



**Organization for Security and Co-operation in Europe**

**High Commissioner on National Minorities**

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## **WELCOMING REMARKS**

by

**Knut Vollebaek**

OSCE High Commissioner on National Minorities

at the

**Round Table**

**”Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations  
and their implementation in the region of Central Asia”**

[Check Against Delivery]

Berlin, Germany – 19 October 2009

Ladies and Gentlemen,

I am pleased to welcome you to the round table on the HCNM's Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations and their implementation in the Central Asia region.

A special word of thanks goes to our hosts, the German Government and *das Auswaertige Amt*. The choice of today's venue may raise some eyebrows. Indeed, why is Berlin such a suitable place to discuss national minority issues in Central Asia?

Well, due the twists and turns of history, Germany is in fact a kin-State for tens of thousands of ethnic Germans who ended up settling in Central Asia. In recent years, Germany has also shown itself to be a dependable, impartial and interested partner for all the countries in the region. Furthermore, it is Germany who is urging the rest of Europe not to lose sight of Central Asia, and to remember how vital this region is for our common security.

One of the key challenges faced by the States of Central Asia, is how to balance nation-building with respect for minority rights and identity. This is not unique to Central Asia. All of our States are grappling with these issues. There is, however, one feature that is unique: Central Asia is made up of a particularly intricate patchwork of ethnic groups. Very often, the situation is compounded by the presence of a kin-State next door. Any injustice against a minority – real or perceived – in one State, resonates throughout the “neighbourhood”. This is why we need to exercise particular caution when it comes to national minority issues in inter-State relations in the region.

Ladies and Gentlemen,

The issue on the table today is hardly new on the world agenda. As far back as 1555, with the Peace of Augsburg, the treatment of minorities has been at the centre of international politics. And since then, there has been the Peace of Westphalia in 1648, the Congresses of Vienna in 1815, and Berlin in 1878 and the Treaty of Versailles in 1919.

Almost 90 years ago, at Versailles, Woodrow Wilson gave an eloquent account of why this is the case: "Nothing, I venture to say, is more likely to disturb the peace of the world than the treatment which might in certain circumstances be meted out to minorities".

Indeed, if one takes a closer look at the events I have just listed, they all signalled the end of major upheavals in Europe's history. Under the Peace of Westphalia and all subsequent arrangements, countries started to invite external scrutiny of their domestic affairs. This was done with one single purpose in mind – to prevent religious and ethnic strife from recurring.

Ladies and Gentlemen,

In 1991, the OSCE participating States went one step further. In Moscow, they agreed that “commitments undertaken in the field of the human dimension of the OSCE are matters of direct and legitimate concern to all participating States, and do not belong exclusively to the internal affairs of the State concerned.” It has become impossible to hide misconduct under the guise of internal affairs.

Since 1991, the interest in monitoring one's neighbour or fellow OSCE partner has been on the increase. The formation of new States and nation-building, ethnic mobilization and changes to population composition and borders have all contributed to this phenomenon.

To a large degree, this interest has to do with the fact that ethno-cultural and State boundaries seldom coincide. All OSCE States are multi-ethnic, and most of them have kin-minorities living in a State or States next door. Many of these States take a keen interest in the well-being of their kin-minorities and actively support them.

Such interest and support are at times treated with suspicion by the State where the minority in question resides. The State of residence is often concerned that interest and support mask wider political goals of the external benefactor. Historical legacies exacerbate the problem, especially when wounds have never fully healed.

What has been missing in the ensuing years is a document that sets out the terms of reference for the kin-States. A document that defines how, under what conditions, and within which limitations States may pursue their interest with respect to citizens of another country. Where

does the line lie between “direct and legitimate concern”, on the one hand, and “interference in internal affairs”, on the other? What tangible support can a kin-State offer to its kin-minority under international law? How can States co-operate rather than clash over national minority issues?

As my predecessor Rolf Ekéus noted, “History shows that when States take unilateral steps on the basis of national kinship to protect national minorities living outside of the jurisdiction of the State, this sometimes leads to tensions and frictions, even violent conflict.” It is therefore essential, both from the point of view of human security and inter-State peace, that there is no ambiguity when it comes to a State’s relations with its kin-abroad.

The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations attempt to find answers to these questions. The document strives to cast light on the highly sensitive, but extremely relevant questions regarding the status and the role of national minorities in inter-State relations. It aims to reduce ambiguity, and show that if certain rules are followed and basic principles respected, national minorities do not have to be part of the problem in inter-State relations, but can instead form part of the solution. There are, indeed, within the OSCE region several examples of just such a positive solution to what could have developed into potential inter-State tensions over national minorities – not least in your region. Situations like the Danish minority in Germany and the German minority in Denmark, the Åland islands and the Finns in Sweden, to mention just the best-known examples, illustrate how friendly neighbourly relations can be enjoyed thanks to and not in spite of the presence of national minorities on the other side of the border.

Ladies and Gentlemen,

Today's meeting offers us a golden opportunity to examine how the Bolzano/Bozen Recommendations can serve to build bridges between States when dealing with national minority issues. Our discussion will hopefully identify best practice in the inter-State relations already existing in the region of Central Asia. But, we should not shy away from raising the more thorny aspects, that you feel exist in relations between your States concerning sensitive minority issues and, indeed, have surfaced in past years in Central Asia. Bilateral dialogue or discussions in international forums is the best way to tackle such problems.

I have no intention of dwelling on each and every provision of the Bolzano/Bozen Recommendations, but I would like to underline a few key messages.

First, they reiterate the basic principle of international law. Namely, the protection of national minorities is the responsibility of the State where minorities reside. An elaborate maze of minority treaties and obligations was designed during the interwar years in Europe. In many ways, it was imposed by the “Great Powers” on new, smaller States. The result was a spectacular failure.

On the other hand, advances in the treatment of minorities in the mid- and late-1990s are attributed to the quest of States for greater legitimacy, international acceptance and recognition. In short, standards work only when States themselves are earnestly committed to them. Final responsibility for success or failure in the protection of national minorities is in your hands.

The international community can, and should, intervene when human rights, including minority rights, are violated on a large scale, as in cases of ethnic cleansing, mass expulsion and acts of terror. Unilateral intervention by kin-States, particularly neighbouring States, can cast doubt on their motives and the credibility of their actions.

The second message I would like to mention, is closely related to the first one. Recourse to reciprocity has no place in the debate on minority issues. I sometimes hear complaints about the real or perceived mistreatment of a country's kin minority, put forward as justification for suppressing or discouraging minority identity at home. This logic is fundamentally flawed. Let me remind you once again: one of the bedrocks of international law is that the protection of human rights, including minority rights, is the obligation of the States where minorities reside – they bear the responsibility for “their minorities”.

Finally, kin-States are allowed to extend benefits to persons residing abroad. This is not prohibited. On the contrary, their interest in the well-being of minority groups abroad is legitimate. It can, and often does in fact, contribute to the well-being of minority groups. However, it does not entitle or imply a right under international law to exercise jurisdiction over these persons on the territory of another State. The influence and interests of the “kin-State” can and should be pursued in co-operation with the State of residence. By doing this,

benefits such as cultural and educational opportunities, travel grants, work permits, facilitated access to visas and the like, can ease international relations and help minorities serve as bridges in relations between States and contribute to regional friendship and prosperity.

Ladies and Gentlemen,

Co-operation, dialogue and partnership between States will prevent inter-State tension over national minority issues. This can take various forms – bilateral treaties, intergovernmental committees, multilateral agreements, or transfrontier co-operation between local and regional authorities and minority self-governments. What they all have in common is that they can contribute to tolerance and economic well-being, can strengthen inter-State relations and can encourage agreement on minority issues.

Several international mechanisms exist that make it possible to discuss these issues peacefully within a multilateral framework. The OSCE is clearly one of them, and this meeting – like the other regional round tables I am organizing in different parts of the OSCE area – is meant to provide an additional opportunity for dialogue and exchange of information. It is my experience that sometimes tensions over minorities abroad arise simply because the relevant actors do not get together and do not think to inform one another.

This is why I sincerely thank you and your governments for your active interest and willingness to debate these issues. As long as this is done constructively, the less you shy away from bringing up and debating difficult topics, the more successful and helpful the meeting will be.

Ronald Reagan once said, “a lot of the troubles in the world would disappear if we were talking to each other instead of about each other.” I hope that inter-State discussions on national minority issues in the OSCE area will be guided by exactly this spirit, and see today’s round table as a step in this direction.

Thank you.