



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

STATEMENT

by
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Thank you Mr. Chairman for the opportunity to address the Council today in regard to some of my recent activities. My office continues to follow and be engaged in a number of situations and issues, some of which I wish to draw to your attention.

With regard to **Croatia**, I welcome the improvement in dialogue between the Croatian Government and the OSCE Mission, as noted by Ambassador Semneby during his last appearance before the PC. The Government has announced important policy developments on several issues covered by my mandate, including adoption of a new Constitutional Law on National Minorities and prospective steps in the field of return of refugees and repossession of property. My office awaits the new draft Constitutional Law on National Minorities. I stand ready, as has been mentioned during my visit to Zagreb, to assist the authorities in this matter. Not only should this law meet the relevant international standards with a view to providing effective protection of minorities in Croatia, but it could and should be an instrument of confidence building among communities.

I welcome the recent decision by the authorities in **Estonia** to extend the validity of language certificates, which were to expire by 1 July 2002. I also welcome the decision to make the transition process to state language instruction in the minority education system in Estonia more flexible. The adopted amendment to the Law on Education providing for the granting of exemptions from the 2007 deadline will enable schools and subsequently municipalities to apply to the Ministry of Education for an extension of this deadline if they feel insufficiently prepared for it. This is a positive step which responsibly assesses the real situation in the country well in advance of possible problems.

However, the naturalisation process in Estonia is still slow, now proceeding at a pace of 2% per year. Out of the outstanding 170,000 cases only approximately 3000 people naturalised in 2001. I intend to continue to be engaged in support of an acceleration of this process.

Regarding the situation in **Georgia**, my office has continued good and close cooperation with the authorities, notably in connection with the Draft Law on the State Language on which my office provided several comments and hosted a working meeting in The Hague in early April. It is apparent that the eventual adoption of such a law should fit within a wider strategy and programme which responds not only to desired use of languages in public administration and

other aspects of official institutions and bodies, but also the needs of the population as a whole along with the specific needs in particular regions of the country.

My office is also working with the Georgian authorities and international institutions with a focus on the situation in the Samske-Javaketi region. The main reason for my interest in this region is because I believe it important to support a stronger integration of this area into the Georgian society. This part of Georgia is however also of relevance as regards the eventual return of the Meskhetian population, which were deported from this area in 1944. My impression is that the question of their return must be dealt with in a dialogue involving all concerned parties, including the Meskhetians themselves. In settling this issue it is important to take into account the political, social and economic conditions in the regions affected by the Meskhetian situation as well as the wishes and status of the Meskhetian population. While awaiting such a settlement, it is also important to ensure proper living conditions for the Meskhetians. I intend to try to be instrumental in promoting such a dialogue, in co-operation with other international institutions.

Mr. Chairman,

As delegations are aware, over the past year I have been closely engaged in the issues surrounding the Law on **Hungarians** Living in Neighboring Countries, which was adopted in June 2001 and has been in force since 1 January of this year. In my statement of 26 October last year, I made a number of observations with regard to the Law. I have also made some recommendations to the Hungarian Government, which I will circulate to participating States in due course.

On Monday I visited Budapest for a number of meetings with officials from the new Hungarian Government, including Foreign Minister Laszlo Kovacs. It is my impression that the new Hungarian Government is well aware of the views of the international community and is considering the most appropriate way of bringing the Law in line with international standards in the spirit of good neighborly relations. I hope that Hungary and its neighbors will make continuous efforts to find a mutually satisfactory outcome. I will continue to facilitate this process, including by means of a visit to Bratislava this afternoon where I expect to meet with Foreign Minister Kukan and other senior officials. I am also planning to visit Bucharest in the near future.

Kazakhstan has enjoyed inter-ethnic stability over recent years. During my recent visit it was clear to me that further steps have to be taken to achieve the full integration of minority communities within Kazakhstani society. In particular, it is important to ensure that minorities are able to enjoy a broad and significant level of participation in the public life of the country. With this in mind, my office is developing a project to promote awareness of the importance of minority participation within different branches and levels of the public sector of this country. Recognising the difficult socio-economic conditions that often motivate emigration, it is hoped that a positive perspective for persons belonging to minorities in Kazakhstan will encourage them to remain in the country and contribute to its development. It is also my intention to work with local leaders and the Assembly of Peoples of Kazakhstan to respond to specific issues of concern and generally to build the capacity to manage inter-ethnic affairs.

In **Kyrgyzstan**, I continue to follow the situation of inter-ethnic relations, especially in the south of the country. Together with the Assembly of the People of Kyrgyzstan and the Ministry of Education, I am examining ways to promote social integration within the country with a view to overcoming social divisions. Recent and on-going tensions in the south raise particular concerns. In my view, there is an urgent need for caution on all sides and for processes of dialogue including representatives of minority communities. Failure to do so would have possible implications both within the country and in the region.

With regard to the situation in **Latvia**, participating States may recall my statement of 10 May in which I welcomed the adoption by the Saeima of bills by which the requirement of Latvian language proficiency has been abolished for persons standing for elections at the national and municipal levels. It is my expectation that matters of implementation following these amendments, including relevant Parliamentary rules, will be changed accordingly. Similarly, I welcome the continuation of the naturalisation process which proceeds at a pace of about 1,000 cases per month. The successful public information campaign and the large number of applications (ten times available places) for language training indicates that there is much that can be done to reduce the still over 500,000 cases of stateless persons permanently residing in Latvia. I hope that practical steps will be taken to support the work of the Naturalisation Board to engage the affected population and facilitate their

naturalisation. I believe this is a key step towards social integration within the country. In this connection, I also hope that adequate resources will be made available to support the Social Integration Foundation and other initiatives in line with the Social Integration Programme. I encourage participating States to offer their material support.

I also intend to continue my engagement with regard to a couple of other issues. First, as participating States are aware from a circulated exchange of letters I have had with the Latvian Foreign Minister, I am in a dialogue with the Latvian authorities with a view to clarifying the effect of recent amendments to the Law on Local Councils on the working language in such councils and their subordinate institutions. While I support the use of the Latvian language as the State language throughout Latvia, I believe this should not and need not be at the expense of minority languages and that, as prescribed by the OSCE's Copenhagen Document and the Framework Convention to which Latvia is a party, both international standards and principles of good governance require that there be adequate opportunities for the use of minority languages before public authorities. I will continue my engagement in this matter. Likewise, I am following the planned transition to the State language as the principal language of instruction in minority schools as foreseen to begin in 2004.

Finally, I am also planning to assist the Language Inspectors within the State Language Centre to adjust their working methods to ensure conformity with applicable Latvian legislation and the relevant international standards. To this end, I have modified a project initiated by the now closed OSCE Mission to Latvia to elaborate a Practice Manual for Language Inspectors.

Regarding the Republic of **Moldova**, I continue to be engaged in legislative and practical issues of language use and education on which there is public disagreement. Although the public demonstrations, which began in January, came to an end in April, some underlying issues still require resolution. I stressed during my visit in April to the Moldovan Government the need for an integration strategy that protects and promotes the cultural diversity of the country. This involves, *inter alia*, a legal framework to protect minority rights, more extensive language training, and attention to educational curricula. Such policies require sufficient preparation, adequate resources and public dialogue. In this respect, my office

hosted a seminar in Chisinau on 20 and 21 April to reflect on standards and practice in terms of language and integration.

In practical terms, my office's initiation and support for a project to improve the teaching of the State language to children from minority communities has proven to be a success and I hope that it will be continued for another year. More also needs to be done to improve adult language training, particularly among public officials with a limited knowledge of the State language. Attention also needs to be given to the reform of the history curriculum which has been a point of contention in Moldova.

One particular matter which concerns me is the plight of schools in Transdnistria which are trying to teach in the Latin script. I have communicated my concerns to the Transdnistrian authorities, including Mr. Smirnov. I hope that the summer months can be used to reach a flexible and pragmatic solution rather than further hindering the operation of those schools wishing to teach in the Latin script, to the detriment of the affected children.

I have joined the Board of the SEE University in the **former Yugoslav Republic of Macedonia** ensuring continued engagement by the High Commissioner in this HCNM initiative. It is notable that the university is expecting a substantial increase in the number of students this coming year, the second year of operation.

On other matters, the planned census is still a matter of concern. My office continues to be engaged, together with the ODIHR, in particular through participation in the international Steering Committee established to oversee and to give political guidance to the process. The new dates for the census are in November 2002. Providing that conditions will be right, it is important to conduct the census as soon as possible since many Ohrid Agreement commitments depend on its result, including provisions on the use of language, participation and decentralisation. Following the elections and the census, there will remain important challenges in implementation of the several new laws. I intend to offer assistance within the terms of my mandate and capacity of my office.

Turning to the situation in **Ukraine**, recent elections saw advances in the area of the participation of national minorities in public life through an increased representation in legislative bodies. Notable was the increase in the number of Crimean Tatar deputies in the

Crimean regional parliament and at the local council level. I look forward to further progress in this field. Apart from the question of political participation, there are also a variety of complex issues remaining to be resolved in Crimea, among which the distribution of land is perhaps the most significant. Having recently visited Ukraine, including Crimea, I look forward to working with the authorities at national and regional level and with other international organisations to help to address the various aspects of the situation there. Notable is the positive way the Ukrainian authorities have dealt with the matter of giving citizenship to the Crimean Tatars. More specifically, I intend to follow a number of proposed legislative initiatives that would have an impact on inter-ethnic relations at both national and local level, in particular forthcoming laws on national minorities, the law on language, the law on formerly deported peoples and the law on the indigenous status of the Crimean Tatars.

In the **Federal Republic of Yugoslavia**, the authorities have made significant steps in addressing the many and difficult challenges facing this country as it overcomes a dark period in its history. In particular, my office assisted the Federal Ministry of National and Ethnic Communities in preparing the new Law on the Rights of National Minorities. With a view to assisting the Yugoslav authorities in the implementation of this framework legislation and related legislation (some of which is still to be drafted), I hope to have in place by September a full-time professional Liaison Officer in Belgrade to be located in, and to draw upon the facilities of, the OSCE Mission. In this connection, I wish to thank the Head of Mission for his cooperation.

Mr. Chairman, permit me to take this opportunity to briefly raise one thematic issue which I believe merits the close attention and specific action of the OSCE and all OSCE participating States, especially in the light of consistent reports and other signs of increasing incidents of prejudice, intolerance, racism and xenophobia. I would like to highlight the importance of **anti-discrimination legislation and practice** in terms of protecting and promoting the equal rights of all members of society, including persons belonging to national minorities. I believe that such tools could serve as useful means in the social and cultural integration of different groups into society. Such legislation could include the creation of an independent and impartial national institution for the supervision and implementation of the law, for example by means of a specialised Ombudsman or commissioner, or similar institution. Such institutions should be mandated to be pro-active in implementing the law, not only in terms of

receiving complaints, but of initiating action including legislative reform as may be necessary.

Finally, Mr. Chairman, I would be remiss if I did not express my appreciation of the **on-going support of the participating States** for my work, including especially the cooperative attitude of those Governments with which I am actively engaged and also those Governments which provide me direct support.

Thank you for your attention. I would be glad to answer any questions from the delegations.