



Organization for Security and Co-operation in Europe
High Commissioner on National Minorities

STATEMENT

by
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to the
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[Check against delivery]

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Mr. Chairperson,
Excellencies,
Ladies and Gentlemen,

In my first Statement to the Permanent Council in November 2007, I said that after just three months in the job, I was already convinced of the merits of this Institution and dedicated to its future. Today, after six years of intense work, my conviction is stronger than ever. The High Commissioner on National Minorities is still in demand in the OSCE area because the issues are still pressing. The Institution continues to play an essential role in diffusing tensions and effecting positive changes in legislative and political frameworks. But, while my conviction remains firm, my outlook has become more nuanced.

My six years as High Commissioner have been both challenging and rewarding. It has been a privilege to serve the OSCE and to steer this truly unique Institution. Our recent 20th anniversary provided a good opportunity not only to look back at the history and achievements of the Institution, but also to map the present and future challenges. The political context in the OSCE area has changed considerably over the past 20 years and will continue to evolve. While the values and principles enshrined in the HCNM mandate are timeless, the Institution will have to keep adapting its working methods to new situations in order to remain a relevant, effective and valued instrument.

Unfortunately, my life took an unexpected turn right after the celebrations, when I was hospitalized with a heart condition that required surgery. I was moved by all the kind attention I received, including from many of you. I regret, however, my prolonged absence, which has had consequences for my Institution. Several important engagements, including planned visits to priority countries, had to be cancelled. Needless to say, I can only report on what I have done, and unfortunately I leave a number of important tasks for my successor to follow up.

Mr. Chairperson,
Excellencies,
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When I look back at the priorities I listed in 2007, I am pleased to report that many have been achieved, although far from all. Today, I would like to dwell on what has been achieved, what remains to be done and try to put the evolving work of the HCNM into a larger context.

In my first PC Statement, I said that “[T]he geographical and thematic priorities of the HCNM might well change depending on political developments.” There have indeed been political developments and my work has evolved in response. The thematic work is a reflection of the new challenges and paints a clear picture of the Institution’s priorities and the context in which it operates. One important change since the Institution was founded is that the legal framework and States’ commitments vis-à-vis national minorities have developed much further. In the early days of the Institution, the priority was to elaborate and implement minority rights. This is clearly reflected in the early sets of thematic Recommendations, which deal squarely with minority rights. In response to the evolving challenges and drawing on the experience the Institution has gained, the minority rights based approach has over the years increasingly been complemented and enriched by measures to promote cohesion of society. The two thematic publications issued during my time in office, *The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations* and *The Ljubljana Guidelines on Integration of Diverse Societies*, reflect the challenges that my Institution currently views as priorities in the OSCE area.

The “Bolzano/Bozen Recommendations” were a significant contribution from a normative point of view. They are an important step in applying an international law framework for handling minority-related issues in inter-State relations. These recommendations were distilled from the practical experiences of the HCNM and refined through wide-ranging consultations with experts. Today, these Recommendations are well established and I am happy to note that they are frequently cited by participating States. I, of course, regret that they are not politically binding, as I originally recommended. But still, they have become what I hoped they would be: the main point of reference for international discourse on such issues.

The “Ljubljana Guidelines”, launched just eight months ago, go beyond minority rights. These guidelines attempt to explain and lay out an approach that has been a guiding principle for the Institution since the days of Max van der Stoep: integration with respect for diversity. In recent months, I have presented the “Ljubljana Guidelines” in several participating States, and based on the reactions and interest so far, I believe the Guidelines will be at least as useful as the previous thematic Recommendations.

These Guidelines are also relevant in situations that would not call for a direct HCNM involvement. All OSCE participating States are multi-ethnic and need to address integration. As I said in my first PC Statement, we should avoid “engaging in controversial discussions on definitions; it is important to focus on the ‘how’ of integration rather than on the ‘who’ by devising a set of instruments that might help prevent conflicts within our societies.” I believe the “Ljubljana Guidelines” do exactly that.

The “Ljubljana Guidelines” also span the full range of previous HCNM Recommendations and Guidelines, creating an overarching framework for the more specific policy areas that have previously been addressed. The process of integration requires that efforts are made in many spheres of Government policy. These also include citizenship policies, as they affect integration within States as well as relations between States. Citizenship issues are a recurrent theme in the work of the HCNM that deserves to be pursued more systematically.

The HCNM has been engaged on questions related to citizenship since the Institution was established. In keeping with the rest of the thematic work, the focus and priorities in this area have evolved to keep pace with political changes in the OSCE region. At the beginning, the HCNM was primarily concerned about access to citizenship, which remains a challenge in certain parts of the OSCE area. More recently, we have also been working on issues related to dual citizenship and loss of citizenship. The twenty years of HCNM experience demonstrate the effects that citizenship policies can have on individuals and minority groups. While some international standards regarding citizenship are clear cut, the legal framework leaves considerable competencies to individual States. In both my country specific engagements and in my thematic work, I have sought to promote balanced, inclusive and non-discriminatory citizenship policies that take due account of the effects on inter-ethnic and inter-State relations.

Due to factors such as migration, diverse citizenships and States' interest in retaining ties with emigrants, multiple citizenships and criteria for access to and loss of citizenship have become topical issues for OSCE participating States. States also have to make decisions regarding the political participation rights of dual- and non-citizens, which can affect both inter-ethnic and inter-State relations. I have encouraged States to facilitate the participation in public life of all long-term residents, regardless of their citizenship status, in order to enhance the integration of society and ensure democratic representation.

In May, I organized a seminar together with the European University Institute in Florence to exchange knowledge with academics who are studying the relationship between citizenship and integration. The HCNM can contribute to this topic in a number of ways, possibly by assisting the development of international standards and producing guidance to help States address some of the challenging questions related to multiple citizenships. These are questions that will likely become more acute in our increasingly mobile and diverse societies.

Mr. Chairperson,
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The fact that HCNM thematic Recommendations and Guidelines are built on the Institution's engagement with participating States puts norms and commitments into a practical context. The HCNM can only fulfil the mandate by meeting and addressing policymakers and the people affected by their policies.

In May, I made my last visit as High Commissioner to Skopje, where I discussed the challenges of building a stable multi-ethnic State with the authorities and civil society. During the past six years, addressing the division of society along ethnic lines has been a priority of mine. I have consistently tried to engage the authorities in Skopje on this issue. I have emphasized that while civil society input is essential to meet these challenges, the responsibility ultimately lies with the Government.

Integration of a diverse society is more than a mere phrase. It can only be pursued through concrete actions. In 2010, the Government adopted the Integrated Education Strategy, making a clear commitment to address one of the root causes of ethnic divisions. Today,

however, pupils from different ethnic backgrounds still cannot share common school facilities without the risk of conflict. This is a direct result of the growing polarization of society. Continuing to separate the different communities is apparently the easier option for decision-makers, despite the negative consequences this will have on the country's long-term stability and social cohesion. It will take real effort by responsible stakeholders to halt and reverse this trend.

Internationally financed projects facilitating integrated education have shown that encouraging results can be reached. But without State funding and support, it is difficult to achieve sustainable results. This is why the spirit of unity that prevailed when the Strategy was adopted in 2010 needs to be revitalized.

The Ohrid Framework Agreement, which was fundamental in bringing about an end to the hostilities in 2001, has now entered the second decade of implementation. I welcome the initiative to review the implementation process. I believe such a review is important, and I am glad to see that some initial steps have been taken to start it. Over the past six years, I have consistently argued that the ethnic fracturing of society must be addressed and overcome for this country to have a secure future. Today, this remains as urgent as ever. Genuine political dialogue across ethno-political lines is needed to establish a national consensus on inter-ethnic co-existence and accord. This is a pressing matter of national and regional security and stability. As such, it deserves increased attention from both national and international actors

Mr. Chairperson,
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National and regional security and stability have also been the watchwords in my engagement with Serbia. I have visited Serbia twelve times in my capacity as High Commissioner, most recently a month ago. Throughout this period, Serbia has been receptive to my visits, involvement and recommendations to address national minority issues.

The regional context has changed significantly and continues to evolve rapidly with the recent agreement between Belgrade and Pristina and the prospects for Serbia opening accession talks with the European Union. Southern Serbia is particularly affected by these

changes, which is why my Institution, together with the OSCE Mission to Serbia, has been involved with the local and national authorities to address the underlying issues that continue to challenge stability. The Government's efforts to strengthen the Co-ordination Body for the Municipalities of Preševo, Bujanovac and Medveda are positive. I welcome the direct dialogue initiated with local ethnic-Albanian leaders. Nonetheless, tensions remain in southern Serbia between the Serbian and Albanian communities, and the situation can easily be affected by developments in Kosovo. I urge both national authorities and international actors to remain vigilant to the situation in the area.

While my main focus has been the situation in southern Serbia, lately eastern Serbia has emerged as a new priority. Delegations from the Governments of Serbia and Romania met for the second time under my auspices in February to discuss the situation of the Romanian-speaking minority in eastern Serbia. The talks focused on the three areas I had identified as most relevant: education, access to broadcast media and religious services. During my recent visit, I was pleased to find that progress had been made towards implementing the conclusions of those discussions, especially in the areas of education and media broadcasts.

Serbia has launched a pilot course in selected municipalities entitled "Romanian language with elements of national culture". The results are currently being assessed by the Serbian Government, and I expect that the course will be introduced into the school curriculum in eastern Serbia from September. Similar efforts are being made by the Government in relation to other national minorities. On the issue of broadcast media, locally produced content in the Romanian language is now available in some areas of eastern Serbia and Romanian-language programmes produced in Vojvodina are being rebroadcast to audiences in eastern Serbia.

As for the third area – access to church services in the Romanian language – the situation remains difficult and needs further efforts. I believe it is important for the Serbian and Romanian Orthodox Churches to improve their relations, which have deteriorated in recent years. I therefore continue to encourage the two Churches to establish a constructive dialogue on issues of interest to them and the communities affected. Independently of this dialogue and its outcome, however, the State should provide the appropriate framework based on its obligations.

Mr. Chairperson,
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In November 2007, I told the Permanent Council that Central Asia would be a priority for my time in office. Besides the bilateral engagements, I have strived to develop inter-State dialogue and co-operation on minority-related issues. Over the course of my tenure, I have become increasingly convinced that co-operation and dialogue between the States in this region can be an effective way to address sources of tensions related to national minorities. The regional education programme that I launched last year was conceived in this context.

In May, I facilitated a high-level roundtable meeting on inter-ethnic relations, regional security and co-operation in Central Asia and Afghanistan. I am grateful to the participants and to the UK Foreign and Commonwealth Office for hosting the roundtable in London. The discussions were constructive and provide a good basis on which to continue our dialogue on the relationship between integration and security within and between States. The participants expressed an interest in continuing a regional dialogue on these issues under the auspices of the HCNM and possibly including other actors in the region.

I have visited Central Asia twice since my last statement to you. In February, I visited Turkmenistan, where regional security and stability were the key topics of my meetings with the Turkmen authorities. I also discussed the steps that the authorities are taking to address issues related to dual citizenship.

My most recent visit to Central Asia was to Kyrgyzstan, a country that has come to mark my second term. Since the inter-ethnic violence of June 2010, I have made eight visits. During these years, I have discussed a whole spectrum of issues pertaining to inter-ethnic relations and the situation for national minorities with the Kyrgyz authorities. I have been assisting the Presidential Administration in developing a comprehensive policy on reconciliation and majority-minority relations. I have been involved in promoting multilingual and multicultural education. I have been encouraging the authorities to embark on policies promoting participation and representation of national minorities.

The country continues to face serious challenges in the field of inter-ethnic relations. Memories of the June 2010 conflict still affect communities, particularly in southern Kyrgyzstan. In their view, justice has not yet been done. The country has not been able to embark on a reconciliation process. As a result, the sense of insecurity among minority communities is high. The Uzbek community remains marginalized and effectively barred from meaningful participation in public affairs. Ethnic minorities are significantly underrepresented at practically all levels of governance and in the civil service.

Over the past year, the President and the Government have taken a number of policy steps to improve inter-ethnic relations. I commend the adoption of the State Concept on National Unity and Inter-ethnic Relations and the establishment of the State Agency on Inter-ethnic Relations and Local Government. Likewise, the President's firm stance against nationalist overtones in language and education policies is laudable

Implementation of the State Concept will be a challenge. It will require the commitment and goodwill of the authorities at all levels and proper co-ordination and budgetary allocations. This will test the Government's capacity as much as its will. But I believe Kyrgyzstan has no choice. Further fragmentation of society could become a direct threat to the viability of the State. The country needs robust, consistent and comprehensive policies aimed at consolidating society as a whole and ensuring equal opportunities for all in a multi-ethnic Kyrgyzstan. In the wake of the 2010 events, many leaders in Kyrgyzstan admitted that what had happened was a result of the failure to address the underlying causes after the unrest in the 1990s. Today, I am concerned that if we fail once more to address the fundamental dynamics of the social conflict, history could repeat itself again, with dire consequences for the people and communities concerned. This is a national security challenge and must be given the necessary priority by national authorities and international actors alike.

Mr. Chairperson,
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Another country that has shaped my period as High Commissioner, is Georgia. Together with the 2010 events in Kyrgyzstan, the 2008 war in Georgia stands out as the most dramatic political event in the OSCE area in the past six years. They are the only two major instances

of large-scale violent conflicts pertaining to the HCNM mandate during my tenure. Of course, it is easy to be wise after the fact, and predicting the future is notoriously hard. Nonetheless, we should ask ourselves if more could have been done to prevent these conflicts. We certainly owe that much to the victims – both the dead and the living. But we also owe that to ourselves. After all, preventing conflicts is the point of our Organization, and if we are to improve, we have to be willing to learn from our past engagements. When we look at the actions taken – and not taken – by our Organization in response to these situations, I am anything but certain that this reflects favourably on us.

I returned to Georgia in June on my thirteenth and final visit to the country as High Commissioner. Besides Tbilisi, I travelled to the villages of Khurvaleti and Ditsi situated on the Administrative Boundary Line with South Ossetia to see for myself the fences being built and the consequences this has for the local population, curbing their livelihoods and severely restricting their freedom of movement.

In addition to the humanitarian problems, these developments could aggravate the already tense situation on the ground and lead to new incidents. I have called upon the relevant authorities to halt the construction of fences and start negotiations on dismantling those that have already been erected. All sides should focus on finding a solution to the conflict and the humanitarian problems in the area rather than creating new hurdles.

The situation in the conflict areas was also raised in my meetings with Georgian officials in Tbilisi. I am concerned about the situation of the remaining ethnic-Georgian communities in the Gali and Akhagori Districts. In particular, the move to use Russian instead of Georgian as the language of instruction in schools after the 2008 war effectively denies pupils the right to study in their mother tongue. In the Gali District, it is becoming more difficult to access even basic rights and services without holding a so-called “passport” issued by the *de-facto* authorities in Sokhumi. This constitutes a significant obstacle for the numerous members of the local population who may be either unable to obtain such documentation or unwilling due to their convictions. As I have said before, we need more, not less international presence in Georgia, including in the conflict zones, to address humanitarian needs and facilitate a future solution to the conflicts.

Prime Minister Ivanishvili confirmed to me that his Government is committed to fulfilling all its international commitments to repatriate the deported Meskhetians. I urged the Government to make the Meskhetian repatriation issue a priority. Only a few people have returned to Georgia since my visit in November 2012, and none have yet been able to obtain Georgian citizenship. The international community should also continue to follow the Meskhetian repatriation and reintegration process over the next years and stand ready to provide additional support to the Georgian Government.

During my visit I also chaired a roundtable on *The Ljubljana Guidelines on Integration of Diverse Societies* where integration, education and language policies were discussed. The changes from my early visits to Georgia have been huge. Significant infrastructure projects have made the largely minority populated Samtskhe Javakheti and Kvemo Kartli Districts more reachable, thereby facilitating their contact with the rest of Georgia. However, the challenge of integration should still be treated with urgency. To advance integration of society and create equal opportunities for minorities, it is crucial to strengthen minorities' knowledge of the State language and increase their participation in public and political life. Over the years, I have supported training of local civil servants in the State language. I have also been promoting multilingual education. But this is merely a start. The Georgian Government must now take charge of these policy areas and attach the necessary political priority and budgetary allowances to achieve sustainable results.

Moldova is yet another country where my Institution has long been engaged. Because of its deep divisions over identity issues, I have consistently recommended that the Moldovan authorities promote integration of their diverse society, including during my last visit to Chişinău in June. In my meetings with Prime Minister Leancă and other Government ministers, I underlined that promoting social cohesion and stability is of strategic importance and should be a subject for accommodation and compromise across the divided political spectrum. I reiterated this message in my meeting with parliamentarians from the main political factions. The new Moldovan Government has committed to develop a national integration strategy. To assist the Government, I support the Bureau of Inter-Ethnic Relations by providing advice and seconding an expert.

In recent years, the so-called "school optimization process" has led to strong concerns among minority communities. Moldova has to reduce the number of schools to meet its pressing

economic and demographic challenges, including a sharp decline in the school population. However, minorities are particularly vulnerable, as their schools are often relatively small and located in remote areas where no alternatives are available to continue receiving instruction in their language of choice. I have therefore urged the authorities to ensure that minority rights are upheld at all stages of this reform. The Minister of Education assured me that the authorities have consulted local communities throughout the process and that the special needs and interests of minorities will be taken into account as the process moves on.

During my visit, I also participated in a meeting of the Technical Working Group on education within the 5+2 process to discuss the Moldovan-administered schools in Transdnistria teaching in the Latin script. This has been a long-standing concern to me and my predecessors, and I reminded all sides that the children's right to education should be respected and not abused for political purposes. I was glad to note that the discussions in the Working Group were based on the report and recommendations that I presented jointly with the OSCE Mission to Moldova in November 2012. I also provided the sides with a draft protocol agreement that would go some way towards regulating the status of the schools pending a final settlement of the conflict. While this issue remains extremely sensitive for both sides, I am encouraged that the Working Group has not only resumed its work, but that it is having substantial, issue-orientated discussions.

Mr. Chairperson,
Excellencies,
Ladies and Gentlemen,

After six years as High Commissioner, my conviction that this Institution is valuable, effective and essential remains undimmed. While the manifestations of inter-ethnic tensions have changed over time, the fundamental challenge of maintaining well functioning, multi-ethnic, democratic and stable States remains. I am worried about rising nationalism and political extremism in many parts of the OSCE area. These ideas have always been present in the political undercurrent, but today the movements that represent them are again gaining ground and are allowed onto the political stage.

As High Commissioner, I have experienced first-hand the consequences of this trend for relations both within and between participating States. Internally, the polarizing rhetoric

creates an environment less welcoming of diversity, adversely affecting minority groups. It also infects mainstream political parties. Divisive rhetoric seeps into the mainstream as politicians compete for votes on issues such as immigration and integration. Parties on the political fringes are managing to shift the political centre of gravity by shaping the debate on individual policy issues. In that way, radical agendas gain an outsized influence in our political debates. But this trend also affects inter-State relations. When politics becomes a matter of ethnicity and national politics spills over State borders, it is likely to provoke a negative reaction in the neighbouring States. Another symptom of this is when States are more interested in minorities abroad than at home.

This is a dangerous development. It is too easy to blame this on the economic crisis, as some try to do. But this trend started long before the financial crisis. All the crisis has done is add fuel to a fire that was already well stoked. This slide towards mainstreaming political radicalism has to be checked, and I believe the international institutions of Europe, the HCNM among them, have an important role to play. This will not be easy, and your ongoing support for the Institution is essential. But maybe the most important step we need to take is to be honest to ourselves and others about the challenges and problems we face.

Mr Chairperson,

We cannot solve the problems we deny exist. However tempting it might be, burying our heads in the sand is always a bad strategy. To move forward, we have to acknowledge our challenges. In fact, we share many of the same, and these could be addressed together, through this Organization of ours. The OSCE Institutions were created to assist the participating States, and we, the OSCE officials, are your servants. Ultimately it comes down to the political will of the participating States, collectively and individually. This also goes for the work of the HCNM. While the HCNM can contribute with advice and examples, it is ultimately for the Governments concerned to design and, just as importantly, to implement the policies.

The HCNM remains a truly unique Institution. It was created not as a watchdog, but to assist the participating States with implementing their commitments and obligations. I sometimes sense that some still attach a stigma to working with the Institution, which I strongly regret. I

firmly believe that the participating States can benefit from working with the HCNM when addressing inter-ethnic issues.

My life with the OSCE has been a fascinating journey through contemporary European history. And as my journey comes to an end, I hope this Organization will stay true to its promise. The participating States must continue on the course set out in Helsinki almost 40 years ago and uphold the values and commitments upon which the Organization is built.

Whenever it seems impossible to find common ground, we should recall that this Organization came out of an agreement struck across a political divide that ran far wider and deeper than anything we have in the OSCE area today. Now, with the anniversary of that agreement approaching, there is an abundance of achievements to look back at. I am sure that it is still possible to reach out and create consensus on important issues and that the OSCE can continue to lead. All it would take is for you to prove that among the participating States, political will remains a renewable resource.

Mr. Chairperson,

The time has come to say thank you: Thank you to the participating States that six years and one week ago, on 4 July 2007, chose to put their trust in me. I hope I have not disappointed you. I would also like to thank all of you who represent the participating States for your continuous support and encouragement during my time in office. That support has been much appreciated.

I would like to thank the Secretary General, and through him, the Secretariat and the staff in Vienna for the support extended to me and my Institution in carrying out our various tasks.

My colleagues, the Director of ODIHR Janez Lenarcic and the Representative on Freedom of the Media Dunja Mijatovic – you have been of great inspiration to me. Thank you.

And you, Mr. Chairperson, let me thank you and through you the Chairperson-in-Office for your public support of my mandate and my work.

I would also like to take this opportunity to tell you what great staff I have had all through these years and thank them for their dedication and tireless work. As you can very well

imagine, I would not have been able to carry out my different activities without them. The quality of the staff members is the single greatest source of strength for my Institution, and arguably for our Organization, and I hope that you, as representatives of the participating States will bear that in mind as you plan for the future.

And, since my wife is also in the hall today, I would like to express a special thanks to her for giving me a very long leash and letting me spend much more time away than at home over the last six years. With her keen interest in my various activities she has both inspired and encouraged me.

I wish you all the best.

Thank you.