



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,

Let me start by thanking those of you who came to Slovenia two weeks ago to attend the launch of the *Ljubljana Guidelines on Integration of Diverse Societies*. Your presence was much appreciated, and I hope you found it useful. These Guidelines mark an important milestone for my Institution. My predecessors and I have issued many recommendations on integration to various participating States. We have done so based on the understanding that a lack of cohesion can threaten a society's viability, and that this threat can only be overcome through an active process of integration.

I often mention the unique mandate that my work is built upon. My Institution and mandate are, in many ways, an acknowledgement that human rights are a precondition for peace and stability. The Ljubljana Guidelines represent some of the knowledge and experience we have accumulated over two decades of work. They have further been informed by a wide range of experts from throughout the OSCE area. Although our experience is derived from working on issues pertaining to national minorities in the period of post-Cold War transition, I would argue that the Guidelines have a wider relevance beyond the situations where I have been and remain directly involved, and could also have relevance beyond the OSCE area.

Integration of society has to be high on all our agendas. Although the OSCE participating States are all unique, and sometimes very different from each other, they all share one characteristic: they are all multi-ethnic. Therefore, managing inter-ethnic relations and diversity is relevant to all participating States. Multiculturalism cannot be wished away. It is a matter of fact, and it is up to us to make sure that the pluralistic character of our societies becomes a source of strength rather than weakness. As we have learned, cohesion is a precondition for stability in the longer term. I believe this cohesion can only be achieved through a facilitated integration process. Today we are witnessing increased social tension as a result of the economic crisis. This poses additional challenges to policymakers, as austerity fatigue and social unrest can be exploited and create space for forces on the political fringes to gain momentum, including those promoting extreme, radical or xenophobic nationalism. Another trend I have been witnessing is States taking an outsized interest in their so-called

“ethnic-kin”, who are minorities in other countries. On several occasions I have pointed out that there is a thin line between a State providing legitimate and positive support to its “ethnic-kin” and encroachment on the jurisdiction of neighbouring States. I remain concerned that this line is being overstepped in some cases. This not only fuels inter-State tensions, but also has the highly negative effect of turning the minorities into political bargaining chips, which may hamper or undermine efforts aimed at creating a cohesive and stable society in any of the States concerned.

If we are to prevent these trends from getting out of hand, now is the time for vigilance. While the Ljubljana Guidelines are based on past experience, they point to the future, addressing emerging challenges in the OSCE area. The values and principles embodied in numerous OSCE documents and in the mandate underlying my work remain unchanged and unassailable. At the same time, we have to be willing and able to adapt to new challenges. Your support is important to uphold the mandate and develop the work of the Institution. I see the upcoming 20th anniversary of my Institution as an opportunity to revisit and re-examine some of the past achievements. But more importantly, I see it as an opportunity to look at how my Institution, as part of the OSCE, can meet the new and emerging challenges of tomorrow. This will be the focus of the anniversary conference that will take place in The Hague on 7 and 8 March 2013. A reserve-the-date letter has already been circulated to all Delegations, and an invitation will be sent you in due course. I hope you will set aside the time to review the past and contribute to the future by participating in this event.

Mr. Chairperson,
Excellencies,
Ladies and Gentlemen,

Integration remains a central topic for my engagement with several participating States. I have just returned from Moldova, which I am glad to note is one of the first countries striving to put the Ljubljana Guidelines into practice by developing a comprehensive integration policy. I welcome the commitment of the Moldovan Government to do so and have agreed to assist it with this daunting and long-term undertaking through expertise and research.

For a number of years I have been concerned with the conditions under which the eight so-called “Latin-script schools” are functioning in Transdnistria. Together with the Head of

the OSCE Mission to Moldova, I presented the conclusions and recommendations of an OSCE assessment of the situation of these schools both to the Moldovan Government and to the *de facto* authorities in Tiraspol. I particularly urged the Transdniestrian side to allow the school in Ribnita to return to its former premises and to remove any obstacles to the normal functioning of all eight Moldovan-administered schools, pending a final settlement of the Transdniestrian conflict. I encouraged both sides to draw upon previous agreements, including on the status of the schools. I understand that this question is on the agenda of the meeting of the 5+2 next week. An agreement on this long-standing issue would be a significant step forward that could build confidence between both Sides.

Finally, I visited the village of Troitskoe and met with parents and teachers of a Russian-language lyceum that is facing closure as part of ongoing educational reforms, also known as the school optimization process. This process affects many schools, both those with instruction in the State language and those teaching in minority languages. While the reform itself may be necessary to respond to economic and demographic change, it has caused considerable concerns among minority representatives. I have reiterated my earlier recommendation to the Government that the optimization process also should take the specific circumstances of minorities into account. This should be done in an inclusive, systemic and transparent manner that allows the full participation of minorities themselves.

Last week, I visited Georgia, where I met the new authorities in Tbilisi and travelled to the Samtskhe-Javakheti region. This was my twelfth visit to Georgia since I took office. The main goal of this visit was to establish contacts and working relationships with the new political leadership of Georgia and follow up the work I have been engaged in for several years. The new Georgian leadership voiced its strong commitment to continue to work in areas relevant to my mandate and expressed its willingness to co-operate closely with my Institution.

Regarding the parliamentary elections, I am glad to note that all main political parties fielded national-minority candidates on their party lists. Several key issues related to national and religious minorities were debated as part of these elections. The Central Elections Commission established a working group on the Issues of Ethnic Minorities, which dealt with all national-minority issues related to elections, including translating election

materials into minority languages. In total, eight national-minority representatives were elected to the new Parliament.

During my trip to the Samtskhe-Javakheti District, I met with principals, teachers, parents, and pupils of multilingual and minority schools to assess the situation on the ground, especially the progress of the multilingual education reform in Georgia. Many things have been achieved by the previous Government of Georgia. At the same time, serious challenges related to the integration of society remain. I encouraged all relevant stakeholders to have a transparent and inclusive dialogue on this issue to find the best possible solutions.

I also addressed the Meskhetian repatriation process, which lost impetus during the parliamentary elections. It is important for the new Government to get this going again and continue to process Meskhetian applications efficiently and in a timely manner. I encouraged the new political leadership to tackle this issue comprehensively and strategically. I hope that the first Meskhetian repatriates are able to return to Georgia in the near future.

I also met the previous Georgian authorities in Tbilisi in July, when I had the opportunity to travel to Abkhazia. That was my first visit to Abkhazia after the changes in the *de-facto* leadership. In Sokhumi, I discussed the situation for different ethnic groups in Abkhazia and the opportunities for co-operation with my Institution. There appeared to be an interest on part of the *de-facto* authorities in potentially working with me to strengthen the position of minority languages as well as the Abkhaz language, through teacher trainings and developing teaching materials. My Institution remains open to any proposal for concrete co-operation that could benefit inter-ethnic relations and the observance of minority rights in Abkhazia.

During my visit, I specifically discussed the situation for the ethnic-Georgian population in the Gali District. Based on my visit to the area and my meetings with members of the local community, it appears that their situation has improved in some areas. Thanks to newly rebuilt infrastructure, communication between Gali and the northern parts of Abkhazia has been significantly eased, facilitating access to the markets in the north. At the time of my visit, I also observed increased movement across the administrative boundary line at the River Inguri, which enables easier travel to other districts of Georgia. But these improvements, although not insignificant for the local communities, are not enough to offset the ongoing harassment and suppression by the *de-facto* authorities. At the time of my visit,

there remained a palpable sense of fear among the local population. During my most recent visit to Tbilisi, I was informed that movement across the administrative boundary line has again become more difficult.

The situation for the ethnic-Georgian population appears to be equally precarious in South Ossetia. In August, statements by the *de-facto* leadership in Tskhinvali relating to the planned eradication of Georgian villages prompted me to issue a warning statement against such actions, which would clearly constitute a breach of international law. I have raised my concerns with the *de-facto* authorities in writing, but I have yet to receive a reply. I also proposed to visit South Ossetia to discuss this issue, but I regret that the *de-facto* authorities have so far not made this possible. I call upon the *de-facto* authorities and all other relevant actors to facilitate a visit from me in the near future. I am convinced that more, not less, international presence is needed in Georgia, particularly in the conflict areas.

Mr. Chairperson,
Excellencies,
Ladies and Gentlemen,

I returned to Kyrgyzstan in November, amid the crisis triggered when some opposition leaders attempted to take over the buildings of the Parliament and the Presidential administration. To their credit, the authorities handled this situation adequately and prevented any further escalation of tensions. During my trip, I visited Osh in the south and Tokmok in Chui Province to familiarize myself with the situation of the Dungan and Russian communities in the north of the country.

The general security situation, particularly in Osh, has improved significantly. Interaction between different ethnic communities is slowly returning to normal. The local population's perception of the safety situation is gradually improving and rumours and speculation about potential ethnic clashes are no longer as widespread. However, this will not suffice for reconciliation and integration. The Uzbek community remains marginalized and effectively disenfranchised from meaningful participation in public affairs, and signs of structural discrimination are emerging. These problems should be addressed through comprehensive policies covering a range of matters pertaining to inter-ethnic relations. In our meetings, the Kyrgyz authorities acknowledged the importance of policies to improve inter-ethnic relations,

but immediate political considerations tend to take priority over longer term progress. Adoption of a planned policy framework for inter-ethnic relations is still pending. I would like to reiterate my message, voiced in several previous Statements to the Permanent Council, that the country needs a sound minority policy as a foundation for reconciliation and integration of its multi-ethnic society based on respect, equality and protection of human, including minority, rights.

An adequate education policy should be one of the central components of this integration policy framework. In general, I believe education policies are essential for the successful integration of all multi-ethnic societies, and Kyrgyzstan faces many challenges in this area. During my trip, I signed a Memorandum of Co-operation with the Ministry of Education and Science envisaging a number of initiatives aimed at promoting integrated and multilingual education. I am glad that the Minister of Education and Science supports the multilingual and multicultural approach to education, but this cannot be implemented overnight. It will require a well planned, comprehensive and consistent policy to ensure a balance between promoting the State language, which is indeed important for Kyrgyzstan, and protection and promotion of minority education.

I firmly believe that other Central-Asian countries could benefit from introducing multilingual and multicultural education. This is why I launched a regional initiative in August to promote inter-State dialogue on social integration and national-minority education, and deployed a regional Education Liaison Officer to Alma-Aty in Kazakhstan to facilitate dialogue and propose different models of co-operation between the countries.

In July I also visited Ukraine to discuss my co-operation with the incoming Chairmanship and to follow up on several issues that I have been engaged in over the years and which play an important role in the integration of Ukraine's multi-ethnic society.

The July visit confirmed my earlier assessment of the recently adopted Language Law. This legislation may lead to further polarization of society, or even violence, as we have unfortunately already witnessed. My meetings with a variety of stakeholders reinforced my belief that the Law's approach to language policy is deeply divisive. The controversial manner in which the Law was adopted only strengthens that impression. The recent parliamentary election again evidenced the highly sensitive nature of language policy in

Ukraine, with several political parties campaigning on the language issue. This case illustrates how important language policy can be, and I call upon the Ukrainian authorities to devote the necessary resources to mitigate any tensions that have been spurred by the Law's adoption and ensure that gaps in the legal framework are addressed in a manner that serves to unite rather than divide Ukrainian society.

I also discussed the situation of formerly deported peoples in the Autonomous Republic of Crimea with the Ukrainian authorities. I welcomed the adoption, in the first reading, of the long-overdue draft legislation on the restoration of rights of the formerly deported peoples. As I have underlined on previous occasions, I believe that such legislation would greatly facilitate the resolution of several problems related to the formerly deported peoples and would have positive effects on the inter-ethnic situation in Crimea. At the same time, I am concerned that the adoption process may stall again, and I encouraged the authorities to find compromise on the remaining questions. It is my hope that the new convocation of the Verkhovna Rada will prioritize the final adoption of this legislation. Let me also take this opportunity to reiterate the importance of a swift and balanced implementation of this legislation.

During my visit, I also exchanged views with the authorities and other stakeholders on my offer to organize an International Forum on Crimean Tatars and other Formerly Deported Peoples in Kyiv. This initiative – which enjoys the support of partner organizations, including the UNHCR, the Council of Europe and the EU, as well as of many participating States – remains on the table. I encourage the Ukrainian authorities to take advantage of the political, technical and financial benefits this Forum could bring. To prepare the way, an independent needs assessment in key policy sectors is being carried out by international experts under my aegis. I intend to present its results in Kyiv and Simferopol in March 2013.

Mr. Chairperson,
Excellencies,
Ladies and Gentlemen,

As I informed you during my last statement to the Permanent Council, I have worked intensively with the Governments of Serbia and Romania on the matter of the rights of persons belonging to national minorities in eastern Serbia. Earlier in the year, this issue

negatively influenced bilateral relations between the two countries, as well as Serbia's prospects for EU accession.

In October, delegations from both Governments met under my auspices in The Netherlands to discuss the three issues that I have identified as the most relevant, namely education, and access to broadcast media and religious services. They reached conclusions on practical steps to enable the Romanian minority living in eastern Serbia to access broadcast media in the Romanian language as well as teaching of the Romanian language in schools. I want to take this opportunity to thank both Governments for their constructive and open participation in these consultations and I look forward to seeing the agreed steps implemented. I also visited Bucharest in July and Belgrade in November to advocate for a direct dialogue between the Serbian and the Romanian Orthodox Churches. The question of access to church services should be treated with respect for the principle of freedom of religion and requires co-operation between the concerned Churches.

During my visit to Kosovo in November, I emphasized the importance of ensuring that the established framework for the protection of community rights is supported and strengthened. While the legislative framework complies with relevant standards, it has yet to be fully implemented. Continuous efforts are needed to ensure that rights regarding cultural heritage, language, education and freedom of movement are respected. I therefore continue to support the institution of the Language Commissioner. Once the institution is firmly established, it will play its part in helping Kosovo society work towards integration. International support to the authorities in Kosovo continues to be important, both politically and financially.

I welcome the resumed dialogue between Belgrade and Priština. During my visit to Kosovo, I observed that most communities were unaware of the agreements reached within that framework and the practical implications of the dialogue. While supporting the implementation of the agreements reached between the parties, I would like to remind all concerned that implementation should be carried out in a way that does not unduly restrict the rights and freedoms of individuals belonging to the non-majority communities, including the right to freedom of movement. The dialogue should ensure that the concerns of all communities affected are taken into account.

I was able to see first-hand the tense situation in the north. The incidents of July 2011 still resonate with all the communities and interlocutors. Challenges also persist in education. Two separate education systems continue to operate in Kosovo. This is leading to the separation of persons belonging to different ethnic groups. In the long run, this will have a negative impact on Kosovo's stability and development. The dialogue between Belgrade and Priština should address the need for an integrated education system in Kosovo in accordance with international standards.

Earlier this month I visited Skopje. Fortunately, specifically designed security measures, particularly in high-risk areas, have managed to stem the cycle of inter-ethnic violence that appeared to be developing earlier in the year. However, I continue to be concerned about the high degree to which society is becoming polarized. This separation along ethnic lines provides fertile ground for inter-ethnic tensions to resurface, which can be used as political instruments. My interlocutors in Skopje seemed to acknowledge that the current stability is fragile. This year has shown that isolated incidents can trigger a rapid increase in tensions. This begs the question of how long the surface tensions can be managed while their root causes remain unaddressed.

As I have highlighted in previous statements, these long-term challenges to the cohesion of society have to be given adequate attention. Certain past practices have led to the current, and growing, separation between the main ethnic communities. I have repeatedly warned about the risks that parallel societies pose to long-term stability. As reflected in the Ljubljana Guidelines, such separation along ethnic lines is highly detrimental to the integration of society. This tendency should be actively counteracted through a policy framework aimed at social cohesion, which should build on and complement the provisions enshrined in the Ohrid Framework Agreement. I welcome the process that has been launched as part of the High-Level Accession Dialogue of the European Union led by the Government Secretariat for the Implementation of the Ohrid Framework Agreement. As outlined in the Ljubljana Guidelines, upholding minority rights in and of itself may be insufficient. There must also be policies aimed at integrating society.

In the crucial area of education, preliminary figures speak for themselves. An estimated 90 per cent of pupils in primary and secondary education do not study together with pupils from different ethnic backgrounds. Children either attend mono-ethnic schools or so-called

multilingual schools, where they study in different language shifts or buildings. This means that any interaction between children from different ethnic groups can only take place outside the classroom. An Integrated Education Strategy was adopted by the Government in October 2010 to reverse this trend. I regret to say that implementation has fallen victim to the ethnically polarized political environment. Although a climate of compromise did exist when the document was adopted, a zero-sum approach to identity-related issues has since prevailed. The Ministry of Education and Science has given its support to internationally led projects, which have proved that integrated education can work in the local context with the support of the local communities. However, integration of society, including in the field of education, is a long-term process that cannot be driven by international actors alone. The Government as a whole has to take the lead and involve all stakeholders.

Although the 2001 conflict belongs firmly to the past, it can still affect the future. To overcome the divisions of the past and the present, political leaders must have the will to deal with inter-ethnic issues in an inclusive way. The prospects for Euro-Atlantic integration mobilises support across the ethnic spectrum. Were these prospects to fade, however, this would discourage further reform and may also have a negative impact on inter-ethnic relations.

During my visit to Hungary and Slovakia in October, I followed up on my engagement on disputed minority issues. This visit followed the general elections that took place in Slovakia in March, after which visible efforts have been made to ensure that these disputes do not affect the overall bilateral relations between the two countries. I discussed the dispute concerning Hungary's granting of citizenship to Hungarians abroad and the automatic revocation of citizenship by Slovakia from persons who voluntarily acquire a second nationality. In line with the *Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations*, I have reiterated my position that while every State has a right to define its citizenship policies, it is important to respect the principle of good and friendly relations.

I have continuously engaged both countries to use existing bilateral mechanisms to maintain a constructive dialogue. I find it encouraging that the Governments have appointed expert teams to resume dialogue on citizenship. I believe it is fundamental that the two States refrain from treating citizenship as a political instrument. Citizenship has proved to be an important

issue in several situations where I am involved, and it is therefore my intention to make this a subject of my thematic work in the time ahead.

I also discussed the implementation of the legal framework on language in Slovakia. While tensions surrounding language laws have subsided, I have continued to argue for a flexible and balanced approach towards the implementation of the language legislation. In particular, I consider it important that adequate resources should be made available to ensure that the linguistic rights of national minorities are effectively protected, while promoting the integration of society through the learning and use of the State language.

Mr. Chairperson,
Excellencies,
Ladies and Gentlemen,

As you have heard in my report today, there is no shortage of work for my Institution. We continue to rely on the support of the participating States for the effectiveness of our work. Let me take this opportunity to thank the Irish Chairmanship for the support we have enjoyed throughout this year, and I look forward to a fruitful co-operation with the incoming Ukrainian Chairmanship. I would also like to congratulate Mongolia on becoming the 57th participating State of the OSCE. I am encouraged to see that the OSCE is still an organization attracting new participants. This is proof that this Organization still has an important role to play. I wish the Irish Chairmanship good luck in preparing for the Ministerial meeting, and look forward to seeing you all in Dublin, where we will continue the work of building an OSCE that is ready for the future.

Thank you.