



EUROPEAN UNION

OSCE Permanent Council No. 1431 Vienna, 6 July 2023

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 autonomy and the mandate of the HCNM, providing early warning and seeking early action with regard to tensions involving persons belonging to national minorities, is central to the OSCE concept of comprehensive security.
3. Equally, the EU highly values 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, an active engagement of the HCNM is more important than ever.
4. We echo your earlier condemnation of Russia'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, as well as 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 would like to ask you what actions can be taken, including within the OSCE, to prevent the exploitation of the protection of the rights of persons belonging to minorities as a pretext for conflict. As you have rightly pointed out

in your previous report, 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. Echoing the HCNM, we emphasise that Russia's actions and measures aimed at forcibly assimilating the local Ukrainian population can seriously undermine any prospects for a just and sustainable peace in the future. We condemn the forced conscription of residents of the Ukrainian territories temporarily under Russian military control to the Russian Armed Forces. This includes the illegally annexed Autonomous Republic of Crimea and the City of Sevastopol, as well as Crimean Tatars living there. This conscription campaign 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. Further, we appreciate the continued attention paid by the 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,

5. 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.
6. 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.
7. 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 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.

8. In this context, we are particularly concerned about the situation in Belarus, where human rights defenders, some belonging to national minorities, are being persecuted, experience violence, groundless detention and fines, as well as police raids.

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 these persons 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.
10. We also welcome the 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 and the EU, and welcome your engagement with the Council of Europe and its Venice Commission.
11. 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. 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.

12. We also welcome your attention to youth in addressing the root causes of segregation and exclusion, which contribute to divisions in society, and ultimately to conflict.
13. We commend the announcement of the 10th set of HCNM Recommendations *on the Effective Participation of National Minorities in Social and Economic Life*.
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*, UKRAINE, 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.