on Human and Peoples Rights. Since its entry into force in 1986, a Commission has been set up to enforce its application. Here again, the tendency is in the right direction but the record is not encouraging.

On the side of "standards", there are still problems of incompleteness. In the Final Activity Report on the Protection of Minorities to the Committee of Ministers of the Council of Europe in April 1992, some members of the Steering Committee for Human Rights (CCDH) were of the opinion that existing standards do not properly cover: the right to education in a minority language; the use of the minority language in relations with public authorities; the institutional arrangements for dealing with the specific interests of minorities; the use of the minority language during worship or assembly in connection with religion or belief; and the protection and promotion of the cultural identity of minorities. The Report also pointed out that "...the problems of national minorities often stemmed not so much from discrimination as from the lack of positive measures by the State on their behalf."

On the "machinery" side, the difficulty for minorities is that they do not enjoy legal recognition in the international system and that no instrument establishes the obligation for states to afford them legal recognition. Therefore their grievances can only be aired through the limited access individuals have to the existing instruments or through an existing state which might be willing to act on their behalf. In both instances, the current record is appalling. No state has ever taken the risk of using article 41 of the ICCPR, and only a few countries have opened themselves to scrutiny by way of the Optional Protocol.

The only historic precedent in international law where strong international and regional guarantees of minority rights were afforded was under the aegis of the League of Nations. But the protection of minorities by the League was limited to states bound by express undertakings, i.e. treaties. At one point, the Council was the guarantor for 16 such treaties. Individuals, groups and states not members of the Council were allowed to petition the Council, which might decide to create an ad hoc Minority Committee to look into the case. In terms of defining the collective rights of a minority, the treaties were very specific. For example, The Geneva Convention of May 15th, 1922, relating to Upper Silesia,