

2 October 2012



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

ADDRESS

by

Knut Vollebaek

OSCE High Commissioner on National Minorities

to the

HUMAN DIMENSION IMPLEMENTATION MEETING

[Check against delivery]

Warsaw, Poland – 2 October 2012

Excellencies,

Ladies and Gentlemen,

It is with great pleasure that I return to Warsaw and the annual Human Dimension Implementation Meeting on the topic of rights of persons belonging to national minorities. This is an important meeting as all participating States today are multi-ethnic. We know that respect for minority rights and the relations between majority and minorities are of utmost importance for the stability and prosperity of our societies. I am encouraged to see not only representatives of participating States, but also representatives of non-governmental organizations and look forward to your comments and contributions.

The protection of minority rights as part of general human rights plays a key role in my Mandate. The establishment of the Institution was itself an acknowledgment that violations of human rights when not addressed at an early stage become a fertile ground for conflicts. The Institution of the High Commissioner on National Minorities was created at a time when large-scale human rights violations were being committed within the OSCE area. These violations often took the form of ethnic discrimination which led to conflict and wars. The founding mothers and fathers of my Institution saw a need to address inter-ethnic relations and defuse tension at an early stage in order to avoid repetition of the bloody Balkan wars during the early 1990s. This was considered best done through securing the rights of the various minorities, including their right to full participation in the societies and states where they live.

As outlined in the Annotated Agenda for this meeting, I have chosen language and education rights as the topics for the two working sessions today. They are important not only for the preservation of individual identity, but are equally important as tools for the integration of society. Language and education rights of national minorities have remained the focus not only throughout my tenure, but throughout the history of my Institution.

Excellencies,

Ladies and Gentlemen,

Let me start with **language rights**. Language rights have been enumerated in various international instruments and policy recommendations. These include for example the International Covenant on Civil and Political Rights, the Framework Convention on National Minorities, in the OSCE Copenhagen Document and the 1998 HCNM Oslo Recommendations.

The question of language arises in all aspects of life. Language is a means of communication and may be the defining characteristic of an individual's identity. Ethnic diversity also implies linguistic diversity. The Copenhagen Document of 1990 states that persons belonging to national minorities have the "right to freely use their mother tongue in private as well as in public". In addition to being a right I can assure you that my experience from a number of countries tells me that the right to use one's own language is important to most individuals and groups. Providing this right to members of minorities often is taken as a sign of a Government's respect for all its citizens and its inclusiveness. Complaints about the lack of

ability to use one's mother tongue in the public domain are often a source of resentment against a Government or local authorities.

However, since language is our main means of communication, participating States need to adopt a legal framework and secure implementing policies that provide for an adequate balance between protection and promotion of minority languages and providing opportunities for learning the State language.

Language barriers may prevent members of minorities from fully participating in all aspects of their society because they cannot speak the official language. This will mean that employment and education opportunities are limited for them. A poor command of the State language leads to difficulties in accessing higher level education and risks increased unemployment and exclusion. Such an exclusion can certainly be a problem for members of minorities, but it is also a problem for the State if a number of its citizens are deprived of their fundamental rights and opportunities. That is why the HCNM over the years have promoted multilingualism and facilitated implementation of such programmes.

Language issues may also be a source of inter-ethnic tensions. Majority groups often fear that the focus on minority language protection will result in driving the majority and the minority groups further apart. Minorities on the other hand may fear the loss of their identity and heritage along with their language, through perceived or real assimilation. I have witnessed how issues of language may have a divisive impact on a society, despite the fact that a Government sometimes may try and adhere to minority rights standards. That is why I encourage States to support the maintenance of minority languages, while ensuring real and

accessible opportunities to increase knowledge of the State language through formal and informal lifelong education.

There is no magic formula to prevent unintended results. Policies should be based on international law. At the same time they will also be contextual and informed by various socio-political and historical factors. At the end these policies are not only about the words contained *within* them, it is also about the considerations given to *how* the policies are implemented.

An inclusive approach to the development of policies leads to a shared ownership and thus sustainability. This means, that majority and minority communities are *able* and are actively encouraged to participate in the formulation of the policies which impact their language rights.

In more concrete terms, comprehensive policies should promote the strengthening of the State language while also ensuring the protection of minority languages. For example, according to the 1990 OSCE Copenhagen Document, persons belonging to national minorities should have adequate opportunities for instruction *of* their mother tongue or *in* their mother tongue. However, it also stresses the need to learn the State languages. To learn State languages, real and practical opportunities have to be provided so that all can acquire this knowledge. This is not a “zero-sum game”. My experience shows that the whole society can benefit from a policy where multilingualism is promoted.

I have also learned that a positive approach based on promoting and creating incentives and opportunities to learn is more effective than one based on punitive or exclusionary measures.

Punitive policies lead to resentment and possible alienation, thus negatively influencing the cohesion of society. Therefore, rather than imposing penalties, the accessibility of language learning, both through availability of classes and development of methods for teaching language should be considered.

It is important to emphasize that multilingual policies cannot exist only on paper; they must be implemented. Thus, they have to come with a budget. The financial investment required for the implementation of language rights may be demanding, especially with the economic situation in the world today. Nevertheless, it is important that participating States retain their commitment to language rights as financial investment today will result in benefits tomorrow.

Excellencies,

Ladies and Gentlemen,

This brings me to the topic of discussion for this afternoon: **namely education rights.**

The right to education is a recognized human right. The Council of Europe's Framework Convention for the Protection of National Minorities requires that every person belonging to a national minority has the right to learn his or her minority language. Furthermore, the right to education in one's mother tongue is recognized in OSCE and Council of Europe documents.

Education is an area in which I have frequently and consistently engaged. The languages of instruction are an excellent way to ensure full proficiency in both minority and majority

languages. This approach can be a key element of efforts to strike a balance between supporting maintenance of minority identity, if a person desires this, and the guarantee that all school graduates should have no linguistic obstacles to take full advantage of the opportunities of life, whether in higher education or employment, or in playing his or her role as an active citizen. In my experience, bilingual and multilingual education does exactly that.

The challenge is how to organize the educational system in a manner that encourages respect for cultural diversity and plurality of views, while concurrently developing and maintaining minority groups' languages, cultures and identities. Much like language policies, there is no set formula that I can prescribe. The content of education policies will depend on the particularities of the participating State in question. However, what I *can* elaborate on is the manner in which these policies are created. Throughout the process of establishing an education policy, national minorities need to be consulted and their inputs, critiques and suggestions taken into consideration and as far as possible accommodated.

When developing an education system, it is important to take into account that an inclusive approach to education is in the interests of everyone in society. Both the State and the national minorities have a stake in all children acquiring knowledge of the official language while maintaining their right to education in their mother tongue. As I already have pointed out, this means that States must also provide genuine and accessible opportunities for the national minorities to learn the State language.

Yet, multilingual education alone does not suffice. Inclusive educational programmes promote respect for diversity and create opportunities for interaction between pupils. The alternative, a divided education system, sacrifices the quality of education. Furthermore, the

ability of majority and minority pupils to interact with each other will be limited, if not eliminated. Pupils miss out on the opportunity to learn about their peers and to enrich their own understanding of their society. Perhaps, most importantly, they miss the opportunity to learn how to grow in an environment that is respectful of diversity. An environment where diversity is respected leads to greater individual and collective development. It fosters intellectual growth and leads to greater potential for these children to become active participants in their societies.

As a result, an intercultural approach to education is needed. By the term “intercultural”, I mean that the curriculum is inclusive and contains learning about different languages and cultures. Intercultural education is not about offering a specific course within the curriculum; rather it is a comprehensive approach to teaching and to education which relates to all subjects. Education should promote understanding, tolerance and good relations among all nations, racial and religious groups. This type of approach finds its roots in international norms, for instance in the Universal Declaration on Human Rights.

Can education or language policies alone ensure peace and security in a State? No. I encourage policies that cover all relevant areas, not because such policies are the solution to all problems, but because they form the foundation upon which a more peaceful society may be built.

Excellencies,

Ladies and Gentlemen,

I am conscious that it is a difficult task to find the right balance between the interests of the State and the needs of the minorities. To find this balance, States must seek to develop tools to integrate society. Language rights and education rights may be tools for integrating societies, if all members of society exercise both their rights and actively take on their responsibilities.

The State has to recognize that its interests are served in an approach that seeks to protect and promote the rights of national minorities. At the same time, national minorities should also be encouraged to learn the official language and to participate in the work of State institutions. Advancement of a shared society comes with the co-operation of all; with the State, the national minorities and the majorities working together with the understanding that only respect for diversity will allow the integration process to begin to take form.

The process of integration reflects the evolving values of the society. This process is subject to change. However, the goal remains constant: ensuring that all are included and their diversity respected.

There is no quick-fix solution to enhance the rights of national minorities. Nor can I prescribe a solution appropriate for all of the concerns of today caused by, for instance, aggressive nationalism and internal tensions. What is needed is the consolidated effort of all States within the OSCE area to deliver on their commitments and to work together to find solutions. What is equally important is the need to acknowledge that the mere protection of rights, including minority rights, is insufficient to fully integrate societies. The process of integration serves as an additional dimension. Common to both promotion and protection of rights and the process of integration is the requirement for long-term commitment.

I thank you for your attention.