



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

STATEMENT

address by

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to the

1026th Plenary Meeting of the OSCE Permanent Council

[Check against delivery]

Vienna, Austria – 20 November 2014

Dear excellencies,

Dear ladies and gentlemen,

Since my last statement to the Permanent Council in July, I have continued my country engagement and visits to various parts of the OSCE region. I present the visits in chronological order for the sake of clarity. I will also describe some of the thematic activities we have been working on.

The main purpose of my visit to southern **Serbia** in August 2014 was to chair the third meeting of the Stakeholders' Committee of the Bujanovac Department of Economics. This bilingual, State-funded higher-education institution has become a symbol of interaction and integration between all communities in southern Serbia. All stakeholders reiterated their commitment for permanent premises to be completed by the start of the 2015/2016 academic year. In July 2015 the first of its students will graduate.

I also participated in the launch of a "Study on Serbian Language Teaching and Learning as a Non-Mother Tongue in Preševo, Bujanovac and Medveđa" in Belgrade. The study explored the teaching and learning of Serbian as a non-mother tongue in the three municipalities and involved broad consultations with local stakeholders. MPs, local politicians, teachers, parents, non-governmental organizations, business leaders and pupils were all interviewed. A near-universal understanding of the need to improve Serbian-language proficiency was noted. The Minister of Education, Science and Technological Development and the Co-ordination Body of Preševo, Bujanovac and Medveđa have agreed to use the study's recommendations.

Serbia has continued to take steps to address the needs of the Romanian- and Vlach-speaking populations in eastern Serbia. I welcome that the Ministry of Education, together with the Vlach National Minority Council, have successfully introduced the course "Vlach speech classes with elements of national culture" as an elective subject this academic year. As foreseen in July, the Ministry of Education has expanded the course "Romanian language with elements of national culture" to the school District of Braničevo. I remain engaged with the Serbian Government on this issue, as well as in relation to the introduction of courses in other national-minority languages and cultures.

I would like to take this opportunity to congratulate Serbia on the smooth conduct of the elections for the National Minority Councils on 26 October. I appeal to all newly elected/re-elected members and presidents of the National Minority Councils to continue working also towards the integration of the society for the benefit of all citizens.

In September, I visited **Albania**, the first visit by a High Commissioner since 1994. I welcomed Albania's steps towards consolidating regional stability and internal cohesion, and noted the positive role it could play in the region. The shared ambition of western Balkan countries to accede to the EU remains a common factor of stability and a tool for enhanced bilateral relations. I wish to commend Albania and Serbia for the new phase started by Prime Minister Rama's recent visit to Serbia. Their agreement on recognition of diplomas is an example of how bilateral co-operation can benefit citizens.

A climate of respect and tolerance generally prevails in Albania. Albania's Constitution provides for the protection of national minorities' culture and identity, as well as their participation in public life and right to education in their mother tongue. However, I have encouraged the authorities to improve the institutional framework for addressing minority issues and enhancing dialogue with representatives of national minorities. The authorities could clarify Albania's policy towards minorities by harmonizing the terminology and the legal criteria required for recognition as a national minority or non-majority community. The Albanian authorities have made progress by establishing an "Inter-Institutional Working Group for the Evaluation of the Legal Framework and Policies on the Minorities", which is due to report to the Prime Minister in December.

I congratulate **Ukraine** on the conduct of the election of a new Verkhovna Rada in October, despite the ongoing conflict in the Eastern part of the country. However, I am saddened that the conflict and the annexation of Crimea prevented many people from exercising their right to vote, which has had a significant impact on the representation of these regions in the new Verkhovna Rada. As in the presidential elections in May, many people in the south and east also chose to not vote, resulting in a considerably lower turnout than in the west. This is a sign that trust in the shared institutions varies sharply across regions. I therefore call upon the Ukrainian authorities to adopt an inclusive approach to governance that bridges long-held divisions between east and west and allows the country to emerge from the crisis as a stronger, more cohesive State. Such an approach should also include institutional

mechanisms that promote the participation of persons belonging to national minorities in decision-making.

During my last visit to Kyiv, just before the recent elections, I continued my dialogue with the authorities on the need for a balanced approach to issues of language and identity. These sensitive matters have too often been politicized in Ukraine and have been approached in an uncompromising, winner-take-all manner, which has contributed to the current crisis. It is important for social cohesion and stability that safeguards remain in place for those who wish to continue using the Russian language or other languages, in line with Ukraine's international commitments. I therefore welcome that no hasty decisions were made regarding a new Law on State Language Policy before the October elections and I stand ready to work with the new Government on this delicate issue.

I remain deeply concerned about the situation in the Autonomous Republic of Crimea. I have been informed of increased pressure on the Crimean Tatar and Ukrainian communities, as well as about disappearances, police raids and arrests. The authorities in effective control of Crimea appear to be pursuing a deliberate policy to undermine and marginalize the self-governance structure of the Crimean Tatars, the Mejlis. Such attempts, together with a crackdown on those who do not agree with the *de facto* authorities, not only constitute a denial of basic rights, but may also increase the risk of inter-ethnic conflict on the peninsula. The *de facto* authorities in Crimea either reject reports of violations or fail to investigate them properly, making it even more essential that international actors have unfettered access to the peninsula. I therefore call on the authorities in effective control to honour my request to visit the Crimean peninsula without delay.

I visited **Kyrgyzstan** in October. I commend the authorities for their willingness to discuss inter-ethnic relations in the country. The authorities recognize the challenges and realize the need to put more effort into promoting integration and building a cohesive multi-ethnic society. If the Concept of National Unity and Inter-ethnic relations is implemented consistently, it may provide necessary guidance towards a more integrated and cohesive society. I also welcome the Government's efforts to develop institutions that are tasked to address potential causes of inter-ethnic tensions. The Department of Ethnic, Religious Policies and Interaction with Civil Society of the President's Office and the Agency for

Inter-ethnic Relations are trying to set up a viable early warning and conflict prevention system at the level of local administrations.

However, while there is some progress at the policy level, the situation of minorities on the ground remains precarious. Concrete measures promoting participation and representation of national minorities are still lacking. Members of national minorities and minority organizations are by and large excluded from a dialogue on policies pertaining to inter-ethnic relations and remain severely under-represented in State structures and law-enforcement bodies. Since the June 2010 events, my predecessor and I have reiterated that pursuing justice in relation to these events is essential for a meaningful reconciliation process. Political will is needed to address these issues in earnest.

I commend the authorities for allowing for the conduct of national test for school leavers in the Uzbek language in 2014. Reinstating the Uzbek-language test will not only help to ensure equal access to higher education, but can also contribute to improving national minorities' trust in the authorities and strengthen cohesion. I urged the authorities to continue to offer the test in the Uzbek language, at least for a transition period while multilingual education is introduced according to the "National Programme for State language Development and Language Policy Improvement in the Kyrgyz Republic for 2014–2020".

The Kyrgyzstani authorities have embarked on electoral reform aimed, as I was told, at establishing a framework that provides the optimal conditions for the holding of free and fair elections. I encouraged the Government and leaders of political parties to design an electoral system that would minimize polarization of politics along ethnic lines and promote adequate participation and representation of national minorities in the electoral process and in elected bodies.

In October, Spravedlivost, an NGO from Jalal-Abad in Kyrgyzstan, won the 2014 Max van der Stoel Award. I would like to take this opportunity to express my appreciation for Spravedlivost's courageous and professional work in promoting the rights of national minorities and reconciliation between ethnic communities in Kyrgyzstan. I would also like to thank the Dutch Government for generously funding this important Award.

In October, I also visited **Latvia**. The events in Ukraine have provoked strong emotions and, in some cases, traumatic memories within Latvian society. Some minority representatives feel that minority issues have become more difficult to discuss in this climate.

At the same time, I noted with satisfaction that the Latvian authorities generally recognize the need to continue working on the integration process. The increase in Russian-language programming provided by the public broadcaster is a positive step in reaching out to minority communities with locally produced content.

I heard from minority representatives that one of their main concerns is the future of education in minority languages amidst calls to increase the subjects taught in Latvian in minority-language schools. The current system of bilingual education has helped protect minorities' education rights while supporting acquisition of the State language and facilitating integration. I encouraged the authorities to maintain Latvia's robust system of education in minority languages. Changes in education should not be rushed into without adequate justification, discussion and preparation. Children's best interests – and their rights as persons belonging to national minorities – should prevail over politics in driving education decisions.

I was glad to hear that the authorities plan to put greater emphasis on providing Latvian-language training opportunities for adults, which are in high demand. Positive incentives to use and learn Latvian, including adequate public funding of language courses, should be prioritized over the use of inspections and sanctions, which can undermine minorities' motivation to use the State language. More emphasis should be placed on analysing the transparency and effectiveness of the work of the language inspectors. In addition, a more flexible approach to the use of other languages in the provision of public information, especially in cases involving public health and safety, would better reflect Latvia's linguistic diversity and help promote inclusion.

The number of non-citizens in Latvia continues to decline but remains a concern and an integration challenge. With the naturalization rate dropping to its lowest level, it is vital that non-citizens are encouraged to become citizens and that non-citizens take advantage of opportunities to become Latvian citizens. I encouraged the authorities to undertake public campaigns to promote naturalization and to publicize the changes to the Citizenship Law that

expand the categories of applicants eligible for simplified procedures. In particular, proactive steps should be taken to reach out to parents whose children are non-citizens and to urge them to take the simple steps to register their children as citizens. The positive trend of new-born children of non-citizens being registered as Latvian citizens under a streamlined procedure demonstrates that there is interest in such opportunities.

Involving non-citizens more actively in public affairs at the community and other levels would be another positive step in the integration of society. In this regard, I reiterated the recommendation made by my predecessors and by other international institutions that the right to vote in local elections should be extended to non-citizens so they can participate in decisions that affect them at the local level.

At the beginning of November, I travelled to **Tajikistan**. In addition to meeting the authorities and other stakeholders in the capital, I travelled to the regions, including the Sughd region in the north near the borders with Kyrgyzstan and Uzbekistan, where several minority communities live in close proximity.

Some interlocutors pointed out that Tajikistan's relations with neighbouring States have an impact on their respective "kin" living in Tajikistan, limiting their full enjoyment of minority rights and hampering cross-border contacts. Concerns were expressed by some interlocutors regarding recent border incidents with Kyrgyzstan.

I visited several schools providing instruction in the Tajik, Kyrgyz, Uzbek and/or Russian languages in the Khujand area and one mixed Tajik-Uzbek school in Dushanbe to learn more about the situation of minority education in practice. I also discussed multilingual education initiatives, the need for new textbooks, improved teacher training and enhanced regional co-operation in education with the Ministry of Education and Science. The Ministry expressed its ongoing support for the Central Asia Education Programme, which my office has been running for the last few years. It is also considering introducing multilingual education in some minority schools in Tajikistan. I offered to assist in this endeavour, based on positive experiences from other OSCE participating States.

Unfortunately, this year, the new national university admission test was only available in the Tajik and Russian languages, even though many pupils had received their secondary

education in Uzbek, Kyrgyz and other minority languages. I encourage the Ministry to provide this test also in minority languages in the future.

With the Ombudsman I discussed the implementation of the State Language Law, which has raised some concerns among national minority communities, and other legislative initiatives related to minority rights.

The question of Tajikistani migrant workers was raised in almost every meeting I had. It is estimated that up to 400,000 workers might for various reasons be compelled to return to Tajikistan by the end of 2014. Several interlocutors pointed out that such large numbers of returning migrant workers could cause additional tensions in society.

I am concerned that the underlying causes of the violent incidents in the Gorno-Badakhshan Autonomous Region this year and in the summer of 2012 have not been adequately addressed. It is important that the ongoing dialogue between the central Government and civil society delivers tangible results in the near future to avoid increase in tensions in this area.

At this year's Human Dimension Implementation Meeting in Warsaw in September, I focused on the challenges posed by increasing aggressive nationalism and the need to ensure full respect for the commitments of the Helsinki Final Act. The three main principles of *The Bolzano/Bozen Recommendations on Minorities in Inter-State Relations* are particularly relevant in this context. They state that:

- First, the respect for and protection of minority rights is primarily the responsibility of the State where the minority resides;
- Second, that human rights, including minority rights, are a matter of legitimate concern to the international community; and
- Third, that there is a broad range of international and bilateral instruments that participating States can use to address such concerns, which they should do with full respect for the principles of sovereignty, territorial integrity and good neighbourly relations.

We focused during the HDIM special day on national minorities on minority education and full and effective participation of minorities. All States are facing challenges in terms of

embracing the reality of ethnic diversity in their education policies. My engagement in the field of education has often focused on how to avoid triggering tensions as a result of reforms to language education that affect the balance between State-language learning and minority-language education. Encouraging minorities to learn the State language is a legitimate means to promote the integration of society, but this should not be seen as a zero-sum option implemented at the expense of the linguistic and education rights of national minorities. The State should seek to ensure a reasonable balance between promoting the State language and State-language education on the one hand and protecting minority rights to use and receive education in their mother tongues on the other.

I have also been concerned by the increasing ethnic separation in education practised in some participating States. Both these issues were discussed, also at the side event, including in the context of *The Hague Recommendations on the Education Rights of National Minorities* and *The Ljubljana Guidelines on Integration of Diverse Societies*.

I have continued to promote the Ljubljana Guidelines, published by the Institution two years ago as a practical and normative approach for OSCE participating States to work towards the integration of society. In September, we presented the Ljubljana Guidelines in Kazakhstan and facilitated a discussion with international and local experts on issues related to language and education. I hope to continue the dialogue on integration in Kazakhstan.

I have been supporting the Moldovan Government with the development of an integration strategy based on the principles of the Ljubljana Guidelines. A working group is elaborating a draft strategy with assistance from local and international experts seconded by my office. I am looking forward to continuing my co-operation with the Moldovan authorities on this important initiative after the parliamentary elections.

I also supported civil-society initiatives in Serbia that are promoting the Ljubljana Guidelines as a way to generate discourse on formulating integration policies. I noted the willingness of minority representatives to engage in these discussions.

Integration policies based on good governance and respect for minority rights are a prerequisite to securing lasting peace and security in multi-ethnic States. I have highlighted this on numerous occasions during my visits to participating States. The development and

implementation of integration policies is first and foremost the responsibility of the State. Sovereignty implies a State's obligation to respect and protect the human rights of all persons within its territory and subject to its jurisdiction, including its minorities. States should consider protecting minority rights and the integration of society as a means to strengthen social cohesion, rather than as a threat to national unity.

Bilateral relations and regional developments can impact directly upon a State's ability to implement effective integration policies. This is why I have called on participating States to act responsibly with respect to their relations with minorities living under the jurisdiction of another State. I have called on participating States to engage actively and genuinely in bilateral co-operation to address minority-related disputes and foster stability, in line with the Bolzano/Bozen Recommendations.

Finally, as this is my last appearance at the Permanent Council this year, let me express my sincere gratitude to the Swiss Delegation and the entire Chairmanship for the good co-operation and support I have enjoyed with them throughout this challenging year.

I very much look forward to working with the incoming Serbian chairmanship in 2015.