

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

Address by
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to the

**Roundtable “On Strengthening the Institutional Framework Related to Inter-ethnic
Relations in Ukraine in the Context of Decentralization”**

[Check against delivery]

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Dear Ladies and Gentlemen,

Dear participants,

It is my pleasure to welcome you to this round table discussion. Our commitment to explore pathways to strengthen the institutional architecture for the protection of national minorities in Ukraine brings us together today.

Through the establishment of an effective institutional framework, Ukraine will achieve three crucial goals:

First, it will strengthen the stability of the Ukrainian State at a time of profound challenges. National minority issues and questions of identity and language have often been used for political purposes. Establishing a sound institutional framework would help the State to engage in an ongoing dialogue with minorities and to jointly address grievances.

Second, an effective institutional framework would bring Ukraine closer to complying with relevant European standards. Ukraine has demonstrated its intention to embrace European standards for minority rights protection. To achieve that, necessary mechanisms should be created to close the existing gaps in Ukraine's institutional framework for inter-ethnic relations.

Thirdly, Ukraine is in the process of structural reforms, including a decentralization process that would change the manner in which the country is governed and will have a profound impact on national minority communities. It is therefore essential that the State is equipped with appropriate institutional arrangements at the national, regional and local levels to ensure the regime of minority rights protection is upheld and minority communities are fully involved in the process.

Dear Ladies and Gentlemen,

As a whole, a number of factors define the strength and efficiency of any architectural infrastructure: it is a consideration for the **environment**, in which it is set up; it is the quality of the **foundation** it rests upon; and it is the careful deliberation that is invested in the overall **design**.

Following this analogy, the **environment**, in which Ukraine finds itself today, may not seem particularly conducive at first glance. While the society is deeply diverse with a wide range of ethnic, linguistic, religious and cultural identities having developed over centuries, it is understood that Ukraine's social fabric has come under strain since 2014. The unlawful annexation of the Crimean peninsula and the conflict in Donbass challenge Ukraine's traditional tolerance. Moreover, throughout the last two decades, the institutional architecture has been weakened.

At the same time, in the most recent years, Ukraine took a number of positive measures. In 2014, the Verkhovna Rada adopted a resolution recognizing the Crimean Tatars as an indigenous people. In 2015, the Government established an inter-departmental working group on Roma. This year, the Government of Ukraine announced the resumption of bilateral commissions on the rights of national minorities.

These efforts could create a momentum in favour of further strengthening a dedicated institutional framework. This will give a strong signal to minorities and wider society that government recognizes minority issues and takes them seriously. But as we see, the government structures should be strengthened so that a coordinated and coherent policy can be implemented.

In the meantime, Ukraine's intention to comply with European standards of minority rights protection offer a solid **foundation** to support **the** necessary pillars of a prospective institutional infrastructure. Indeed, Ukraine has recognized the need to strengthen its institutional framework for the promotion of constructive inter-ethnic relations and the protection of minority rights. This is one of the strategic objectives set by the National Strategy in the Area of Human Rights for 2016-2020 and the accompanying Action Plan. It is also one of the conclusions of the parliamentary hearings on "The Role, Importance, and Influence of Civil Society on the Formation of an Ethno-national Policy of Integrity in Ukraine" endorsed by the Verkhovna Rada in November 2015.

The **design** of the means and instruments that facilitate effective participation can take several forms. It can include specialized governmental bodies, consultative mechanisms and participatory decision-making procedures.

The creation of a dedicated executive body or coordination mechanism responsible for national minority rights and the integration of society is one of the options. For example, a Ministry for Minority Rights and Inter-ethnic Policy, with which Ukraine has had experience in the 1990s, could be one appropriate form. The status of the ministry would enable it to have its own budget line from the State budget and to have influence on the allocation of financial resources for minority-related activities. Such a Ministry would have greater influence on the Government's agenda, and would be tasked to develop and implement government policies and coordinate them across all governmental agencies.

Alternatively, a State Committee or Bureau under the Cabinet of Ministers could be re-established drawing on the experience with the former State Committee on Nationalities and Religions. A separate body should deal with religious affairs as religion and ethnicity are two large policy areas.

The Ukrainian authorities could also consider the creation of a special independent institution with sufficient competencies and resources to act as a mechanism for minority rights, including handling complaints and addressing shortcomings at the national, regional and local levels. One option would be to establish the position of a deputy specialized in minority issues within the office of the Ukrainian Parliament Commissioner on Human Rights.

Additionally, the Ukrainian authorities could choose to establish effective consultative mechanisms or strengthen existing ones to facilitate consultations with minority representatives to discuss and address the legitimate concerns of minorities. To ensure that these mechanisms can function regularly and properly it is important that the composition of consultative bodies is balanced and pluralistic, ensuring inclusive minority representation. In addition to a national consultative body, consideration should also be given to establishing regional and local structures, as appropriate. It is important that minority representatives are selected to these consultative bodies by their minority constituencies.

Dear participants,

A functioning institutional framework in the sphere of inter-ethnic relations is a prerequisite for the development and implementation of coordinated minority protection and integration policies in a multi-ethnic society. Today, when we look at countries that are the most stable

and prosperous in Europe, they are often the ones that embraced the diversity of their societies and those that try to accommodate people with different and multi-layered identities. These countries are more stable and more ‘resilient’, to use one of the popular terms of today’s international politics.

A prominent urban planner and a pioneer of modern architecture, Le Corbusier, was once confronted with the news that the housing project he designed had later been modified by its residents. He argued in response: “*Vous savez, c'est la vie qui a raison, l'architecte qui a tort.*” (You know, it is life that is right and the architect that is wrong.)

Indeed, building a modern institutional architecture for inter-ethnic relations is not a one-off process but rather entails continuously evolving efforts. In the years to come, the Ukrainian society may alter the institutional framework, adjusting it to the changing context and emerging needs. But it is essential that a designated body is established for the proper functioning of a comprehensive minority rights system, and the development of sound integration policies to strengthen the stability of the Ukrainian State.

I would like to thank you for your interest and I look forward to our discussions.