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**Organization for Security and Co-operation in Europe{PRIVATE }
High Commissioner on National Minorities**

STATEMENT

by
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OSCE High Commissioner on National Minorities

to the
592nd Plenary Meeting of the OSCE Permanent Council

Vienna, Austria – 9 February 2006

Mr Chairman,

As this is my first appearance before the Permanent Council this year and under the leadership of the Belgian Chairmanship, I would like to take this opportunity to wish you, Mr Chairman, and your team every success in your ongoing and forthcoming work. I look forward to working closely with you, and believe that the police recommendations that I shall be presenting to the Permanent Council today rhyme well with the Chairmanship's priority themes of rule of law and access to justice.

Allow me also to use this occasion to express my thanks to the former Slovenian Chairmanship for its work and achievements during the last year.

As it is only three months since I last addressed the Permanent Council about my work and still early in the year, I thought it would be appropriate to use this opportunity to inform participating States of some of my plans for the coming year and to spend a little more time than usual reporting on my thematic work.

Acknowledging the fact that conflicts in today's world are often generated and fuelled by inter-ethnic tension and tensions in relations between majority and minorities, the OSCE participating States agreed in 1992 to create an instrument equipped to address what are often sensitive issues – the High Commissioner on National Minorities. Thus the mandate of the HCNM requires me to address tensions involving national minority issues, relations between majority and minority and, sometimes, between minority and minority, at the earliest possible stage in order to prevent tensions to evolve into conflict. In taking the decision to establish an instrument of conflict prevention and provide it with the means to address such matters which in most cases fall within the realm of internal affairs, a requirement that the HCNM work in confidence and independently of all parties was included in the mandate.

During 2006 I will continue my core activity of engagement in individual participating States, assisting Governments to prepare legislation and develop the institutional and political framework as well as practices relevant to promoting harmonious inter-ethnic relations. My country-specific engagement will continue to include dialogue and cooperation with

Governments, national minority associations and civil society, in order to ease tensions and diminish conflict potential. The projects I initiate are designed and implemented for the purpose of supporting conflict prevention policies in areas such as education, language training, media broadcasting, policing and training in management of inter-ethnic relations. Throughout the coming year I will conduct a number of country visits to keep myself informed of developments and to maintain my dialogue with authorities, national minority representatives and the international community, encompassing *inter alia* Central Asia, the Caucasus, the Baltic States and Central, Eastern and South-Eastern Europe.

In addition to my country-specific engagement, I will be continuing the thematic work, developing in-depth legal advice and practical guidelines on issues that according to my field experience have either proven contentious – conflict provoking – or beneficial – exemplifying means to de-escalate tensions.

It gives me great pleasure to be presenting a set of recommendations on policing in multi-ethnic societies to the Permanent Council today. The recommendations are the result of work carried out by a group of experts I gathered together a year ago to take a closer look at an issue that I have found to be of profound importance during my work in the field, namely the role of the police in de-escalating tensions and promoting harmonious inter-ethnic relations.

Over the years, in addition to recommendations to individual Governments, the HCNM has developed thematic recommendations on minority issues, with the purpose of providing guidance and encouraging states to adopt specific measures to alleviate tensions relating to national minorities. These recommendations include the Hague Recommendations regarding the Education Rights of National Minorities, the Oslo Recommendations regarding the Linguistic Rights of National Minorities, the Lund Recommendations on Minority Participation in Public Life and the Media Guidelines on the use of Minority Languages in the Broadcast Media. The latest set of recommendations, that I am glad to be presenting to the Permanent Council today, deals with the role of the police in multi-ethnic societies.

As I noted during my last appearance before the Permanent Council, the issues of policing in multi-ethnic societies have been of concern to me. Through my engagement in the OSCE

region, I have reached the conclusion that police can be both a contributor and in some instances a threat to stability in states which are home to a plurality of ethnic groups. This vital correlation between policing and inter-ethnic relations was also recognized in the Charter for European Security and subsequent Ministerial Council decisions in 2001 and 2003.

Police operate at "street level" and often represent the sole agency of the criminal justice system with which various ethnic communities have direct contact. As a result, the police have considerable power to shape the attitudes and public perception of persons belonging to national minorities about the rule of law in the state and its capacity to act in a just, legitimate and accountable way. When police operate under the rule of law; are representative of the society's demographic composition; and are responsive to the concerns and wishes of all ethnic communities, they have the potential to promote both stability in the state and the state's legitimacy in the eyes of the multi-ethnic citizenry.

On the other hand, the international community has witnessed how police can sometimes exert a negative influence on inter-ethnic relations by indiscriminate use of force; engagement in summary punishment; and ethnically motivated persecution. In such situations, the police service not only fails to serve its main purpose of preventing crime and serving the community, but also generates considerable inter-ethnic tension through heavy-handed practices and thus may even become a conflict catalyst.

In my examination of these situations, it became apparent that it would be of value to have written guidance for policy makers, police, national minority communities and NGOs on how to approach policing and address the issue of police-minority interaction in multi-ethnic settings across the OSCE region.

It is with a view to promoting awareness of the handling of national minority issues in policing, and assisting the participating States with some practical guidance in developing policies and law enforcement practices – thereby promoting harmonious relations between the police and national minority communities – that I, together with the Strategic Police Matters Unit in the Secretariat, decided to convene a group of recognized international

experts, including representatives of international organisations, members of academia, senior police officers and non-governmental actors with particular expertise in the field, in order to elaborate recommendations on policing in multi-ethnic societies. Their efforts have culminated in the **Recommendations on Policing in Multi-Ethnic Societies** which I have the honour to present to the Permanent Council today.

Mr. Chairman,

The document distributed today establishes a detailed roadmap for building trust and confidence between the police service and persons belonging to national minorities. It covers such key topics as recruitment and representation, training and professional support, engagement with ethnic communities, operational practices and the prevention and management of conflict. The recommended measures are also intended to improve the police service's operational effectiveness and its capacity to uphold the rule of law. In this sense, all parties benefit from the practical co-operation and communication.

The Recommendations will also assist the participating States to ensure "the right of persons belonging to national minorities to effective participation in public affairs" (paragraph 35 of the Copenhagen Document) which extends to the central and local governments and includes functions within the police service.

The Recommendations were prepared by experts from across the OSCE region and, I believe, have relevance for all participating States. It is my hope that OSCE participating States will refer to these Recommendations in developing policies and law in accordance with international norms and standards, and based on international experience and best practice. I also intend to employ their materials in my engagement in the OSCE region, and stand ready to render concrete assistance to those States seeking to promote positive police-minority relations by implementing the Recommendations. The Recommendations will be translated into several languages, published and distributed, and I intend, as I just said, to promote their implementation in the OSCE area through various means, including roundtables and pilot projects.

Mr Chairman,

In light of current discussions and in response to the call from the OSCE Parliamentary Assembly to approach the issue of so-called "new minorities", I intend during the coming year to look closer at the relevance, in this context, of the HCNM concept of "integration with respect for diversity", and – without prejudice to my mandate, I emphasize – explore the applicability of the methods that the HCNM has developed over the years in situations also involving so-called "new minorities".

The Parliamentary Assembly passed a resolution during its winter session in 2004 calling on me to initiate a study on policies on the integration of "new minorities". That invitation was subsequently repeated at its meeting in Edinburgh and again in 2005. In responding to these invitations, I have initially emphasized that my mandate is to provide early warning and early action in regard to tensions involving national minority issues which have the potential to develop into a conflict within the OSCE area affecting peace, stability or relations between participating States, and that the conflict prevention focus of my mandate generally points to giving greater priority in my work to "traditional" rather than "new" minorities. I believe however that the HCNM recommendations based on the concept of "integration respecting diversity" can also be of relevance in situations concerning "new minorities".

In answer to the call from the Parliamentary Assembly, I am now commissioning a study of so-called "new minorities" and different integration policies being applied in this context. I hope, and expect, that such a study will enable some useful lessons to be learned, at least at an analytical level, on the range of policy options available for dealing with challenges facing multi-ethnic societies. These lessons will not be about immigration and admission policies but about the different options and methods for the integration of persons whose future residence in principle is not in question. This is the area where comparisons between the methods of integration of "traditional" and "new" minorities are likely to be most fruitful. I am confident that the study will reveal a wide range of different approaches for combining integration and respect for diversity. I am only too well aware that in dealing with minorities, every situation is different and that different approaches and solutions are possible. My hope is that the study will throw more light on the options and choices available to participating

States. It is my ambition to present the result of this work in time for the summer session of the Parliamentary Assembly.

Mr Chairman,

In addition to the activities mentioned above, during the coming year the HCNM will pursue measures to further ensure that the gender perspective is mainstreamed in HCNM programmes and projects. As the mandate, and consequently the prime objective of the High Commissioner is conflict prevention, the aim is to adopt policy and take measures that will result in the effective promotion of this objective. Applying a gender perspective and involving all stake-holders – women and men, from top as well as grass-root level – in the dialogue and activities of the HCNM, makes efforts to ease tensions and reconcile differences more effective. In implementing the provisions of the OSCE Action Plan on the Promotion of Gender Equality, the HCNM will include work on the application of UN Security Council Resolution 1325 focusing on the promotion of gender equality in the context of conflict prevention in a multi-ethnic context.

The HCNM will also continue to work with relevant international organizations. As the OSCE's focal point on national minorities in the enhanced co-operation with the Council of Europe, I intend to develop my already close contacts with the structures of the Council of Europe further. The HCNM will amongst other things publish a joint OSCE-CoE compilation on minority rights and commitments together with the Council of Europe, and plans to organize a hearing in The Hague on the Guidelines on the Use of Minority Languages in the Broadcast Media together with the Council of Europe Parliamentary Assembly.

Thank you.
