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

Address by  
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OSCE High Commissioner on National Minorities

to the  
**1270th Plenary meeting of the OSCE Permanent Council**

**[Check against delivery]**

Vienna, Austria – 4 June 2020

Mr. Chairperson,  
Excellencies,  
Ladies and Gentlemen,

I am glad to present to you a report of my activities from November 2019 to date.

Following my last report to this Council, last November, I visited Sweden to hold an event marking the 20th anniversary of the High Commissioner on National Minorities' *Lund Recommendations on the Effective Participation of National Minorities in Public Life*, of which I will present some highlights later on. Using the opportunity of my presence in Sweden, I proceeded to Stockholm, where I explored, first-hand, how Sweden deals with issues related to the integration of its diverse society. With reference to interethnic relations in the country, Government officials and members of Parliament acknowledged the need for continuous efforts to preserve and protect the diversity of Sweden's society, while fostering integration. Importantly, there was a recognition that this needs to be done in close conversation with the national minorities themselves. This is true for the education sector, but, in particular for the Sámi community, also for the sectors related to the environment, land exploitation and means of subsistence.

In January, I visited Moldova and continued my dialogue on the integration of its diverse society with the central authorities in Chisinau, regional authorities in Gagauzia and local authorities in Taraclia. In addition, I had the opportunity to meet with representatives of national minorities in the country, and to visit minority schools and universities in Comrat, Taraclia and Chisinau where I was able to talk to teachers and students.

I discussed the latest legislative and policy developments related to national minorities with the Moldovan authorities. The July 2018 Decision of the Constitutional Court of Moldova to declare the 1989 Law on the Functioning of Languages obsolete continues to generate debate and uncertainty among representatives of national minorities regarding their language rights. I therefore encouraged both the Parliament and the Government to address the legal vacuum in the area of language use and to modernize national minority legislation in parallel. I also reiterated to the Moldovan authorities the need to conduct inclusive consultations with representatives of national minorities at all stages of the process to increase ownership of and ensure community support for interethnic legislation and policies.

In the sphere of language and education, while I found national minorities relatively open to learn the State language, opportunities to do so are insufficient. I recommended to the Moldovan authorities to invest more in State-language education in minority-language schools, including in the framework of the national programme for improvement of State-language knowledge in minority language schools. I was glad to learn recently that the Government is taking concrete steps to implement my advice to invest in modernizing a school that promotes State-language learning in Gagauzia.

During my visit, I also met with representatives of different ethnic communities at the Co-ordinating Council of Ethno-cultural Organizations under the Agency of Interethnic Relations to acquaint myself with the latest developments on issues related to my mandate, including on the implementation of the National Strategy for Consolidating Inter-Ethnic Relations and on future steps. Following my visit, and despite constraints imposed by the COVID-19 pandemic, I have been in contact with the Speaker of the Moldovan Parliament and with the OSCE Parliamentary Assembly to organize a high-level dialogue on autonomy issues to advance the successful functioning of the Gagauz autonomy. In addition, my office has continued providing expertise and assistance to the Ministry of Education, Culture and Research to develop a national policy on multilingual education, and to the Agency for Inter-Ethnic Relations to evaluate the 1997–2020 Action Plan and develop a new 2021–2024 Action Plan under the National Strategy for Consolidating Inter-Ethnic Relations.

In February, I travelled to Albania, where I addressed a conference on Combatting Anti-Semitism, organized by the Chairperson-in-Office. While in Tirana, I also met with State and Government interlocutors, representatives of national minorities, and other specialized institutions. While my discussions with the Ministry of Foreign Affairs primarily concerned co-operation with my office in the context of the Albanian 2020 Chairmanship of the OSCE, the visit also provided a welcome opportunity to discuss Albania's normative framework regarding the protection of national minority rights, to which my office has been contributing over the past years.

In particular, I observed that the legislative process pertaining to the national minority framework is not yet complete. This has concrete implications, such as the fact that the new National Minority Council is not yet functional. I have therefore raised this issue with key institutional interlocutors in the country.

In February, I expressed my concern about the events in the Korday district of Kazakhstan at the highest level. I also offered to provide assistance, based on my mandate and the thematic recommendations developed by my office, in the interest of interethnic peace and stability in vulnerable cross-border communities and in the wider region. I am aware that the authorities are responding to this incident in a number of ways and hope that the judicial procedures will bring those responsible to justice and provide redress to the victims. In this regard, I welcome the establishment of the Committee on Inter-Ethnic Relations in the Ministry of Information and Social Development, with which I look forward to co-operating in the spirit of further strengthening structural conflict prevention.

In early March, I visited Lithuania to participate in the conference *Dealing with the Trauma of an Undigested Past*, organized by the Ministry of Foreign Affairs of Lithuania. In the margins of the conference, I also had a chance to familiarize myself with the situation related to interethnic issues and the integration of Lithuanian society. I noted that the Government has enhanced institutional structures dealing with interethnic matters. The Department of National Minorities under the Government of the Republic of Lithuania was recently supplemented by the Governmental Commission on National Minorities. I hope the two structures will join efforts in furthering the development of a solid policy on the integration of Lithuanian society, including by making additional efforts to promote a balanced approach to teaching of the State language and minority languages. A close dialogue with representatives of national minorities to address these questions in an inclusive manner remains essential.

Several more trips originally planned for the spring, including to Turkmenistan, Finland and Ukraine, but also a visit to the Venice Commission and to the institutions of the European Union, had to be postponed due to the COVID-19 pandemic that was unfolding. This forced me, like most of us, to rethink and adjust the way I conduct my work, which has traditionally relied heavily on travel. Alternative modalities of engagement were identified and implemented for most of my planned commitments. This remains an ongoing task, as prospects for an end to the pandemic and related measures in the mid-term remain unclear. This shift in modalities has entailed heavy reliance on online technology and increased written correspondence to maintain channels of dialogue. Despite the challenges of making such fundamental changes to our ways of working, I been able to continue carrying out my mandate effectively, while also finding opportunities to work on parallel work streams, make use of new platforms and reach out to non-traditional audiences.

In relation to Turkmenistan, for instance, I have reached out to the President, offering to continue our dialogue on implementation of best practices in mother tongue education for minorities, in line with our regional education programme. I have also offered the assistance of my office in developing and implementing policies to promote social cohesion and integration, in close co-operation with the Centre in Ashgabat.

As mentioned in my previous reports to this Council, when I visited the Fergana valley I was pleased to see tangible outcomes of improved regional co-operation between Kyrgyzstan, Tajikistan and Uzbekistan, both at the level of local authorities and in terms of contacts and interaction between border communities. Recurring border conflicts, however, continue to be of acute concern. I am worried about the frequency and intensity of cross-border conflicts as of late. I call on the States sharing the Fergana valley to step up efforts to resolve outstanding issues pertaining to disputed territories and to prevent outbreaks of new conflicts. I encourage these States to explore the opportunity of availing of international assistance to complete delimitation and demarcation processes.

Also in March, as part of my ongoing co-operation with the Council of Europe, I was scheduled to address the 122nd Plenary Session of the Venice Commission on a number of issues pertaining to the management of diverse societies. Although this session was cancelled following the outbreak of COVID-19, I have been invited to address this forum at the first possible opportunity, either in person or online.

Further, I reached out to the new leadership of the European Commission, and in particular to the Commissioner for Neighbourhood and Enlargement, for periodic exchanges of views, via online platforms, on matters of common concern and on policy responses to ongoing challenges, including to the consequences of COVID-19.

At the end of March, I was also planning to visit Finland for the first time since taking up my mandate. I was looking forward to meeting with the Finnish authorities and representatives of various national minorities, including the Sámi Parliament, to discuss topics related to the management of diversity in Finland. Upon cancellation, I reached out to the Sámi Parliament, following earlier correspondence, and expressed willingness to offer my good offices to facilitate dialogue on matters of concern to them.

In the same period, my advisers were planning to visit Estonia, as discussed with Foreign Minister Reinsalu in the margins of the Bratislava Ministerial Council, to conduct a first-hand assessment of the changes to gymnasium-level education and their implications for national minorities, including in the east of the country. Unfortunately, the assessment visit had to be postponed due to the pandemic. Likewise, my participation in the Eighth World Congress of Finno-Ugric Peoples in June in Tartu, to which the Minister had kindly invited me, had to be postponed for the same reason.

Engagement with Ukraine's authorities with regard to policies pertaining to education, language and integration remains a priority for my institution, including in the current context. Given the salience of the issue of education for the integration of Ukraine's diverse society and for Ukraine's bilateral relations with its neighbours, I have been sharing my advice and considerations with the authorities of Ukraine, including with President Zelensky, in the context of the debates around the Law "On General Secondary Education". With the law having been adopted earlier this year, I welcome that it envisages the exemption of language requirements for private education institutions. Combined with the extension of the transition period for the implementation of Article 7 of the Law "On Education" until 2023, this creates better conditions to enable a balance between strengthening of the State language and protecting minority languages that are official languages of the EU. At the same time, the differentiated treatment between EU and non-EU languages remains a concern that should be addressed, as highlighted in an opinion by the Venice Commission. In this regard, I also encouraged the extension of the timeline for implementing the language requirements for schools with Russian and other non-EU languages as the languages of instruction until 2023. Such extension will be particularly relevant in the current context where opportunities for teacher training may be curbed due to measures responding to COVID-19. In addition to offering more time for teacher retraining, treating all minority languages in the education system equally will also help reassure those citizens of Ukraine who may feel alienated due to their linguistic background.

As to the language policy, as I have stated on a number of occasions, Ukraine has every right to strengthen the role of the State language to facilitate integration and to enhance a shared sense of belonging. However, these measures should be balanced with efforts to accommodate the diversity of the country. As the State language law does not ensure sufficient legal clarity or guarantees for the protection of the linguistic rights of minorities, I have engaged

with the relevant authorities of Ukraine, including the new Head of the State Service on Ethnic Policy and Freedom of Conscience, offering my assistance, in co-operation with the Council of Europe, to develop relevant legislation in close consultation with representatives of all national minorities.

In the reporting period, I have also continued my dialogue with the authorities of Latvia, both with relevant Ministers and the leadership of the Saeima, as well as with representatives of national minorities and other relevant interlocutors with regard to a number of minority-related issues. Among other matters, access to learning opportunities for pupils of a minority background both in school and preschool educational institutions is high on my agenda.

In this regard, in the context of the Saeima's recent adoption of the amendments to the General Education Law, I understand that the suggested reform in preschool education is aimed at ensuring that minority children gain a basic knowledge of the Latvian language. At the same time, national minorities have shared their apprehensions that the law may result in a reduction of learning opportunities for pupils of a minority background. To prevent this risk, in the implementation of the law, I advised the authorities to allow flexibility in responding to the demands of minority communities at the municipal level when it comes to preschool education in a minority language, in line with *The Hague Recommendations regarding the Education Rights of National Minorities*.

More generally, I have to note that because of their potential to divide communities and affect bilateral relations between States, language issues continue to be a central focus of my attention in many of the countries I visit. As I engage on this issue, I continue observing cases in which language-related legislation sets hierarchies between the languages spoken by the various minorities and in some cases foresees punitive measures instead of incentives in an effort to promote the State or official language. A legal vacuum in this sphere may also create unbalance in the language environment without taking due account of the existing diversity in society. Therefore, I always call for an inclusive, incentive-based and consultative approach to language-related policies, as elaborated in *The Oslo Recommendations on the Linguistic Rights of National Minorities*.

Mr. Chairperson,  
Ladies and Gentlemen,

The programmatic work of my office provides concrete examples of the principles we promote. In an effort to bridge linguistic divides in a way that is relevant and appealing to the younger generations, in the reporting period, my office finalized the first-ever digitalized Macedonian-Albanian/Albanian-Macedonian phrasebook in North Macedonia, in co-operation with the Nansen Dialogue Centre, Skopje. I launched this innovative digital tool in April utilizing social media. This phrasebook, which has been carefully gender mainstreamed, becomes all the more important in the context of COVID-19, as it provides an opportunity to develop new language skills while respecting social-distancing at home and is easily accessible, including through free mobile phone applications. I am happy to report that, in the first two weeks of its launch, almost 2,000 people visited its dedicated website.

In Georgia, my Institution continued to promote mother tongue-based multilingual education in selected schools and preschools with minority languages of instruction in the minority-populated regions of Kvemo Kartli and Samtskhe-Javakheti. Notably, 11 higher education institutions in Georgia now teach a course on tolerance and diversity for both ethnic minority and majority students, and with an emphasis on equal opportunities from a gender perspective. In addition, last December we conducted a capacity building and exchange of best practices workshop for Georgia's State Language Department.

The Central Asia Education Programme continues to operate despite the current circumstances. My office has continued providing policy and expert assistance to Central Asian States and Mongolia to promote and advance mother-tongue-based multilingual education in minority schools and preschools across the region. For instance, in the past few months an online course on Content and Language Integrated Learning (CLIL) has been developed and is currently being piloted; a methodological toolkit on multilingual education has been prepared; and education practitioners have been connected via social media to exchange experiences and best practices in providing distance learning in the context of minority schools implementing multilingual education. As the last phase of the Central Asia Education Programme is drawing to a close at the end of the year, I am proud of its achievements. Over the past four years, the programme has successfully promoted knowledge of the State languages, contributed to preserving and supporting minority language education, and enhanced regional co-operation in



the field of education. From a gender perspective, the programme resulted in an increased number of graduates from secondary schools, including girls belonging to national minorities, improving their economic opportunities. Increased capacities among Central Asian countries acquired through this programme have proved particularly useful in the context of the current pandemic, whereby I am happy to note that many Central Asian States have continued providing adequate support to minority schools. I have encouraged the education authorities in Central Asia to continue their engagement in this programme, including in the next phase, which I am hoping to launch, with your support, in early 2021. I have recently reached out to the education authorities of Kazakhstan and Kyrgyzstan with a proposal to sign Memoranda of Understanding to continue co-operation in the next programme cycle. A Memorandum of Understanding with Tajikistan was signed last year.

Mr. Chairperson,  
Ladies and Gentlemen,

Along with bilateral engagements with individual participating States, my work to develop and promote policy advice on specific thematic areas to address structural problems in diversity management as a long-term conflict prevention strategy continues unhindered.

In November, my office organized an international conference in Lund, Sweden, to mark the 20th anniversary of the *Lund Recommendations on the Effective Participation of National Minorities in Public Life*. The conference dedicated a panel on advancing the participation of minority women in public life, which will inform further work on the topic. The discussions also highlighted the largely unexplored link between minority participation, economic prosperity and conflict prevention. Given the centrality of this topic, including in the context of the COVID-19 pandemic and the economic crisis that is unfolding, I identified the social and economic participation of national minorities as one of my thematic priorities for the upcoming years.

Marking key anniversaries of the HCNM's Guidelines and Recommendations as a way to bring them back into focus has been an important strategy of my office throughout the years. In this vein, my Institution is preparing to celebrate two key anniversaries in 2021: of the 1996 *The Hague Recommendations Regarding the Education Rights of National Minorities* and of the 2006 *Recommendations on Policing in Multi-Ethnic Societies*.

The latter are particularly relevant, as law enforcement actions by the police in the context of societies that are becoming increasingly diverse may be particularly challenging, as recent events in the United States have shown. As we review these and other recommendations, I am looking forward to engaging in discussions with experts, as well as with delegations, to re-examine our advice in light of the current situation, discuss challenges to implementation and assess possible gaps that need to be addressed. Specifically with regard to our recommendations on policing, we are also working towards systematically mainstreaming gender in the document, an angle that is not sufficiently tackled in the current version. As part of this dialogue process around our policy advice, I am planning to organize a series of webinars to highlight and revisit, with your participation, some of the key recommendations issued by my office.

Over the past few months, I have also continued to observe the impact on minorities of contrasting narratives surrounding celebrations of anniversaries of historical events, and related statements and legislative or administrative measures. At the Vilnius conference I mentioned in relation to my visit to Lithuania, I had the opportunity to visit Grutas Parkas, a positive example of preservation of a potentially controversial historical legacy. I have continued to emphasize the importance of treating historical narratives, memory and identity in a way that prevents or addresses tensions within societies as well as across borders. As I continue to engage to help address and hopefully solve practical issues I encounter in my visits, in relation to which I have in many cases been requested to provide advice, I intend to continue consulting with international experts, including a group of historians, as well as with partner organizations, such as the Council of Europe and UNESCO, to clarify the existing legal framework and explore best practices observed in this sensitive area.

I am also glad to announce that on 16 November, my office will be holding the ceremony to award the 2020 Max van der Stoep Award, which is presented every two years to a person, group or institution for extraordinary and outstanding achievements in improving the position of national minorities. Our call for nominations ended on 30 April, and we are now in the process of selecting the winner. I believe the Jury will reach a decision in the coming weeks, and delegations will be informed accordingly. Tentatively, the Award Ceremony is planned to take place in The Hague. Invitations will be extended to your delegations, although questions remain on modalities of participation in light of COVID-19.

Mr. Chairperson,  
Ladies and Gentlemen,

The COVID-19 pandemic has added a new dimension to our work, and a new challenge to diverse societies. Emergency measures to prevent and contain the spread of the virus, as well as longer-term policies to minimize the effects of the crisis risk exposing or further accentuating shortcomings in governance and existing structural imbalances. This carries security risks, including for diverse societies. If certain groups in society perceive that they are being treated differently, regardless of whether this is indeed the case, this can undermine trust between communities and exacerbate resentments. Existing divisions may deepen, creating an environment in which identity-related matters can be politicized or securitized. These risks motivated me to issue a set of policy recommendations under the title “Streamlining diversity: COVID-19 measures that support social cohesion” in April. This advice, which is based on existing guidance developed by my office in a number of sectorial policy areas, calls for non-discrimination and inclusivity as driving principles of any response to the crisis. Many countries are now moving out of the emergency phase, and governments are embarking on efforts to develop sustainable policy solutions that mitigate the impact of the crisis and build preparedness for future possible relapses of the virus. During this phase, it is essential that such principles of inclusivity continue guiding their actions.

Three months after the introduction of the first emergency measures in some OSCE countries, I am looking at the impact of COVID-19 and related policies on diverse societies. While it may be too early to draw conclusions, let me share some preliminary observations. In terms of right to life and access to health, I have taken note of reports suggesting that members of non-majority communities may be exposed to higher risks to contract, be hospitalized for or die from COVID-19 due to their profession, living conditions, limited access to free healthcare in certain countries and cultural aspects. While I observed some virtuous examples where central and local authorities disseminated COVID-19 related information and provided vital services in languages other than the State language to keep everyone abreast of the situation and related measures, I do not have evidence that this has happened systematically and consistently across the OSCE space. In addition, as the education system transitioned towards distance learning, the needs of children with a minority background to receive education in their mother tongue, along with classes in and of the State or official language, may have been overlooked. At the

same time, I am encouraged by many cases in which online and televised education has been tailored to the needs of all children; this has been especially the case in those contexts with decentralized education systems.

I am also concerned about reported instances of intolerance, xenophobia and ethnic profiling, mainly circulating on social media platforms, whereby members belonging to national minorities have been scapegoated, with the accusation of spreading the virus. I am aware of several cases in which authorities were able to identify early warning signs of ethnicity-based hatred and address them. At the same time, the nature and extent of some of the measures and practices to contain the spread of the virus, including by law enforcement, raise questions about their proportionality and relevance to the threat, and suggest that certain groups may have been targeted disproportionately. The Roma in many contexts have been particularly vulnerable to this risk.

Lockdown measures and border closures have put a strain on most regions of the OSCE, particularly affecting vulnerable communities, including national minorities. The latter are often disproportionately concentrated in low-skilled labour and the informal economy, or located in cross-border areas with related economic activities. Restrictions to movement associated with lockdown measures and the closing of border crossings between many countries of the OSCE region have translated into difficulties to access markets and workplaces. I am also looking into the impact of COVID-19 on minority women, who in many contexts already suffered from double discrimination. Minority women, who are often concentrated in informal sectors such as domestic work and agriculture, are now particularly vulnerable to unemployment, poverty and marginalization. Increased family-related responsibilities and ongoing protection risks linked to the crisis are an additional source of concern.

Although it is too early to assess their relevance for, and impact on, minority communities, I am encouraged to learn that several States have already put in place fiscal and budgetary policies aimed at cushioning the socio-economic effects of the crisis, including by extending support to small businesses. In addition, bilateral agreements between neighbouring countries to alleviate the economic impact of restrictions to movement, which resulted in derogations for residents of border areas, have proven beneficial. In some sporadic cases, however, socio-economic grievances and heavy lockdown measures, which may be - or may be perceived by

certain communities - as unbalanced, have amplified resentment against governments, given rise to protests and caused unrest.

Particularly in this difficult moment, policies and measures that do not equally address the needs of everyone in society may well become a factor of instability. It is therefore important that we continue reflecting on what this crisis has taught us, and adjust future policies accordingly. I am trying to create, or to contribute to, opportunities to study the issue further, hopefully with your active involvement. For this reason, I look forward to discussing these issues with you in the course of a webinar I intend to organize in the next few weeks. In addition, at the end of the month, I will be addressing a webinar organized by the Parliamentary Assembly on “COVID-19 response in diverse societies: challenges and opportunities for stability and social cohesion”. In July, I am also planning to co-host with the Co-ordinator of OSCE Economic and Environmental Activities a webinar on the “Social and Economic Consequences of COVID 19 on National Minorities”.

I believe that a transparent and constructive dialogue in the spirit of mutual learning, solidarity and co-operation is one of the ways in which we can collectively contribute to addressing this global health challenge – a global health challenge which should in no way also become a security problem.

Thank you for your attention, and I am looking forward to your comments and questions.