

FOLLOW-UP SEMINAR ON THE IMPLEMENTATION BY THE FORMER  
YUGOSLAV REPUBLIC OF MACEDONIA OF THE FRAMEWORK  
CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES

SKOPJE, 26 JANUARY 2009

Introduction – engaging in dialogue

I am pleased to be back in your country and honoured that I can participate in this seminar. The seminar is an excellent occasion to continue a dialogue, the beginning of which goes back to the early days of 1997, with the ratification of the Framework Convention; a dialogue that has been developed throughout the first and second cycles of reporting and is now continuing with the third cycle, which will start next month (February 2009).<sup>1</sup> The willingness of the Government in having this seminar today is a proof that the dialogue is continuing and will continue in the future.

It is already a twelve year dialogue; may be a good time for recalling the main steps of this on-going exercise, the main aim of which is the guarantee of the protection of the rights of persons belonging to national minorities within a context of tolerance and understanding among all communities living in the country, a purpose that the State engaged itself in ratifying the Convention.

The first report was presented by the Government in September 2003 and was followed by the Opinion of the Advisory Committee on the Framework Convention in May 2004. The State submitted its Comments on the Opinion in January 2005 and that was followed by the Committee of Ministers' Resolution in June 2005.

The second cycle of reporting was initiated with the submission by the State of its second report in June 2006. A visit to the country by a group of two representatives of the Advisory Committee took place in November 2006 and I was honoured to be one of them. During the visit we met with representatives of the Government and local authorities and also with representatives of national minorities, both in the capital, as well as in Tetovo and in Struga.

The Government report and the assessment of the visit, as well as the various contributions received from different parties involved, were the basis for the Opinion of the Committee adopted in February 2007. The Opinion was followed by Comments by the Government in September 2007 and by the Committee of Ministers' Resolution in July of last year.

The description of the process itself shows that the dialogue has been intense and I would like, on behalf of the Advisory Committee, to congratulate both the representatives of the Government and of the national minorities, for the efforts made and the engagement shown all along this process.

The seminar that we are having today is a visible proof of the interest of the Government, on one side, and of the Advisory Committee, on the other, to continue this

---

<sup>1</sup> The third State Report by FYROM is due on 1 February 2009.

interchange, the ultimate aim of which is an enhanced application of the Framework Convention in the interest of all, both the majority and the minority communities.

Reporting is not an end in itself, as we all know. It is a privileged occasion to look closely into the situation, to review progress in the implementation of commitments, to identify problems that may persist or new problems that may have arisen and to plan future policies where needed. It is a process to be undertaken with the participation of all stakeholders and interested parties; a process in which the Advisory Committee is both an interlocutor and a facilitator for the dialogue of all involved. At least we hope it is so!

It is in this frame of mind that I would like to look into the Opinion of the Advisory Committee and to highlight the main issues raised - both successes and persisting gaps – issues that were later taken up in the Resolution adopted by the Committee of Ministers.

The Opinion – the main issues raised in the Opinion

In its Opinion, the Advisory Committee welcomed new efforts made by the Macedonian authorities, both in the legislative and in the policy fields. However, notwithstanding the efforts made to enhance respect and mutual understanding, interethnic dialogue was a concern for the Advisory Committee. We noted that the society has remained polarised along ethnic lines. Communication and interaction between Macedonians and Albanians continued to be limited. And even more worrying, that the barriers to interaction seemed to exist in schools between young people, families and teachers from the majority and minority; that children often had separate timetables and, in some instances, even attended separate premises. This worrying trend even seemed to apply to extracurricular activities of children and youth. Moreover, persons belonging to smaller communities felt that their contribution to the society was being insufficiently valued. This being said, the Advisory Committee considered encouraging to see that some positive initiatives were being launched by members of the civil society. The knowledge of each other's languages would facilitate the communication between the communities and therefore reinforce interethnic dialogue. The Advisory Committee therefore positively valued the efforts to learn the Macedonian language by minority communities but also what seemed to be a tendency within the majority to learn Albanian in regions of mixed population.

The excessive politicisation of all publicly debated ethnic issues, including in the media, was also a concern for the Advisory Committee. It appeared that some media favour ethnic containment and gave a biased picture of some ethnic groups. The Committee considered that the de-politicisation of ethnic issues and the de-ethnicisation of political debate would contribute to a more cohesive society. The role of the media and the behaviour of politicians in improving the interethnic dialogue is essential. It is therefore important to safeguard neutral and objective coverage of interethnic issues in the media, while ensuring that no pressure of political parties is exercised upon them. The Advisory Committee, therefore, urged the Macedonian authorities to encourage balanced reporting of minority issues in the media while safeguarding media independence. Further training and self-regulatory measures for media professionals could contribute to improving their professionalism and impartiality.

The Advisory Committee noted progress in the use of minority languages in contacts with and within public authorities at local and central levels, but this concerns mainly the Albanian language. At the same time, difficulties faced by the Albanians in securing quality interpretation due to a shortage of adequately qualified interpreters was noted in the Opinion. As a result, this has had an adverse impact on the use of minority languages in ~~the~~ criminal proceedings. On the other hand, the use of minority languages, other than Albanian, in contacts with local authorities seemed to be rather sporadic, even in the municipalities where such minorities, like the Turks, Roma and Serbs fulfilled the legal conditions for such use. Of course, we are aware that since then, the laws on the use of languages were adopted in July and August 2008 respectively. I am certainly interested to learn more on the guarantees and the challenges relating to their implementation, at today's seminar.

I have already mentioned, that the learning of the minority languages contributes to reinforcing the interethnic dialogue. In this respect, the Advisory Committee welcomed the fact that primary and secondary education is provided in their own languages for Albanians, Turks and Serbs. Moreover, teaching in Albanian and the study of this language have spread to all levels of education. Nevertheless, the opportunities of less numerous minorities, such as the Vlachs, Bosniacs and Roma, to learn their languages remained rather limited. It was reported that this is mainly due to the shortage of textbooks, suitable teaching materials and qualified staff, in spite of the authorities' efforts in this area.

The lack of financial resources in relation to minority education, in general, has been brought to the attention of the Advisory Committee by local authorities. Some have also complained about some forms of interference by central authorities in the running of schools and about some confusion in the division of responsibilities as a result of decentralisation. At the time of the visit of the Advisory Committee, a new strategy, which should provide sufficient resources to minority education, was being worked out. It was intended to allocate resources to schools in an equitable manner according to ~~a~~ the number of pupils. I would be happy to hear more on the way in which this strategy has been implemented, on its results and on what still remains to be done.

The Advisory Committee also noted with satisfaction that the equal access of national minorities to education ensured through the quota system to universities has resulted in a higher number of students from minority background attending higher education facilities, thus better reflecting the ethnic composition of the overall population at this level. However, in more general terms, we must note that the access of some national minorities, such as the Roma, to education has remained unsatisfactory. While valuing positively efforts made by the Ministry of Education in limiting the drop-out rate among the Roma pupils, it must still be stressed that their school attendance continues to be very low, a fact that is also linked to the financial difficulties in their accessing the preparatory classes for primary schools at the pre-school education level.

The Advisory Committee therefore welcomed financial incentives provided to the Roma in this respect, while noting at the same time, that such measures can only have a significant impact if the state firmly commits itself to guaranteeing their continuity. On the other hand, the Committee pointed out that further efforts should be developed to eliminate practices conducive to discrimination in education and to separation of the Roma pupils, since hostile attitudes on the part of some teachers, parents and other

students had also been reported. With a generally low level of educational attainment, many Roma have limited chances to compete in the labour market and to achieve full social integration.

It is true that the phenomenon of unemployment affects all communities, but it is also true that the Roma are the worst affected with around 70 percent of unemployment, being—often excluded from employment programmes and projects. Many Turks are confronted with serious socio-economic difficulties as well. In addition, limited access to social assistance and health care by Roma has also been reported to the Advisory Committee.

On the whole, and according to the information at our disposal, discrimination against national minorities continued to happen in many respects; and within this discriminatory trend the situation of women belonging to some groups seemed to require particular attention as they appeared to be often subject to multiple discrimination, both in their community as well as in society at large. Taking these concerns into consideration, and even though the Macedonian Constitution provides general guarantees against discrimination, the Advisory Committee considered that there was a need for a comprehensive anti-discrimination legislation. It was reported that existing anti-discrimination provisions are vague and fail to cover some areas of life, such as housing and health care. I am therefore content to learn that the drafting of the anti-discrimination law is in process. I was informed that countrywide discussions on the initial draft law have been carried out by the Ministry of Labour and Social Policy. This is in compliance with the Advisory Committee's recommendations which encouraged the public authorities to take more determined action to raise public awareness in this field and to address such cases.

An important dimension of the exercise of citizenship concerns participation and representation and, in this regard, we must note that due to the gradual implementation of the principle of equitable representation enshrined in the Ohrid Agreement and the amended Constitution, the participation of the ethnic communities in most public institutions has increased progressively. An equitable representation strategy has been adopted and a special parliamentary committee has been set up to monitor the process.

The Albanian community plays an active role on the political scene. This is, however, not the case of the smaller communities who have a more limited capacity for representing their interests and promoting the preservation of their cultures and identities. Their participation could also be reinforced through properly working genuine consultative bodies.

Difficulties have been also reported in relation to the participation of the majority in areas where its members are in a *de facto* minority position; difficulties that are particularly acute in relation to their representation in the non-elected bodies of local government and in their access to local public services. In this respect, the Committee noted that the impact of consultative committees for interethnic relations in areas where they have been set up seemed to be rather limited. Shortcomings also remained in the representation of the different communities in law-enforcement structures as well as in the judiciary, with numerically smaller communities being particularly affected.

Ladies and gentlemen,

In its Opinion, the Advisory Committee recognised that the Macedonian authorities have made significant efforts since 2004 to improve the implementation of the Framework Convention. There have also been good developments, both at legislative and institutional level, with the provisions of the Ohrid Agreement. Such developments may provide a solid basis for increasing the level of protection of persons belonging to national minorities. I trust that further examples of such developments will, certainly, be revealed in the forthcoming third State Report which is due in February 2009, thus demonstrating the country's genuine will to improve minority protection. Because, and let us remind it once again, the Advisory Committee's Opinion also stressed the fact that, no doubt, remains valid, that a lot of work lies ahead to ensure that the benefits of improved legal protection of national minorities, effectively reach the persons concerned.

I shall conclude by expressing my hope that this meeting will be perceived as a continuation of a truly constructive dialogue among minorities and authorities, with a view to improving the minority protection in this country and to building a diverse and richer society where all, members of the majority or of minorities may find their place in a spirit of understanding, partnership and cooperation beneficial for all and everyone.

\*\*\*\*\*