

## HDIM 2013

### Working session 1: Tolerance and Non-Discrimination 1:

- Address by the OSCE High Commissioner on National Minorities;
- National Minorities;
- Preventing aggressive nationalism, racism and chauvinism.

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The Working Session 1 was introduced by the new OSCE High Commissioner on National Minorities, Ms. Astrid Thors. Thors focused her introduction on linguistic rights of persons belonging to national minorities and stressed that linguistic rights were a precondition for the realization of other rights, such as those related to education and participation, as well as the preservation of minority identities. Thors recalled the relevant OSCE, UN, Council of Europe and other international standards, as well as the HCNM thematic recommendations of the last 20 years and underlined the need to strike an appropriate balance between the promotion of the State language(s) as a tool for integration in society, and the obligation to promote and protect minority languages as an essential part of minority identities. In this connection, she drew attention to the latest set of HCNM recommendations, the Ljubljana Guidelines on the Integration of Diverse Societies. The HCNM pointed out that effective integration policies are indispensable in increasingly diverse societies and that these require that a delicate balance is struck between the goals of promoting cohesion of societies and respect for separate identities. Furthermore, she underlined that positive measures and incentives are the most effective way to promote cohesion and acquisition of the State language(s) by persons belonging to national minorities. Multilingual education is a highly effective tool to promote the learning of the State language(s) as well as to preserve a vibrant minority language for children from an early age, stressed the HCNM. Finally, she drew attention to the fact that inter-cultural education is equally essential to promote cross-cultural understanding.

45 participants made statements in the Session, out of which 28 intervened as Non-Governmental Organizations. 12 participants made use of their right to reply.

Several participants welcomed the new HCNM and expressed support for the HCNM's work methods and mandate. Some States underlined their good co-operation with the Office of the HCNM and one participant recalled the Office's past success in preventing inter-ethnic conflict from escalating through the use of the HCNM's effective work methods.

Some participants described a negative trend in parts of the OSCE region when it came to the rights of persons belonging to national minorities, and warned against a rise of aggressive nationalism, Nazism, extreme xenophobia and chauvinism. Refuting this criticism, other participants outlined measures taken to ensure respect, protection and promotion of rights of persons belonging to minorities in their respective countries and efforts to counter extremist ideologies. Concerns were raised that some of the criticism was politically motivated, rather than based on the assessment of implementation of commitments.

A number of participants brought up specific problems in parts of the OSCE area, particularly in the field of citizenship policies affecting minorities, political participation, housing and school segregation. Recent cases of forced evictions of persons belonging to minorities were a cause for concern expressed by certain participants.

The need for better implementation of the relevant OSCE commitments was widely agreed upon. There was also broad support for the HCNM statements regarding promotion of linguistic rights through education. Several participants made reference to the Ljubljana recommendations. One Delegation stated that the term national minority was, in fact, degrading, and that its government did not use that term.

Several participants made statements referring to the need to foster inclusive societies by ensuring minority representation in different professions, including law enforcement and other government structures. Also, several delegations pointed to the need to counter hate speech and hate crimes in order to prevent raising tensions and a culture of impunity.

A number of participants told of efforts to overcome a history of assimilationist policies. The need for authorities to recognize past wrongdoings and to jointly establish facts were underlined in this regard.

In the right of reply section, some of the allegations regarding discriminatory practices and other violations of rights were refuted. Participants referred to legislative efforts underway to ensure implementation of commitments as well as already existing legislation and structures and underlined their commitment to protect persons belonging to national minorities from hate crime. Allegations of sympathy to extremist ideologies were rejected.

**Recommendations to the OSCE participating States:**

- Ensure full implementation of relevant commitments to respect, promote and protect the rights of persons belonging to national minorities;
- Make use of the Ljubljana recommendations, as well as the expertise and advice of the HCNM;
- Monitor hate crimes and hate speech, including through setting up effective mechanisms to that end;
- Fully implement decisions of the European Court of Human Rights and other international human rights bodies.

**Recommendations to the OSCE, its institutions and field operations:**

- OSCE institutions should pay attention to negative tendencies throughout the OSCE region in regard to extremist ideologies;
- The HCNM should pay attention to education and citizenship issues in the OSCE region;
- The HCNM should continue to make use of discreet work methods proven to be successful;
- The HCNM should continue assistance to the OSCE participating States to promote integration of national minorities, including through multi-lingual education.