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PC.DEL/1707/21
4 November 2021

ENGLISH
Original: RUSSIAN

Delegation of the Russian Federation

**STATEMENT BY
MR. ALEXANDER LUKASHEVICH, PERMANENT REPRESENTATIVE OF THE
RUSSIAN FEDERATION, AT THE 1343rd MEETING OF THE
OSCE PERMANENT COUNCIL**

4 November 2021

**In response to the report by the OSCE High Commissioner on National Minorities,
Kairat Abdrakhmanov**

High Commissioner,

We are pleased to welcome you once again to the Permanent Council. We thank you for your comprehensive report.

You visited Russia in June. Consultations with a wide range of ministries and departments took place in a constructive atmosphere. Many issues relating to the protection of national minorities and ethnic groups both in Russia and in other OSCE participating States were discussed.

You paid a visit to Ufa, the capital of the Republic of Bashkortostan. We thank you for your positive assessment of the efforts by the authorities of this constituent entity of the Russian Federation “to maintain a balance in the protection and promotion of State and minority languages in education, media and the public space”. We are also grateful for your constructive criticism.

High Commissioner,

At the meeting of the Human Dimension Committee of the Permanent Council on 2 November, you repeatedly emphasized that national minorities frequently fall victim to geopolitics. This argument is more applicable than ever to some OSCE participating States in which the rights of such minorities have been systematically violated for many years. The aggressive imposition of the State language, censorship, the eradication of national identity, the clampdown on native language media, and violations of educational and linguistic rights are just some examples of the methods used to discriminate against ethnic groups.

The situation in Ukraine continues to deteriorate. In your report, you welcomed the Ukrainian Government’s “progress” on draft legislation regulating national minority affairs. You were also pleased to note that consultations with representatives of minority communities had taken place during the drafting of that law. Yet, the Ukrainian authorities declared in July of this year that they did not intend to adopt a law on national minorities. President Zelenskyy, instead, announced the drafting of a different law, namely one “On national communities”. This is some kind of new term, the legal content of which is still unclear. Nor is it

clear to what extent such steps by the Ukrainian authorities square with the 2019 recommendation of the Venice Commission of the Council of Europe to adopt a law “On national minorities”.

Overall, despite your optimistic assessments, in reality the situation in Ukraine is depressing. It should not be forgotten that the laws on education and the State language adopted by the authorities contravene both the country’s domestic norms (in particular, Articles 10, 22, 24 and 53 of the Constitution) and its international legal obligations, notably under the International Covenant on Civil and Political Rights and the European Charter for Regional or Minority Languages, among other instruments.

We do not share your hopes that the recently adopted law on indigenous peoples “will be an effective tool benefiting both indigenous peoples and society as a whole”. We repeat that what you are referring to is the abhorrent recent legislation that lays claim to extraterritorial validity and implies an unequal political and legal status for different ethnic groups. The Russian-speaking population of the country has actually been excluded from the scope of this law. In this connection, the Ukrainian Government is blatantly “forgetting” about the right to linguistic self-determination for the residents of Donbas as part of the region’s special status. I recall that this status and the rights emanating from it are provided for in paragraph 11 of the Package of Measures, which was endorsed by United Nations Security Council resolution 2202. We once again call on you, High Commissioner, to engage more effectively with the Ukrainian authorities with a view to rectifying the situation. Your active co-operation with the OSCE Special Monitoring Mission to Ukraine within the framework of its existing mandate is also required.

You mentioned that you “continued to enhance [your] relationship with the European Union and the European Commission, which remain fundamental strategic and operational partners in [your] endeavours”. Accordingly, we recommend that you work more closely with the EU authorities as regards Member States’ gross violations of the rights of national minorities. In particular, it is disappointing that the European Union has been ignoring the shameful phenomenon of mass statelessness in Estonia and Latvia for many years. We would remind you that there are 69,000 non-citizens in Estonia, or 5 to 6 per cent of the entire population, while there are 216,700 such persons in Latvia, that is, around 12 per cent of the country’s population. The figures in the second case are provided by the Office of Citizenship and Migration Affairs of the Latvian Ministry of the Interior. The failure to recognize non-citizens as national minorities has effectively excluded them from the scope of the Council of Europe’s Framework Convention for the Protection of National Minorities. This, in turn, has resulted in their not being able to fully enjoy various categories of rights.

In the Latvian context, this glaring fact was pointed out by the United Nations Committee on Economic, Social and Cultural Rights in March in its concluding observations on the second periodic report of Latvia. The experts recommended that the Latvian Government “take targeted measures to ensure that those who currently hold non-citizen status have non-discriminatory access to economic, social and cultural rights, including equality of opportunity and treatment in employment”. Furthermore, the authorities were urged to “[t]ake measures to ensure that [Latvia’s] language laws and policies do not lead to direct or indirect discrimination against persons belonging to minority groups in gaining access to employment”.

We have taken note that you “encouraged the authorities to ensure that opportunities for minority communities to access media in their mother tongue are maintained”. This recommendation is more relevant than ever. The Russian language has been methodically squeezed out of all spheres of life there for many years. Pressure is being exerted on Russian-language media and journalists; public figures are being persecuted. The most recent egregious example was the withdrawal of the broadcasting licence for one of the most popular television channels, First Baltic, and the institution of criminal proceedings against journalists from Baltnews and Sputnik. It is obvious that the Latvian Government’s actions are at odds with the Commissioner’s Tallinn Guidelines on National Minorities and the Media in the Digital Age. We urge you to liaise more actively with the OSCE Representative on Freedom of the Media on such issues.

On the whole, we believe that the situation in Estonia and Latvia, which have been EU members since 2004, should inform your dealings with the European Commission and the European Union Agency for Fundamental Rights, and also your interaction with the Venice Commission of the Council of Europe.

We urge that due attention continue to be paid to the situation in the United States of America. A sharp rise in racial intolerance was observed there in 2020. According to the Federal Bureau of Investigation, racially motivated offences are at the highest level in 12 years. The last time comparable figures were seen was in 2008. Of the 7,759 hate crime incidents recorded, around five thousand (4,939) were motivated by racial or ethnic hatred and more than a thousand (1,174) had a religious component. The number of offences against people of Asian descent went up by 70 per cent and against people of African descent by 40 per cent. Furthermore, according to Stop AAPI Hate (a non-governmental organization), over nine thousand (9,081) incidents against Asian Americans were recorded between 19 March 2020 and 30 June 2021.

The situation of the First Nations peoples in Canada also requires your attention. We have repeatedly raised at the Permanent Council the issue of centuries of discrimination against and forcible assimilation of the Indian and Arctic Inuit peoples. Women and girls were subjected to forced sterilization, killed or otherwise “disappeared”; children were forcibly placed in residential schools. These schools often became veritable “death camps”. According to known data, more than 3,000 indigenous children perished at these schools, but the actual figures may be much higher. International human rights bodies have repeatedly flagged systemic violations of First Nations rights. I should like finally to hear what measures the Canadian Government is taking to rectify the situation.

Commissioner,

We share your view that “the human dimension is embedded within the DNA of [your] work, as security and respect for minority rights are tightly interlinked.” We are of the opinion that respect for ethnic groups is also the basis of a truly democratic society. With that in mind, we believe it is essential to reflect this linkage, notably when working on the draft declaration on democracy for the OSCE Ministerial Council meeting in Stockholm.

In closing, we should like to wish you personally, distinguished Ambassador Abdrakhmanov, and your Office’s staff every success and the best of health.

Thank you for your attention.