



EUROPEAN UNION

OSCE Permanent Council No. 1401 Vienna, 8 December 2022

EU Statement in Response to the Report by the OSCE High Commissioner on National Minorities, Amb. Kairat Abdrakhmanov

1. The European Union warmly welcomes the High Commissioner on National Minorities (HCNM), Ambassador Kairat Abdrakhmanov, back to the Permanent Council, and thanks him for the comprehensive report.
2. The EU attaches great importance to conflict prevention and early warning. The mandate of the HCNM, providing early warning and seeking early action with regard to tensions involving persons belonging to national minorities, lies at the core of the OSCE concept of comprehensive security.
3. The EU also attaches great importance to the mandate and autonomy of the HCNM, and to the Institution's crucial role in protecting our principles and commitments, including through clear messages when these are violated. While acknowledging the importance of "silent diplomacy", we recall that different means at times may be more appropriate and we would welcome a further elaboration of the actions taken by your Office in this context.
4. Against the backdrop of Russia's unprovoked, unjustified and illegal war of aggression against Ukraine, an active engagement of HCNM is more important than ever.
5. We echo your condemnation of the Russian Federation's attempt to illegally annex sovereign territories of Ukraine. We also reiterate our condemnation of Russia misusing minority issues to justify its aggression against Ukraine. This poses serious

risks for the stability of the entire OSCE region, and seriously undermines reconciliation and recovery efforts in Ukraine. In light of your Office's attention to the impact of Russia's ongoing war of aggression against Ukraine, we are keen to learn more about your dialogue with representatives of persons belonging to national minorities and the authorities of both Ukraine and the Russian Federation, given the measures in the temporarily non-government controlled areas of Ukraine having a negative impact on the lives and physical safety of the residents. As you have rightly pointed out, Russia must observe human rights, including those of persons belonging to national minorities, in all territories temporarily under illegal Russian military control, including in Ukraine. In this context, we condemn the conscription of residents of the Ukrainian territories temporarily under Russian military control to the Russian Armed Forces, as a violation of international humanitarian law. This includes the illegally annexed Autonomous Republic of Crimea and the City of Sevastopol, as well as Crimean Tatars living there. Further, we appreciate the continued attention paid by HCNM to Russia's mobilisation campaigns to carry out its war of aggression, which, among other aspects, disproportionately target persons belonging to Russia's own national or ethnic minorities.

Mr. Chair,

6. The EU strongly believes that protection of human rights, including those of persons belonging to national minorities, is crucial for maintaining regional peace and stability. The EU remains committed to ensuring the rights already exercised by persons belonging to national minorities, as enshrined in the applicable UN and Council of Europe Conventions, related protocols, and in OSCE commitments on non-discrimination and respect for diversity.
7. Within the EU, the Charter of Fundamental Rights prohibits discrimination on any ground, including against persons belonging to national minorities. This protection is bolstered by EU directives tackling discrimination. The rights of persons belonging to national minorities are an important aspect of our co-operation with all partner countries, including our neighbours, and are consistently raised in our political and human rights dialogues.

8. The EU adopted in March 2019 the EU Human Rights Guidelines on Non-discrimination in External Action. We reiterate that persons belonging to national minorities should be able to exercise fully and effectively their human rights and fundamental freedoms without discrimination and in full equality before the law. We reiterate the importance of the effective implementation of legislation on the protection of human rights, including those of persons belonging to national minorities, and their non-discriminatory treatment throughout the territory of participating States.

Mr. Chair,

9. We commend the HCNM's efforts to improve sustainable integration of diverse and multiethnic societies, as well as political representation of persons belonging to national minorities. It is vital that the institutions representing persons belonging to national minorities function without undue political interference and pressure. We welcome HCNM's work with regard to effective implementation of legal frameworks on the rights of persons belonging to national minorities, as well as his continued engagement with regard to language and education issues, dialogue facilitation, effective participation in public affairs and property rights, access to media and the right to practice a religion in the mother tongue of persons belonging to national minorities, where applicable. We appreciate the scrutiny devoted to the amendments to Belarus' Education Code removing the possibility for pupils to receive education in a minority language.
10. We also welcome HCNM's fostering contacts among institutions with similar mandates within the OSCE region. We appreciate your continued cooperation with other OSCE structures and relevant international and regional institutions, in particular the UN, the EU, and the Council of Europe, and welcome your engagement with the Venice Commission.
11. We commend your commitment to taking a gender-sensitive approach in all HCNM activities. Women and girls belonging to national minorities have an increased risk of exposure to multiple and intersecting forms of discrimination. We need to step up efforts to ensure their rights and their full, equal and meaningful participation. We welcome the fact that the research into the intersectionality between issues related

to gender equality and national minorities is progressing, and look forward to hearing more about this as it evolves.

12. We also welcome your attention to youth, as young people are important partners in addressing the root causes of segregation and exclusion, which contribute to divisions in society, and ultimately to conflict.

13. We reiterate our support for the thematic work of HCNM, and efforts to promote implementation of thematic guidelines and recommendations. In this regard, we commend the marking of the 10th anniversary of *the Ljubljana Guidelines on Integration of Diverse Societies*, as well as the *Max van der Stoep Award* ceremony.

14. We thank the High Commissioner and his able team for their tireless and much needed work, and wish them every success.

The Candidate Countries NORTH MACEDONIA*, MONTENEGRO*, SERBIA*, ALBANIA*, UKRAINE, and the REPUBLIC OF MOLDOVA, the Potential Candidate Countries BOSNIA and HERZEGOVINA* and GEORGIA, and the EFTA countries ICELAND and LIECHTENSTEIN, members of the European Economic Area, as well as ANDORRA and SAN MARINO align themselves with this statement.

* North Macedonia, Montenegro, Serbia, Albania and Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.