



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

STATEMENT

by
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to the
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Ladies and Gentlemen,

I wish to report to you on the following events that have occurred since my last appearance in the Permanent Council.

From 21 to 25 October I visited Kyrgyzstan and Uzbekistan. This visit formed a part of my ambition to broaden and step up my engagement in Central Asia. In Bishkek, **Kyrgyzstan**, I met with the President and other Government officials, as well as with representatives of the minority communities. I familiarised myself more in detail with the current discussions regarding constitutional reform in order to explore the possible implications for minorities. I also travelled to Osh in the southern part of the country in order to conduct discussions with local officials and minority representatives following the events of recent months in the country.

On the other side of the border, in the Ferghana Valley region of **Uzbekistan**, I held meetings with local officials, as well as with representatives of the Kyrgyz minority. In Tashkent, I met the Foreign Minister and other high level officials.

My assessment after this trip is that there are several issues – notably education and language - that are relevant to my mandate which need close attention. The issues are different in both states but there are also shared problems. I intend to focus on increased dialogue and also to make a closer assessment of the normative framework, and if necessary offer my assistance. As a part of this approach, in September my office conducted jointly with the Assembly of People of Kyrgyzstan a highly successful seminar in Kyrgyzstan on "Legislation and National Minorities: International Norms and Practice".

I am looking forward to my impending official visit to **Turkmenistan** in the beginning of November. This will be the first visit to Turkmenistan by the OSCE High Commissioner on National Minorities and I am hoping to have the opportunity to be received by his Excellency the President.

Turning to another region, namely Central Europe, I would like to bring you up to date on my involvement in the issue of the **Act on Hungarians Living in Neighbouring Countries**. Since I last reported to the Permanent Council, I have been working with the parties to come

to a satisfactory conclusion to this piece of legislation which has been a bone of contention between Hungary and some of its neighbours over the past year. Since I was last in the Permanent Council, I have been to Budapest and Bratislava twice, once to Bucharest and I have hosted expert-level consultations with Hungarian officials. I am in close and regular contact with the parties and with inter-governmental institutions that have a direct interest in this issue.

I expressed my views on the principle of such a law one year ago in my statement of 26 October 2001 on "Sovereignty, Responsibility and National Minorities". One point that I underlined then and have stressed ever since is that protection of minority rights is the obligation of the State where the minority resides. I note that Hungary's neighbours have made significant improvement in recent years to protect and promote national minorities living on their territory.

A State may grant certain preferences within its jurisdiction, on a non-discriminatory basis. Persons belonging to national minorities should also enjoy unhindered contacts with citizens of other States with whom they share common ethnic or national origins.

I sympathize with the efforts of the Hungarian Government to promote the well-being and preserve the cultural and linguistic identity of Hungarians living in neighboring States, and to encourage those minorities to remain in the communities where they live. But I have also underlined in my contacts with the Hungarian Government that the method of doing so must take into account the laws and concerns of the States where those minorities reside and must be in line with international standards.

I have just returned from Budapest yesterday where I was informed about the first draft of a long awaited amended version of the law. Being aware of the position of neighbouring States, the views of Hungarians abroad and internal dynamics of Hungarian politics, I believe that the current draft could become a basis for satisfying the concerns of all parties while maintaining the intent of the law. I have some observations on the text which I will communicate to the Hungarian Government as soon as possible in an effort to ensure that the draft is in line with international standards.

One point that I made to Foreign Minister Kovacs yesterday and which I would like to reiterate here is that time is of the essence. Inter-governmental organizations and Hungary's neighbours – particularly those that have had serious reservations about certain aspects of the law – have shown considerable patience during the period of revision of the law which has now taken almost a year. I think that this patience needs to be rewarded. This was evident to me during a meeting that I had with Prime Minister Dzurinda last evening in Bratislava. It is also a sentiment that I have heard from Bucharest. We need a satisfactory outcome to this issue, and soon. I think that all parties have an interest in closing this chapter. I urge the Hungarian Government to move as expediently as possible.

I believe that a formula *is* possible whereby Hungarian culture can be protected and promoted in a way that can further encourage good-neighbourly relations and regional co-operation. I have indicated to all parties that I will continue to be engaged to offer advice on the substance of the law and to facilitate the process of resolving this issue.

In **Croatia** I have concentrated on issues relating to the new draft Constitutional Law on National Minorities. I have closely followed the process, particularly since February 2002, when the previous draft was withdrawn from parliamentary procedures. I have also shared my comments on the new draft in July 2002 with the Minister of Foreign Affairs. During my visit to Zagreb on 23-25 September this year I noted little progress on the adoption of the law. At that time the ICTY indictment of the retired Croatian Chief of Staff, General Janko Bobetko, fully dominated the political life of the country. As a result the atmosphere in the country was tense which also affected the issues important from the point of view of my mandate.

The discussion in Croatia on the Constitutional law now focuses almost entirely on one element of the law - representation in the Parliament. In addition, the process seems to be complicated by the fact that the adoption of the Constitutional Law might again be postponed until after the adoption of the new election legislation. However, there are also, as I have stressed to the authorities in Zagreb, other important elements of the law, such as the effective participation of minorities in public life, in particular on the local level, which in my opinion are even more important from the perspective of comprehensive protection of the rights of persons belonging to national minorities in Croatia.

In the **Federal Republic in Yugoslavia** I follow closely the discussion on the Constitutional Charter of the Union of Serbia and Montenegro. I have recently, in a letter to the Minister of Foreign Affairs, expressed the hope that minority rights will find an appropriate place in the new Constitutional Charter and that the standards of minority protection achieved in the new Federal Law not will be jeopardised. One of my concerns is the effective implementation of the Law on the Protection of National Minorities with a view to ensuring continuity in the protection of minority rights in Serbia and Montenegro. In the reply received on 30 September 2002, I was assured that minority rights in the redefined Union of Serbia and Montenegro will not be less than those already existing in the FRY.

My Office has continued to work closely with Yugoslav authorities, in particular the Federal Ministry of National and Ethnic Communities, on implementation of the Law on the Protection of National Minorities. In this respect I will shortly be deploying a full- time staff member in Belgrade with a view to improving the assistance I can render to the Government and generally to support the improvement of inter-ethnic relations.

The census of population and households in **the former Yugoslav Republic of Macedonia** will be conducted between 1 and 15 November 2002. My Office continues to be involved through participation in the Steering Committee to oversee and to give political guidance to the process. The law on the census is in full conformity with international standards and its linguistic elements are in line with the Framework Agreement. Persons belonging to all ethnic communities in Macedonia will have the right to be enumerated in their respective languages. In order to ensure this right a sufficient number of enumerators belonging to minorities has been found. All technical preparations are well advanced and the security situation is stable enough to conduct the census. The international monitors have already been deployed. After lengthy discussions, also the issue of the enumeration of the usual residents of Macedonia temporarily absent abroad for less than 12 months has been solved through the adoption of internationally acceptable methodology. The first provisional results of the census are expected in January 2003 and the final report in 2004.

I have also had the opportunity to visit the South East European University in Tetovo and attend a meeting with the University Board. The University has entered the second year of its existence with 2300 students (more than double last year's enrolment) with an increased number of non-Albanians.

I am closely monitoring developments in **Estonia** and **Latvia** with a view to pay a visit to both countries once a new government has been established in Latvia following the recent parliamentary elections. I also plan to implement a project on support of the social integration efforts in the two countries during next year. The project is being financed by the German MFA with the aim to try to generate creatively supplementary support to the already existing social integration efforts in the countries. The project will be conducted in close co-operation with state institutions and interested NGOs.

A second project aims at the elaboration of a manual for state language inspectors in Latvia. It intends to improve the understanding for international norms and limits set by the national legislation for the implementation of the State Language Law by the inspectorate.

The proposal, initially drafted by the now closed OSCE Mission in Latvia, has been submitted for funding to a number of governments. I have not yet received any financial support from Participating States.

On **Moldova**, I am proud to announce that the second year of a teacher training project initiated by my office has now been completed. This project, funded through voluntary contributions by OSCE States, is designed to improve the knowledge of the State language among children from minority communities in the Republic of Moldova. Over the past two years some 1500 teachers from across the country have benefited from the training programme which developed and uses modern techniques for teaching non-native speakers the majority language.

Because language is an important tool of social integration, I encourage the Moldovan Government to consider increased language training for adults. I have also suggested to the Moldovan Government that it should consider a general strategy for social integration. I stand ready to assist the Moldovan authorities in this process.

Regarding **Georgia**, I have been developing a programme for the Samtskhe-Javakheti region, based on the principle of integrating the region more fully into Georgian society. I will travel to Tblisi in November to hold, together with UNDP and the Georgian Government, on 19 November at a seminar on this issue "Promoting integration and development in the Samtskhe-Javakheti Region of Georgia". The purpose of the conference is to raise awareness

about the current political and economic situation in Samtskhe-Javakheti among the international community and NGOs in Georgia. I encourage participating States to take part in the Conference and to offer resources to support integration in Georgia. In Samtskhe-Javakheti, my Office continues with the project implemented to support classes of the State Language for civil servants from the mainly ethnic Armenian minority.

I also continue to provide advice and expertise to the relevant authorities in the elaboration of the Draft Law on the State Language.

Thank you.