



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

A D D R E S S

by

Brendan Moran

Director of the OSCE High Commissioner on National Minorities

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It is a great pleasure to return to Warsaw and to participate at a Human Dimension Implementation Meeting albeit from a rather different perspective than on previous occasions. On this occasion, I am pleased to address you on behalf of the High Commissioner on National Minorities.

The High Commissioner in his address at the opening session of this meeting outlined the three main areas which have occupied much of his time over the last year. These are the increased politization of national minority issues in international relations, the related issue of the perception by a majority ethnic community that national minorities represent a threat to the stability of a state and the situation of Roma and Sinti in Europe. It is the combination of his concerns about the first two tendencies that have resulted in the new set of Recommendation on National Minorities in Interstate Relations which are being formally launched to-day at a conference in Bolzano/Bozen in Italy and is the reason why the High Commissioner cannot be here to-day.

Although the mandate of the High Commissioner describes him as ‘an instrument of conflict prevention’ and his work belongs to the security dimension rather than the human dimension, it has always been clear that human rights standards, including minority rights are his most important tools in addressing potential conflict or risk of conflict between ethnic communities.

I would, therefore, like to begin this address by re-emphasizing the importance of conflict prevention, and its links to the concept of comprehensive security in the context of national minorities/ethnic conflicts.

To prevent conflicts, tolerance and non discrimination must be the basis for any minority-policy. And it must be based on two principles – that the State should respect minorities and not discriminate against them and that minorities should respect the State and its laws.

To quote the words of the first High Commissioner, Max van der Stoel “A balanced and equitable State policy approach reconciles the interests of the minority and the majority on the one hand and the interests of human beings -individually and collectively- and the States on the other. Such policy often entails a combination of three elements. First, the State should ensure equal protection and non-discrimination on grounds of belonging to a particular ethnic group. Second, the State should make efforts to promote tolerance, mutual acceptance, and non-discrimination in society. For both of these elements: “Equality in fact” should accompany “equality in law”. Third, persons belonging to minorities should be able to avail

themselves of appropriate means to preserve and develop their language, culture, religion, and traditions without discrimination. There is, therefore a need to constantly monitor and update the legislation and policy on national minorities: what is good today may not be suitable for tomorrow”.

But protection of minorities is not enough. Integration is a two-way process. While the State has the duty to protect diversity, minorities have the obligation to integrate into the wider society in which they live. ‘Integration with respect for diversity’ has indeed become the maxim of the High Commissioner. This means that they must have the possibility to participate fully in all aspects of social and political life in the country in which they live. In 1999 the High Commissioner issued his Recommendations on the Effective Participation of National Minorities in Public Life, known as the Lund Recommendations.

The Lund Recommendations have exceeded the initial expectations of the HCNM who had intended these as a tool for his conflict prevention activities. They have become a success story of problem-oriented standards designed not for setting new but for listing forms of possible improvement in public participation by national minorities. The Lund instrument offers some remedial solutions for under-representation and under-participation of national minorities. But this constitutes only part of the answer because a lot of dilemmas remain unanswered. There is still a deficit of participation of minorities in public life, most notably participation in the executive bodies, particularly in enforcement agencies and judicial authorities. Next year will be the 10th anniversary of the publication of the Lund Recommendations and it is the intention of the High Commissioner to organise an event in 2009 to review this document, similar to that held in Oslo this year on the occasion of the 10th anniversary of the Oslo Recommendations on Linguistic Rights of National Minorities.

Minority Issues are one of the four priority areas in the OSCE’s cooperation with the Council of Europe. The HCNM and CoE continue to consult each other in the context of their respective work on thematic issues, including those on participation by minorities. The thematic commentary on the effective participation of persons belonging to national minorities which was adopted by the Advisory Committee under the Framework Convention for the Protection of National Minorities at its plenary meeting in February 2008 was the subject of extensive consultation and substantial input from the HCNM. These consultations have proved to be an effective working method to avoid duplication or conflicting interpretation, thus strengthening complementarities.

The HC pays attention not only to traditional forms of participation by persons belonging to national minorities in public life but also to participation in very specific areas like education. He has found it necessary in several cases to address the question of effective participation in

school councils or associations dealing with education issues at national and local levels. In a number of cases the High Commissioner recommended strengthening the role of parents of minority children in those bodies. Their voices should not only be heard but also taken into account as much as possible.

Finally, in the area of participation, the High Commissioner provided input to the recent Venice Commission's report on dual voting as one of the possible means to enhance participation of minorities in public affairs.

This year, the HDIM will be devoting one full day to the issue of education and awareness raising in the promotion of human rights. One of my colleagues from the Office of the High Commissioner will be present for that discussion. However, I would like to say a few words this afternoon about the question of minority education.

Education, as the HC has said in speech at the European Academy Annual Minority Rights Lecture in June is per se conflict prevention at the earliest possible stage. Education, the HCNM believes, is also one of the key tools for developing an integrated society. Particularly in multi-ethnic states, the HCNM has argued, the education system can be the vehicle for promoting tolerance, understanding and inter-ethnic cooperation. A state's educational system is a reflection of the way it approaches not only the future of its younger generations, but also how it interprets the value of diversity.

The HCNM has always taken a keen interest in advancing integration with respect for diversity through education because it plays a central role in forming the views and attitudes of majorities and minorities to other groups. The right sort of education can play a big role in influencing these attitudes for the better: the wrong sort can reinforce hostile stereotypes and add to risks of future tensions. In the High Commissioner's view, education is crucial to a policy of 'integration with respect for diversity'. Education facilitates participation, starting with a good knowledge of the State language; it also enables minorities to maintain their own language, culture and identity while at the same time teaching both majorities and minorities about each others culture.

In 1996, the HCNM issued the so-called 'Hague Recommendations Regarding the Educational Rights of National Minorities', which outline best practices and tools that States can use in order to ensure that a balance exists between the rights of all communities to safeguard and develop their identity and the legitimate need of States to build an integrated society. According to the HCNM, it can sometimes be difficult for States to strike this balance. Therefore, the HCNM has worked very closely with the authorities of many OSCE participating States in order to help them achieve this fine balance.

One of the most difficult and sensitive areas is the issue of integrated or segregated education. The position of the High Commissioner on this question is clear. In his view, integrated education is one of the most effective means of bringing communities together and developing understanding. Segregated education, on the other hand, can provide a breeding ground for stereotyping and development of mutual hostility between groups. Integrated education is of course not always possible. Some minorities - or majorities - are strongly attached to separate education for religious or other reasons and an attempt to introduce integration could in itself lead to serious tensions. In those cases, there is a particular responsibility on States to make special efforts to promote contacts between minority and majority students through joint extra curricular activities in such areas as culture sport student exchanges and summer camps.

I would like to give two examples of specific activity by the High Commissioner in this area. In January 2008, the HC presented a set of country-specific *Recommendations on Integration through Education* to the Minister of Education in Skopje. These recommendations were the result of over a year of consultations and discussions with governmental and non-governmental actors working in the field of education in the country. While noting considerable progress in the field, the HC presented the Minister of Education with a series of country-specific recommendations on how the primary and secondary education system in the former Yugoslav Republic of Macedonia could be reformed to best reflect the balance between the rights of all communities to safeguard and develop their identity and the legitimate need to build an integrated society. Focussing on primary and secondary education and specific areas such as separation of students along ethnic lines, school governance, politicization of the education system, and curriculum development, the recommendations argue that making improvements in these areas will help promote improved inter-ethnic relations, dialogue and tolerance rather than perpetuate negative stereotypes and one-sided approaches to education. To some degree, this is certainly a lesson for all OSCE participating States.

Last February, the High Commissioner travelled to Cluj-Napoca (Transylvania) and visited the Babes-Bolyai University (BBU). BBU is a multicultural university that provides higher education in the State language as well as in minority languages, namely Hungarian and German. In international and comparative practice Babeş-Bolyai is often referred to as a “model” example of multicultural tertiary education. There is every reason to believe that the multicultural experiment carried out at the Babeş-Bolyai University can ultimately develop into a full-fledged a success story in the area of multicultural and multilingual education.

The HCNM has always supported the ideal of an integrated, multilingual university as a vital aspect of integrated, multilingual societies. Universities that teach about diversity and

multiculturalism not by preaching it but by living it; universities that encourage critical thinking and produce responsible citizens equipped to participate and take a lead in pluralist democracies; universities that challenge stereotypes and build bridges across communities and States. A multicultural university is particularly appropriate for multi-ethnic societies such as exist in Central Europe as it encourages cross-cultural interaction and promotes better awareness and understanding of different cultures and traditions. Much has been done to further the cause of multiculturalism at the BBU. But, there is always room for improvement and the High Commissioner has encouraged, for example, the greater use of minority languages in displays, university documentation, and internal publications. The long term success of all conflict prevention efforts within and across multiethnic societies requires the establishment and proliferation of such educational institutions, which is why these are so important to the High Commissioner's mandate.

To conclude, Mr. Chairman, I have described two important areas of activity of the High Commissioner and their importance in our understanding of conflict prevention. But his agenda encompasses many more issues and the need for more effective means of conflict prevention remain as challenging as ever. Effective implementation of the OSCE Commitments concerning both the rights of persons belonging to national minorities and the right to equality and non-discrimination will remain crucial in this respect and I am looking forward to the discussion this afternoon on how these are being addressed.