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

STATEMENT

by
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OSCE High Commissioner on National Minorities

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Since my last presentation to the Permanent Council, I visited **Latvia** in the beginning of December 2002 in order to meet with members of the new Government, which came into office following the Saeima elections of 5 October 2002.

During the visit, the Latvian Government expressed its willingness to continue the co-operation with the High Commissioner, including regarding implementation of the project to support integration that my office currently is conducting in Latvia. On the matter of social integration, I believe that it was a positive sign to create a special task minister for Social Integration Affairs. I also noted that many representatives of national minorities welcomed the appointment of the well-known academic and civil society representative Dr Nils Muižnieks to this position. During my visit, I had the opportunity to meet with Mr Muižnieks, whom my office knows well from previous co-operation.

The main issue of discussion was the planned reform of minority education in secondary schools. During my discussions it became clear that there exists differences of opinion between the state authorities and some representatives of national minorities among NGOs and parties about the feasibility and practical implementation of the reform already in 2004. I have urged the Latvian Government to implement the planned reform in a flexible manner with utmost attention paid to maintaining the quality of education in minority schools. I maintain a continuous dialogue with all parties involved and intend to continue to follow this issue closely.

I also discussed the ratification of the CoE Framework Convention on the Protection of National Minorities and the still slow pace of naturalisation. I made it clear that I stand ready to provide assistance, including expert advice, in tackling these issues.

As earlier reported, I have begun to implement a project funded by the German government to support the integration process both in Estonia and in Latvia. Recently my office has also received funds from the Swedish Government to carry out a project to elaborate a manual for language inspectors in Latvia.

I am planning to visit **Estonia** once a new Government is in place later this spring.

One of my highest priorities remains the Act on **Hungarians** Living in Neighboring Countries. Since I last addressed you I have continued working closely with the Hungarian Government to ensure that the law will be amended in line with at least minimum international standards. This has included expert- and high-level discussions on the legal and political implications of the law, in The Hague and Budapest. I have also recently been to Bratislava to meet again with Prime Minister Dzurinda and Bela Bugar, the Chairman of the Hungarian Coalition Party. My office also maintains close contacts with the Romanian Government and the Democratic Alliance of Hungarians in Romania, and we are aware of the views of Hungarian communities in Vojvodina and Ukraine on this issue.

My position remains the same as it has been for the past two years, namely that the law should not be discriminatory and it should not have extra-territorial effects that do not enjoy the consent of the affected neighbouring states. I am convinced that these necessary considerations can be accommodated into a revised version of the law that will satisfy the desire of the Hungarian Government and ethnic Hungarians living in some neighbouring countries to strengthen protection for Hungarian language and culture.

Based on my contacts with neighbouring States and Hungarians abroad I understand that some differences remain. I believe that these can be ironed out when neighbouring States have had an opportunity to study the proposed amendments and through bilateral consultations. In particular the fact that a Hungarian party is a member of the government in Slovakia, and the good co-operation between the Hungarian Alliance and the Romanian Government should facilitate this process.

A main stumbling bloc seems to be assistance for Hungarian language education in neighbouring countries. I have supported a formula that provides educational assistance to institutions. It remains my position, although there may be room for manoeuvre subject to bilateral agreements.

Mr. Chairman, at the end of the day this much-discussed law is the responsibility of the Hungarian National Assembly. They adopted it and they will have to agree on its amendment. But the law must be in line with international standards, and if some of its provisions are to be implemented outside the jurisdiction of the Republic of Hungary then it will need the

consent of the States where it has effects. I think that we are almost at a point where compromise can be reached without compromising basic principles and minimum standards.

I would like to complement the Slovak and Romanian Governments for their unwavering adherence to international law on this issue. At the same time, I appeal to them to take advantage of the opportunity that has been afforded by this Hungarian Government's willingness to amend the law. With a constructive approach from all parties, I think that resolution of this issue is near at hand.

Turning to South Eastern Europe, I must first of all express my shock and sadness at the murder of Prime Minister Djindjic who will undoubtedly be remembered for his important role in bringing democracy to his country. I believe we can best pay homage to his democratic vocation by redoubling our efforts. For my own part, in **Serbia and Montenegro**, after the adoption of the Constitutional Charter, I have concentrated on the issue of the Charter on Human and Minority Rights, in particular Chapter III of this document that includes the rights of persons belonging to national minorities. On 13 February I forwarded my comments to members of the Constitutional Commission. In my opinion the Charter, which was finally adopted at the end of February, provides a good framework for the guarantees of minority rights in conformity with international standards and practices of good governance.

My Office has continued to work closely with authorities, in particular the Federal Ministry of National and Ethnic Communities, on implementation of the Law on the Protection of National Minorities. In this respect I deployed a full-time professional staff person in Belgrade with a view to improving the assistance I can render to the Government. The HCNM Liaison Officer is also responsible for monitoring political and social developments regarding minority issues in Serbia and Montenegro.

My Office has maintained regular contacts with representatives of various minorities in Serbia and Montenegro and conducted a number of field visits to assess the possible conflict potentials. In this regards the recent deterioration of the security situation in Southern Serbia has to be mentioned.

In **Croatia** some progress has been made since my last report, with the assistance of my office, to develop and adopt improved legislation with regard to minority rights. In December 2002 the Parliament, finally, adopted the Constitutional Law on the Rights of National Minorities. I am now following the process of transformation of the guarantees established in the Constitutional Law into the legislative framework of the country, as well as the efforts to implement these legislative provisions. To this end, on 27 February I forwarded to the Croatian Parliament my comments on the Draft of the Law on Amendments to the Law on the Election of Members of Representative Bodies of Local and Regional Self-Government Units.

Most recently, I visited **Macedonia** on 16-18 March where I discussed with representatives of the Government and minorities various aspects of the implementation of the Framework Agreement including especially issues relating to education, decentralisation and the use of language. On the last issue, I stand ready to provide the Macedonian Government with expert advice.

The census of the population and households in Macedonia was conducted between 1 and 15 November 2002. My Office continues to be involved through participation in a Steering Committee on the census to oversee and to give political guidance regarding the process. It is important to publish the final results of the census as soon as possible, as many Ohrid Agreement commitments depend on its result, in particular provisions on the use of language, participation and decentralisation.

Since my last Report, I have had the opportunity to visit **Turkey** on 20-22 January 2003. The main objective of my visit was to begin a direct dialogue with the Turkish authorities, in particular on the important reform process initiated in 2002. This was the first time that the HCNM visited Turkey and I hope and look forward to a continuation of the co-operation with the Turkish Government on issues of concern to me in the reform packages with a view to realizing their effective implementation.

In **Georgia**, I continue my engagement in the region of Samtskhe-Javakheti, a part of the country mainly populated by ethnic Armenians and relatively isolated from the rest of

Georgian society. In the endeavour to integrate this region closer with the Georgian society, my office has supported a project to improve the teaching of the State language to civil servants. This project has proven to be a success, and I hope it will continue and perhaps even expand. Moreover, I plan to commence in the near future two projects in the area of mass media aimed at addressing the informational vacuum in Javakheti, by broadcasting two national news programs translated from the Georgian language into the Armenian language and by training journalists. These two new media projects are part of a multi-sector program my Office has developed to support the integration of Samtskhe-Javakheti region and its population into the whole of Georgia.

On my last visit to Georgia in November 2002, I was requested, both by the Georgian Government and by the United Nations, to become involved in the situation in Abkhazia. My intention is to learn more about the region and of issues of concern to me in order to be able to consider the possible benefits of my engagement in the situation. To this end, I plan to travel to visit Abkhazia in the context of my visit to Georgia on 24-27 March.

In April I will travel to **Kyrgyzstan** to continue my dialogue with the authorities and national minority communities. Promoting the long-term and harmonious integration of national minorities into Kyrgyzstani society will be, I believe, one of the most important challenges for the country in the coming years. During my visit, I will be exploring ways to deepen my engagement with the issues of education, which I view is a powerful means to effect integration, and the participation and representation of national minorities in the public life of the country. I will also visit the south of the country and meet the new Ombudsman of Kyrgyzstan.

In November 2003 I undertook the first visit of the High Commissioner on National Minorities to **Turkmenistan**. During the visit, an important basis for dialogue was established. I look forward to deepening this dialogue with a further visit to Ashgabad in the near future.

Finally, for some time I have wanted to get together a number of scholars and commentators knowledgeable about and interested in conflict prevention, inter-ethnic relations and minority rights for a candid and constructive off-the-record dialogue on challenges related to preventing inter-ethnic conflict in the OSCE area. I thought that it would be useful to

combine such a seminar with the tenth anniversary of the opening of the High Commissioner's office.

On 31 January and 1 February events were held in The Hague to reflect on ten years of the HCNM, and to look ahead to future challenges. With the generous support of the Netherlands Ministry for Foreign Affairs, the anniversary celebration and seminar attracted top level participation and provided a useful opportunity to take stock of the High Commissioner's heritage and future. Among the themes discussed were potential tensions, the relationship between minority rights and security, and minorities in an enlarging Europe. I was encouraged by the interest in, and support for, the work of my office.

I would like to take this opportunity to again thank the Netherlands for its ongoing support of my work, not only as Chairman-in-Office, but as host of the High Commissioner's office. I look forward to future good co-operation as Ambassador Everts indicated in his speech of 31 January that the Netherlands has offered to extend the stay of the Office in the Hague until beyond the current agreement of 2004.