



# High Commissioner on National Minorities

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## **Political Order, Human Rights, and Development**

**Introduction by Max van der Stoel, CSCE High Commissioner on National Minorities to the Seminar on Conflict and Development: Causes, Effects, and Remedies  
Instituut Clingendael, The Hague,  
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[Introduction]

Mr. Chairman,  
Thank you for inviting me to speak on the subject of political order, human rights and development. This sub-theme is placed in the framework of the overall theme of this seminar which is "Conflict and Development". As the ultimate aim of this seminar is to better understand the causes of present-day conflict and the ways in which such conflicts could be prevented, it is understandable that the CSCE High Commissioner on National Minorities was asked to address this theme. As I will go on to explain, he is an instrument of conflict prevention. Perhaps not everyone would at first glance see a special professional affinity of the High Commissioner with the sub-theme at hand. However, in my view ethnic conflict prevention has a strong logical connection to the three elements of the sub-theme: political order, human rights, and development.

At the same time I would wish to qualify what I have to say in the sense that my experience as CSCE High Commissioner has been limited to a part of the CSCE area only. My experience in the Baltic states, in Slovakia, Hungary and Romania, in Macedonia and Albania, and in Ukraine may not be generally applicable. Indeed, I have found that even for that limited part of the CSCE area there is not one magic formula - a case-by-case approach is the best one. Still, I think that some lessons may be of more general value.

[Conflict prevention: both necessary and possible]

Mr Chairman,  
The most important of these lessons is that capital invested in conflict prevention is capital well spent. In humanitarian, financial and political terms conflict prevention is much cheaper than peacekeeping or rebuilding societies after a violent conflict. This understanding lies at the basis of the increased role the CSCE is playing in the prevention of conflict arising out of minority

issues. It has led to the establishment of the post of CSCE High Commissioner on National Minorities.

Secondly, I wish to state my conviction, based on practical experience, that ethnic conflict is not unavoidable but can indeed be prevented if the necessary efforts are made. Although the ethnic relationships involved often have a centuries old history, such conflicts very often have more immediate political causes. This becomes especially obvious if one considers that most communities co-exist in relative harmony, interacting, interrelating, and often intermingling. Some politicians and other leaders, however, have used the psychological uncertainties and the material scarcities of this transition period as an opportunity for increasing their hold on power. When we recognise such sources of tension, we can address them effectively.

[Conflict prevention: a multi-faceted affair]

Mr Chairman,

Importantly, the CSCE's comprehensive concept of security relates peace, security and prosperity directly to the observance of human rights, democratic freedoms and the introduction of a market economy. Conflict is not any more looked upon as taking place exclusively between states, but is seen just as much as a phenomenon arising and developing within a state but potentially leading to international consequences. Preventing conflict requires that the net be thrown widely to include the political order, or disorder as the case may be, economic factors, and often highly political issues such as the territorial integrity of states and the inviolability of borders.

Conflict prevention is a many-faceted affair in light of the CSCE's comprehensive approach to security. It is therefore perhaps useful to distinguish between short- and long-term conflict prevention. Short-term conflict prevention aims at the prevention or containment of an immediate development towards escalation. This preventive action may also involve heading off or immediately correcting flagrant violations of human rights commitments, violations which may cause an escalation of tensions. It is in particular in the framework of short-term conflict prevention that early warning and preventive diplomacy have to play their crucial roles. It is probably too much to expect that preventive diplomacy can also resolve the substantive dispute at issue, although the possibilities should of course be explored. Short-term conflict prevention should be seen and pursued in the perspective of long-term conflict prevention. Efforts to initiate a dialogue between the parties concerned and to recommend to them constructive measures can only be the first steps towards a less tense situation.

The prevention of conflict in Europe in the long run requires building a viable democracy and its institutions, creating confidence between the government and the population, structuring the protection and promotion of human rights, the elimination of all forms of gender or racial discrimination and respect for minorities. It also requires the peaceful transition from a rigid state-commanded economic order to a flexible market-oriented system which increases prosperity while paying due regard to social justice. As we can see

in Europe, such a transition is not painless, and we should make sure that the pain created is as limited as possible and does not lead to dangerous tensions.

[Human dimension: political order and human rights]

Mr. Chairman,

I already mentioned the close interrelationship between peace and security and the respect for democracy, the rule of law and human rights or, in short, the human dimension of the CSCE which would seem to cover the elements political order and human rights quite well. I understand political order to encompass both the national and the international levels. Indeed, in the CSCE a close relationship has been established between CSCE norms and the international monitoring of the implementation of these norms, on the one hand, and the development of a democratic political and economic order in each of the participating states.

Human dimension concerns are often a critical component of conflict prevention in the short term, although it is in particular from the longer-term perspective that the intimate relationship between conflict prevention and the human dimension becomes apparent. Violations of human dimension commitments lead to tensions, to societal conflicts and distrust. At times, they may have cross-border consequences, such as involuntary migration. Especially if large groups are affected, the stability of states or even a region may be at risk. In the particular case of minorities, there may be kin-states which feel they should act as defenders of the minority living on the other side of the border, in doing so sometimes increasing bilateral frictions.

Conversely, democratic states are more likely to treat their citizens with dignity and respect, and more likely to look for peaceful, constructive relations with neighbouring states. A democratic framework as described in the CSCE documents provides the vital basis for the prevention of human dimension violations or, when they occur, for their redress. One cannot overestimate the importance of effective democratic institutions in this regard. They are essential to guaranteeing and organising the participation in public life of all and to channeling and resolving the conflicts of interest which are normal to all societies. They can for example prevent populists from playing the ethnic card and from exploiting and exacerbating existing differences and tensions.

[Importance of economic factors: development]

Mr Chairman,

At present the former communist countries are engaged in a process of transforming their economic order from command economies to free-market economies. This involves issues such as the introduction of markets, the interplay of demand, supply and other price-making forces, the introduction of the private sector and a redefinition of the role of the state. Most of the transforming CSCE states are not what we would call developing countries, if compared to many countries in Africa, Asia and Latin America. Their per capita income is often considerably higher, as is their level of industrialisation,

and the same holds true for the level of education of the general population. Nevertheless, some countries could be considered as developing countries. In some other countries economic developments have taken such a downward turn that production is fastly decreasing, more and more shortages occur and the population at large is becoming more and more impoverished.

For several reasons economic factors such as these are important to conflict prevention, certainly to conflict prevention in relation to minority questions. An economic downturn in a country will in all likelihood lead to social tensions, and some people will be looking for a scapegoat, a minority being a likely candidate for that role. More in general, a worsening economic situation or the absence of an improvement in the economic situation can make people more open to authoritarian and even xenophobic influences. At the same time bad economic conditions are one of the factors causing migration flows, which in themselves lead to tensions which could in turn lead to conflict. For our purposes, economic development is therefore an important factor to be taken into account.

One cannot say that it is economic factors in themselves which have caused the tensions in the CSCE states in which I am involved. These factors do, however, make up an important element of the context in which minority tensions arise and evolve, often exacerbating matters. To give you one example, one could imagine a situation in which the persons belonging to a minority are largely employed in a sector of the economy which is particularly hard hit by the economic transformation process. This may lead to a sharp rise in unemployment among those persons and increased social tension. Even though this rise is not the intended result of government policy, these persons may see that it affects almost exclusively them and they may very well perceive their hardship as resulting from willful discrimination on ethnic grounds.

The short-term and long-term aspects of conflict prevention should be seen as part of an integrated strategy and indeed in practice they can hardly be separated. Efforts at laying the groundwork for a real democracy are vain if in the meantime tensions escalate into bloody civil war or international conflict. The reluctance or even outright refusal of states to build democracy, create confidence, and protect human rights endangers all short-term conflict prevention activities.

[High Commissioner and conflict prevention]

Mr. Chairman,  
According to his mandate, the CSCE High Commissioner on National Minorities is an instrument of conflict prevention who will provide early warning and, as appropriate, early action at the earliest possible stage in regard to tensions involving national minority issues which have not yet developed beyond an early warning stage. As High Commissioner, therefore, I have a two-fold mission: first, to try to contain and de-escalate such tensions, and second, to act as a 'tripwire', meaning that I will have to alert the

CSCE whenever such tensions threaten to develop to a level at which I would not be able to contain them with the means at my disposal.

Even though the mandate puts the High Commissioner first and foremost in the category of short-term conflict prevention, to be effective he cannot pass by the important longer-term aspects to the situations with which I have to deal. A longer-term perspective is necessary if sustainable solutions are to be achieved. Immediate de-escalation of a situation can only be a first step in the process of reconciling the interests of the parties concerned. The goal is to start, maintain and enhance a process of exchanges of views and cooperation between the parties, leading to concrete steps which would de-escalate tensions and, if possible, address underlying issues.

The High Commissioner has not been defined as an instrument of the human dimension, nor as a spokesperson or ombudsman for minorities or persons belonging to them. Nevertheless, I would note that all situations with which I have had to deal naturally contain many human dimension aspects. The protection of persons belonging to national minorities starts with the respect of general human rights. These rights are applicable to all people including persons belonging to national minorities. In addition, other measures are needed as well. In my recommendations I have thus far concentrated especially on the need for a continual dialogue between the government and minorities and on the establishment of institutions to guarantee such a structural dialogue.

[International assistance: necessity and problem of mobilisation]

Mr. Chairman,

In addition to recommendations to the governments concerned, I have repeatedly pointed out to the CSCE states as a group that international assistance is often called for. Undeniably, it is the individual participating States themselves which carry primary responsibility for the transformation processes on their territory, including the economic one. At the same time international assistance is essential.

For example, the most essential contribution to the elimination of minority problems as destabilising elements in Europe is the promotion of a better and more harmonious relationship between majority and minority in the state itself. However, by declaring the legitimacy of international concern for human rights and minority questions, the CSCE community has assumed as its responsibility the burden of supporting individual CSCE States which cannot by themselves solve the problems which are confronting them. It is not enough to monitor developments and admonish states when they are not doing well - a positive commitment is also called for.

In the economic field, international assistance can help diminish the enormous time pressure under which reformers have to operate by stimulating external stabilisation and integration in the world economy. It can be instrumental in softening the social pain which transformation processes unavoidably entail and thus help avoid rising social tensions. Effectively

addressing tension-generating issues often requires investments which economically weak states have difficulty in making. Long-term conflict prevention always takes a long time, and support and encouragement by the international community will often be needed. From my particular perspective I would add that effectively addressing minority issues often requires investments in certain projects, such as minority language education. With relatively modest amounts of money important conflict prevention results can be achieved, whereas if a conflict erupts the cost of helping countries afterwards would be much greater.

These considerations obviously raise the question of the mobilisation of the international community. The success of preventive diplomacy and other conflict prevention activities ultimately depends on the concrete political and other support this community is prepared to invest in it. This brings me to the issue of the requirements which the follow-up by the international community should meet. I would underline the requirements of timeliness, graduated responsiveness and effective affordability.

Timely responsiveness means simply involvement at the time best calculated to secure optimal outcomes. Usually the earlier a problem is identified and an appropriate response applied, the more likely it is that the problem will be solved effectively and peacefully. Graduated responsiveness means seeking to resolve disputes and respond to a crisis beginning with a cooperative approach and only moving towards more intrusive measures when the more conciliatory approaches fail. Generally, cooperative implementation of commitments and recommendations will in the end be more fruitful than enforcement.

The timeliness and graduation principles, if properly applied, should help to reinforce the effectivity of the international response. The earlier the response, and thus the more manageable the problem, the smaller the likely cost of the necessary response and the more likely it is that it will be affordable. Later in the process of escalation, responses which might have worked at an earlier stage could be reduced to affordable ineffectuality.

[Concertation and cooperation between different international efforts]

Mr Chairman,  
Allow me to move to the issue of concertation and coordination of international efforts. This is needed to maximise the effectiveness of outside involvement in a concrete situation. Ideally, coordination should be such that a duplication of efforts and concomitant waste of resources is avoided. This might even entail a conscious decision by a particular organisation or body to refrain from addressing a certain situation which it might otherwise have engaged in. If concurrent activities for whatever reason do take place, they should reinforce each other and not work at cross-purposes or be played off against each other. I would underline the necessity that interlocking institutions do really interlock so that their efforts are mutually reinforcing, both within the CSCE and between the CSCE and outside organisations. With a

view to conflict prevention a concerted effort is needed, and that applies to all its aspects, including human rights and the economy.

For example, it would be helpful if the High Commissioner's efforts to influence a certain situation can be strengthened by the fact that the Council of Europe or the United Nations would share his concerns, conclusions and recommendations. Progress is being made in achieving this aim. In addition, these organisations may have special expertise which could benefit the High Commissioner. The same considerations with regard to coordination and concertation of efforts would seem to apply within the CSCE itself in view of the number and variety of CSCE activities with regard to early warning and preventive diplomacy.

[Bilateral treaties: not necessarily the best solution]

Mr Chairman,

One sometimes hears that bilateral treaties with neighbouring countries, in particular those confirming the existing borders and guaranteeing the protection of minorities can be helpful in preventing conflict. I would agree that indeed such treaties can promote a more relaxed attitude on the part of the Government of a State with a minority, while at the same time providing reassurances to the kin-state of the minority in question.

However, three things ought not to be forgotten:

- Firstly, treaties very often are the end product of a process of reconciliation and rapprochement, and not an instrument. There are situations in which relations between neighbours are such that efforts to conclude a bilateral treaty only serve to underline the differences of opinion between them.
- Secondly, even in cases where bilateral treaties might be within reach, any attempt to force the tempo of negotiations may produce the opposite of what is intended because usually some very sensitive issues have to be dealt with.
- Thirdly and most importantly, solutions have to be found primarily within states. For example, the best contribution to the elimination of minority problems as destabilising elements in Europe is the promotion of a better and more harmonious relationship between majority and minority in the country itself.

Conclusion

Mr. Chairman,

To conclude I would first reiterate that I do not pretend to have given you answers to the many questions raised and debated during this seminar. At a very general level, however, I would draw the following conclusions from my argument.

Firstly, conflict prevention requires a comprehensive approach which combines the various tension-generating factors in an overall strategy. Secondly, a long-term perspective is needed when formulating responses which are intended to be durable and just. While one should obviously not lose sight of immediate threats to peace and stability, it should also be understood that quick fixes cannot be real solutions.

Thirdly, the issue of the mobilisation of the international community is of crucial importance for conflict prevention to succeed. Without international political, economic and moral support, the efforts of many individual states have only limited chances of being successful.

Thank you, Mr. Chairman.