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**“Promoting Human Rights and Minority Protection
in South East Europe”**

**Regional Joint Project between the European Union and the Council of
Europe**

Project web site:

http://www.coe.int/t/democracy/migration/jp-minorities-see_en.asp

**European Parliament
Subcommittee on Human Rights**

**“Hearing on human rights in the Western Balkans,
with special focus on minorities”**

29 November 2012

Presentation by Dusica Puzic

(Project Coordinator, Council of Europe, Directorate General Democracy)

Dear Mrs. Lochbihler,
Dear Minister,
Ladies and gentlemen:

On behalf of the Council of Europe my contribution refers to the “*Joint EU-COE-OSCE action in the field of minority protection*” that is dealt with in Chapter Three of the draft report that has just been presented to us by the experts from Graz.

I am in charge of one of the three joint regional projects mentioned therein, the one entitled “*Promoting Human Rights and Minority Protection in South East Europe*”. We see our project as part of a package that includes two other projects, one on *Roma Integration* implemented by ODIHR, and one on *Inclusive Education* implemented by another team of the Council of Europe’s Directorate General Democracy.

The main normative background in the field of minority rights is to be found in Council of Europe conventions, chiefly the Framework Convention for the Protection of National Minorities. The authoritative findings on compliance with the Convention and recommendations on how to improve such compliance are issued by the Advisory Committee on the Framework Convention in its Opinions and Thematic Commentaries and endorsed in corresponding Resolutions of the Committee of Ministers of the Council of Europe.

Against this background, I read with great interest the analyses and recommendations contained in the draft report from Graz. Among those, let me underline a few:

- The legal framework in the countries of the region in general reflects European standards. But implementation, especially at municipal level, is considerably lagging behind.
- Among the main reasons for this gap are an insufficient genuine commitment by the authorities, insufficient cascading from national to sub-national level, insufficient monitoring of implementation at local level, insufficient societal support for rules that are sometimes seen as imposed by external pressure as well as internal divisions of minorities and their representatives.

- Multiplication of international norms and monitoring is not likely to be helpful. Rather, the international actors must work hand in hand in order to ensure coherence and complementarity between them.
- Cooperation programs should operate increasingly at the regional level, for the sake of coherence and through the dissemination of good practices and the discarding of bad practices, with common benchmarks for all in the region and, where applicable, with an underlying idea of reciprocity.

How does the Joint EU-Council of Europe Minorities Project compare to this ?

In the preparatory phase we have met with most of the bodies involved in minority protection in the region. Those comprise government institutions, parliamentary representatives of minorities, consultative bodies, ombudsmen and equality bodies, general and specialized NGOs, academia. We identified the most relevant among those interlocutors and proposed to them to become part of what we call the “**South Eastern European Network of Minority Rights Defenders**”.

We will strengthen the capacity of these minority rights actors by specific training upon their demand.

But most of all, with the members of the Network we have designed activities to tackle present minority rights concerns by way of **regional cooperation**.

I must say that the idea of working regionally on national issues that are after all similar in the various countries, has been very positively received. Our interlocutors agree that this can help avoid hardened lines and strong feelings that often block discussions between the actors of the same country. This also reinforces regional cooperation in general and reconciliation.

Also, making headway by candidly discussing with colleagues from abroad good as well as bad practices, is seen as a working method that relies on **persuasion and real ownership of solutions** and that is, as such, promising.

The Project coordination in Strasbourg will ensure **ongoing close inter-relation with the Council of Europe’s monitoring bodies**. For this an

Advisory Council has been set up between the secretariats of the main monitoring bodies concerned and the Project coordinator.

As Project Coordinator I shall also make sure together with my counterparts for ODIHR and from the Council of Europe that our **three projects build on each other**. Jointly organized events are already foreseen, in which the distinct angles of each project will be combined for the benefit of coherent action.

We trust all this echoes the spirit of the Graz report and, most importantly, the **new integrated (or sector) approach to regional cooperation** which DG Enlargement and the Council of Europe share.

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I would not want to finish this contribution without mentioning the particular importance of a **balance between the protection of specific identities and the promotion of the civic identity of new, sovereign States**.

In his recently adopted “Ljubljana Guidelines on the Integration of Diverse Societies” the OSCE High Commissioner on National Minorities Knut Vollebaek elaborated on this concern as follows:

*“[If diverse societies do not have good integration policies, there is the danger that different communities [...] may become increasingly separate, with few or no common interests and no **shared sense of belonging**. Such separation into parallel and unconnected societies poses a considerable risk to the viability and stability of any multi-ethnic State.”*

Ladies and gentlemen, I feel honored by your attention.