



Organization for Security and Co-operation in Europe

Address to Pazmany Peter Catholic University
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by

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Rector,

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Ladies and Gentlemen,

Thank you very much for the honor that you have bestowed on me today. In my seven years as OSCE High Commissioner on National Minorities, I have visited Hungary many times, both to look at national minorities issues in this country and to discuss with the Government the situation of Hungarian minorities in neighboring countries. The fact that you have awarded me with this degree indicates to me that the work that my office has done in relation to the prevention of inter-ethnic conflict is considered important. I am flattered, and at the same time see this degree as recognition that solving inter-ethnic problems is needed in order to maintain peace and stability in Europe.

In terms of international law, the need for protecting the rights of persons belonging to national minorities is a relatively new phenomenon. Until fairly recently, the general view was that the particular concerns and interests of persons belonging to minorities could be served merely through the general regime of human rights, for example the Charter of the United Nations. Certainly, universal human rights go a long way to protecting persons

belonging to minorities, in particular through the principles of equality and non-discrimination. However, in some cases, additional rights are important. These rights do not privilege persons belonging to minorities, but act to ensure equal respect for their dignity, in particular their identity. Afterall, we live in a world of diversity. To be at all efficient, democratic government and administration require structures and modes of societal interaction that satisfy the needs of all members of society. Since very few populations are ethnically homogeneous, it is almost inevitable that every state will have at least one minority. Depending on the size of the minority or minorities, this can affect questions like languages, education, culture and participation in government, but not necessarily in a negative way.

The protection of minorities is centred on the protection and promotion of the human rights of persons belonging to minorities. If these 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.

At the highest level, norm setting is crucial. In the past few years important standards have been developed by the OSCE and the Council of Europe, for example the Copenhagen Document and the Framework Convention for the Protection of National Minorities. For my part, in the past three years I have commissioned international experts to come up with general recommendations regarding the education rights of national minorities, the linguistic rights of national minorities and the effective participation of minorities in public life [I have brought some copies with me for your library]. States, especially those in post-Communist transition, are showing a greater understanding for the need to develop legislation to protect minority rights, devise mechanisms to facilitate dialogue with minorities, and build frameworks in which minorities can more fully participate in decisions and activities that directly affect them. The fact that the respect for human rights, including the rights of persons belonging to national minorities, is part of the European Union's criteria for admission of new Members has made an important impact on applicant states.

But what happens when states have difficulties coping with minority issues? Frankly, 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. Nevertheless, the OSCE, for one, is making an effort to come to terms with this dilemma. 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." 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. This is partly an issue for international law, for example clarifying the legitimacy of humanitarian intervention. But it is also an issue for so-called "soft" law. We must further develop techniques and instruments to integrate norms into conflict prevention and work with states to integrate diversity.

The office of the OSCE High Commissioner on National Minorities is one of the few international instruments that is in a position to do this. This institution, created in 1992, was developed in the aftermath of the collapse of

Yugoslavia and the Soviet Union with the intention of heading off potentially destabilizing inter-ethnic conflicts. The idea of the mandate is to provide early action and early warning on issues relating to tensions involving national minorities. In the past seven years this has involved me in a wide range of issues in over seventeen countries in the OSCE area. Usually the issues that I am involved in concern language, education, culture, citizenship, dialogue, participation, autonomy, identity and resources. I do not want to go into the details of specific cases. I should also point out that it is difficult, and perhaps unwise, to make generalizations about the nature of inter-ethnic disputes and ways of preventing them: every conflict situation is different and should be looked at in its own context. Nevertheless, having been High Commissioner for seven years I do feel that I am in a position to make a few observations about my experience in preventing inter-ethnic conflict.

The first point is the need for early warning and early action. The logic of preventive diplomacy is simple. Timely and effective action can help to avert a costly crisis. Instead of hindsight that says that “we should have seen it coming” and post-conflict rehabilitation that pours billions of dollars into reconstruction, we should have more foresight and investment – particularly

political capital – when it comes to preventing conflicts. More often than not the warning signs are there. The problem is to act on them. . . in time.

Secondly, in order to address problems one must understand what the “root causes” are. Nationalist debates often revolve around questions of “identity”. Identity is such an abstract notion that one must break down its component parts in order to look at what is really at issue. While being sensitive to questions of culture, history and symbolism, one must try to strip away romanticized notions to get down to the questions of substance. This is why I try to get the conflicting parties to be specific. Nationalism feeds off stereotypes and vague generalizations. If one can put these aside and look at the underlying considerations, one can begin to pragmatically tackle concrete – and usual solvable - issues which, if left unaddressed, could blow up into emotive “nationalistic” debates.

In this context, it is important for all parties to realize that while certain basic standards must be maintained, political solutions require compromise. Change takes time. Parties that take a maximalist approach often meet maximum opposition. One must always bear in mind that there are usually at

least two sides to every issue. Long-term solutions are best achieved through a pragmatic step by step approach grounded in politically possible objectives.

Once issues are raised, they should be discussed. A third general observation that I would like to make is that inter-ethnic tensions often stem from a lack of communication. Dialogue is an important process for dispelling misperceptions and building confidence between the parties. It is the first step in getting the parties to communicate directly, to articulate their concerns, and to seek co-operative and constructive solutions to their problems. Sometimes it takes a third party to help to initiate this process and/or move it along. I have been able to play a role in this respect in several OSCE countries. However, despite the fact that my involvement is often long-term, it is up to the parties to eventually find ways of facilitating their own means of communication. . . on a permanent basis. Dialogue between the Government and the minority is seldom limited to a single issue. It is therefore important to have adequate structures of dialogue between the government and minorities for the longer term.

A fourth observation is that effective participation by national minorities in public life is an essential component of a peaceful society. Through effective participation in decision-making processes and bodies, representatives of

minorities have the possibility to present their views to the authorities, which can help the authorities to understand minorities' concerns and take these into account when developing policies. At the same time the authorities are offered a platform to explain their policies and intentions. This can contribute to a more co-operative and less confrontational situation. Experience has shown that integration through participation is an important element in forging links of mutual understanding and loyalty between the majority and minority communities within the State, and in giving minorities input to processes that directly effect them. It also improves overall governance for if minorities feel that they have a stake in society, if they have input into discussion and decision-making bodies, if they have avenues of appeal, and if they feel that their identities are being protected and promoted, the chances of inter-ethnic tensions arising will be significantly reduced.

The importance of ensuring the effective participation of minorities in public life – or more broadly speaking integrating diversity – is to look at what happens when this is not done. Tensions can arise that can destabilize internal stability and bilateral relations. This is in nobody's best interests.

I would argue that, in an increasingly interdependent world, secession is seldom a viable option for achieving lasting peace, security and prosperity. 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. Secession breeds secession: what's good for one minority is good for another. Bearing that in mind, 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.

We must therefore keep faith in the multi-ethnic and multi-cultural ideal. This requires us to move 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 national minorities.

Realizing this goal requires more inventive thinking. Our world is being rapidly transformed in terms of the way that we conduct trade, communicate and move capital. Sovereignty still counts, but it is more porous. We spend a great deal of time analysing how external, international or global forces are transforming the role of states. But we should also look more at the internal dynamics. This is particularly the case when it comes to looking at ways of accommodating the needs and aspirations of minorities while maintaining the cohesiveness of states. There is a huge, and relatively unexplored, gap between forceful assimilation on one extreme and secession on the other. 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.

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. I think that there is much to be learned from the practise of minority self-governance in Hungary.

Sadly, examples of the failure to integrate diversity are numerous in the OSCE area, even within the last decade. Wars in the former Yugoslavia are clear warnings about the repercussion of intolerance in multi-ethnic societies.

The central characteristic of such wars is that they often stem from the blatant and persistent disregard of the rights of people who are of a different ethnicity. 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.

Many inter-ethnic disputes also feature competing interests over resources, power or prestige. They almost always indicate a failure of one or all sides to realize 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.

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.

Thank you for your attention.

