



**Organization for Security and Co-operation in Europe
High Commissioner on National Minorities**

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International Conflict and Majorities

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With the Peace of Westphalia 1648 ending the Thirty year war the era of feudalism was ushered out to be replaced with the Westphalian system of sovereign nation States. The Westphalian system has been with us up to present times. It brought an element of stability to international relations.

The new type of States tended to act on the basis of what was perceived as national interests, not as before, on feudal whims or dynastic calculations. Rules for States' behaviour, practices and responsibilities were developed. International law became defined and sometimes even codified through the thinking and writing of brilliant scholars and diplomats, like Hugo Grotius.

However, the system did not prevent a continuation of a series of violent conflicts. The eighteen centuries wars were pursued to promote national interests with the help of professional armies. But with the Napoleonic era a new dimension of warfare was introduced. This comprised that wars between nations were carried out by huge national armies of citizens trained to become soldiers. The two major wars during the latest century did surpass even the wars of the 19th century in their brutality and violence. The two wars were, however, distinctly different.

The First World War 1914-18 was a war of killing and maiming more soldiers than in any other conflict in history. The Second World War will be notorious for the introduction in warfare of cities

and civilians as primary targets of conflicts. Civilians became the victims of bombardment of London, Rotterdam, Dresden, Hamburg, Tokyo and finally culminating in the nuclear destruction of the cities of Hiroshima and Nagasaki, together with practically their whole population.

The development of warfare since then has tended to follow this trend. Targeting of civilians has become a reality in today's conflict. In the former Yugoslavia atrocities against civilians and ethnic cleansing became notorious in the nineties. In Africa, as in Congo and West Africa, the armed forces, in contrast to Clausewitz' dictum of the enemy's strongest military capability as target for military violence, systematically avoided clashing with each other. It would be harmful to be shot at. Instead the armed forces take aim at the civilians, the villages and the farmers, and at the defenceless women and children of the opponent.

Ethnic cleansing appeared during the WW II, practised in the East by Hitler Germany for which special forces were created, and with some delay by the Soviet Union, during the march of the Red Army towards west. But even outside the actual warzone and, indeed, outside war situations, before, during and after WW II Joseph Stalin proved himself to be a master manipulator of ethnic and national minority situations in the vast reaches of his sphere of influence.

Stalin played a reckless game with ethnic groups and, national minorities to extend and strengthen his control and domination. In his infamous ways, Stalin was one of the first to see political capital in oppressing and manipulating minorities. Deportation and cleansing of ethnic groups from their traditional habitats as well as pursuance of policies of Russification of economically or otherwise attractive regions outside the classic Russian frontiers were ways to expand the Bolshevik State. The deported minorities were sent to populate the barren areas in East like Siberia or to perish in the Gulag the vast areas of concentration camps and prisons.

During the early year of the Cold War Stalin's population and minority policies continued, albeit after his death in 1953 the practices slowed down somewhat. They did not really halt until the Gorbachov reforms set in during the last few years of the 80's. The slow movement to rectify the brutal practices of the Soviet minority policies could not start until after the collapse of the Soviet Union.

In relation to the outside world and the West the Soviet policy represented something of a communist ideological challenge for the liberal and market oriented societies and the capitalistic order. Luckily, however this challenge did not develop into full military conflagration. The destructive potential of a full-scale nuclear war, kept the ideological war cold. And with the end of the Cold War and the collapse of the Soviet Union and its system, followed the end of conflict between States in the Westphalian sense.

Modern conflict in the enlarged Europe is no longer a reflection of competing state interests in the Westphalian sense. Interests in the extended Europe in the modern era are promoted and defended in the context of multilateral or multinational institutions such as the European Union, NATO, the Council of Europe, the World Trade Organisation, the OSCE and of course the UN. For the States formerly under Soviet domination or former components of the Soviet Union itself, the prospect of joining such institutions as EU and NATO have had a highly positive impact on the handling of disputed questions. The Governments concerned have thus made great efforts to pursue their interests within the value systems for which these institutions are expressions.

As development of warfare means that violence in our times is directed against unarmed civilians while sparing armed forces, ethnic tension and majority/minority situations have become something of a core issue of security policies. The manifold conflicting State interests can today morally be structured, streamlined and settled within the framework of value systems and norms of the new institutional galaxy, while ethnic issues and minority problems impose themselves on the otherwise well structured and disciplined international institutional order, with a force fuelled by collective memories of atrocities and perceived injustices. The Westphalian principles of sovereignty and territorial integrity carry little weight when ethnical dimension settles in.

The experience of suffering, inflicted upon national minorities in the context of the Hapsburg and Ottoman Empires but first and foremost by the Soviet system and which were bottled up by urgent Governmental security concerns, is now revisiting in the form of ethnic tensions with a potential for violent conflict. In the modern era, the potential for violent conflict generated by clashing traditional State interests is limited for many reasons. Conflict resolution is well developed and has prospects for success. The situation would be different if the dispute at hand were rooted in tensions of interethnic and/or majority/minority character. Then the potential for violent conflict would be

obvious.

The Bosnian crisis in the early nineties was the first of more to come. It brought home to Governments an awareness that the end of the Cold War also meant an end to self-restraint among nations and that minority issues and ethnic tensions could explode into massive violence.

It must therefore be a matter of eternal credit to the OSCE and its Participating States that they early recognized the significance for international peace and security of the national minority issues. The Copenhagen Document of 1990 adopted at the CSCE (the OSCE) meeting on human dimension, specifically recognised and defined minority rights and the commitment of the Participating States to respect them. The detailed document stated inter alia that the general principles of human rights would be applicable to minorities as well as the right to education, language and participation.

In 1992 in its Ministerial meeting in Stockholm, the CSCE decided to create the office of the High Commissioner on National Minorities (HCNM) as a part of the security dimension of the CSCE. The new HCNM started his work in January 1993. In the elaboration of the mandate of the office the CSCE emphasized that the HCNM's foremost task was to serve as an instrument for conflict prevention. He was therefore required to provide early warning, as appropriate, for potential of conflict and be prepared for early action to prevent outbreak of violent conflict in the OSCE area.

Under his mandate, the HCNM has been given far-reaching authority and rights with regard to his access to the territory and authorities of the Participating States as well as to minorities, ethnic groups representatives and other individuals and groups. These rights are linked to an obligation of the HCNM to operate in confidence. The HCNM is thus not supposed to put public pressure, to "name and shame" a State or Government to promote progress under his mandate. He has to use other means in his toolbox to reach the results he seeks to obtain. In his practice and in consultations with other institutions like the Council of Europe the HCNM can elaborate minimal international standards and "good standards" to impress upon Governments and other international actors obligations with regard to minorities under their jurisdiction.

Over the centuries national minorities have played roles, which have tended to influence the course of history. One example from recent history is the conflict around the Sudeten Germans in the late

1930's. This conflict has had repercussions until this very day.

The German Naziregime, motivated by its ideas of a Germany rounded off in a way that would encompass all Germans, or members of the German race, annexed these parts of the then Czechoslovakia, Sudetenland, where Germans constituted a regional majority. After the war the borders were restored in a forceful manner through the so called Benes decrees/the consequences of which were that thousands of Germans were forced to leave their farms and habitats in what now is the Czech Republic. In a parallel development many Hungarians living in the territories which now constitute the Slovak Republic were driven away. The psychological and economic repercussions of these events have influenced the present complication between Hungary and its neighbour.

When Hungary in 2001 adopted an Act on Hungarians living in neighbouring countries the preamble referred to the "United Hungarian Nation". Furthermore the Act contained a system of economic and other forms of support to be provided by Hungary to ethnic Hungarians, being citizens of and living in neighbouring countries. This Act was inspired by the sense of injustice visited upon the Hungarian nation when, after WW I with the treaty of Trianon, when the great Hungary was confined to a geographically limited region, having as a consequence that a large portion of ethnic Hungarian in Europe were left living as national minorities in neighbouring countries like Romania, Slovakia, Austria and Yugoslavia.

Technically harmless but politically explosive, this legislation – in itself a reflection of Hungarian nationalistic sentiments - stirred strong concerns in the neighbouring countries – Romania and Slovakia and tended to give winds in the sails for anti-Hungarian reaction in the neighbouring countries. In Romania it raised concerns about the unity of the country and in Slovakia memories of hundreds of years of Hungarian domination at the same time as the Hungarian minority recalled the suffering caused by the implementation of the Benes decrees.

With regard to the Hungarian law my involvement as HCNM has been to bring home to the Governments concerned and to the minority representatives the importance of respecting the principal that protection of minority rights and the human rights of the individuals is the responsibility of the home State that is the State where the minority is living. Furthermore I have to stress that national legislation should not be given extra territorial impact without agreement of the country

concerned and generally that such legislation should not have discriminating effect with regard to the citizens in the neighbouring countries.

The good news is that after two years of intensive consultations the law has finally been amended in such a way that most of the extra territorial components and the expression of a national unification ambitious have been eliminated. There is now hope that remaining unclear elements will be dealt with in bilateral negotiations.

The case of the Hungarian Law illustrates the significance of the problem of a kin state and it's kin constituting a minority in a neighbouring country.

A major case in this respect is the question of the Russian-speaking minority in the Baltic States, Latvia and Estonia. Latvia and Estonia, both former republics of the Soviet union, were during the Soviet time subject to a Russification policy, when many Latvians and Estonians were deported from their home to Siberia and Russian nationals were brought in to take over. Now the two countries are struggling to restore their national identity through various means especially by strengthening the role of the national language in the economic and social life, especially through education and educational reform. This fully legitimate policy can have the effect that it creates pressure on the Russian-speaking population. This causes concerns in Russia and obviously relates to the mandate of the HCNM. As HCNM I have to be engaged in this situation with the aim of preventing tension and frictions between the Baltic majority and the Russian-speaking minority. To that end I develop policies and projects designed to support the integration including Baltic language skills of the Russian speakers, including non-citizens in the society. This is done in a way that does not force upon the minority any pressure of assimilation. The policy is rather aiming at supporting integration with respect for the cultural identity of the minority and access to the use of an education in their mother tongue.

Other cases relate to the ethnic groups, which were deported from their habitats by the Stalin regime in Soviet Union. Examples of this are the cases of the Meshketian Turks and the Tatars. An important portion of Tatars has returned to the former home region in Crimea, Ukraine, where now a large part of the land once inhabited by the Tatars is occupied by Russian immigrants. The

Meskhethian Turks, before they were deported, lived in the Yavashketi Region of Georgia, which is now occupied by Armenian-speaking Georgians. Considering the historical confrontation between Turks and Armenians the return of Meshketians could have serious repercussions. As High Commissioner I have to involve myself in the Crimea, and Javshketi with the aim to prevent tensions and frictions developing into full-scale conflict and violence.

In Central Asia the newly established States, lack a perspective of joining the EU or the NATO. Motivation to move fast forward on reform is less immediate for these States, which struggle with economic and social hardship. As HCNM I do my best to remind the Governments of their undertaking in the (OSCE) Charter of Paris 1990 to the effect that Democracy is the only form of Government of the OSCE participating States. Admittedly there are complex minority questions, which causes considerable tensions, friction and suffering in the region. The closeness to Afghanistan is one source of instability. The trafficking of drugs, humans and small weapons leads to efforts to uphold strict border-controls, which in turn seriously harms local economic and social activities and brings hardship to the minorities separated from their kin through the complex network of borders. At the same time tension between ethnic groups has lead to outbreak of violence. This inter-communal violence has in some cases a potential for international conflict. The HCNM's role in this is to connect with the Government leaders as well as with minorities in order to bring into place respect for at least minimum standard of minority rights and to support integration. With proposals and projects some effective conflict prevention can be achieved.

In the Balkans the HCNM has an important role to play in engaging himself in a large number of issues, especially as in Macedonia and Southern Serbia, where the interethnic situation reflect mutual Muslims/Slavic tensions. The Ohrid-agreement in Macedonia is a most important framework for developing peace and stability and I am doing my best to support its successful implementation by engaging in integration diversity in the country. Separation of e.g. Albanian populated regions would have chain reactive and be seriously destabilizing.

The case of Turkey is clearly linked to the Turkish ambition of joining the EU. Settling in an effective way interethnic problems appears to be a prerequisite for a future Turkish membership of the EU. This year was the first during which the HCNM officially could visit the country. An agreement was reached of a continuation of a dialogue between the HCNM and Ankara.

To sum up the source of the lessons

1. Hungary – the Kin-state problem – responsibility for rights and well-being of the minority rests with the country of residence.
2. Baltic States. The majority language and national identity need to be strengthened but reform must be made through integration of the minority in diversity, with respect for its language and educational requirement.
3. Deported people returned to old homeland but without uprooting those who have moved in since the deportation.
4. The Balkans to focus upon religious/ethnic discussion in support of international agreements, support integration as alternative to separation.
5. Central Asia Open the borders for local trade and economic integration. Keep the democratic undertaking alive.
6. Turkey Do not try to hide real ethnic differences, but recognise them and support integration with respect for diversity.

Minority issues will be with us. We must be aware that modern conflict tends to pitch people against people. Armies can be controlled by Governments but people only by people. Therefore we must always be alert against chauvinism and extreme nationalism which can be root causes for violent conflict. Minority issues, if mishandled, always breed nationalism. Best conflict prevention is to address ethnic tension and national minority issues as early as possible.