



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

OPENING SPEECH

by
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CHECK AGAINST DELIVERY

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Ladies and Gentlemen,

Thank you very much for the invitation to speak at this important Conference. I am pleased to be back in Hungary. Hungary has long been in the forefront for promoting minority rights in the European Union and beyond. Outside observers are probably unaware of the fact that Hungary was among the countries which had insisted most on minority rights provisions in the European Constitution and the Lisbon Treaty.

In the past 20 years, we have been witness to sweeping changes in Europe. Some 20 years ago, European borders were mined, fenced with barbed wire and guarded by German shepherds. A popular Soviet song immortalized the climate of fear at those border posts with these lyrics: “On the border the clouds float sombre, the severe country is steeped in silence...”

Today, much of Europe is whole and free. The Iron Curtain has been lifted. The cult of strongly guarded borders is now a thing of the past. All EU borders have been thrown open and are purely nominal. We may sometimes notice them when we drive past the road sign; when we go to shop for samples of culinary delicacies in a village or town “on the other side”; when we queue at a petrol station in a neighbouring country to take advantage of the cheaper prices.

Indeed, Europe is becoming seamless. There are few better illustrations of this than the restoration of the Mária Valéria Bridge between Esztergom in Hungary and Štúrovo/Párkány in Slovakia.

This wind of change however has brought new concerns: human trafficking, illegal drugs and transnational crime. At the same time, though, it has created unprecedented opportunities to heal the scars of the twentieth century. Transfrontier co-operation can and should benefit both majorities and minorities, and help us to preserve Europe’s rich ethnocultural heritage.

The Preamble to the Framework Convention for the Protection of National Minorities clearly links transfrontier co-operation with – I quote – “the realisation of a tolerant and prosperous Europe.”

Ladies and Gentlemen,

Europe boasts a solid legal footing for transfrontier co-operation. The 1980 Council of Europe Madrid Outline Convention paved the way for transfrontier co-operation. This revolutionary document has helped countless communities in many regions of Europe. It helped optimize land use along transfrontier rivers, create and manage transfrontier parks and foster links between municipalities.

The Madrid Convention also contains a model agreement on transfrontier co-operation between schools. This document is particularly important for the amicable relations between cross-border communities. Its aims are both noble and ambitious: to promote the knowledge of the language and culture of the partner country, to develop personal relations and exchanges of experience and information, and to bring about early bilingualism in the education system. The Protocols to the Convention go even further. They allow for the establishment of fully-fledged transfrontier authorities, some of which are already successfully operating in Europe.

The 2006 EU Regulation on the European Grouping of Territorial Co-operation should give further impetus to transfrontier links. It empowers local and regional authorities to take the lead, without the often cumbersome negotiations between the capitals. This new and innovative instrument will make it easier for local communities to apply to the EU Structural Funds and improve their livelihoods. Ultimately, this will benefit – economically and socially – both majorities and minorities.

There is one important principle that underpins all of these documents: the promotion of co-operation on a territorial rather than an ethnic basis. The rationale behind this is that the whole population in a particular area, irrespective of their ethnic background, should benefit.

Co-operation along ethnic lines between border regions may generate suspicion in some quarters about the true motives of such links. It may equip those who portray transfrontier co-operation – particularly in minority populated areas – as irredentist with a trump card.

Granting benefits to the population of border regions on an ethnic basis is equally dangerous. Creating privileged and less privileged communities in a neighbouring State on an ethnic basis is fraught with grave security risks. In my view, such moves risk reigniting the powder keg that was once Europe; the Europe we all want to leave behind.

Ladies and Gentlemen,

Although the legal framework for transfrontier co-operation is in place, our record in this field is often patchy.

One reason is ... borders. While most of Europe's borders are now permeable, some European nations are still excluded from the common European space. While the Schengen agreement has facilitated cross-border contact for many communities, it greatly complicates transfrontier contact for others. For example, it makes it more difficult for minorities – Lithuanians and Poles in Belarus, Poles and Hungarians in Ukraine – to maintain cultural and educational links with their kin-State.

Fortunately, there is good news on this front. I know that Hungary and Ukraine have agreed on visa-free travel for Hungarian and Ukrainian nationals living within a 50-km area on both sides of the border. A similar agreement has been recently inaugurated between Poland and Ukraine. And talks are underway between Belarus and its neighbours, as well as between Russia and Norway.

These are excellent examples of privileges accorded on a territorial basis and benefiting all ethnic groups living in the border areas.

In addition to visa-free travel, it would be a good idea to somehow institutionalize co-operation between local and regional authorities in non-Member States and their counterparts in Member States. I am not quite sure how this could be practically achieved. Perhaps, the newly launched Eastern Partnership could provide us with the mechanisms. One thing is clear though: this would improve the lot of many minority populations living on the periphery of the EU.

Another determinant of successful transfrontier co-operation is its economic viability. Numerous studies have shown that transfrontier co-operation is most effective in those areas where local populations feel tangible economic benefits. One such example is Ister-Granum. There, century-long linguistic and cultural ties between Hungarian Esztergom and Slovak Štúrovo/Párkány are reinforced by strong business links. For example, many people on the Slovak side commute daily to work at the Suzuki plant in Esztergom.

The economic component of transfrontier co-operation is closely linked to our goal of preserving cultural diversity. Support for traditional crafts, regional food production

or ethnocultural tourism in the border areas can contribute to this goal and make these activities sustainable forms of income.

The success of transfrontier co-operation also depends on the involvement of all sections of the population. Often, an ethnic majority in a particular State sees transfrontier co-operation as a “minority thing”, which helps minorities maintain links with their kin-State. I cannot emphasize enough the need to involve the majority. Whether it be a football match, a visit to a library or a meeting between schools, exchange groups should ideally be multi-ethnic.

This particularly applies to language learning. Bilingualism is an essential component of transfrontier co-operation. Cross-border areas shall be ideally bilingual areas, where all, majorities and minorities, learn each other’s language.

Finally, bilateral relations between countries have a major impact on transfrontier co-operation. Rancorous disputes between countries over minority issues do nothing but stifle cross-border contact and interaction. This is why politicians in the capitals must get their act together and resolve any differences in the spirit of friendly and good neighbourly relations. In doing so, they should be guided by the rules and the principles established in international human rights documents. The use of specifically created multilateral mechanisms to resolve such disputes is particularly desirable.

Ladies and Gentlemen,

Most of the successful cross-border projects sprout forth at grass-roots level. As I mentioned before, the task of politicians in the capitals is to create an amiable inter-State atmosphere. These projects can then ripen and yield tangible benefits for local border regions and minorities resident there.

Bilateral treaties are the key instruments at the disposal of central government. Such treaties, first and foremost, establish a broad framework of good neighbourly and friendly relations between States. They often regulate the full range of common interests.

Significantly, such treaties may also contain clauses concerning the protection of national minorities. Indeed, international instruments, including the Framework Convention and the HCNM’s Bolzano Recommendations, encourage States to incorporate such clauses in bilateral treaties. This recommendation rests on the

premise that bilateral agreements and mechanisms help States share information and concerns, pursue common interests and ideas, and further protect particular minorities because they require the consent of their State of residence.

In short, such agreements can alleviate any concerns that neighbours may have about the treatment of a kin-minority. They may also ease suspicions about the use of minority issues as a pretext for external interference. And they can help create mechanisms to settle disputes, which may arise.

Bilateral treaties must be based on international standards of minority rights. They must certainly not fall short of or compromise existing obligations or commitments. In addition, drafters of such treaties should avoid preferential treatment for certain minorities over other groups or individuals within society. Finally, treaties should provide mechanisms for political consultations and/or joint commissions to follow up on the provisions of the treaties. This would ensure that their spirit is being lived up to.

Bilateral treaties are not a panacea for removing hurdles to transfrontier co-operation. They are not a substitute for a domestic policy of integration with respect for diversity. They do not supersede international standards.

One must also be wary of not using provisions of such treaties as tools to meddle in the internal politics of States. Bilateral treaties cannot replace multilateral mechanisms, which have the essential attributes of independence and impartiality. When disputes over minority issues arise, bilateral arrangements may become, more or less, useless. The sides may have very divergent positions, or their political weight of the sides can be uneven. In short, we cannot bilaterize everything.

Ladies and Gentlemen,

Throughout European history, border regions, and minorities who often reside there, have suffered. In war, these were the scenes of ferocious battles. In peace, they were treated with suspicion by the capital and subjected to assimilation. Very often, the best these regions could hope for was neglect and economic oblivion.

In recent years, a decisive turnaround in the fortunes of border regions has taken place. European integration, advances in minority rights and a new political climate have stabilized them. What was once the excluded periphery, now exhibits growth, employment and social development. Furthermore, European integration and its

relative, transfrontier co-operation, help preserve minority identity in the border regions and lay to rest lingering disputes and suspicions between States.

A Hungarian proverb says, “No roast pigeon will fly into one’s mouth.”* Transfrontier co-operation will not flourish by itself. There is still work to do. The job of policymakers is to support grass-roots initiatives by cultivating a healthy bilateral climate and a robust legal framework. We have some good examples of cross-border co-operation, but we need many more. Only then, will minorities become bridges connecting States rather than the bone of contention between them.

Thank you for your attention.

* Senkinek sem repül szájába a sült galamb.