

OSCE HUMAN DIMENSION IMPLEMENTATION MEETING
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Working session 12: Tolerance and non-discrimination I:
National minorities
Preventive aggressive nationalism, racism and chauvinism

Thank you Madam Moderator,

The Armenian Delegation would like to welcome Ambassador Vollebaek, High Commissioner on National Minorities to this session and thank him for his presentation.

The OSCE as an influential regional actor plays an important role in the international human rights machinery aiming at protecting human rights of minorities. Its innovative approach of integrating minority protection in the overall framework of conflict prevention gives important points of references not only for regional organizations but UN structures as well. Indeed the OSCE succeeded in establishing a certain link between minority rights violations and violent conflicts not only at conceptual level but through practical actions.

Simmering discontent and grievances among various minorities can be an outcome of state policy infringing on political and economic rights, depriving minority of means of existence, and fighting with their past – including historic narratives and cultural artefacts. The attitude towards traditional minority as guests whose will can be expressed only by leaving their ancestral country, may promote intolerance towards any legitimate demand of minority in wider society and definitely alienate minority particularly in cases of new state and identity building. This was exactly the case in Nagorno-Karabakh where population had to seek independence as the only way of survival on its ancestral land.

In our view debates on national identities may become matter of concern particularly if they are occurring in the environment lacking protection of human rights and fundamental freedoms.

Hence, primary responsibilities of states should lie at creating conditions for ongoing discourse on national identity through guarantying freedom of expression and providing the society with feedbacks from international cooperation. Any legal constrains being invoked under the name of

denigrating identity or state would not encourage participation of various minority groups and generally civil society and may serve to the emergence of rigid ideology proclaiming sanctity and immaculate history of own putative identity. Here, we would like to suggest to ODHIR and to OSCE institutions to identify different national laws which limit freedom of expression particularly in the dimension of national identity discourse.

Apparently, the rise of aggressive nationalism and chauvinism occur through certain societal actors primarily through extremist political parties. However, we should recognize that those organizations are not operating in vacuum and their performance is greatly influenced by the official state policies. That is to say that the states bear primary obligations to ensure fundamental freedoms including right to life, freedom of expression and assembly also by containing and dismantling extremist political parties and movements. Failure of state to protect its citizens from physical and mental violence including targeted killings perpetuated by extremist political forces may be invoked as complicity and be defined as liability of the state. The monumental judgment of the European court of human rights dated September 14, 2010 is a good case in point.

The comparative advantage of the OSCE in tackling issues of discrimination and intolerance lies at its ability to undertake practical actions. We believe that these practical actions should be guided by conceptual and information support of other international actors, first and foremost by monitoring bodies such as CERD and ECRI, as well as other UN structures having mandate of prevention. Here we would like to refer to the Office of Special Advisor of the UN Secretary General on Genocide Prevention and particularly to the Framework Analyzes of the Special Advisor which excessively covers threats to minority communities at an early stage.

As underlines the Framework Analyzes the denial of past crimes, victimization and dehumanization can nurture discrimination targeting minorities. Likewise, any effective prevention of grave violation of human rights entails reconciliation based on the realization of the right to the truth. In this vein we would like to stress that compensation or reparation could be an important part of the realization of the right to the truth, but it cannot alone without recognition and justice substitute it.

I thank you Madam Moderator.