



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

Address by
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[Check against delivery]

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Mr. Chairperson,
Excellencies,
Ladies and Gentlemen,

It is a pleasure to be back here in the OSCE Permanent Council in my new capacity and to address you immediately after the Commissioner for Human Rights of the Council of Europe, a key partner of my office. At the outset, I wish to acknowledge the work of my predecessors, Max van der Stoep of the Netherlands, Rolf Ekéus of Sweden, Knut Vollebaek of Norway and Astrid Thors of Finland, who, without exception and according to their own judgement, have worked without fanfare to discharge their duties. I intend to build upon their achievements, proceeding with transparency and discretion.

The mandate of the High Commissioner empowers me to act anywhere in the OSCE area and to exercise independent judgement about how to prevent tensions from escalating into conflict. All participating States have committed to support that mission because they understand the gravity of the risks posed by inter-ethnic strife and divisive nationalism. My Institution is not simply the watcher on the tower. Primarily, it is a shared platform and resource for settling some of the differences between us, for shaping informed arrangements, and occasionally compromises, which make our societies more stable and secure. In my first report to you as High Commissioner, I intend to discuss how I aim to contribute to our common goal of peace and stability, to give you an update on my activities and, through that, an indication of my initial priorities.

But first, allow me to say a brief word about the people involved in supporting my work. The HCNM is a very personalized Institution, but fortunately I am not alone. My staff are my greatest resource. Knowledgeable in a span of disciplines, they maintain an extensive network of person-to-person contacts between the HCNM, OSCE executive structures, governments, academic experts, civil society and minority representatives, which leverage my possibilities as a quiet diplomat. While the extended period without a High Commissioner was undoubtedly difficult for everyone, I arrived to a fully functional office, and I'd like to acknowledge the work of Mr. Henrik Villadsen, my Director, for efficiently taking care of the Institution during the 11 months preceding my appointment.

Let me now turn to the substance of my report to you. In the first months, I have placed a high priority on the thematic work of the office.

Upon arriving in The Hague, I found a wealth of accumulated experience from the previous High Commissioners. But, if we want to make this experience available to a more general audience, considerable work has to be done to synthesize it, since much of the Institution's advice is given in confidence and is specific to each participating State. The results are worth the effort. HCNM thematic Recommendations and Guidelines serve as a reference point in the search for durable solutions at the intersection of minority issues with sustainable integration in key policy areas such as language, education, broadcasting, policing and justice, and their impact on inter-State relations. They are my toolkit, and represent the successive High Commissioners' general advice on conflict prevention.

Only two days ago, I launched *The Graz Recommendations on Access to Justice and National Minorities*. The basic premise of the Graz Recommendations is that justice is not only about the enjoyment of rights by national minorities. It also is vital for conflict prevention. Access to justice must be underpinned by the principles of rule of law, non-discrimination and equality, including gender equality, the right to a fair hearing within a reasonable time, the right to legal assistance and the right to an effective remedy. The denial of these rights can lead to marginalization, may amount to systemic discrimination, and creates conditions for inter-ethnic tensions. I thank the Austrian Chairmanship and the University of Graz for assisting in the promotion of this document. For those Delegations that were unable to send a representative to the launch in Graz, an additional opportunity to engage with the content will be provided at the Ministerial Council in December, where I will facilitate a side event on HCNM thematic Recommendations and Guidelines.

Conflicts involving national minorities are not inevitable. They are rooted in failure or lack of sustainable integration processes and compounded by political choices. Most tensions involving national minorities could be prevented or diffused if the advice contained in our Recommendations and Guidelines were followed.

But some domains are more dynamic in their evolution than others, and we must stay abreast of change. As the High Commissioner for Human Rights of the Council of Europe reminded us, we need to interpret our mandates flexibly in order to remain relevant in addressing recent

developments. For instance, as the media landscape is being redefined due to digitalization and the development of online media, my Institution has been working on collecting good practices to ensure that *The Guidelines on the use of Minority Languages in the Broadcast Media* issued 14 years ago remain relevant and can respond to emerging questions. This is not an academic exercise, but one where we engage in substance, in close co-operation with the Representative on Freedom of the Media. I intend to present a compendium of contemporary practices next year, and will continue to engage to ensure that these Guidelines remain in use.

I am also developing diverse ways to make sure that the Institution's previous Recommendations and Guidelines are sitting firmly on the desks of policymakers, because from my initial engagement with a number of participating States I have the impression that this is not really the case. Therefore, I intend to make use of the anniversaries of particular thematic publications to provide an opportunity to take stock of their implementation and to bring them once again to your attention.

For example, next year marks the tenth anniversary of *The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations*. The Bolzano/Bozen Recommendations provide the framework for a balanced approach between the States' obligation and primary responsibility to protect minority groups living on its territory, States' legitimate activities in the protection of minority groups abroad, and the requirement that all States act as responsible members of the international community with respect to minorities under the jurisdiction of another State. The tenth anniversary presents an opportunity for a structured discussion of key principles and lessons derived from the application of the Bolzano/Bozen Recommendations, and where we could do better. I am in discussions with the incoming Italian OSCE Chairmanship as to how this could be best achieved.

Likewise, next year will mark the 20th anniversary since the launch of *The Oslo Recommendations Regarding the Linguistic Rights of National Minorities*. Language issues have proved time and again to be particularly sensitive and prone to cause conflict. The language policies of some participating States continue to demand my attention and remain prominent in many of my discussions. A thorough consideration of the impact of the Oslo Recommendations, and the field which it was instrumental in developing, is warranted. I will do this early next year, at a conference in Oslo, which the Norwegian Government has

generously offered to support. We will also launch an edited volume on language rights and conflict prevention, which draws upon the contributions of current and former OSCE staff members, partner organizations in the international community, academics and practitioners working in this field.

Each HCNM thematic compilation deals with an area that is foundational for a cohesive, resilient and secure society. We all face the question of how to effectively manage and accommodate increasing cultural and ethnic diversity. In this regard, *The Ljubljana Guidelines on Integration of Diverse Societies*, which I recently presented to our partners at the Mediterranean Conference in Palermo through an innovative explanation, available on our website, is very much on point, and will remain central to my engagement with several participating States.

I am concerned about recent developments and ongoing trends threatening the stability and cohesion of some OSCE participating States. My Institution has learned that disagreements over delicate issues affecting the autonomy of communities, sometimes heightened by separatist claims, can rapidly deteriorate. Mandated to act as an instrument of conflict prevention at the earliest stage, I closely followed developments in Spain, offering advice and receiving regular, detailed information from the Spanish authorities. My mandate is unequivocal, and it is indisputable that preserving stability while respecting diversity in the dynamic, yet fragile, OSCE region is a goal each participating State shares with my Institution.

Coming to my field visits, between 2 and 5 October, I visited Skopje and Tetovo. By and large, I was impressed by an overall positive dynamic in the country, including on inter-ethnic relations. The Government's efforts to improve relations with its neighbours are particularly commendable and are already giving visible results. Among the messages I delivered to my counterparts was the need to avoid further segregation in the education sector and my intent to work, alongside the OSCE Mission to Skopje and relevant national authorities, to help this happen. I was pleased to see my views resonating well with domestic and international actors alike.

I also visited Moldova from 30 October to 3 November to continue my Institution's long-standing engagement with the country on issues related to ethnic diversity and

identity. Moldova's rich ethnic diversity is an asset. To strengthen the integration and resilience of society, I encouraged the authorities to strike a careful balance between promoting the State language and protecting minority languages and cultures. In Chişinău, I urged the Government to start implementing its Strategy on the Consolidation of Inter-Ethnic Relations, including by adopting the Action Plan and providing financial resources. I am glad to see that this action plan has now been adopted. I pledged support to assist in implementation and I would like to encourage participating States to engage in this effort. I also encouraged the authorities to support national minorities' access to quality teaching of the State language and to education in minority languages. Promising models are already available, such as an HCNM pilot project on bilingual teaching in the State language and in the Gagauz language in kindergartens in the Autonomous Territorial Unit of Gagauzia. I brought some of the materials with me for your consideration.

I also welcomed resumed dialogue in the joint working group of the Moldovan Parliament and the People's Assembly of Gagauzia. All sides have the opportunity to use the working group as a platform for a long-term constructive dialogue between Chişinău and Comrat to harmonize Moldova's legislation with the 1994 Law on the Special Legal Status of Gagauzia and to improve the functioning of the autonomy by clearly defining its competencies.

Mr. Chairperson,
Excellencies,
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For the past 25 years, my predecessors have acknowledged that policies enhancing the teaching and learning of a State's official language(s) while safeguarding and promoting linguistic diversity are an effective means to promote the cohesion of society. In the first few months of my mandate, I have, therefore, continued to recommend this pragmatic approach and I have further supported the development of tools to this end.

In Belgrade and Skopje, I launched the first ever illustrated bilingual dictionaries for primary schoolchildren who follow a curriculum in the Albanian language. These Serbian-Albanian/Albanian-Serbian and Macedonian-Albanian/Albanian-Macedonian dictionaries are concrete examples of my Institution's long-standing support for policies

aiming at overcoming segregation in education and in wider society. Expanding the scope of available language-learning resources for primary school children is a means to contribute to this goal. I have brought a copy of both dictionaries, which, as you can see, are attractive and, while the size varies, their content is similar. But, to be efficient, a learning tool needs to be high quality, entertaining and easy to access. The dictionaries were developed by my office with contributions from expert linguists. One was supported by the Co-ordination Body for the Municipalities of Preševo, Bujanovac and Medveđa and the other was supported by the Nansen Dialogue Centre, Skopje and the German Government. The dictionaries follow the relevant school curricula, in line with the respective Governments' efforts to promote cohesion and participation through improving the learning of the official language. Last but not least, the dictionaries are available on the internet and as a mobile phone application to ensure wider accessibility and appeal to younger generations. I was, therefore, very pleased to hand deliver some copies to primary schools in Bujanovac, Preševo, and then in Skopje and Gostivar, and also to present it at Tetovo University.

Under the same theme of language acquisition, I participated in the Forum on Language Compliance organized in Pristina by the OSCE Mission in Kosovo. The event focused on language as a precondition of accessing and respecting other rights, including effective participation in civic life. My office supports these goals, including through an ongoing language course in Albanian or Serbian in mixed municipalities, which is intended to bridge the gap between communities, provide better services and increase trust in institutions.

During these visits, I conveyed the importance of moving away from the concept of language as a form of identification, without minimizing this important aspect, towards a concept of language as a means of communication, co-operation and interpretation.

Following up initial contacts with Ukrainian government representatives, I intend to visit Kyiv later this year, where I will continue to pay particular attention to inter-ethnic relations in the current context, in which Ukraine is undergoing complex transformations against the backdrop of the crisis in and around the country and its impact on human and minority rights of people affected by the crisis and the conflict. Since I took up my current role, I have also been engaged on education issues in Ukraine. I took note of the concerns expressed by national minority communities in the country, and neighbouring States, that the new Law on Education may lead to the regression of national minorities' rights in the sphere of education.

I also took note of the Ukrainian Government's assessment that the low level of State-language knowledge among school graduates in some minority-populated regions impedes their effective participation in public life. Since the Law entered into force, I have been focusing on how to avoid the risk of inter-ethnic tensions and address complications in Ukraine's relations with its neighbours. In this regard, I offered my assistance to the Government of Ukraine to ensure that the implementation of the Law on Education and planned legislation in this area is in line with the balanced approach and principles outlined in *The Hague Recommendations Regarding the Education Rights of National Minorities* and the Ljubljana Guidelines. I look forward to continuing the dialogue with the Government of Ukraine, national minorities and other parties concerned to find a solution that accommodates the interests of various groups.

Inclusive and comprehensive consultations will be at the heart of my engagement with participating States. All of our societies encompass a wealth of actors dedicated to address and treat the root causes of conflicts. As those need to be empowered and promoted, in 2018, my Institution and the Government of the Netherlands will present the next Max van der Stoel Award. You will soon be invited to nominate a person, group or institution for extraordinary and outstanding achievements in improving the position of national minorities in the OSCE participating States. Let me also mention that in addition to honouring the winner, the 2018 Award Ceremony will also provide an excellent opportunity to celebrate the 25th anniversary of the creation of my Institution. I hope to see many of you in The Hague for that occasion.

Mr. Chairperson,
Excellencies,
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I have now concluded my report, but I must also turn to what I need from you. No State is immune from the dangers of identity-based conflict, and peace in our times is not a given. Do not believe that conflict based upon ethnic tensions or nationalism happens only elsewhere. It is already happening, and at present it looks equally likely to spread as it would recede.

I am to independently determine the relevance of my intervention. When I do, I expect the co-operation of all participating States, because that is the expectation which I must have according to the mandate you have given me. There is a false perception that my involvement is a sign that a State's policies have failed. The truth is the opposite. Co-operation with my Institution amounts to the prudent management of known risks. I only take action which enhances our common security. Let me mention three elements of co-operation and dialogue that I find particularly important.

First, in order to be effective and impartial, as my mandate demands, I need to be allowed to gather first-hand information and to have a direct dialogue with authorities and national minority communities. Visits are of key importance in this regard, and I encourage all of you to respect your obligation to grant me and my advisers unfettered access.

Second, in order to create a safe space for dialogue, I act in confidence, without the naming and shaming that has become so prevalent in the current era of tweets and megaphone diplomacy. But quiet diplomacy can only be effective if all sides adhere to the principle of confidentiality. While it may be tempting for some of you to disclose the content of our conversations or correspondence in order to score short-term political victories, this only erodes my longer-term effectiveness as an instrument of quiet diplomacy.

And third, a genuine dialogue requires genuine interaction. Too often, participating States call on me to address an issue in another State, while simultaneously not being receptive to my involvement on issues within their own jurisdiction. Some of the letters of my predecessors have gone unanswered or their advice has gone unheeded. While a letter may be an old-fashioned means of communication, it remains one of the key tools in my toolbox, and I am looking forward to our correspondence in the months and years ahead.

Your commitment to conflict prevention has never been more important than it is today. The "challenges of change" are again calling at our door. Let us not forget the lessons we have been bequeathed.

Let me conclude with a ray of optimism. It is my experience that even at a late stage in the game, States always have the possibility to make political choices, often without significant cost, that lead belligerents back to safer ground. Where there is the will to find it, there is

always a way out, a way round the prospect of conflict. As the new OSCE High Commissioner on National Minorities, I will do my utmost to keep us on the better path.

Thank you