



Organization for Security and Co-operation in Europe

Address to the OSCE Parliamentary Assembly

by **Rolf Ekéus**

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the Organization for Security and Co-operation in Europe (OSCE)

Vienna, 21 February 2003

Mr. Chairman,

Ladies and Gentlemen,

As you may be aware, the institution of OSCE High Commissioner on National Minorities is now ten years old. Its unique mandate and effective staff have allowed the OSCE over the past decade to develop a niche in terms of preventing inter-ethnic conflict and assisting Governments to implement their commitments relating to national minorities.

But we can not rest on our laurels. There are plenty of majority-minority relations within the OSCE area that I believe warrant my attention and engagement. And there are a number of themes which deserve further exploration and clarification.

An issue that I believe could be of special interest to you is the way that minority issues will be addressed in an enlarged Europe.

The Copenhagen criteria for the enlargement of the European Union adopted in 1993 insisted with regard to the candidate countries upon “the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and the protection of minorities”. I can assure you that these criteria have been useful to quote in my work in those States with a perspective of joining the EU.

However, despite being required from applicant countries as a formal condition of membership, minority rights are not included among the EU's founding values as listed in the EU Treaty. This is of considerable concern to me. That could in effect mean that the requirement for acquiring membership regarding minority rights has no corresponding obligation as regards those States which are full members of the Union in the absence of a formal requirement in the EU Treaty of such a provision. It is of great importance that this lacuna in the EU Treaty be corrected in the context of the ongoing EU Convention process and the drafting of a Charter for the EU. One must keep in mind that the enlarged Europe

will contain a number of national minority issues of considerable complexity. Should the High Commissioner be prevented to address them under the pretext of the non-existence of a minority rights provision in the Treaty, this could bring harm to the internal peace and stability in the Union.

Let me turn now to some of the specific situations that I am currently engaged in.

One of the most complex and protracted is the Law on Hungarians Living in Neighboring States. In 2001, just before I became High Commissioner, the Hungarian Government passed a law designed to give benefits to Hungarians living in some neighboring countries on the basis of their Hungarian nationality. This has caused considerable consternation between Hungary and some of its neighbors. My engagement in the question started in October 2001 with a statement on the principles of the Status Law but without naming or specifically criticizing Hungary.

Over the past eighteen months I have visited Budapest, Bratislava, and Bucharest on several occasions in order to facilitate a resolution to this issue. In Hungary I have constructive contacts with the Hungarian Government and at the same time maintain close contacts with the neighboring States.

I have taken a resolute position on the principle behind this Law since I believe that we must uphold the fundamental premise of international law that protection of minority rights is first and foremost the obligation of the State where the minority resides. I see one of the central aspects of my work as encouraging Governments to ensure a framework that protects and promotes persons belonging to national minorities. If one State assumes such responsibilities within the borders of a different State it may harm bilateral relations and the fabric of multi-ethnic society may be strained.

That is why I support the principle of integrating diversity. This is short-hand for a system of government that enables the fruition of cultural pluralism and equal opportunity within the common rights and obligations of a civic society. Achieving this aim is not something that is

limited to a particular part of this continent. It is a pan-European challenge since all OSCE States are multi-ethnic to a greater or lesser degree. We are all societies in transition, and part of that transition involves coping with new demographic trends, questions of identity and maintaining social harmony. I don't want to preach on this point, but I simply want to highlight the common challenge that all OSCE States face in coming to terms with their cultural diversity.

Integrating in harmony in a diverse society can be facilitated in several ways. One important tool is language training. People often expect me as High Commissioner on National Minorities only to promote minority languages. To enhance integration I insist that while minorities should have the right to acquire a proper knowledge of their mother tongue during the education process, they have a responsibility to integrate into the wider society through the acquisition of a proper knowledge of the State language. In Moldova, for example, my office has been working with the Moldovan Government to improve teaching of the State language to children from minority communities in order to increase their opportunities later in life. State language training has been a centre piece of integration strategies in Latvia and Estonia. I know that the issue is increasingly discussed in European Union countries which have immigrant populations that do not have a sufficient knowledge of the State language.

Another related aspect that I frequently promote to further integration is education in general. On the one hand, a certain degree of subsidiarity can allow for a more effective response to minority needs, while overall curriculum development can enable young people to acquire a fuller understanding of their fellow citizens who may not share the same ethnicity. In Kyrgyzstan I am supporting a policy to promote minority education, while in Moldova I have encouraged the Government to develop the teaching of the State history curriculum. Minority education is also one of several areas where I am continuing my engagement in Macedonia, including through my membership of the Steering Board of the South East European University in Tetovo.

Integration can also be encouraged through citizenship which guarantees common civil entitlements. That is why I continue to urge the Latvian and Estonian Governments to accelerate the naturalization process.

Integration may also literally mean making groups feel less isolated. Samtskhe-Javakheti is a rather remote and little-known region of Georgia where the majority of the population is ethnic Armenian. There, few people speak Georgian, the economy is dependent on a Russian military base which is due to close, and there are few contacts with the central authorities. This fragile situation is further complicated by the fact that Meshketian Turks – who were deported from the region by Stalin in 1944 – are supposed to return to their old habitat in the region. This is a complex issue and one which could become fractious if not carefully handled. I have thus judged that I need to take a comprehensive approach on this region and I have been working with the Georgian Government, local officials, and numerous international organizations involved to see what can be done. A strategy for the strengthening of the integration of this region has been developed with project components like language training and media accessibility.

Minorities should feel that they have a stake in the society where they live and that they can participate in decisions that affect them. A baseline is legislation that protects human rights, including minority rights. In Croatia and the Federal Republic of Yugoslavia, some progress has been made, with the assistance of my office, to develop and adopt improved legislation with regard to minorities and human rights in general. I am now assisting in the transformation of this legislation into the legal framework of the new Union between Serbia and Montenegro. I am also following the process of the implementing these laws in both countries. In other OSCE Participating States, like Kyrgyzstan and Ukraine, I have been working closely with the Ombudsmen institutions to develop their capacities to deal with minority issues.

Public services should be receptive to minority needs and should reflect the communities that they serve. In the past, I have encouraged the use of minority languages in official communications in communities where minorities make up a significant percentage of the

population. The same logic applies to policing. Police should maintain the peace rather than be a catalyst for conflict. I applaud the OSCE's efforts to pay more attention to policing, particularly in multi-ethnic communities. My office is becoming involved in a policing project relating to minorities in Kyrgyzstan. This issue deserves even broader attention, for example in relation to the Roma.

For your information, I recently visited Ankara where I have entered into dialogue with the new Government of Turkey. This was the first time ever that the HCNM visited Turkey and I hope to continue co-operating with the Turkish Government on its reform package.

As to broader themes, I will soon initiate a project on the use of minority languages in the electronic media. This project is designed to look at existing State practice, and to clarify the relevant international standards. I intend to hold a seminar on this issue later on this spring together with the OSCE Representative on Freedom of Media, Freimut Duve. My office is also studying the relationship between citizenship and minority rights, and there could be scope for looking at socio-economic aspects of minority issues. I further believe that the OSCE – if not my office specifically – could pay more attention to the relationship between religion and conflict.

The recent tenth anniversary of the office has allowed me to take stock of some issues which may require attention in the future: there is reason to expect that the workload will not diminish. In this work ahead I look forward to work with the new Director of ODIHR in order to further develop the already excellent working relationship that my Office has with this institution. I want to take this opportunity to warmly welcome Ambassador Strohal to his appointment as Director of ODIHR.

In conclusion, I also wish to emphasise that I am looking forward to maintaining a close working relationship with the Parliamentary Assembly and on specific issues with individual members of the Assembly.

Thank you.