Human Rights, the Prevention of Conflict and the International Protection of Minorities: A Contemporary Paradigm for Contemporary Challenges

By Max van der Stoel

It is an honour for me to deliver this address in memory of Neelan Tiruchelvam. While I cannot claim to have known him well, we did have the occasion to meet in connection with our mutual interests. Like many of you, I came to know of his work in the fields of human rights, conflict prevention and the protection of minorities. Coming from different parts of the world, one might have expected that we would have shared few common points of reference. This proved to be far from true. Notwithstanding all of the evident differences between the situations in Sri Lanka and The Netherlands, I believe it is a testament to the essential similarity of human experience, concerns and values which led both Dr. Tiruchelvam and myself to study law, to engage in the struggle for human rights, to enter politics and to pursue justice in international relations. Without daring to evaluate the impact of Dr. Tiruchelvam's legacy, let me just say that his murder is a great loss for his country, not least of all for the minority community which his enlightened approach could so much have benefited. It is also a great loss for the world, as we will miss his ideas, passion and leadership.

Dr. Tiruchelvam's outstanding commitment, ideas and values inspire the topic of my address today. His life and work were a tribute to the need for finding synergies between human rights, the prevention of conflict and the international protection of minorities. As a liberal thinker and humanitarian, he was deeply committed to the philosophy and law of human rights. This was no mere intellectual calculation. Rather, as a man of peace, he also believed passionately that security, stability and ultimately prosperity turned on the establishment and maintenance of a just order within and among States, where respect for human rights and democratic governance would ensure benefits for everyone. In particular, he recognised that peace and justice could only be achieved through open and inclusive policies respecting the diversity of views and interests which exist in all societies. This led Dr. Tiruchelvam, as it has also led me, to believe that attention to minorities is at the crux of both conflict prevention and the development of successful democracies in the complex and interdependent societies of the contemporary world.

Permit me to reflect further on some of these ideas, and their inter-relation.

We are all aware of the historical experience of this very bloody century. Whatever the motivations for the extreme violence which has shattered so many societies, destroyed so much of what careful and creative work has built, and literally brought mankind to the brink of annihilation, we have been forced to react in order to protect and maintain civilised life. It is

our self-interest as individuals and as a species which drives us to find solutions to the perils which we face. In my opinion, this self-interest informs and drives international relations. The great projects of the United Nations, the Council of Europe, the Organization for Security and Co-operation in Europe, the European Union, and similar (if weaker) organisations and regimes in other regions of the world are the product of combined interests. In this regard, international commitments to human rights, based on liberal philosophy, should be viewed through the prism of realpolitik.

Unfortunately, defence of human rights as a matter of real political interest has a tendency to come too late and with hesitation. Indeed, it is almost always in re-action to immediate events, rather than with foresight and calm consideration of trends and challenges. I will not here expound a critique on what I view to be the typical short-sightedness of States which jealously protect what they perceive to be their sovereignty. Let me just query the content of 'sovereignty' in our increasingly complex and interdependent world: Did Chernobyl respect the territorial integrity of European States? Can global financial transactions, markets or currency valuations really be controlled by 'independent' States? Perhaps more simply put, is the Westphalian paradigm capable of responding to the challenges of the Internet or satellite technology?

If it was not sufficiently evident, or popularly believed, after the Second World War that mankind inhabits a common planet with limited resources and inter-related interests, then surely the contemporary perils of regional or global environmental decay, economic decline, social unrest or, still, military threat should be enough to lead us to the conclusion that our security and prosperity are indivisible.

This is certainly the case with regard to human rights. The dedication of the United Nations after the Second World War to a new global regime based on respect for human rights was founded on the belief that war is fuelled by injustice, and injustice is fuelled by the non-respect of human rights, in particular by discriminatory regimes which seek to privilege one group and to suppress others. A fundamental post-war premise of human rights is also that, in the absence of a just order, there can be no peace and, in the absence of peace, there can be no meaningful development in the sense of social and economic progress. Within Europe, we capture these last ideas in the mantra of 'peace, stability and prosperity' which is reflected in our insistence on democratic governance, respect for human rights, and the free market.

Paramount within the concept of human rights is respect for the value of the individual. Again, this is not merely a philosophical point. Every individual has talents and skills, in addition to needs and interests. Moreover, groups, nations and States are all composed of individuals. No matter how we may construct collectivities, and no matter how real and motivating these constructions may be, they all derive from and work effectively to the extent that they genuinely reflect the composite feelings and interests of the individuals concerned.

It is human nature that no individual will tolerate for long his or her humiliation, exclusion, suppression or alienation. We all know the problems that can result when these tendencies manifest themselves in reactive and confrontational ways, even among a few individuals in our own local communities. When such sentiments are shared by entire communities, then the risks of explosive reaction mount. The seed for such tensions is often discrimination. Of course, the systematic elevation or devaluation of groups is only ever arbitrary since it is based on generalisations which do not reflect the range of talents, skills, needs and interests of individuals within each group. We should realise that such arbitrariness inevitably poses a danger for all of us. None of us can be secure or confident to pursue our own interests and development unless we can rely upon a rational regime, consistently applied, which ensures a minimum of equal respect for everyone. Respect for human rights, therefore, is in all of our interests.

This is the rationale which led to the drafting of the Charter of the United Nations. Since 1945, a universal regime of human rights has been at the core of the contemporary order of international relations. Human rights protection is also at the heart of a number of European organisations and institutions. However, until fairly recently, it seems to have been the general view that the particular concerns and interests of persons belonging to minorities would be served merely through the general regime of human rights. Certainly, universal human rights go a long way to protecting persons belonging to minorities, in particular through the principles of equality and non-discrimination. Still, there remain important issues which must be addressed if we are to follow to its logical conclusion our declared concern for the equal rights of everyone. Important among these are issues relating to individual identity.

Identity is a highly personal and subjective matter. It is also intimately linked to dignity, since our sense of self - who we are, where we come from and where we are going - is a defining element of the human spirit. This cannot be dictated by others. Nor can it be ignored or dismissed by public regimes merely because the identity of a few does not coincide with the identity of the many. In a completely neutral world, this probably would not matter. But we do not live in such a world. We live in a world of diversity and inequality which requires structure. The organisation of society requires government and administration. And, to be at all efficient, democratic government and administration require structures and modes of societal interaction that satisfy the needs of the population. Of course, since the population is not uniform, there will be differences between majority and minorities. For example, the choice of language of government and public administration, presumably that of the majority, carries necessary implications for persons who do not speak the chosen language. As a result, even the best intentioned government and administration is no longer neutral for minority-language speakers. Equal concern for their needs and interests, therefore, requires some response to their disadvantaged situation. This is to say nothing of substantive matters relating to decision-making. In particular, decisions affecting matters especially important for persons belonging to minorities, for example, the form and content of the education of their children, demand special attention.

To respond to these concerns, new international standards according special rights to persons belonging to minorities have been developed in recent years. These are additional to all other universal human rights. They do not privilege persons belonging to minorities, but act to ensure equal respect for their dignity, in particular their identity.[1]

Why are such additional rights important? Let me re-emphasise that respect for human rights, including minority rights, is the basis of peace and security. It should be no surprise, then, that the blatant and persistent disregard for the rights of persons belonging to minorities has led to so many wars both within and between States. Often labelled 'inter-ethnic' tensions, disputes or wars, such conflicts feature the systematic exclusion and suppression of one or several groups by another, typically the majority who achieve their ends by force of numbers.

This phenomenon merits closer attention. Why do intra-State wars occur? Of course, there are many and varying immediate causes, with no two cases exactly the same. However, it is safe to say that very many of these disputes and wars feature competing interests over resources, power or prestige. Evidently, they indicate a failure of one or all sides to realise and value shared interests. Sometimes this lack of understanding is intentionally fuelled by elites. It is my experience that threats to identity - whether real or imagined - are often accentuated in order to promote narrow interests. Furthermore, in the contemporary world, facts can be manipulated - exacerbating insecurities - where information, especially the media, is controlled and public education may not be high. No doubt, when there exists a general situation of economic and social insecurity, as is generally the case in transitional societies of the former communist world, the scope for manipulation is all the easier.

The tendency to seed and manipulate popular feelings serves political interests. To gain and maintain power holds great attraction for many throughout the world, and exploiting popularly held fears and biases can offer an easy route to power. We should not be surprised that extreme nationalism has in recent years reared its ugly head in so many places throughout the world since there is also increasing insecurity upon which it may prey. In the last few years, like Dr. Tiruchelvam, I have confronted the volatile mix of fear and chauvinism in many places. I believe the signs and implications of excessive nationalism are unmistakable and should not be tolerated. Indeed, I submit that it is one of the greatest threats to global stability on the eve of the 21st century.

We must fight against extreme nationalism in all its manifestations, whether political or popular. At the political level, we must forthrightly reject the arguments and language invoked by the irresponsible and dangerous leaders who invoke it. At the popular level, we must establish regimes to protect against it, including strengthening the rule of law but also building tolerant and understanding societies. I know this may sound obvious to many. But to achieve this aim requires a major shift in thinking, supported with sufficient resources and political will. This century, even this past decade, has provided us with enough examples of what happens if we do not prevent inter-ethnic conflict.

I hope that I have made an argument demonstrating that human rights, conflict prevention and the international protection of minorities are inextricably linked. Let me now turn to how we might succeed in realising a peaceful, secure and prosperous world on the basis of the linkage I have described.

The protection of minorities is centred on the protection and promotion of the human rights of persons belonging to minorities. If theses rights are respected in a democratic political framework based on the rule of law, then all citizens, regardless of ethnicity, language or religion, will have the opportunity and the equal right to freely express and pursue their legitimate interests and aspirations. This entails the fostering of inter-ethnic integration which can build harmonious and stable societies and resolve or manage the sources of conflict.

Of course, what I have just described is the archetype of a society which is envisioned by the drafters of international standards, charters and conventions. It is the type of society that we seek rather than the one that we usually encounter in the contemporary world. However, because it represents the kind of society that we want to build, it is the model that we espouse when holding States accountable for their actions.

At the international level, the promise of the United Nations is far from being fully realised. There have been in recent years some encouraging developments both of standards and mechanisms. Overall, however, the United Nations lags far behind what is required of it in the face of contemporary challenges, both in terms of political will and sufficient resources.

There has been somewhat more success at the regional level within Europe. While the Organization for Security and Co-operation in Europe[2] has also had difficulty in meeting the contemporary challenges, it has taken some innovative steps.[3] One such step, which I know well, was the decision in 1992 to create the position of High Commissioner on National Minorities, to which I was appointed. Established in the face of the bloody dissolutions of Yugoslavia and the Soviet Union, the idea of the mandate is to provide early action and early warning on issues relating to tensions involving national minorities. In essence, my office addresses the causal link between human rights and security. In conformity with the paradigm that I have outlined, the logic of the drafters of my mandate was that early action in situations of inter-ethnic tensions could avoid systematic human rights abuses and, thereby, prevent conflict.

In my view and experience, effective preventive action includes dialogue, confidence-building, allocation of resources for constructive enterprises, and a system of accountability. In its broadest sense, conflict prevention requires a stable and pluralist civil society that guarantees full respect for human rights and fundamental freedoms. It should be part of a comprehensive view of security wherein the protection and promotion of human rights and fundamental freedoms, along with economic and environmental co-operation, are considered to be just as important as politico-military aspects of maintaining peace and stability. These are the bases on which the CSCE was founded nearly 25 years ago, and it is the inspiration for the way that I have carried out my activities over the past seven years.

Permit me to digress for a moment with regard to Europe's particular history. The twentieth century (of which I have personally witnessed three-quarters) has been characterised, among other things, by a struggle between capitalism and communism. Perhaps, if certain members of this University are successful, we will find a 'third way'. Although I have been a life-long social democrat, I will refrain from entering that debate. I wish to address another equally defining feature of the last hundred years: namely, the impact of excessive nationalism and the clash between the principles of sovereignty and self-determination. In what has been described as this 'Age of Extremes', we have witnessed the Bolshevik Revolution, Woodrow Wilson's 14 points, the rise of fascism and Hitler's annexation of the Sudetenland, the collapse of Communism and the demise of the Soviet Union.[4] Together with the bloody inter-ethnic conflicts of the 1990s, these have all been related, at least in part, to nationalism and the clash between self-determination and efforts to maintain the sovereignty and territorial integrity of States. The negative impact of malign nationalism and the inability to satisfy the aspirations of minorities without violently breaking up States will be with us well into the next century unless we come up with new ways of integrating diversity and developing more effective means of protecting the rights of persons belonging to national minorities.

Perhaps not surprisingly, I view the creation of the office that I am honoured to hold as a step forward in developing methods to prevent inter-ethnic conflicts. More generally, standard-setting has been important. In particular, I hope that the Council of Europe's Framework Convention for the Protection of National Minorities, which is based on the OSCE's Copenhagen Document[5], will become a cornerstone for the protection of minority rights. The fact that the respect for human rights, including the rights of persons belonging to minorities, is part of the European Union's criteria for admission of new Members has also made an important impact on applicant States. States now better realise the importance of developing legislation to protect minority rights, devising mechanisms to facilitate dialogue with minorities, and building frameworks in which minorities can more fully participate in decisions and activities that directly affect them.

Among the most important developments, at least in Europe, is the fact that we have overcome the invocation of sovereignty as an argument to prevent consideration of human rights as a matter of international concern. At the end of this millennium, absolute State sovereignty, a keystone of international relations since the Treaty of Westphalia, is finally giving way to the common interest with a new paradigm based upon the pre-eminence of protecting human rights. Whereas only a few years ago the concept of the inviolability of frontiers was sacrosanct for many, we now hear world leaders, including Prime Minister Tony Blair, saying that [quote] 'the principle of non-interference must be qualified in important respects.'[6] United Nations Secretary-General Kofi Annan has also recently gone on record as saying that [quote] 'emerging slowly, but I believe surely, is an international norm against the violent repression of minorities that will and must take precedence over concerns of State sovereignty.'[7]

However, the normative system necessary to guide our conduct when confronting the violent repression of minorities is still in its infancy. Moreover, we have yet to develop sufficient techniques to secure routine compliance with the norms that are already in place. We have reached consensus on some elements within the OSCE. In 1991, OSCE participating States agreed in Moscow that 'commitments undertaken in the human dimension of the [O]SCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned.'[8] This has allowed the OSCE, including my office, to be constructively and legitimately engaged in the internal affairs of sovereign States on the basis of the common interest in security.

But we still have a long way to go. We still need to sharpen our tools when it comes to minority rights protection and conflict prevention. In my view, part of the problem lies in the fact that the international community has yet to establish a firm paradigm to respond to contemporary challenges such as intra-State conflict. The traditional structures of the international system, based solely on State actors, are being swiftly transformed, or at least profoundly influenced, by the simultaneous pulls of globalisation and the politics of identity. We are still trying to find a label for the period after post-Communism, let alone a systematic set of variables to define the contemporary state of international relations. That is not to say that people aren't looking for answers. In this respect, I believe that academic institutions could make a significant contribution, in particular the disciplines of international law and political science - especially if they take an inter-disciplinary and policy-oriented approach.

In terms of theory, the international law of minority rights, especially the rights of national minorities, is making great strides. Similarly, the study of nationalism is one of the fastest growing research areas and has spawned a veritable cottage industry of books and publications on the subject. I know that LSE, for example, has leading human rights experts and offers one of the best programmes anywhere to study nationalism. The inter-disciplinary approach to nationalism used by the LSE (which influences the work of the Association for the Study of Ethnicity and Nationalism) has increased our understanding of nations and nationalism. Indeed, your journal is eagerly read in my office. LSE's jurists have made significant contributions to explaining international law and how we use it, particularly as regards self-determination and minority rights.

However, I think that it is fair to say that at LSE, as elsewhere, we have yet to reach a full understanding of the challenges before us. For example, a synthesis between the study of human rights and nationalism so far eludes us.[9] The problem starts with definitions. One of the leading theoretical debates in the study of nationalism concerns the very definition of the nation: is it an 'imagined' community, are there primordial roots, is it a product of modernisation and so on. Meanwhile, political theorists and experts of international law grapple with the definition of minorities: how do we know when one exists? Who exactly 'belongs'? What is the precise meaning and implication of adjectives such as 'ethnic' or 'national'? What are 'collective rights'?[10] Then there is the problem of how to cope with ethnicity and nationalism and the protection of minorities. Clearly, there is a need for further

study and inter-disciplinary cross-fertilisation. LSE seems to be an ideal place for this to happen.

My reason for raising this is because the issue is not purely an academic question. As the world has become more complex, the pressure has increased for the articulation of adequate concepts upon which to structure relations. In my view, it goes to the heart of the security of Europe on the eve of the 21st century. What we need is a new paradigm to respond to the new challenges. I have tried to give some direction as to where we might find these, how they might look and how they may be further shaped and developed.

In my own work, I have had immediate need of some greater clarity, and so I have encouraged the development of certain concepts, based on existing standards, practices and creative thinking. For example, last year I convened a round-table of a group of international experts to take a fresh look at ways of facilitating the inclusion of minorities within the State. Among the experts I drew upon was Dr. Neelan Tiruchelvam. He brought his informed, sensitive, considered, and positive knowledge and ideas to the table. From this group, I decided to pursue the development of an elaborated list of alternative means of accommodating diversity within the political order of the State. Specifically, I asked the Foundation on Inter-Ethnic Relations in The Hague to bring together a group of independent experts to draft recommendations. The result was publication last month of the so-called 'Lund Recommendations on the Effective Participation of National Minorities in Public Life.'[11] The basic premise of the recommendations is that integrating diversity is a fundamental aspect of both conflict prevention and respect for minority rights. This is not only a function of international law, it is also a matter of good governance.

Effective participation by national minorities in public life is an essential component of a peaceful and democratic society and should take place across a wide range of areas. For example, States should ensure that opportunities exist for minorities to have an effective voice at the level of the central government, including through special arrangements as necessary. This also applies to regional and local levels of government. The electoral system should facilitate minority representation and influence. States should establish advisory or consultative bodies within appropriate institutional frameworks to serve as channels for dialogue between governmental authorities and minorities. These bodies should be able to raise issues with decision-makers, prepare recommendations, formulate legislative and other proposals, monitor developments and provide views on proposed governmental decisions that affect minorities. Government authorities and minorities should pursue an inclusive, transparent and accountable process of consultation in order to maintain a climate of confidence.

One way of enabling effective participation of national minorities in public life is for States to devote resources to self-governance. In this way, minorities may have a measure of control over specific matters which concern them alone, or predominantly. This may be achieved through regimes of territorial autonomy where minorities may be concentrated. Where minorities are dispersed, regimes of personal autonomy or cultural autonomy may achieve

the same end. Such autonomies should not be confused with separatism, since they rely upon common understandings and shared institutions of rule of law, respect for human rights, common security and destiny within the State. Self-government should also not be confused with external self-determination. In my experience, the notion of self-determination is a loaded concept which means different things to different people. It is indiscriminately used to mean either internal self-determination or secession.

Self-determination, in its external dimension, is a battle cry for many dissatisfied minorities and a red flag for governments who want to preserve the territorial integrity of their State. The clash of self-determination and territorial integrity is one of the central and most pressing questions of our time. Kosovo is the latest example of what happens when these principles are not reconciled.   Other less high profile cases include Nagorno-Karabakh, Trans-Dniestria, Abkhazia and South Ossetia.

I would argue that, in an increasingly interdependent world, secession is seldom a viable option for achieving lasting peace, security and prosperity. Although it should not be ruled out, it is not a panacea for protecting national identity. The creation of new States leads to the creation of new minorities and the proliferation of fragile mini-States. It is also usually a violent affair: we have witnessed very few Velvet Divorces. Self-determination breeds self-determination: what's good for one minority is good for another. Where territorial units are ethnically defined, the congruence of nation and State may encourage separatism, thereby breaking down multi-ethnic and multi-cultural societies and strengthening the politics of difference. Moreover, I submit that ethnically pure territorial units are a myth, and efforts to achieve them are conflict causing and fraught with serious violations of human rights.

Maintaining territorial integrity should not be a justification for the rejection of minority rights. Protecting the rights of persons belonging to national minorities is not only required by international law, it is good governance. One element of this can be self-governance. I think that there is considerable scope for devolution and decentralisation, particularly in former Communist societies typified by centralised control. Drawing on the principle of subsidiarity, States should favourably consider a territorial devolution of powers, including specific functions of self-government, particularly where it would improve the opportunities of minorities to exercise authority over matters affecting especially or exclusively them. Of course, the key is to strike a balance between functions to be undertaken by the central authorities and those to be carried out by regional or autonomous authorities. I realise that this is not a new argument to an audience used to discussing such issues in the context of the devolution in this country, or subsidiarity in the European Union. But I do believe that it can be considered more broadly and creatively - and with less trepidation. I know that Neelan Tiruchelvam pursued this new thinking at the cost of his own life.

In my view, insufficient attention has been given to the possibilities of non-territorial autonomy. The toolbox relating to 'internal' rather than 'external' self-determination is full of interesting and relatively untested possibilities. Here, too, certain forms of self-governance can be introduced to facilitate the protection and promotion of the rights, identity and culture

of persons belonging to minorities. This usually relates to education, culture, the use of minority language, religion and the use of symbols and other forms of cultural expression. By allowing minorities to have a measure of control over affairs which directly affect them, they will be able to protect and promote their interests and identities without jeopardising the stability and integrity of the State in which they live. This so-called 'internal self-determination' can balance the seemingly antithetical concepts of self-determination and the maintenance of frontiers. I have tried to increase the understanding of these possibilities by encouraging not only the development of the Lund Recommendations on the Effective Participation of National Minorities in Public Life, but also by bringing together two other groups of independent experts who elaborated 'The Hague Recommendations Regarding the Education Rights of National Minorities'[12] and 'The Oslo Recommendations Regarding the Linguistic Rights of National Minorities'.[13] I believe that greater attention to these issues in the policy- and law-making of States will diminish inter-ethnic tensions and, moreover, build integrated societies which form the basis of strong States.

It seems increasingly self-evident that borders are becoming less and less important. This requires us to move beyond Westphalia, beyond the myth of nation-State, towards integrated societies within and between States. Building on our common interests and shared values, we can find a new way to accommodate varying and often multiple identities in our multi-ethnic States and world. We must change our notion of the State from the antiquated idea of the nation-State protecting the so-called 'State-forming nation' into a new system and ideal where States, individually and collectively, protect and facilitate the diverse interests of all citizens on the basis of equality. At the foundation of this new system and ideal must be respect for human rights, including the rights of persons belonging to minorities. Moreover, meaningful conflict prevention must share this perspective in addressing the root causes of conflict. In my view, only through this paradigm will we be able to meet the contemporary challenges and realise peace, security and prosperity within Europe and the world.

Thank you for your attention

Endnotes

1. For an analysis of minority rights, see John Packer, 'On the Content of Minority Rights' in: J. Räikkä (ed.), *Do We Need Minority Rights? Conceptual Issues* (The Hague: Kluwer Law International, 1996), pp. 121-178.

2. For background on the OSCE and its history, structures, institutions and activities, see *OSCE Handbook* (Vienna: OSCE, 3rd edition, 1999).

3. For a description and analysis of the OSCE's activities in conflict prevention, see Jonathan Cohen, *Conflict Prevention Instruments in the Organization for Security and Co-operation in Europe: An Assessment of Capacities* (The Hague: Netherlands Institute of International Relations, 1998).

4. For a recent analysis of the relationship between nationalism and Communism, see Walter Kemp, *Nationalism and Communism in Eastern Europe and the Soviet Union; A Basic Contradiction?* (London: MacMillan Press Ltd., 1999).

5. Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, June 1990.

6. Speech by Prime Minister Tony Blair to the Economic Club of Chicago, Hilton Hotel, Chicago, USA, 22 April 1999.

7. Statement of UN Secretary-General Kofi Annan to the fifty-fifth session of the Commission on Human Rights, Geneva, 7 April 1999.

8. Document of the Moscow meeting of the Conference on the Human Dimension of the CSCE, October 1991.

9. For more on this point see Bill Bowring, 'Minorities and their rights: constructed or historically embedded'?, paper prepared for a seminar on 'Reconstructing Human Rights: A Critical Project for the 21st Century', University of Sussex, Brighton, June 1999.

10. See John Packer, 'On the Definition of Minorities' in: John Packer and Kristian Myntti (eds.), *The Protection of Ethnic and Linguistic Minorities in Europe* (Åbo/Turku: Åbo Akademi Institute of Human Rights, 1993), pp. 23-65; and John Packer, ''Problems in Defining Minorities' in: Bill Bowring and Deirdre Fottrell, *Minority and Group Rights Towards the New Millennium* (The Hague: Kluwer Law International, 1999), pp. 223-273.

11. The Lund Recommendations are available from the Foundation on Inter-Ethnic Relations, Prinsessegracht 22, 2514 AP The Hague, The Netherlands; tel. (00 31 70) 363 6033; fax (00 31 70) 346 5213.

12. The Hague Recommendations are available from the Foundation on Inter-Ethnic Relations; they are also reproduced, together with articles, in a special issue of the *International Journal on Minority and Group Rights*, Vol. 4, No. 2 (1996/97).

13. The Oslo Recommendations are available from the Foundation on Inter-Ethnic Relations; they are also reproduced, together with articles, in a special issue of the *International Journal on Minority and Group Rights*, Vol. 6, No. 3 (1999).

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3... For a description and analysis of the OSCE=s activities in conflict prevention, see Jonathan Cohen, *Conflict Prevention Instruments in the Organization for Security and Co-operation in Europe: An Assessment of Capacities* (The Hague: Netherlands Institute of International Relations, 1998).

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10... See John Packer, AOn the Definition of Minorities@ in: John Packer and Kristian Myntti (eds.), *The Protection of Ethnic and Linguistic Minorities in Europe* (Åbo/Turku: Åbo Akademi Institute of Human Rights, 1993), pp. 23-65; and John Packer, AProblems in Defining Minorities@ in: Bill Bowring and Deirdre Fottrell, *Minority and Group Rights Towards the New Millennium* (The Hague: Kluwer Law International, 1999), pp. 223-273.

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