



## EUROPEAN UNION

### **OSCE Permanent Council No. 1455 Vienna, 7 December 2023**

#### **EU statement in response to the Report by the OSCE High Commissioner on National Minorities, Ambassador Kairat Abdrakhmanov**

1. The European Union warmly welcomes High Commissioner on National Minorities (HCNM), Ambassador Kairat Abdrakhmanov, back to the Permanent Council and thanks him for the comprehensive report.
2. The EU reiterates its support for the mandate of the autonomous institution of the HCNM, which recently commemorated its 30<sup>th</sup> anniversary. Providing early warning and seeking early action with regard to tensions involving persons belonging to national minorities is central to the OSCE's concept of comprehensive security.
3. We highly value the HCNM's crucial role in protecting our principles and commitments, including through clear messages when these are violated. Against the backdrop of Russia's unprovoked, unjustified and illegal war of aggression against Ukraine, the active engagement of the HCNM is more important than ever.
4. We welcome that the impact of Russia's war of aggression against Ukraine shall remain at the top of your agenda. We also share your concern about the situation of the people living in those parts of Ukraine temporarily and illegally occupied by the Russian Federation. We demand that Russia immediately stops its war of aggression against Ukraine, and completely and unconditionally withdraw all its forces and military equipment from the entire territory of Ukraine within its internationally recognised borders. Russia must

comply with its human rights obligations, including those related to persons belonging to national minorities, in all territories temporarily under illegal Russian military control, including in Ukraine. We are deeply concerned by specific measures and practices that negatively affect the identity of individuals and communities in these territories. As previously emphasised, High Commissioner, we underscore that Russia's actions and measures aimed at forcibly assimilating the local Ukrainian population could seriously undermine any prospects for a just and sustainable peace in the future. In this regard, we condemn the forced conscription of residents of the Ukrainian territories temporarily under Russian military control into the Russian Armed Forces. This applies to the illegally annexed Autonomous Republic of Crimea and the City of Sevastopol, including to the Crimean Tatars living there. Such conscription campaigns may amount to a gross violation of international humanitarian law under which an occupying power is prohibited from forcing protected persons to serve in its armed or auxiliary forces.

5. In reference to your report regarding Russia as a so-called 'kin state', we emphasise that the presence of Russian citizens or persons belonging to minorities on the territory of another sovereign state must not be exploited as justification for undermining the sovereignty and territorial integrity of that state. Russia's practice of forcibly issuing Russian passports to Ukrainian citizens is a flagrant violation of international law that undermines Ukraine's sovereignty. Furthermore, the organisation of illegal so-called 'elections' within temporarily and illegally occupied Ukrainian territories by Russia not only departs from the principles enshrined in The Bolzano/Bozen Recommendations, as you mention in your report, but also constitutes yet another blatant violation of international law and undermines Ukraine's sovereignty and territorial integrity. We strongly condemn these illegitimate so-called "elections", which have no validity under international law and we will never recognise their results.
6. The EU strongly believes that the protection of human rights, including those of persons belonging to national minorities, is crucial for maintaining regional peace and stability. Peace not just on the basis of converging interests, but shared values. 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 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. Recalling 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 also 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.
9. We are particularly concerned about the situation in Belarus, where the repression against persons belonging to national minorities continues and human rights defenders are being persecuted, experiencing violence, groundless detention, fines, and police raids.
10. 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 these persons function without undue political interference. 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 in addressing language and education issues, facilitating dialogue, promoting effective participation in public affairs, safeguarding property rights, ensuring access to media, and upholding the right to practice a religion in the mother tongue of persons belonging to national minorities, where applicable.
11. We appreciate your continued cooperation with other OSCE structures and relevant international and regional institutions, in particular the UN and the EU,

and welcome your engagement with the Council of Europe and its Venice Commission.

12. We commend your commitment to taking a gender-sensitive approach in all HCNM activities, and welcome your research into the intersectionality between issues related to gender equality and national minorities. We also welcome your attention to youth in addressing the root causes of segregation and exclusion, contributing to divisions in society, and ultimately leading to conflict.
13. We reiterate our support for the thematic work of the HCNM and welcome the tenth thematic recommendation on the *Effective Participation of National Minorities in Social and Economic Life*. We encourage all participating States to make use of the HCNM's recommendations and guidelines.
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\*, ALBANIA\*, the REPUBLIC OF MOLDOVA, and BOSNIA and HERZEGOVINA\*, 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, Albania and Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.