



Supplementary Human Dimension Meeting

**OSCE CONTRIBUTION TO THE PROTECTION OF
NATIONAL MINORITIES**

Vienna, 29–30 October 2015

FINAL REPORT



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OVERVIEW

I. EXECUTIVE SUMMARY

The third Supplementary Human Dimension Meeting (SHDM) in 2015 was dedicated to the OSCE Contribution to the Protection of National Minorities. It brought together 172 participants from 45 countries, including: 97 participants from 42 participating States, 5 representatives of five international organizations, 13 participants from three OSCE institutions, two representatives of two OSCE missions/field operations as well as 55 representatives of 40 civil societies from 21 participating States.

The meeting was organized into three sessions:

- SESSION I: 25 years after the adoption of the Copenhagen Document
- SESSION II: Integration of diverse societies and the Ljubljana Guidelines
- SESSION III: National minorities in inter-State relations and the Bolzano/Bozen Recommendations

II. SYNOPSIS OF THE SESSIONS AND RECOMMENDATIONS

Opening session

Opening remarks: **Ambassador Vuk Žugić**, Chairperson of the Permanent Council, Permanent Representative of Serbia to the OSCE

Mr. Michael Georg Link, Director, OSCE/ODIHR

Mrs. Astrid Thors, OSCE High Commissioner on National Minorities (HCNM)

Keynote Speech: **Dr. Francesco Palermo**, President, Advisory Committee on the Framework Convention for the Protection of National Minorities, Council of Europe

Ambassador Vuk Žugić, Chairperson of the Permanent Council and Permanent Representative of Serbia to the OSCE; Mr. Michael George Link, Director, OSCE/ODIHR; and Mrs. Astrid Thors, OSCE High Commissioner on National Minorities (HCNM) delivered the opening remarks. Dr. Francesco Palermo, President, Advisory Committee on the Framework Convention for the Protection of National Minorities, Council of Europe, delivered the keynote speech.

Žugić reminded the participants that the Supplementary Human Dimension Meeting (SHDM) on the OSCE's contribution to the protection of national minorities was organized based on a proposal from the Serbian chairmanship. He described the Copenhagen Document as a significant milestone in national minority protection. Žugić emphasized the close co-operation that the HCNM has with the OSCE participating States, how the institution works through quiet diplomacy and its accumulated knowledge. The Ambassador also discussed challenges related to the protection of national minorities, in particular in inter-State relations. He pointed out that it is the responsibility of the States in which the minorities reside to protect them, in line with *The Bolzano/Bozen Recommendations on Minorities in Inter-State Relations*. Regarding *The Ljubljana Guidelines on Integration of Diverse Societies*, States should not only safeguard the rights of persons belonging to national minorities but also encourage participation of minorities in society. He hoped that the discussions at the SHDM would also review implementation of the Ljubljana Guidelines and the Bolzano/Bozen Recommendations, and assess the need to update them. Žugić concluded by noting that the incoming chairmanship of Germany will also keep minority issues high on the agenda. He thanked the HCNM and the Director of ODIHR for their personal engagement and readiness to assist the Chairmanship.

Link said it was time that a SHDM on minority issues was organized. He emphasized the importance of participating States implementing their commitments, and how this process should include non-governmental organizations. Link mentioned ODIHR's special mandate regarding Roma and Sinti issues, to tackle systematic discrimination, racism and hate crimes against Roma and Sinti, and particularly women and youth and its impact on migration. He reminded the participants that the first HCNM, the late Max van der Stoep, should be thanked for this, as he recommended that this responsibility be given to ODIHR in 1993. If we look at the current situation of Roma and Sinti as an indicator of the status of implementation of OSCE commitments related to minorities, Link said, the picture is bleak. There is a huge gap between the Roma and Sinti population and the mainstream population. ODIHR and the HCNM have worked together to address the challenges that this community faces, such as ethnic profiling, racism, segregation in education and police violence. Link emphasized the forced evictions that ODIHR observes across the OSCE region, which contradict the standards set out in the Ljubljana Guidelines. He mentioned that Roma and Sinti women and youth have a great potential to act as agents of change, both within and outside their community, and the need to stop objectifying the community. Recent data indicates that Roma and Sinti youth lag behind their peers in education. Link called for participating States to redouble their efforts to work for an inclusive society, promoting non-discrimination and equality for all. Looking forward, he expressed his satisfaction that Roma and Sinti issues are among the priorities of the incoming chairmanship.

Thors called on the participating States to counteract hate speech, as not doing so erodes the credibility of democratic institutions. She highlighted the importance of integration – the inclusion of all members of society while respecting diversity. It is the most viable strategy to avoid conflicts and consolidate multi-ethnic societies, she said. The 2012 Ljubljana Guidelines reinforce this message. She explained that if diversity is not promoted, identity can become a source of exclusion and discrimination, which is not in a State's interest. She

added that the UN has stressed the importance of inclusive societies in the sustainable development goals it has recently set. Promoting equal access to services and employment and counteracting hate speech are two areas relevant to fostering a sense of belonging that is required to promote an inclusive society. Thors encouraged all actors to use the Ljubljana Guidelines and the Bolzano/Bozen Recommendations in this respect. Regarding “kin”-State involvement, she said that the instrumentalization of minority issues in inter-State relations can be avoided by adhering to the Bolzano/Bozen Recommendations. She called for positive examples of how minority issues have been handled in inter-State co-operation to be highlighted.

In Palermo’s keynote speech, he presented the different stages in the development of minority rights protection. First, legislation regarding minority rights was adopted with the incentive to improve security. Second, this legislation was implemented with the incentive of greater recognition. Today, the challenge is adaptation. As the current climate is not fruitful for the adoption of new conventions, such as on Roma or migration, we need to develop an interpretative update of existing conventions. The instruments we have are flexible enough to evolve. This adaptation process should not exclusively be done by those working on minority issues, such as the HCNM and Council of Europe, but also with a broader group, including representatives of academia, minorities and countries. Overall, the focus is different than in the 1990s. Today, we look at societies as a whole, with minorities being an integral part of society, as reflected in the Ljubljana Guidelines. For adaptation, we need a co-operative attitude, increased interaction and synergies between different actors, as well as institutions to complement each other better.

Session I: 25 years after the adoption of the Copenhagen Document
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Moderator: **Dr. Jennifer Jackson-Preece**, Associate Professor of Nationalism, European Institute, London School of Economics

Introducers: **Dr. Francesco Palermo**, President, Advisory Committee on the Framework Convention for the Protection of National Minorities, Council of Europe

Mr. Antti Korkeakivi, Chief, Indigenous Peoples and Minorities Section, Office of the UN High Commissioner for Human Rights

Dr. Dušan Janjić, President of the Executive Board of the Forum for Ethnic Relations, Belgrade

In the first working session, participants reflected on the developments concerning the rights of persons belonging to national minorities over the past 25 years, since the adoption of the Copenhagen Document. Discussions focused on the evolution of relevant international standards, as well as on the way in which different international institutions

have been working on safeguarding rights of persons belonging to national minorities during this period. Many participants highlighted the HCNM's unique mandate and the achievements of the institution – in terms of both its thematic work as well as its responses to specific crises. The session also addressed some key challenges that continue to undermine rights of persons belonging to national minorities and the work of relevant international institutions.

Mr. Antti Korkeakivi, Chief, Indigenous Peoples and Minorities Section, Office for the UN High Commissioner for Human Rights, outlined the UN instruments on minority rights protection. He said that the overall UN message on minority rights and issues has been consistent throughout the years and congruent with the advice and thematic work of other international organizations, including that of the HCNM and the Council of Europe. At present, minority rights attract little attention, and progress appears to have stalled, he said, especially when it comes to treaty ratifications: it has now been more than ten years since the last ratification of the Framework Convention for the Protection of National Minorities (FCNM). Some States signed it 20 years ago but have still not ratified it. Korkeakivi said that minority rights are starting to resurface because of tensions in Europe and the Middle East. The new UN sustainable development goals focus, among others, on inclusion and equality. In this context, it is important to remember that Article 6 of the FCNM calls on States parties to “encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding,” he said. Although the voice of international institutions is often marginalized, when minority rights are at risk, it is crucial that minority representatives have effective access to international institutions. Korkeakivi suggested that the latter must find new ways to communicate their message: engage with young people, who can provide new ideas on how to make international standards relevant on the local agenda; take a fresh look at the international instruments available; construe societies as a whole, and spread the message that interaction does not weaken identity, but can actually strengthen it; reinforce interaction, rather than isolation, in line with the Ljubljana Guidelines. States should also do more to combat multiple and intersectional forms of discrimination, which target, for instance, minority women or LGBTI persons, he said. Overall, 20 years after the Copenhagen Document and 70 years after the founding of the UN, there is an important set of tools available, and they should be used as effectively as possible, he concluded.

Dr. Dušan Janjić, President of the Executive Board of the Forum for Ethnic Relations, Belgrade, reminded the participants that in Copenhagen in 1990, pluralism was recognized as a key democratic value, and minority protection was set as a precondition for democratic legitimacy and for the very recognition of new States. Stability in Europe was then a major concern, including in the former Yugoslavia, which was witnessing cases of ethnocide, war crimes, killings, etc., all in the heart of Europe. Since those difficult years, Serbia has learned how to cope with many problems and issues, including with the help of international organizations, such as the OSCE. That assistance continues up to the present day: nowadays, for instance, Serbia is drafting a national strategy for the integration of minorities. Janjić said that one lesson that could be learned from Serbia's experience is that while legal protection is a necessary condition, it is not a sufficient condition. Drafting and enacting good laws is just the beginning. Implementation of these laws, acceptance of these principles by society, and the role that politicians play are all crucial factors. He said that it

is important to understand that the responsibility also lies with the majority, and not just with the State authorities. Recent reports from, for instance, Kyrgyzstan, show that many people continue to live in isolated and fragmented communities, just like in Serbia today. The challenge is how to connect these “islands”, how to build bridges among them. It is important to strengthen national minority councils and similar institutions that represent and voice the concerns of minority representatives. Ultimately, we should work towards a Europe in which societies are no longer divided into majorities and minorities, Janjić concluded.

Dr. Francesco Palermo, President of the Advisory Committee of the FCNM, remarked that in hindsight, the OSCE Copenhagen Document proved very comprehensive. What we need nowadays is not to develop and adopt new instruments, but rather to enhance the implementation of existing ones and to see how co-operation between different international organizations could be improved. We should give minority issues more prominent place on our agendas, and reassess the efficiency of our work as international institutions. We should also consider how to deal with recurring issues, since persistent non-compliance with the advice provided by the Advisory Committee of the FCNM or other organizations erodes their credibility. We also need to communicate more openly that all societies are diverse, and we must encourage countries and societies to interiorize their diversity, without fearing it. Palermo said that while some issues are beyond our control, such as the politicization of minority issues, we should nonetheless resist this and remind ourselves that these issues might affect all of us in a not-too-distant future. We should seriously consider the extent to which a fragmented society is a threat to itself, internally, and for its neighbours, regionally. For instance, to what extent does the burning of Roma camps in one area pose a security threat to the wider area? International organizations should also learn how to better co-operate and synergize, especially in a conflict context. Generally speaking, in our era of great publicity, where everything gets immediately publicized and tweeted, the role of the HCNM and its *modus operandi* through quiet diplomacy is more important and more potentially constructive and helpful than ever, he said.

During the discussions that followed, several delegations highlighted their appreciation for the HCNM’s important work in terms of providing early warning and early action on inter-ethnic tensions that present a conflict potential. The participants also acknowledged that the Copenhagen Document represented a watershed in international relations, setting new standards in the protection of the rights of persons belonging to national minorities. The HCNM was encouraged to pay attention to issues such as the widespread statelessness; the glorification of Nazism; pressure on some religious groups and churches; the situation of various minority groups in the OSCE area, including especially as concerns their education rights. Several delegations praised ODIHR and the HCNM’s recent Human Rights Assessment Mission Report.

Participants also highlighted the need to create a pluralistic and tolerant environment throughout the OSCE area, combat hate crimes and hate speech, and avoid treating national minorities as second-class citizens. The participating States were encouraged to strictly abide by their OSCE commitments, including those of the OSCE Copenhagen Document, and to follow relevant HCNM thematic guidelines, such as the Ljubljana Guidelines, *The*

Lund Recommendations on the Effective Participation of National Minorities in Public Life, and the Bolzano/Bozen Recommendations.

The following specific recommendations were made in Session I:

Recommendations to OSCE participating States:

- Several interventions urged the participating States to give the HCNM unfettered access to their territories;
- Several interventions encouraged the participating States to engage with the HCNM in a more open, constructive and co-operative manner; and
- Several interventions called for the participating States to make better use of the HCNM's thematic Recommendations and Guidelines, particularly the Ljubljana Guidelines, the Lund Recommendations and the Bolzano/Bozen Recommendations.

Recommendations to OSCE institutions and field operations:

- Several interventions urged the HCNM to follow relevant developments to the east and west of Vienna, and to engage with all participating States as required; and
- The work of the HCNM was acknowledged as being of great importance in the OSCE region, and the HCNM was encouraged to continue seeking access to all areas.

Recommendation to the OSCE and international organizations:

Co-operation between international and regional organizations engaged in promoting the protection of rights of persons belonging to national minorities should be further enhanced.

Session II: Integration of diverse societies and the Ljubljana Guidelines
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Moderator: **Mr. Henrik Villadsen**, Director, OSCE HCNM

Introducers: **Ms. Ketevan Tsikhelashvili**, First Deputy State Minister for Reconciliation and Civic Equality, Georgia

Ms. Kristina Kallas, Acting Director of the University of Tartu Narva College

Ms. Dragana Jovanovic, Program Director of NGO Center E8, Belgrade

In the second session, the participants examined the link between the protection and promotion of human rights, including minority rights, on the one hand, and the preservation of peace and stability within and between States on the other. The participants suggested

that integration should be seen as complementary to minority rights rather than incompatible with them. In addition to protecting and promoting minority rights, the participants said conditions should be created for minorities to participate on an equal footing in society. They also pointed out that States have a practical interest in ensuring equal opportunities for participation, as low participation by marginalized or excluded groups tends to bring costs to society as a whole. In a diverse society, tensions may emerge if communities become separated to the point of challenging the cohesion of society. Such tensions can pose risks to the inclusiveness, stability or even viability of multi-ethnic States. On the other hand, promoting the integration of society, facilitated by appropriate policies, serves to mitigate such risks. Efforts to build inclusive societies can foster a sense of belonging to a common State, thereby contributing to enhanced security. In response to a need identified through its work, the HCNM issued the Ljubljana Guidelines in 2012 to provide policymakers and States' representatives with guiding principles and practical advice on how to elaborate and implement policies that facilitate the integration of diverse societies. The OSCE area is highly diverse in all respects, and the challenges of integration are different in each district, country and region. As a result, the application of the Ljubljana Guidelines has to be tailored to fit each particular context.

The participants discussed guiding principles for effective integration policies, as outlined in the Ljubljana Guidelines, such as recognizing diversity and multiple identities; the primacy of voluntary self-identification; fostering a sense of belonging and mutual accommodation; promoting inclusion and effective participation; and supporting inter-community relations and policies targeting both majorities and minorities. The elements of successful integration policy frameworks were also discussed. Finally, the session addressed some key policy areas relevant to integration, such as anti-discrimination, citizenship, media and participation.

Ms. Ketevan Tsikhelashvili, First Deputy State Minister of Georgia for Reconciliation and Civic Equality, introduced the current situation in Georgia, including the ongoing legislative developments related to minority protection. She said Georgia's society is multi-ethnic and multicultural, which has led to both positive experiences and challenges. She briefly referred to the two unresolved conflicts. Tsikhelashvili focused on the importance of creating cohesion and vigour in diverse democratic societies to insulate them from ethnic tensions and conflict. In this respect, she said that all governments have a responsibility to prevent and resolve conflicts, and the key to achieving that is to work out how to turn diversity from a source of conflict into an integrative force. She informed the audience about Georgia's new Civil Equality and Integration Strategy, adopted in August 2015, which was developed with the contribution and expertise of the HCNM to streamline the strategy in line with the Ljubljana Guidelines. Tsikhelashvili concluded that integration requires engagement from majority and minority communities, and that minorities should be encouraged to feel that they belong the wider society. Integration of any society is a continuous effort.

Ms. Kristina Kallas, Acting Director of the University of Tartu Narva College, reiterated the basic principle of integration, as outlined in the Ljubljana Guidelines, in particular those aspects that deal with multiple, multi-layered, contextual, dynamic and individual identities

and how these present a challenge for policymakers. She said that in Estonia, policymakers have recognized the need for an individualized rather than group approach; however, this principle has not always materialized in financing instruments and policy measures. Frequently, multicultural societies spiral into conflict because of a lack of trust and mutual recognition. Sometimes, the lack of trust and recognition are exploited for political reasons. Kallas suggested that political leaders in the participating States should consider agreeing on a social contract that would declare that scoring points based on division is morally and normatively unacceptable. This has been done in many countries, some of which – e.g. Malaysia and Singapore – have rather extreme legal measures banning the use of differences and playing the politics of identities in this way. She also said that in Central and Eastern European countries, another factor interferes with efforts to develop an internal social contract or build bridges between ethnicities: “kin”-State activism, which has brought about the securitization of minority rights issues and the securitization of the whole integration policy field.

Ms. Dragana Jovanović Arias, Programme Director of NGO Centre E8, Belgrade, underlined the importance of promoting the authentic participation of national minorities in the process of integration. She also pointed out that diversity, intercultural dialogue and co-operation are preconditions for the equality of all citizens in one society. She explained that different aspects of participation – such as economic, cultural and religious as well as participation in public affairs – are parts of one puzzle and stressed that whenever a part is missing, the whole picture is incomplete. Jovanović Arias referred to a joint European Union/United Nations Development Programme/World Bank survey conducted in 12 countries, which pointed out that one in four Roma youth has no formal education. Only four per cent of Roma women have full-time employment. Those members of the Roma community who do get an education and livelihood rarely return to their communities to contribute, largely out of fear of discrimination. While this decade has been devoted to the integration of Roma communities, the results are not clear. Ms. Jovanović Arias invited the audience to continuously adjust their approach to policymaking and to be innovative and continue looking for new ways of contributing to the integration of diverse societies.

During the discussion, the participants referred to the principles of the Ljubljana Guidelines and the need to promote inclusiveness for all members of society. Several participants referred to the HCNM’s key role in assisting participating States in promoting integration of diverse societies. The role of the non-governmental sector was also stressed. The participating States should also make greater efforts to understand issues that are specific to minorities. Some participants referred to the current refugee crisis and its impact on the integration of a society. Many participants also recommended that the HCNM’s thematic Recommendations and Guidelines could be used as practical examples for the application of legislation or as roadmaps in the development of national policies. The discussion moved on to note the lack of one-size-fits-all solutions and how the integration of society can support peace and stability. The participants also recognized the danger of assimilation. They further referred to education as being important when it comes to further integration and cited *The Hague Recommendations Regarding the Education Rights of National Minorities* as a good guide in this respect. There were also calls to the participating States to promote their minority communities, as these contribute to the riches of a society. There was also a reference to the Bolzano/Bozen Recommendations and how they require more

implementation across the OSCE region. Several participants outlined the situation of minority communities in certain participating States, in particular regarding education, and how government policies were insufficient for the realization of rights of persons belonging to national minorities. Finally, there was a reference to instances where integration policy is abused, instead of building and promoting a statehood for the benefit of all members of the society.

The following specific recommendations were made in Session II:

Recommendations to OSCE participating States:

- Several interventions urged the participating States to consider integrating elements of the Ljubljana Guidelines into their policies. Specifically, the Guidelines should be used as a roadmap towards developing integration policies;
- Several interventions called for participating States to make better use of the HCNM’s thematic Recommendations and Guidelines, particularly those on integration (the Ljubljana Guidelines), on national minorities in inter-State relations (the Bolzano/Bozen Recommendations) and regarding the education rights of national minorities (The Hague Recommendations); and, as relevant, seek assistance from the HCNM in this regard;
- Participating States were urged to duly recognize the importance of citizenship for the promotion of integration of diverse societies;
- Participating States should ensure effective participation of all citizens in a society; and
- Participating States should ensure that their integration policies foster inclusiveness and a feeling of belonging.

Session III: National minorities in inter-State relations and the Bolzano/Bozen Recommendations
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Moderator: **Dr. Walter Kemp**, Senior Director for Europe and Central Asia,
International Peace Institute

Introducers: **Dr. Emma Lantschner**, Assistant Professor, Centre for Southeast
European Studies, University of Graz

Mr. Hans Heinrich Hansen, President of the Federal Union of
European Nationalities

During the third working session, participants discussed the impact that national minority issues can have on inter-State relations. They focused on the Bolzano/Bozen Recommendations, which set out fundamental principles and key guidance on how States may constructively channel their legitimate concern for their “kin” residing abroad, without challenging international security and good neighbourly relations. Participants discussed

the main minority-related challenges to regional security that are currently affecting the OSCE region. They also considered models of inter-State co-operation that can serve as good practices. The role that international institutions, especially the HCNM, can play in resolving inter-State minority-related tensions was also discussed.

Dr. Emma Lantschner, Assistant Professor, Centre for Southeast European Studies, University of Graz, listed the key principles in the Bolzano/Bozen Recommendations: State sovereignty and jurisdiction (which imply both rights and obligations); States' obligation to protect the human, including minority, rights of everyone on their territory or subject to their jurisdiction; non-interference in the domestic affairs of another State; the principle of friendly, good neighbourly relations (including the peaceful settlement of international disputes, and refraining from the threat or use of force); the duty to co-operate, including on promoting human rights; and the sovereign equality of States. States may have a legitimate interest in the welfare of national minorities living abroad; sometimes, this may even be prescribed as a constitutional duty. However, international law does not entitle States to intervene unilaterally on behalf of national minorities living abroad. In the field of education and culture, unilaterally afforded benefits may be acceptable, and the consent of the State of residence (of the minorities) can be assumed. In other areas, however, the other State's consent must be actively sought and secured. The adoption of legislation in certain fields, without the consent of the State(s) concerned, would not be in line with the principle of friendly relations. The conferral of citizenship *en masse* may also amount to a violation of this principle. The procedural framework for respecting the principle of friendly relations includes the conclusion of bilateral or multilateral treaties, inter-departmental agreements, and trans-frontier co-operation agreements. Settling disputes should ideally be done through advisory or consultative bodies, such as the Commission of Six, in South Tyrol, or the joint Romanian-Hungarian Commission, or via available international organizations, such as the Council of Europe's Venice Commission or the HCNM, whose advice should ideally be sought *before* the adoption of relevant legislation. Generally speaking, while a State's interest and concern for the status of national minorities living abroad is legitimate, it is essential to consider the means that the State employs in pursuing these interests and concerns.

Mr. Hans Heinrich Hansen, President of the Federal Union of European Nationalities, outlined the situation in the German-Danish border regions, including its history, the 1955 Bonn-Copenhagen declaration and subsequent developments. He stressed the importance of the statements made before the German and Danish parliaments, which provided that affiliation to the German or Danish nationality is free and may not be tested or disputed by the authorities, and that each State can decide how much funding to provide to its "kin" in the other country. He also emphasized the importance of full recognition as a citizen for members of minority groups and underlined the significance of instituting true and effective equality for all, including in matters of political participation. He further specified that four minority groups live in the regions near the border between Denmark and Germany: the Danish minority, the German minority, and two minorities without a "kin" State: the Roma and the Frisians – all of whom are represented in the Northern Dialogue Group. Hansen criticized the fact that while minorities are often referred to in various fora and instruments, they are seldom invited as equal partners to a genuine dialogue. Having a voice in policymaking is instrumental to defending one's collective culture, and minorities should

therefore have a voice, and should be heard, on matters that affect them. It is equally important to consider minorities as bridge builders between nations in Europe. Hansen concluded with a quote: “It is fear of the other that we need to overcome, and we also need to learn to respect the other.”

During the discussions that followed, several delegations reiterated that good neighbourly relations are a prerequisite for peace and security, and that all States should respect the territorial integrity and sovereignty of other States and refrain from the threat or use of force in international relations. Many delegations recognized the important role played by the HCNM in defusing inter-ethnic tensions that may threaten regional security. Some delegations presented their experience of safeguarding the rights of their “kin” abroad through bilateral agreements with neighbouring countries; by setting up specialized committees, joint commissions and cultural houses; or by supporting educational, cultural, linguistic or business projects. One delegation regretted that at the international level, there is only “soft law” in the form of resolutions and recommendations, rather than “hard” treaty law to regulate these issues. One delegation highlighted ongoing dialogue efforts in the OSCE Parliamentary Assembly framework as an approach to contribute to resolving conflicts. Some delegations stressed that engaging on a bilateral, inter-State level should not prevent or preclude domestic integration efforts or promote the segregation of minority groups. It was repeatedly emphasized that States should provide the same level of interest and concern for the status of minorities living on their territory as they do for that of national minorities living abroad. It was mentioned that the incoming Chairmanship plans to focus on “national minorities as bridge-builders” as one of their main areas of engagement. The German-Danish model can serve as a positive example in this context. For instance, its specific provisions, such as the exemption from standard threshold requirements, which facilitates minority representation and participation in public life, may be useful in other contexts. Other issues that were raised included concerns regarding the situation of various ethnic minorities as well as internally displaced persons in the OSCE area, including regarding educational and religious autonomy of; and the securitization of minority issues in many countries.

Overall, the necessity for participating States to abide by their international and OSCE commitments, and to follow the Bolzano/Bozen Recommendations in their international affairs that touch upon national minority issues were underscored.

The following specific recommendations were made in Session III:

Recommendations to OSCE participating States:

- Participants stressed the necessity to strictly adhere to the principles set out in the Bolzano/Bozen Recommendations; any concerns with respect to the treatment of minorities should be addressed in accordance with international law and with full respect for the principles of sovereignty, territorial integrity and good neighbourly relations;

- Several delegations pointed out that States should provide the same level of interest and concern for the status of minorities living on their territory as for minorities living abroad;
- Participating States should settle disputes through advisory or consultative bodies or via available international or regional instruments; and
- Engaging on a bilateral, inter-State level should not prevent or preclude domestic integration efforts or promote the segregation of minority groups.

Closing Plenary

The meeting concluded with a plenary session featuring short reports by working session moderators and concluding remarks by High Commissioner Thors. The High Commissioner thanked the participants for their active contributions to the meeting and for the recommendations provided. She said the meeting had further demonstrated that ensuring the protection of the rights of persons belonging to national minorities remained crucially important for the prevention of ethnic tensions and conflicts. She remarked that many speakers had rightly highlighted the importance of inclusive dialogue on national minority issues.

Thors underscored the importance of implementing the commitments enshrined in the Copenhagen Document, as numerous speakers also called for during the course of the meeting. She said that democracy and rule of law continued to be prerequisites for the protection of rights of persons belonging to national minorities.

She welcomed the fact that the participants had stressed the importance of the Ljubljana Guidelines as a practical roadmap for promoting the integration of diverse societies. Furthermore, some practical ways to address minority issues constructively in inter-State relations had been presented in the meeting, in line with the Bolzano/Bozen Recommendations. Thors encouraged the participating States to employ the thematic tools issued by her institution and reiterated her readiness to continue to assist participating States in this regard.

The High Commissioner said that ensuring access to justice for national minorities as well as promoting the role of education in conflict prevention would be two focus areas for her thematic work in the near future. She also welcomed the intention of the incoming Chairmanship to continue to place national minority issues highly on the OSCE agenda. The High Commissioner concluded by thanking the Serbian Chairmanship and ODIHR for co-organizing the Supplementary Human Dimension Meeting.

III. ANNEXES

ANNEX I: SHORT AGENDA & ANNOTATED AGENDA

Supplementary Human Dimension Meeting OSCE CONTRIBUTION TO THE PROTECTION OF NATIONAL MINORITIES

29-30 October 2015

Hofburg, Vienna

AGENDA

DAY 1: THURSDAY, 29 OCTOBER 2015

15:00-16:00 OPENING SESSION

Opening remarks:

Ambassador Vuk Žugić, Chairperson of the Permanent Council,
Permanent Representative of Serbia to the OSCE

Mrs. Astrid Thors, OSCE High Commissioner on National Minorities

Mr. Michael Georg Link, Director, OSCE/ODIHR

Keynote Speech:

Dr. Francesco Palermo, President, Advisory Committee on the Framework
Convention for the Protection of National Minorities, Council of Europe

16:00-18:00 SESSION 1: 25 years after the adoption of the Copenhagen Document

Introducers: **Dr. Francesco Palermo**, President, Advisory Committee on the Framework
Convention for the Protection of National Minorities, Council of Europe

Mr. Antti Korkeakivi, Chief, Indigenous Peoples and Minorities Section,
Office of the UN High Commissioner for Human Rights

Dr. Dušan Janjić, President of the Executive Board of the Forum for Ethnic
Relations, Belgrade

Moderator: **Dr. Jennifer Jackson-Preece**, Associate Professor of Nationalism, European Institute, London School of Economics

DAY 2: FRIDAY, 30 OCTOBER 2015

10:00-12:00 **SESSION 2: Integration of diverse societies and The Ljubljana Guidelines**

Introducers: **Ms. Ketevan Tsikhelashvili**, First Deputy State Minister for Reconciliation and Civic Equality, Georgia

Ms. Kristina Kallas, Acting Director of the University of Tartu Narva College

Ms. Dragana Jovanovic, Program Director of NGO Center E8, Belgrade

Moderator: **Mr. Henrik Villadsen**, Director, OSCE HCNM

14:00-16:00 **SESSION 3: National minorities in inter-State relations and The Bolzano/Bozen Recommendations**

Introducers: **Dr. Emma Lantschner**, Assistant Professor, Centre for Southeast European Studies, University of Graz

Mr. Hans Heinrich Hansen, President of the Federal Union of European Nationalities

Moderator: **Dr. Walter Kemp**, Senior Director for Europe and Central Asia, International Peace Institute

16:00-16:30 **Break**

16:30 -17:30 **CLOSING SESSION**

Reports by the Moderators of the Working Sessions
Comments from the floor

Closing remarks:

Mrs. Astrid Thors, OSCE High Commissioner on National Minorities

17:30 **Closing of the meeting**

ANNOTATED AGENDA

Supplementary Human Dimension Meeting OSCE CONTRIBUTION TO THE PROTECTION OF NATIONAL MINORITIES

29-30 October 2015

Hofburg, Vienna

ANNOTATED AGENDA

Background

The protection and promotion of the rights of persons belonging to national minorities has been a key element of the OSCE commitments since the adoption of the Helsinki Final Act in 1975. The OSCE has played a prominent role in the development of the framework for the protection of rights of persons belonging to national minorities. The adoption of the Copenhagen Document in 1990 represents a key milestone in this regard. Subsequently in 1992, the participating States decided to establish the institution of the High Commissioner on National Minorities (HCNM). The institution is mandated to provide early warning and take early action to prevent ethnic tensions from developing into conflict. The protection and promotion of the rights of persons belonging to national minorities, as an integral part of the protection of human rights, is central to addressing such issues and thereby preventing conflict.

Since the establishment of the institution of the High Commissioner on National Minorities, successive High Commissioners have worked within their conflict prevention mandate in a number of participating States. Through their work in the field, they have also identified a need to develop practical tools to support the implementation of the OSCE and other international and regional commitments related to the rights of persons belonging to national minorities. To assist the policy makers in participating States, a series of thematic recommendations and guidelines have been issued by the HCNM, drawing from the work by eminent experts from across the OSCE area.

Focusing on practical implementation, this Supplementary Human Dimension Meeting will take stock of the OSCE contribution to the protection of national minorities, especially through the prism of the HCNM guidelines and recommendations. In particular, it will assess the achievements as well as explore challenges and identify ways to address remaining implementation gaps. The Supplementary Human Dimension Meeting will focus on the following key areas:

- 1) 25 years after the adoption of The Copenhagen Document
- 2) Integration of diverse societies and *The Ljubljana Guidelines*
- 3) National minorities in inter-State relations and *The Bolzano/Bozen Recommendations*

DAY 1: THURSDAY, 29 OCTOBER 2015

15:00-16:00 OPENING SESSION

Opening remarks: **Ambassador Vuk Žugić**, Chairperson of the Permanent Council, Permanent Representative of Serbia to the OSCE

Mrs. Astrid Thors, OSCE High Commissioner on National Minorities

Mr. Michael Georg Link, Director, OSCE/ODIHR

Keynote Speech: **Dr. Francesco Palermo**, President, Advisory Committee on the Framework Convention for the Protection of National Minorities, Council of Europe

16:00-18:00 SESSION 1: 25 years after the adoption of the Copenhagen Document

Introducers: **Dr. Francesco Palermo**, President, Advisory Committee on the Framework Convention for the Protection of National Minorities, Council of Europe

Mr. Antti Korkeakivi, Chief, Indigenous Peoples and Minorities Section, Office of the UN High Commissioner for Human Rights

Dr. Dušan Janjić, President of the Executive Board of the Forum for Ethnic Relations, Belgrade

Moderator: **Dr. Jennifer Jackson-Preece**, Associate Professor of Nationalism, European Institute, London School of Economics

The CSCE Copenhagen Document, adopted in 1990, provides a set of key OSCE human dimension commitments and represents a significant landmark in the establishment of minority protection throughout the OSCE region. With the Copenhagen Document, the CSCE set a new threshold for the protection of human rights, and many of the principles that it consecrated as political commitments were later institutionalized in the treaty-based instruments of other regional and universal organizations. A prominent example in this regard is the Council of Europe's Framework Convention on the Protection of National Minorities, adopted in 1994.

With the Copenhagen Document, participating States reaffirmed that "respect for the rights of persons belonging to national minorities as part of universally recognized human rights is an essential factor for peace, justice, stability and democracy." Participating States also recognized that persons belonging to national minorities have the right to fully and effectively exercise their human rights and fundamental freedoms, without any discrimination and in full equality before the law. Moreover, it was recognized that States

should adopt, where necessary, “special measures for the purpose of ensuring to persons belonging to national minorities full equality with the other citizens in the exercise and enjoyment of human rights and fundamental freedoms.”

Many aspects of the OSCE and international standards related to minority protection have subsequently been addressed by successive High Commissioners on National Minorities in the institution’s Recommendations and Guidelines. These thematic tools, which draw upon the accumulated experience of the institution, aim to clarify relevant international standards and provide practical guidance for participating States for their implementation. To date, seven sets of thematic Recommendations or Guidelines have been issued, as follows: *The Ljubljana Guidelines on Integration of Diverse Societies* (2012), *The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations* (2008), *Recommendations on Policing in Multi-ethnic Societies* (2006), *Guidelines on the Use of Minority Languages in the Broadcast Media* (2003), *The Lund Recommendations on the Effective Participation of National Minorities in Public Life* (1999), *The Oslo Recommendations Regarding the Linguistic Rights of National Minorities* (1998) and *The Hague Recommendations Regarding the Education Rights of National Minorities* (1996).

This session aims to explore the development of the framework for the protection of rights of persons belonging to national minorities, in particular within the OSCE context. It will address the achievements as well as challenges and remaining implementation gaps in this regard. The session will also discuss how the HCNM and the guidelines and recommendations issued by the institution can support the implementation of rights of persons belonging to national minorities.

Questions for discussion:

- **How have OSCE participating States made use of guidelines and recommendations issued by the High Commissioner on National Minorities? How can participating States be further encouraged to make use of HCNM guidelines and recommendations?**
- **What are the issues regarding the rights and position of persons belonging to national minorities not yet identified in the international and regional norms?**
- **What are other emerging challenges regarding the protection of the rights of persons belonging to national minorities which the OSCE should address?**
- **Which are best practices in OSCE’s cooperation with other regional and international organizations, such as the Council of Europe, in ensuring the protection of persons belonging to national minorities?**
- **How has the OSCE contributed to the protection of the rights of persons belonging to national minorities?**

DAY 2: FRIDAY, 30 OCTOBER 2015

10:00-12:00 SESSION 2: Integration of diverse societies and <i>The Ljubljana Guidelines</i>
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Introducers: **Ms. Ketevan Tsikhelashvili**, First Deputy State Minister for Reconciliation and Civic Equality, Georgia

Ms. Kristina Kallas, Acting Director of the University of Tartu Narva College

Ms. Dragana Jovanovic, Program Director of NGO Center E8, Belgrade

Moderator: **Mr. Henrik Villadsen**, Director, OSCE HCNM

Protection and promotion of human rights, including minority rights, is inextricably linked to the preservation of peace and stability within and between States. The relationship between minority rights and integration is a question that continues to attract debate. Integration should be seen as complementary to rather than incompatible with minority rights. In addition to protecting and promoting minority rights, conditions should be created for minorities to participate on an equal footing in the wider society. States have also a practical interest in ensuring equal opportunities to participate, as low participation by marginalized or excluded groups tends to bring costs to society as a whole. In a diverse society, tensions may emerge if communities become separated to the point of challenging the cohesion of society. Such tensions can pose risks to the inclusiveness, stability or even viability of multi-ethnic States. On the other hand, promoting the integration of society, facilitated by appropriate policies, serves to mitigate such risks. Efforts to build inclusive societies can foster a sense of belonging to a common State, thereby contributing to enhanced security.

In response to a need identified through its work, the HCNM issued *The Ljubljana Guidelines on Integration of Diverse Societies* in 2012 with the purpose of providing policymakers and States' representatives with guiding principles and practical advice on how to elaborate and implement policies that facilitate the integration of diverse societies. The OSCE area is highly diverse in all respects, and so the challenges of integration are different in each district, country and region. As a result, the application of *The Ljubljana Guidelines* will also have to be tailored to fit each particular context.

This session will evolve around the concept of the minority rights being part and parcel of a successful integration policy. Specifically, the session will focus on guiding principles for effective integration policies as outlined in *The Ljubljana Guidelines*, such as recognition of diversity and multiple identities, primacy of voluntary self-identification, a sense of belonging and mutual accommodation, inclusion and effective participation, inter-community relations and policies targeting both majorities and minorities. Furthermore, elements of integration policy frameworks will be discussed. Finally, the session will address some key policy areas relevant to integration, such as anti-discrimination, citizenship, media and participation.

Questions for discussion:

- Which participating States have developed strategies for the integration of society and what is their experience in the design and implementation of these strategies?
- How can the protection of rights of persons belonging to national minorities support integration and vice versa?
- How to forge effective integration policies that take into account that identities can change, can be multi-layered, contextual and dynamic?
- How to forge effective integration policies that encourage cross-community dialogue?
- What role can media play in promoting integration of diverse societies?
- What are good practices to ensure the effective participation in public affairs and all aspects of social, economic and cultural life for all members of society, including for persons belonging to national minorities?
- How to devise citizenship policies fostering integration of diverse societies?
- Are the special concerns of Roma best addressed by general integration policy frameworks or by specific Roma strategies?
- How to ensure the success of integration policies in situations when States are dealing with increasing numbers of migrants, refugees and/or asylum seekers?

12:00-14:00 Lunch break

14:00-16:00 SESSION 3: National minorities in inter-State relations and <i>The Bolzano/Bozen Recommendations</i>

Introducers: **Dr. Emma Lantschner**, Assistant Professor, Centre for Southeast European Studies, University of Graz
Mr. Hans Heinrich Hansen, President of the Federal Union of European Nationalities

Moderator: **Dr. Walter Kemp**, Senior Director for Europe and Central Asia, International Peace Institute

State borders and ethno-cultural boundaries seldom overlap. As result, virtually all States have minorities of some kind living on their territories, with many belonging to communities which transcend State frontiers. Such communities, and the way that they are treated both “at home” and “from abroad”, may play a crucial role in inter-State relations. On the one hand, these minority communities can serve as a bridge between States, contributing to good neighbourly relations and fostering a climate of cross-border dialogue, tolerance and co-operation. On the other hand, they may also find themselves in the very midst of rising tensions, especially when a State begins to pursue assertive and unilateral “protective” policies with regard to its “kin” minority group abroad.

Recognizing the major impact that minority protection may have on inter-State relations and regional security, the OSCE HCNM has developed *The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations*, a key thematic guideline in the institution's history. The main goal of these recommendations is to provide greater clarity on how States can pursue their interests with regard to national minorities abroad without jeopardizing peace and good neighbourly relations. Relying on principles of international law and based on the institutional experience of the HCNM, *The Bolzano/Bozen Recommendations* clarify how States can support and extend benefits to people belonging to national minorities residing in other countries, in ways that do not strain inter-ethnic or bilateral relations. In a nutshell, the recommendations recognize that, although the primary responsibility for protecting minority rights lies with the State within which they reside, minority issues often engage the interest of more than one State. States should resolve such issues with due respect for the principles of territorial integrity, sovereignty and good neighbourly relations.

This session will address the general principles outlined in *The Bolzano/Bozen Recommendations*, such as sovereignty and jurisdiction; a State's duty to respect and to ensure the protection of human rights and fundamental freedoms of all persons within its territory and subject to its jurisdiction, including the rights and freedoms of persons belonging to national minorities; and the conduct of friendly relations among States and nations. Furthermore, the session will discuss the benefits that can legitimately be accorded to "kin" minorities abroad, as well as address the conditions for the conferral of citizenship to persons residing abroad. Finally, the session will explore the range of available multilateral and bilateral instruments and mechanisms for minority protection and relevant inter-State relations.

Questions for discussion:

- **How far can "protection measures" from a "kin-State" legitimately extend?**
- **What are the channels through which a State may constructively channel its interest and concern for a "kin" minority abroad?**
- **When do "protective" actions by a "kin-State" amount to interference in the domestic affairs of another State?**
- **Which benefits (e.g. educational scholarships, grants for cultural activities, etc.) can a State legitimately extend to its co-nationals residing abroad?**
- **Which principles should be followed in granting citizenship to persons living on the territory of another State?**
- **What can be done to avoid and prevent unilateral steps that undermine the principles of territorial integrity and sovereignty?**
- **Which are good examples of possible negotiation and resolution approaches to inter-State tensions and disputes concerning national minorities (e.g., joint commissions, advisory bodies, etc.)?**
- **What are some good examples on how minority communities can serve as a bridge between States, contributing to friendly relations and fostering a climate of dialogue and tolerance?**

- **How to ensure the adherence to *The Bolzano/Bozen Recommendations* by participating States?**

16:00-16:30 Break

16:30 -17:30 CLOSING SESSION

Reports by the Moderators of the Working Sessions
Comments from the floor

Closing remarks:

Mrs. Astrid Thors, OSCE High Commissioner on National Minorities

17:30 Closing of the meeting

ANNEX II: OPENING AND CLOSING REMARKS

OPENING REMARKS

Ambassador Vuk Žugić, Chairperson of the Permanent Council, Permanent Representative of Serbia to the OSCE

Ladies and Gentlemen,

It is my pleasure to welcome you on behalf of the Serbian Chairmanship of the OSCE to the Third Supplementary Human Dimension Implementation Meeting.

At the outset, I would like to thank High Commissioner on National Minorities Astrid Thors, as well as to Director of ODIHR, Michael Link and their able staff for valuable assistance in organizing this event.

At last year's Human Dimension Implementation Meeting in Warsaw, we have presented our priorities in human dimension and proposed that one of the supplementary human dimension meetings should be devoted to OSCE contribution to the protection of national minorities, with special emphasis to Bolzano Principles and Ljubljana guidelines.

Since the signing of the Helsinki Final Act in 1975, the OSCE has accumulated a substantial body of commitments where the participating States underlined that the protection and promotion of the rights of persons belonging to national minorities were essential factors for democracy, peace, justice and stability within, and between, participating States.

Among these commitments, the Copenhagen document represents the most significant milestone in the protection of national minorities. Therefore, the first session of today's Meeting will be dedicated to marking 25th anniversary of the adoption of this important document. Over the past years, the institution of High Commissioner on National Minorities has continued to engage closely with participating States in number of issues regarding to protection of persons belonging to national minorities. The "quite diplomacy" performed by the HCNM has already become a well-known trade mark. This accumulated experience High Commissioner synthesized and analyzed, offering the valuable recommendations on language, education, effective participation, media, policing and minorities in inter-state relations.

Ladies and Gentlemen,

The participating States are still facing with the number of challenges in protection of national minorities, especially those related to inter/state relations and integration of their societies. Therefore, two separate session of third Supplementary Human Dimension Meeting, will tackle two sets of recommendations, namely Bolzano/Bozen Recommendation on National Minorities in Inter-State Relations and The Ljubljana Guidelines on Integration of Diverse Societies.

In Bolzano/Bozen Recommendation on National Minorities in Inter-State Relations it was stressed that States should promote the integration of society and strengthen social cohesion. This implies that persons belonging to national minorities are given an effective

voice at all level of governance, especially with regard to, but not limited to, those matters which affect them.

The Ljubljana Guidelines on Integration of Diverse Societies suggested that national minorities should not only enjoy the legal right to effectively participate in the overall governance of the State, but that they should also be encouraged to do so.

Dear Colleagues,

I hope this Supplementary Human Dimension Meeting will provide us a platform for further discussions on how has the OSCE contributed to the protection of persons belonging to national minorities. Also, I believe this is a good opportunity for sharing experience among participating States on policies that facilitate the integration of diverse societies and their implementation. Also, this meeting may serve as an opportunity to review implementation of these documents and assess whether some of them should be updated. We would like to commend the intention of the incoming German Chairmanship to keep this issue high on the agenda, especially in the context of national minorities as bridges connecting communities.

In concluding, I wish you a successful meeting, fruitful discussion and exchange of views on possible ways for further improving of the position of national minorities in our respective countries. Before the floor is turned over to Director Link, I would like to humbly apologize to our distinguish speakers for having to leave the meeting since I'm chairing the meeting of the Permanent Council.

I thank you for your attention.

OPENING REMARKS

Mr. Michael Georg Link, Director, OSCE/ODIHR

Ladies and Gentlemen,

Over 20 years ago, ODIHR received a very specific task following the recommendation of Max Van der Stoel, OSCE's first High Commissioner on National Minorities. He recognized that the severe human rights challenges that Roma and Sinti face in the OSCE region require a multilateral response and also joint efforts from both the HCNM and ODIHR. In his special report from 1993, Max Van der Stoel warned about the dangerous effect that systematic discrimination, racism and hate crimes have on Roma and Sinti, and particularly women and youth, and its impact on migration. Following his recommendation in 1994 the ODIHR Contact Point for Roma and Sinti Issues was established to complement the work of the HCNM from a human rights approach and to particularly address widespread racism and discrimination these communities face.

If we take today's situation of Roma and Sinti, one of the largest ethnic minorities in Europe, as an indicator on how much we have progressed on implementing relevant OSCE

commitments on minorities, including the Roma and Sinti Action Plan or particularly the Ljubljana Guidelines on Integration of Diverse Societies, the picture remains bleak. Despite numerous efforts, there is a huge gap between the mainstream population and Roma and Sinti. They are disproportionately affected from social and economic exclusion; they face discrimination and obstacles for equal participation in public and political life while very concerning challenges in the area of security and law enforcement remain.

ODIHR and HCNM have jointly addressed this with field visits to a number of countries, where we have identified severe human rights challenges facing these communities. These challenges range from ethnic profiling of Roma migrants, racism and hate crimes, included mob-style killings of Roma people, segregation in education and police violence.

Another good example of the good co-ordination and complementarity between the two institutions concerns the case of Ukraine. Last year, ODIHR published a comprehensive report on human rights situation of Roma there, a minority which in many areas of life suffer from widespread discrimination and obstacles in accessing fundamental rights and freedoms.

Moreover, let me underline that forced evictions or inadequate housing solutions for Roma and Sinti, which ODIHR observes across the OSCE region, puts their human security at risk and leads to further deterioration of their situation. This is in contradiction to socio-economic inclusion and the standards established with the Ljubljana Guidelines.

Given the limited progress done in fostering Roma and Sinti integration and existing challenges ODIHR will further put emphasis on building trust and understanding between police and Roma and Sinti and on enhancing public and political participation of Roma and Sinti, and particularly women and youth.

The recent session on Roma and Sinti at the Human Dimension Implementation Meeting has demonstrated the potential of Roma and Sinti women and youth as agents of change for their community and the wider society. In particular young Roma and Sinti demonstrated at the meeting that they are willing to become active partners for policy making of their concern and promote non-discrimination and equality.

Roma and Sinti youth represents a demographic of growing importance, as they make a considerable proportion of the school-age population and the future workforce in many OSCE participating States. The new data ODIHR presented recently in its report *Activism, Participation and Security among Roma and Sinti youth* demonstrate a worrying existing gap between Roma and Sinti youth and their peers and hints to the particular vulnerable situation of young Roma and Sinti women.

In most of the twelve countries assessed, the data show that young Roma and Sinti lag behind in education, particularly at the level of secondary and upper education which negatively impacts on their economic integration and employability. This in addition, puts their human security at risk leaving them out of any assistance scheme.

These data are concerning and demonstrate that the last decade has not brought the

envisaged results and call on the participating States to redouble efforts with regard to Roma and Sinti and work for an inclusive society promoting non-discrimination and equality for all.

Ladies and Gentlemen,

In the two decades that have passed since Max van der Stoel made his recommendation, his assessments remain as valid as ever. The challenges Roma and Sinti continue to be faced with can only be effectively addressed through concerted, international and multilateral efforts. In this, ODIHR stands ready, together with our colleagues in HCNM, to further strengthen our efforts in this very important area.

Thank you for your attention.

OPENING REMARKS

Mrs. Astrid Thors, OSCE High Commissioner on National Minorities

‘Minority protection in today’s OSCE: Lessons learned’

Dear Ladies and Gentlemen,
Dear participants,

It is my pleasure to welcome you to this Supplementary Human Dimension meeting, devoted to the OSCE’s contribution to the protection of national minorities.

More than 20 years ago, the then CSCE gave the High Commissioner on National Minorities a mandate – a unique mandate – to identify and seek early resolution of tensions involving national minorities that could threaten peace and stability within and between OSCE participating States. It is beyond doubt that the context in which OSCE and the institution operates has since undergone profound changes. Our security framework is increasingly more complicated in a globalized world and we see violence break out in Europe once again, which we hoped could not be possible. Human suffering in the OSCE area and in the vicinity has taken on unbearable proportions.

We are hearing “demonizing” discourse regarding minorities resurfacing during these times of great unpredictability, both in economic and security terms. We are seeing people seek scapegoats so that they do not have to confront the real issues. In particular, hate speech and the repeated attacks on the Roma population in some of our OSCE participating States should keep us on the alert.

Hate speech is increasing in political and other discourses, which raises the threshold of our tolerance of what is acceptable. We could almost speak of a “rampant banalization” of verbal violence. If State authorities and political leaders do not counteract such hatred with determination, the credibility of our democratic institutions will be eroded and the capacity of our societies to resolve conflicts will be weakened.

It is not only the preservation of the system of protecting the rights of persons belonging to national minorities that is at stake; the very foundations of democracy and rule of law that this system rests upon are also at risk.

My institution has consistently argued that in order to prevent conflicts we must promote respect for the rights of persons belonging to national minorities. The Hague Recommendations on the Education Rights of National Minorities, The Oslo Recommendations on the Linguistic Rights of National Minorities and The Lund Recommendations on the Effective Participation of National Minorities in Public Life, to name but a few of our publications on this issue, have provided solid interpretation and guidance on how to protect the rights of persons belonging to national minorities and thereby diffuse tensions and accommodate diversity.

Persons belonging to national minorities also need to be supported to become fully fledged members of society. This is why my institution has consistently promoted “integration with respect for diversity”. Promoting the integration and inclusion of all members of society while respecting their differences is the most viable strategy we have to avoid conflicts and consolidate our multi-ethnic societies. My institution has consistently promoted “integration with respect for diversity”, even when some members of the political class have announced “the end of multiculturalism” or when integration was referred to with negative connotations.

Integration with respect for diversity was reinforced in 2012 when my predecessor launched The Ljubljana Guidelines on Integration of Diverse Societies. These Guidelines are the most all-encompassing work of the institution, providing guidance on how participating States can promote diversity in key policy areas, such as education, citizenship, law enforcement and access to justice. They also assert that integration can only be promoted through democratic governance and respect for fundamental rights, including minority rights. Without such an approach, identity can become a source of exclusion and discrimination. This cannot be in a State’s interest because few things are more dangerous to a State than a group of dissatisfied and alienated citizens held together by the bond of common kinship and with no sense of belonging to the State in which they reside.

When we observe the current challenges to integration in the OSCE area, do we see societies that foster a common sense of belonging, that are shared and inclusive, and that ensure everyone is respected no matter what their religion, ethnicity, language or origin may be? Do we see societies where effective equality is the rule? These factors are discussed in the Ljubljana Guidelines and they merit much attention in view of today’s challenges.

To take a recent example of identifying approaches to address today’s challenges, the UN sustainable development goals seem, to some extent, to reflect the notion that development will not be sustainable unless it reaches all sectors and members of society – in a word, that it is inclusive. The sustainable development goals call for inclusive education, inclusive growth and the promotion of inclusive societies with inclusive institutions at all levels, in

addition to the goal to empower and promote the social, economic and political inclusion of all by 2030. To take another recent example, the first EU fundamental rights colloquium recommended empowering actors at all levels to build a culture of respect and tolerance through education and promoting diversity.

To all of those thinking about how to implement strategies in this field – have a look at the Ljubljana Guidelines.

In the Ljubljana Guidelines, we have framed structural principles for an integrated society, principles that are necessary for integration as well as elements of an integration-policy framework and some key policy areas. Let me highlight two areas of relevance today, which are critical to the sense of belonging necessary for an inclusive society. The notion of a sense of belonging implies that we are not talking about integration of minorities into society but the integration of diverse societies as a whole.

First, the principle of equal access to services and employment: if a young person belonging to a national minority feels that he or she does not have equal opportunities to find work – no matter how well he or she masters the State language – the sense of belonging to the country of residence will hardly be achieved.

Second, if hate speech is allowed to flourish, if politicians are not taking up their responsibility to engage in a dialogue that is respectful of diversity and take a clear stance against incitement to hatred, then we will not encourage a sense of belonging for all members of society. How do you expect minority youth to feel included if politicians support hate speech or fail to distance themselves from that?

These are issues we shall dwell upon during our deliberations in the second working session tomorrow, focusing on the Ljubljana Guidelines and the integration of diverse societies.

Going one step further to the human rights approach to addressing minority issues, the 2008 Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations reaffirmed the principle that the respect for and protection of minority rights is the responsibility of the State in which persons belonging to national minorities reside. By publishing the Bolzano/Bozen Recommendations, my institution has not shied away from addressing States' interests in minority protection head-on by filling a normative gap in this less codified area of minorities in inter-State relations.

The Bolzano/Bozen Recommendations also deal with the implications of ethno-cultural diversity for international security: ethno-cultural and State boundaries seldom coincide, most OSCE States are multi-ethnic. Many of them take an interest in their "kin" abroad and provide support to them. There is nothing wrong with this, but there may be ambiguities and suspicions regarding the intentions behind this support, which, as we know, historical legacies cannot but exacerbate.

The Bolzano/Bozen Recommendations help clarify what a legitimate interest in terms of providing support to ethnic "kin" may entail. They set out some red lines regarding how far

a State may pursue its interest with respect to citizens of another country to avoid disputes and possibly escalating tensions over national minority issues.

The Bolzano/Bozen Recommendations are, I believe, more relevant now than ever before, as we have witnessed breaches of its principles within the OSCE area. Indeed, adhering to the principles enshrined in Bolzano/Bozen Recommendations is crucial in order to avoid instrumentalization of minority issues in inter-State relations. It is also to be noted that victims of instrumentalization include those persons belonging to national minorities whose concerns are not raised any more in the international fora due to a fear that those concerns could be instrumentalized.

Having said this, I hope that during the working session devoted to national minorities in inter-State relations and the Bolzano/Bozen Recommendations we can also explore positive examples of constructive inter-State co-operation on minority issues.

Dear Ladies and Gentlemen,

Dear participants,

Often I hear that the OSCE needs to be more relevant in the face of the growing security challenges faced by participating States. As for what this means for the HCNM – being able to detect and prevent conflicts more efficiently as tensions simmer? I couldn't agree more. At the same time, we can only be as efficient and relevant as the participating States allow us to be. For this, we need direct and genuine dialogue; that is, "talking to" each other rather than "talking about" each other. This is why I believe that a positive engagement using HCNM tools is of great importance. I therefore look forward to our discussions as well as to hearing how my institution can further help such a dialogue. Thank you for your interest and willingness to debate these issues.

KEYNOTE SPEECH

Dr. Francesco Palermo, President, Advisory Committee on the Framework Convention for the Protection of National Minorities, Council of Europe

1. Introduction

40 years from Helsinki Final Act, 25 years after the Copenhagen Document (and 20 years FCNM) I would love to comment on the achievements of these past 40 years, but it would be too easy. The question (and the reason for inviting me) is rather about the next 40 years (or at least the next 25)!

The focus of this meeting is rightly on the thematic work (guidelines and recommendations) and particularly on the last two: the Ljubljana Guidelines on Integration of Diverse Societies and the Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations. Not by chance the most recent ones and those dealing with two of the most challenging contemporary issues of minority protection.

My point is that for both HCNM and FCNM thematic work is and will be key for the

development of minority rights and more attention (and resources/brains) should be devoted to that. I will try to explain why.

2. Three stages, three challenges and three incentives for minority rights

One could divide the 25 years since the adoption of the Copenhagen Document into 3 main stages, each with the respective main challenges and incentives.

1) In the 1990ies, the challenge was the *adoption* of legislation and the incentive was *security* (states did that in order to avoid security threats)

2) In the 2000s, the challenge was *implementation*, and the incentive was international *recognition* (for some countries the accession to the EU, for others being anyway respected members of the international community).

3) Since a few years (see economic crisis, refugee crisis, apparent marginalization of minority issues in the international agenda, except when conflicts “suddenly” arise, see Georgia, Ukraine, recently Macedonia, etc.), the challenge is the *adaptation* capacity of the instruments (especially the FCNM and the HCNM) and of its actors to tackle more subtle, latent issues. The incentive is more difficult for the States to be identified, but it is clearly *sustainability* of contemporary societies. Politically more difficult to sell as apriority, but also the most delicate, difficult and structural challenge!

3. The challenge of adaptation

a) What does adaptation mean?

From the perspective of the two key regional/European instruments (HCNM and FCNM) the challenge is to prove capacity to evolve and to effectively meet new challenges. Like persons: aging means losing some skills and gaining others (especially wisdom...) => adaptation is demanded.

Adaptation of legal instruments (such as the FCNM or the mandate of the HCNM) means either *rewrite/amend* them or to make them *evolve through practice or interpretation*. Clearly the overall context does not allow for textual updates to the existing instruments, nor for new instruments dealing with new challenges (e.g. conventions on migrants or Roma, etc.). Thus, wise evolutionary interpretation is required. Especially possible when instruments are sufficiently flexible and living, as our instruments luckily are (think of consequences if a definition of national minority would have been included in the documents....).

This process of permanent adaptation involves not only the ACFC or the HCNM in their respective mandates, but also and even more so the States Parties (participating States) and minority representatives themselves (minorities are not only rights-bearer and States duty bearers, picture much more nuanced).

b) How to deal with it? (and what should not be done)

At present we face a paradox in our work (I can speak for the AC but I am sure that most of what I am saying applies to the HC as well). All countries acknowledge that new challenges are coming up and call for solutions by the international community. At the same time, we not rarely face soft accusations to be overstepping our mandate, especially when dealing with integration and generally article 6 issues (or other nuances, e.g. when challenging the rigid distinction between “constituent peoples” and “national minorities” and the like). Furthermore, often the issue of so called “*monitoring fatigue*” is brought up. Coordination can be done much better, but the real issue is the overall decreasing relevance of the international community. I think also because of little courage in making the case for the evolution of instruments.

Especially when it is politically impossible to reach consensus on new instruments, the existing ones should be used more extensively and where necessary even more creatively. What we have seen in the past few years is instead that existing instruments get attention only when it’s too late instead of being used in times of non-emergency.

⇒ Structural approach necessary and thematic work is best suited for that.

In any event, message is that our institutions (and the organizations they are embedded in) don’t have to be afraid of their mandates!

c) Contents – possible fields where adaptation is required

What does it mean to take up the challenge of adaptation of the FCNM? Let me exemplary mention just some of the main challenges (further in the next session):

1) *Biggest challenge is to look at societies as a whole rather than at its segments (minorities).*

Special measures are largely in place and somewhat also implemented. The issue now is to create cohesive societies not despite their diversities but because of their diversities! Otherwise nationalism (by both majorities and minorities), anti-Europeanism, xenophobia, etc. Ljubljana Guidelines first great step in this regard.

2) *Related challenge is to be more relaxed as to the question: who are the people(s)*

Too rigid distinctions (e.g. based on citizenship) and use of identity and even instruments are often not helpful (e.g. language is too often still used as a tool for exclusion instead of inclusion)

3) *Tackle segmentation also in other fields*

e.g. limited debate on autonomy in international documents: consider the potential of territorial arrangements, CBC, good governance and other instruments of societal integration more than in the past.

4) Mutual help to fill gaps existing in each instrument

e.g. Bolzano/Bozen recommendations essential for ACFC because FCNM not equipped for solving these issues.

4. Conclusions – How to get there?

If these are some of the areas that need to be further explored, what can be the tools to do so more effectively?

This is the era of pluralism => More actors => Legitimacy of decisions => No actor alone provides adequate responses (irrespective of whether a country, an international organization, a minority association, a committee of experts, etc.). The more immediate answers thus are: more synergy and more conceptual work.

a) More synergy

a.1.) Stock-taking seminars/roundtables to check the implementation of the instruments and to encourage cooperation.

To do so is necessary for the benefit of Europe and all its countries and societies. But it requires a cooperative approach on all sides. Institutions such as the HCNM or the ACFC are here to help the countries, not to bother them. Good friends are not only those who always please you and frank dialogue helps more than diplomatic tolerance.

a.2) Synergy among the various actors – the one between HCNM and ACFC is the best working example:

- ⇒ Not only will the HCNM participate to our plenary session in two weeks time
- ⇒ Copenhagen Document => FCNM
- ⇒ Thematic work partly overlaps and complements each other's perspective – Hague Recs
- ⇒ 1st commentary / Oslo recs => 3rd commentary / Lund Recs => 2nd commentary / Ljubljana => a lot in 3rd commentary and even more in the upcoming 4th commentary.
- ⇒ Importance of fora like this, in order to avoid that such reflections only take place in small circles preaching to those who are already converted.

b) More conceptual/thematic work

Nothing is more practical than good theories. But it's not about theories. Rather about systematizing country/ground work in an ever evolving framework.

When challenge was above all implementation, implementers were needed. Now it is time for more thinkers. Thematic work indispensable to provide consistent answers.

To do so is necessary for the benefit of Europe and all its countries and societies. But it requires a cooperative approach on all sides. Role of OSCE, CoE etc. proves that the actors must be many (international specialized organizations, States parties, minorities, academia and civil society) – if one boycotts the machine, it is difficult for it to work. But if it does not work properly, it is a damage for all actors involved. We are all sitting in one boat and we all want to make Europe a better place to live.

ANNEX III: INFORMATION ABOUT THE SPEAKERS

Day 1: Thursday, 29 October 2015

15.00 – 16.00: OPENING SESSION

Ambassador Vuk Žugić, Chairperson of the Permanent Council, Permanent Representative of Serbia to the OSCE

Ambassador Vuk Žugić holds the position of the Permanent Representative of the Republic of Serbia to the OSCE. During his career with the Ministry of Foreign Affairs Mr. Žugić has served in various capacities, among them: Permanent Representative of Serbia to the Organization for Security and Co-operation in Europe (OSCE) and other International Organizations in Vienna (2012); Assistant Foreign Minister/Director General, Directorate General for Multilateral Cooperation (2009-2012); Ambassador to India (2004-2009); Assistant Foreign Minister, Head of Sector for Multilateral Cooperation (2001-2004); Minister Plenipotentiary, Chief of Cabinet of the Minister of Foreign Affairs, Acting Head of Sector for Multilateral Cooperation (2000-2001); First Counsellor, Embassy of the Federal Republic of Yugoslavia (FRY) to Belgium and Luxembourg (1997-2000); Counsellor, Ministry of Foreign Affairs of the FRY, Directorate for UN and other International Organizations (1995-1997); Second Secretary, Permanent Mission of the Socialist Federal Republic of Yugoslavia (SFRY)/FRY to the UN in New York (1990-1995); and Third Secretary, Ministry of Foreign Affairs of the SFRY, Directorate for Planning and Analysis (1988-1990). Mr. Žugić holds a Master's degree in International Law and Relations from the University of Belgrade. He is married and has two children.

Mr. Michael Georg Link, Director, OSCE Office for Democratic Institutions and Human Rights (ODIHR)

Michael Georg Link (Germany) began his tenure as ODIHR director on 1 July 2014. Before joining the Office, he served from January 2012 to December 2014 as the Minister of State for Europe in the German government, responsible for OSCE, EU, Council of Europe and NATO affairs. He was elected to the German parliament in 2005, representing Heilbronn/Baden-Württemberg, and served through 2013. During that term, from 2006 to 2013, Link established a strong OSCE connection as a member of the OSCE Parliamentary Assembly.

The ODIHR director is a past member of the boards of the Center for International Peace Operations (ZIF), the German Foundation for Peace Research and the Foundation for German-Polish Cooperation, and remains active in international NGOs, including the German Council on Foreign Relations, the German Association for Eastern European Studies, the Southeast Europe Association, and the German Atlantic Association.

Born in Heilbronn in 1963, Link studied Russian, French, Political Science, Public Law and Eastern European History at the University of Augsburg, the University of Lausanne and Heidelberg University.

Mrs. Astrid Thors, OSCE High Commissioner on National Minorities

Astrid Thors, the High Commissioner on National Minorities (HCNM) of the Organization for Security and Co-operation in Europe (OSCE). A lawyer by education, former Finnish Minister of Migration and European Affairs and Member of the European and the Finnish Parliament, she now leads her Institution mandated to identify and address causes of ethnic tensions and conflicts. The High Commissioner addresses the short-term triggers of inter-ethnic tension or conflict and long-term structural concerns.

Keynote speaker:

Mr. Francesco Palermo, President, Advisory Committee on FCNM, Council of Europe

Prof. Dr. Francesco Palermo is professor for comparative constitutional law at the School of Law, University of Verona and Director of the Institute for Studies on Federalism and Regionalism at the European Academy (EURAC) in Bolzano/Bozen. From 2007-2010 he served as Senior Legal Adviser to the OSCE High Commissioner on National Minorities. Since 2007 he is a member of the Council of Europe's Advisory Committee on the Framework Convention for the Protection of National Minorities, of which he is the President since 2014. Full member of the Group of independent experts of the Council of Europe's Congress of local and regional authorities since 2011. Since March 2013 he is non-party member of the Italian Senate and works in the committees for constitutional affairs, for EU affairs and for human rights committee. President of the joint committee for the implementation of the statute of autonomy for South Tyrol since 2014 and author of more than 200 publications, including 10 monographs and 30 edited volumes. Full CV at: <http://www.eurac.edu/en/research/autonomies/sfereg/staff/Pages/staffdetails.aspx?persId=17>

16.00 – 18.00: SESSION I: 25 years after the adoption of the Copenhagen Document

Introducers:

Mr. Francesco Palermo, President, Advisory Committee on FCNM, Council of Europe

Prof. Dr. Francesco Palermo is professor for comparative constitutional law at the School of Law, University of Verona and Director of the Institute for Studies on Federalism and Regionalism at the European Academy (EURAC) in Bolzano/Bozen. From 2007-2010 he

served as Senior Legal Adviser to the OSCE High Commissioner on National Minorities. Since 2007 he is a member of the Council of Europe's Advisory Committee on the Framework Convention for the Protection of National Minorities, of which he is the President since 2014. Full member of the Group of independent experts of the Council of Europe's Congress of local and regional authorities since 2011. Since March 2013 he is non-party member of the Italian Senate and works in the committees for constitutional affairs, for EU affairs and for human rights committee. President of the joint committee for the implementation of the statute of autonomy for South Tyrol since 2014 and author of more than 200 publications, including 10 monographs and 30 edited volumes. Full CV at: <http://www.eurac.edu/en/research/autonomies/sfereg/staff/Pages/staffdetails.aspx?persId=17>

Mr. Antti Korkeakivi, Chief, Indigenous Peoples and Minorities Section, Office of the UN High Commissioner for Human Rights

Mr. Antti Korkeakivi, a lawyer with degrees from Helsinki and Columbia Law Schools, is the Chief of the Indigenous Peoples and Minorities Section of the Office of the UN High Commissioner for Human Rights (OHCHR). In addition to leading OHCHR's work on these themes, he coordinates the UN Network on Racial Discrimination and Protection of Minorities, established by the UN Secretary General in 2013. Before joining the UN, Mr Korkeakivi worked for ten years in various capacities at the Council of Europe, including as the head of its minorities division, responsible for the Secretariat of the Framework Convention for the Protection of National Minorities as well as legal advice and inter-governmental work on minorities. He has also worked as a legal advisor for the NGO Lawyers Committee for Human Rights, responsible for its work in the former Soviet Union, as an Adjunct Professor teaching human rights at Columbia University and as a journalist. Mr Korkeakivi has published widely, including in the fields of minority rights, public international law and comparative constitutional law.

Dr. Dusan Janjic, President of the Executive Board of the Forum for Ethnic Relations, Serbia

Mr. Janjic is a Principal Research Fellow in the Centre for Sociological Research, Institute of Social Sciences, at the University of Belgrade, Serbia. He is specialized in sociology and ethnic conflicts and conflict resolution. Currently he is conducting a research on democratization in Central-East Europe and its effects on the ethnic relations. He is author of more than 100 editions (books, articles, etc.). He is also a founder and President of the Board of the Forum for Ethnic Relations as well as a founder and President of the political party "Active Serbia".

Moderator:

Dr. Jennifer Jackson-Preece, Associate Professor of Nationalism, European Institute, London School of Economics and Political Science

Dr Jennifer Jackson-Preece is Associate Professor of Nationalism at the London School of Economics (UK), with a joint appointment in the European Institute & the Department of International Relations. She is both a British and a Canadian national, and holds a BA and MA from the University of British Columbia (Canada) and a DPhil from Oxford University (UK). Dr Jackson-Preece's research offers a critical engagement with nationalism, security and democracy from the perspective of minorities and migrants. She is the author of two leading academic monographs in the field of minority rights, *National Minorities and the European Nation-States System* and *Minority Rights: Between Diversity and Community*, as well as more than twenty articles and book chapters. Dr Jackson-Preece also regularly cooperates with international and non-governmental organizations working in this policy area, including the OSCE's High Commissioner on National Minorities, the Council of Europe, the European Centre for Minority Issues (Germany), and the Tom Lantos Institute (Hungary).

Day 2: Friday, 30 October 2015

10.00 – 12.00: SESSION II: Integration of diverse societies and the Ljubljana Guidelines

Introducers:

Ms. Ketevan Tsikhelashvili, First Deputy State Minister for Reconciliation and Civic Equality, Georgia

Katevan Tsikhelashvili was born on August 21, 1978 in Georgia. She graduated from Ivane Javakhishvili Tbilisi State University in 1999 as BA in International Relations and received MA Degree in International Relations and European Studies from the Central European University (Hungary) in 2000. She lectures in European Studies at Ilia State University.

She is the First Deputy State Minister of Georgia for Reconciliation and Civic Equality. Prior to undertaking this position, she was the elected chairwoman of the Eastern Partnership Civil Society Forum Georgian National Platform, the largest association of the prominent Non Governmental organizations in Georgia. Also she was the founder and director of the think tank, Liberal Academy Tbilisi that advocates for Georgia's European integration. She was the representative and consultant to the German Friedrich Naumann Foundation in Georgia and the South Caucasus for eight years.

At different times she worked as a researcher and analyst at the local and international organizations, including as a visiting researcher at the University of Hamburg OSCE Research Centre (Hamburg, Germany), researcher - at the European Center (Flensburg, Germany), research assistant at the NATO Parliamentary Assembly's Policy and Defense Department (Brussels, Belgium) and as an analyst at the European Stability Initiative (ESI) in Georgia. She also worked for public structures, including the Ministry of Foreign Affairs Research and Analysis Center (1998-99), as well as the State Minister for Conflict Resolution Office (2004-2006).

Mrs. Ketevan Tsikhelashvilis is the Visiting lecturer at Ilia State University and author of variety academic works and publications in International editions.

Ms. Kristina Kallas, Acting Director of the University of Tartu Narva College

Ms. Kristina Kallas is director of Tartu University Narva College since September 2015. Previously she has worked as a policy analyst and head of the analysts team in the Institute of Baltic Studies in Tartu, Estonia, focusing on the integration policy analysis, policy development and policy evaluation.

Her main areas of expertise are minority rights, fundamental rights, integration processes and integration policies, migration, asylum and refugees, citizenship and political and ethnic identities.

She has worked as a consultant for Estonian government in developing national integration strategies since 2007.

In 2014 Ms. Kallas worked twice as an observer in OSCE/ODIHR election observation mission in Ukraine.

She also managed the humanitarian intervention programme of Estonian Ministry of Foreign Affairs for internally displaced people in Eastern Ukraine in 2014-2015.

Moderator:

Mr. Henrik Villadsen, Director, OSCE HCNM

Mr. Henrik Villadsen has been director of the office of the High Commissioner on National Minorities since December 2014. He holds a master's degree in law with specialization in human rights under armed conflicts and has been a qualified barrister with the Danish Ministry of Justice since 1997. Mr. Villadsen served with the European Union Monitoring Mission to the Former Yugoslavia in 1993–1994 and has, since 1997, served with various intergovernmental organizations, such as the OSCE, the United Nations and the European Union in Croatia, Serbia, Kosovo and the former Yugoslav Republic of Macedonia, mostly working on issues related to the countries' minorities and the rule of law. He also served as Head of Mission of the Danish Refugee Council in the Russian Federation.

Inter alia, Mr. Villadsen was chief of staff of the OSCE Co ordination Centre in Vukovar, Croatia, when the OSCE took over police monitoring responsibilities from the United Nations in 1998. In Kosovo, he held management positions in the Kosovo Trust Agency (<http://kta-kosovo.org/html/index.php>). He also served as Special Assistant to the Special Representative of the United Nations Secretary-General for Kosovo and subsequently as chief of staff of the European Union's rule of law mission in the region. Prior to re-joining the OSCE, he served as the European Union's General Legal Counsel and Head of Legal Affairs in Bosnia and Herzegovina, working with the European Union integration process and the restructuring of Bosnia and Herzegovina's legal system.

14.00 – 16.00: SESSION III: National minorities in inter-state relations and the Bolzano/Bozen Recommendations

Introducers:

Dr. Emma Lantschner, Assistant Professor, Centre for Southeast European Studies, University of Graz

Emma Lantschner is Assistant Professor at the Centre for Southeast European Studies at the University of Graz. Before joining the Centre she was employed as a researcher at the Institute for Minority Rights at the European Academy of Bozen/Bolzano (Eurac). Her academic work focuses mainly on instruments and mechanisms for the protection of national minorities at the national, bilateral and international level. She worked as an advisor to the Council of Europe in the implementation of the Framework Convention for the Protection of National Minorities (FCNM) in Kosovo and is co-editor of the German-language commentary on the FCNM. She was among the experts consulted by the HCNM in drafting The Bolzano/Bozen Recommendations on National Minorities in Inter-state Relations. She studied law at the universities of Innsbruck, Graz and at the Université Libre de Bruxelles.

Mr. Hans Heinrich Hansen, President, Federal Union of European Nationalities

Hans Heinrich HANSEN has been the president of FUEN (Federal Union of European Nationalities) since 2007. He has been instrumental in developing FUEN into the main organisation representing the interests of the autochthonous national minorities in Europe. Hans Heinrich HANSEN, who was born in Haderslev in 1938, belongs to the German minority in Denmark. He is a veterinarian by profession and for a long time he was the chairman of the main organisation of the Germans in Denmark, Bund Deutscher Nordschleswiger.

In his lifetime Hans Heinrich HANSEN experienced the changes that took place in the German-Danish border region. After the war, minorities and majorities slowly and gradually learnt to accept and appreciate one another. The borders are no longer visible in the German-Danish border region and also the barriers between people are gone.

An important milestone in that regard was the speech that Hans Heinrich HANSEN was allowed to give as chairman of the Germans in Denmark at the official event in 1995, where the Danes celebrated that North Schleswig / Sønderjylland had belonged to Denmark for 75 years. In 2006 Hans Heinrich HANSEN negotiated with the Danish state about municipal reforms, which led to special arrangements for the German minority in order to guarantee their political participation.

As the president of FUEN, Hans Heinrich HANSEN emphasises the importance of pursuing a constructive dialogue between minorities and majorities and the active participation of minorities in society.

Moderator:

Dr. Walter Kemp, Senior Director for Europe and Central Asia, International Peace Institute

Walter Kemp is IPI's Vice President and Chief Operating Officer. He joined IPI in August 2010 as Director for Europe and Central Asia.

Previously, he was Spokesman and Speechwriter at the United Nations Office on Drugs and Crime (UNODC) from 2006 to 2010. Between 1996 and 2006 he worked for the Organization for Security and Cooperation in Europe (OSCE), including as Senior Adviser to the High Commissioner on National Minorities, the Secretary General, and several OSCE Chairmanships. He was also part of the editorial team of OSCE Panel of Eminent Persons reports in 2005 and 2015, and the Bolzen/Bolzano Recommendations on National Minorities in Inter-State Relations (2008).

In addition to speech- and ghost writing at the UN and OSCE, Walter has written extensively on conflict prevention, national minorities, organized crime, the OSCE, and European security issues. He is author of *Nationalism and Communism in Eastern Europe: A Basic Contradiction?* (1999) and editor of *Blood and Borders: The Responsibility to Protect and the Problem of the Kin-State* (2011), as well as *Quiet Diplomacy in Action: The OSCE High Commissioner on National Minorities* (2001).

Walter, who is Canadian, has a PhD from the London School of Economics, a Master's from the University of Toronto, and a Bachelor's degree from McGill University.

16.30 – 17.30: CLOSING SESSION

Mrs. Astrid Thors, OSCE High Commissioner on National Minorities

Astrid Thors, the High Commissioner on National Minorities (HCNM) of the Organization for Security and Co-operation in Europe (OSCE). A lawyer by education, former Finnish Minister of Migration and European Affairs and Member of the European and the Finnish Parliament, she now leads her Institution mandated to identify and address causes of ethnic tensions and conflicts. The High Commissioner addresses the short-term triggers of inter-ethnic tension or conflict and long-term structural concerns.