



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

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LECTURE

by

Knut Vollebaek,

OSCE High Commissioner on National Minorities

at the

Institute of Diplomacy,
Academy of Public Administration under the President of the Republic of Kazakhstan

Check Against Delivery!

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Ladies and Gentlemen,

It is a great pleasure to be at the Institute of Diplomacy of Kazakhstan. Despite your old history, as a state, Kazakhstan is in its teens. However, your country has developed quickly in the past 17 years. Not least, Kazakhstan's diplomacy has achieved a lot, including the upcoming chairmanship of Kazakhstan in the OSCE. Bearing in mind the responsibilities that Kazakhstan will put on its shoulders next year, I am keen to discuss how – together – we can cure one of the greatest ills of our times, ethnic conflict.

The nature of contemporary conflict has undergone profound change since the Second World War. Between 1945 and 1999, about 3.3 million battle deaths occurred in 25 inter-State wars. By contrast, a conservative estimate of the total dead as a direct result of conflicts within States is 16.2 million. Five times the inter-State toll. Intrastate wars occurred in more than one third of the United Nations' Member States. Indeed, the London-based Minority Rights Group International estimates that 70 per cent of the combat in this period was internal.

Wars between States tend to be short these days. We all know about the Six-Day War, for example. Or take the war in the Caucasus last summer. In general, intrastate wars last much longer. Researchers have calculated that civil wars have an average duration of roughly six years.

These wars or inter-ethnic conflicts are particularly crippling for three reasons.

First, the entire economy of the country in question suffers. Recent studies have shown that ethnic divisions are associated with poor economic performance. Wars within States destroy infrastructure. Roads, schools, communications lines and hospitals are often targeted first. Too much money is poured into military budgets, and even more money is taken out of the country in conflict.

By the end of a typical intrastate conflict, people's incomes are around 15 per cent lower than they would otherwise have been. This, according to the World Bank, means that 30 per cent more people are living in absolute poverty.

Even more alarming are social costs. Heightened mortality and morbidity rates add up to an appalling

balance sheet of human misery. Not least, psychological trauma affects prospects for inter-ethnic cohabitation. When a man kills his neighbour because of language or faith, it is hard to reconcile their respective communities.

Second, a severe conflict in one State usually drags entire regions into setbacks. Scores of refugees put the neighbours' social services under great pressure. Victims of ethnic conflicts often have coethnics who are the majority in a neighbouring State. This neighbour often feels obliged to intervene. This is how an internal struggle takes on an international dimension.

Finally, we have seen too often in recent years that the failure to solve ongoing or so-called frozen conflicts creates pockets of lawlessness in the affected countries. These ungovernable territories harbour terrorists, drug and human traffickers and money launderers. They pose a threat to each of our countries, however remote and insulated we may feel.

Ladies and Gentlemen,

In the OSCE, we became bitterly aware of the need to prevent ethnic conflict in the early 1990s.

The end of the Cold War and the spread of democracy in Central and Eastern Europe were seen as an unparalleled opportunity to establish lasting peace. This peace would be based not just on converging interests, but shared values.

At the end of the Cold War, many believed that wars were a thing of the past and that liberal democracies had won a final victory over communist regimes. American historian Francis Fukuyama's famous book claimed that we had reached "the End of History". He was not alone in this belief. These aspirations were epitomized in the 1990 "Charter of Paris for a New Europe", which euphorically declared the end of the era of confrontation and division in Europe. The Charter reaffirmed the commitment to develop mechanisms for the prevention and resolution of conflicts among the participating States.

These positive feelings soon fell prey to strife generated by tensions and frictions within States. It often manifested itself as a conflict between different groups – based on ethnicity or religion.

It was the Balkan Wars of the 1990s that motivated the decision by the Conference on Security and Co-operation in Europe, to create the position of the High Commissioner on National Minorities, or HCNM, in 1992.

We all know that prevention is better than cure. This was indeed the fundamental thinking behind the HCNM mandate. As conflicts in Europe are perceived to emerge from inter-ethnic tensions, the High Commissioner has been tasked to focus on such situations. Therefore, being a part of the security dimension of the OSCE, my mandate is to provide early warning and take action at the earliest possible stage, on issues relating to tensions involving national minorities, which in the judgement of the High Commissioner have the potential to develop into conflict.

This quotation from my mandate does not merit a Nobel Prize in literature, but it does put the fundamentally humanitarian or human rights oriented principles of minority protection into a security context. In other words, the High Commissioner's task is to use the existing international standards of minority protection for the purpose of preventing conflict.

The 1992 mandate gives the High Commissioner unique powers. I can assess a wide spectrum of issues affecting inter-ethnic relations within a particular State based on my own judgement. In this sense, I am tasked to interfere in the internal affairs of a State if I fear that tensions surrounding national minority issues could have wide-ranging implications for international security. The rationale behind this particular aspect of my mandate is that issues relating to human rights, fundamental freedoms, democracy and the rule of law are of international concern because respect for these rights and freedoms constitutes one of the pillars of international order.

The pre-condition for this authority is the requirement to act in confidence. Confidentiality allows the parties involved to open up about their grievances and concerns.

I can therefore summarize the *modus operandi* of the High Commissioner as mediation between the majority and the minority, and the search for solutions that accommodate the concerns of all communities.

The practical philosophy applied to achieve this end is the integration of different ethnic communities within the State. I should make it clear, however, that integration does not mean the assimilation of minorities, nor their separation from society. Rather, I try to find the middle ground, integration with respect for diversity. As High Commissioner, I strive to identify the best ways to accommodate the legitimate concerns of the majority and the minority and to turn opponents into partners in building a common home.

Integration involves a balance of rights and responsibilities on both sides. On the one hand, the State respects the right of the minorities to maintain their identity, for example by facilitating education and broadcasting in the language of the minority and by encouraging their participation in public life. On the other hand, members of the minority give their allegiance to the State, pursue their objectives through their participation in the public life of the State and refrain from challenging the territorial integrity of the State.

The exact nature of the measures that constitute integration will vary from society to society. A different balance will be appropriate in each case. Nonetheless, some form of integration, avoiding the extremes of forced assimilation on the one hand and separatism on the other, is likely to be the best way to promote social cohesion and reduce the risk of conflict.

Ladies and Gentlemen,

What are the triggers of ethnic tension? This is one of the core questions we need to ask if we are to succeed in the business of prevention.

Nation-building in the new and what academics refer to as “nationalizing” States generates most of the ethnic tensions I deal with.

After the disintegration of multi-ethnic federations in the early 1990s, the tendency in the newly independent States was to strengthen national identity. Some of them embarked on comprehensive nation-building projects, with the emphasis on the majority language, culture and history, usually at the expense of minority groups.

I believe some of the ethics of nation-building, or what Wayne Norman calls “national engineering” in his recent book on nation-building, warrant a mention here.

First, minority languages are often marginalized or even abolished in education, media and, more generally, in the public domain. By adopting such measures, nationalizing States strive to coercively assimilate minorities.

Second, citizenship policies are often used to preserve or promote ethnically pure nations. On the other hand, active policies of repatriation of ethnic kin or forced resettlement are also advanced to thin out minority concentration, particularly near borders.

Third, education is abused to create or reinforce nationalist myths and stereotypes. Nationalizing States deliberately downgrade – or completely ignore – minority identity and culture in the secondary school curriculum and exclude minority communities from the process of curriculum development.

Fourth, electoral systems, employment in the public sector and law enforcement are skewed in favour of persons claiming the majority identity. The requirement to speak the State language is increasingly used to justify ethnic purification of the state apparatus.

Fifth, national symbols and holidays are adopted, and geographical and street names are changed in a deliberately exclusionary way that promotes majority identity only.

This is not an exhaustive list of catalysts for tension. It does, however, give you an idea of the pitfalls we need to watch out for in order to avoid ethnic conflict.

Ladies and Gentlemen,

How does the HCNM respond to tensions arising from nation-building?

At an operational level, I, first and foremost, maintain regular contact with the parties concerned. I often travel to the country and meet policymakers, legislators and minority communities. I also talk to people at the grassroots level: teachers, civil servants and police officers for example.

The purpose of such visits is to seek solutions to underlying causes of ethnic tension and to find a compromise acceptable to the parties concerned. I follow up on my visits with recommendations, in the form of letters to governments in which I suggest legislative or policy measures and, sometimes, projects in support of such measures.

If I feel that a situation merits particular attention, I can bring it to the notice of the OSCE Chairperson-in-Office: a post held by the Foreign Minister of the country chairing the OSCE. I also regularly – twice a year – brief the OSCE Permanent Council in Vienna. This is the Organization's principal decision-making body, comprising 56 Ambassadors from all OSCE participating States.

In addition to the OSCE family, I advance my ideas and keep in touch with other international actors who have an interest in the country concerned. They include United Nations agencies, the European Union, the Council of Europe, international financial institutions and NGOs.

On the substantive side, I urge both majorities and minorities to moderate their linguistic demands. Exclusionary linguistic policies that seek to advance one language over another are anachronistic. Bearing in mind the revolution in mass communication and international trade and transport, restrictive measures are nothing short of feudalism.

Ladies and Gentlemen,

Successful management of languages is a prerequisite for building a successful multi-ethnic state. I assist States in identifying practical ways in which the language rights and needs of different communities – majority and minority – can be satisfied in a harmonious way. These rights and requirements can be most effectively ensured when language is viewed as a means to enhancing communication between different communities rather than as a way of identifying divisions.

The State or official language (which is typically the majority language) has a vital role to play in promoting integration. It provides all citizens, whatever their ethnic background, with the means to communicate with each other and with the authorities. I therefore welcome steps to ensure that citizens have the opportunity to learn and to use the State language. However, measures to enhance

the State language should not be undertaken at the expense of other languages spoken in the country or the rights of individuals to use and develop those languages. This is clearly enshrined in international standards.

Integration involves responsibilities and rights on both sides. The minority should be prepared to learn and to use the language or languages endorsed by the State. At the same time, the majority must accept the linguistic rights of persons belonging to national minorities.

A good, practical example of my work on languages can be found in Georgia's Samtskhe-Javakheti province; this region is populated by ethnic Armenians. Most of them do not speak or write Georgian. This was neither a requirement nor a necessity during Soviet times. Once Georgia had restored its independence, knowledge of Georgian became increasingly important in the work place and for advancement in professional life. The HCNM, together with the Government of Georgia, set up courses in the Georgian language for civil servants of Armenian background. As a result, hundreds of people can now speak a new language, advance their careers and broaden their horizons.

This example illustrates that good will on both sides and a bit of creativity can help overcome the linguistic divide.

The same applies to broadcasting. The role of the national mass media is especially crucial. Public service broadcasting in national minority languages can promote loyalty to the State by ensuring that all communities enjoy services provided by the national media.

At the same time, wide access to the national media in minority languages can ensure that all ethnic communities have the opportunity to access domestically produced information and news. This will prevent a situation in which some ethnic groups have no alternative but to resort to external media sources. Technological advances – such as the use of subtitling – can facilitate the use of multiple languages in the field of media at little extra cost.

I am happy to report that innovative ideas in minority-language broadcasting are taking root. Here, in Kazakhstan for example, I engaged in a dialogue with your authorities on the use of subtitling for national news programmes. The Kazakh Government endorsed my recommendations. The benefits of

subtitling extend beyond the information field. By listening to Kazakh-language news with Russian subtitles, minorities will learn Kazakh more quickly while Russian-language news with Kazakh subtitles, on the other hand, will promote Russian-language proficiency among the majority – in line with the Government’s official policy of trilingualism.

Policing is another area that has a profound influence on inter-ethnic relations. The police are the visible extension of the government and the guarantor of law and public safety. As such, they operate at “street level” and have direct contact with all ethnic communities. The police often represent the sole agency of the criminal justice system with which various ethnic communities ever come into contact. As a result, the police have the power to influence the attitudes and perception of national minorities about the rule of law and the State's capacity to act in a just, legitimate and accountable way.

Effective policing requires strong links between the police and the people they serve. The police should mirror the demographics of society. Effective policing in multi-ethnic society is not only about recruitment of minority police officers. It is also about their retention and career progression. It is about diversity training and regular, institutionalized dialogue and communication between the police and minorities. It is about leadership in political and police management and about rewarding good practices and sanctioning bad ones.

The OSCE has an outstanding track record in multi-ethnic policing in the Balkans where police services had to be re-established from scratch. In the span of just a few years, a police force that was abusive and monoethnic in many of the Balkan countries was replaced with an effective, multi-ethnic service that responds to the needs of all sections of the public. This is an achievement we should be proud of.

Ladies and Gentlemen,

Education is a common thread running through all my country activities.

It is particularly important in multi-ethnic societies. On the one hand, education enables national minorities to pass on their culture to future generations. In this way, they preserve, promote and

develop their minority characteristics. It is fair to say that the preservation and development of national identity is virtually impossible without instruction in minority languages in secondary schools or, at the very minimum, the teaching of minority languages as a subject on the curriculum. On the other hand, national minorities have a responsibility to integrate into the wider national society by acquiring a proper knowledge of the State language. This may mean not just the teaching of different languages, but teaching in different languages.

In this regard, I am a devoted supporter of bilingual and multilingual education. It has been proved to have a number of important advantages. Firstly, this type of education equips children with a range of enhanced skills, including the development of a rich vocabulary, increased sensitivity to multiple meanings, a better understanding of complex language structures and the ability to understand abstract concepts.

Secondly, bilingual or multilingual education equips individuals with the ability to learn additional languages more easily. This capacity is of ever increasing importance in a world faced with globalization, the expansion of the Internet and other modern communication media. Language becomes a gateway to opportunity, to different cultures and to the wider world.

Bilingual or multilingual education also has other advantages. This type of education helps all ethnic communities to understand and accept that they live in a multilingual and multicultural society. Experience has shown that as a result of immersion in other languages – that is teaching a range of subjects through the medium of a second or even third language – students develop a positive attitude to different languages and cultures. Moreover, they are inclined to remain positive towards other language communities after they leave school. Bilingual or multilingual education is a means of fostering increased social interaction and building friendships irrespective of ethnicity.

Knowledge about and acceptance of bilingual or multilingual education is spreading. I see this as an encouraging sign. The HCNM has made its contribution to this positive trend. For example, through the provision of policy advice and projects, your country as well as Kyrgyzstan, Georgia and other states have begun introducing bilingual or multilingual education in their schools. In this context, let me particularly commend President Nazarbayev's policy of trilingualism.

The promotion of positive values and language skills is a crucial element in integrated education. Intercultural education should not however be confined to these areas. Experience suggests that it is also important to give careful consideration to the place of the history and culture of the ethnic communities within a State in the education curriculum, not only that of the national majority. This inclusive approach has proved to be a powerful way of promoting integration. It can be further enhanced when the subjects in the curriculum related to minorities are developed with the active participation of bodies representing national minorities.

Ladies and Gentlemen,

This brings me to one of the key concepts underlying my work: participation. Be it education, language management, regional legislature or national parliament, the best method of preventing discontent and, at worst, conflict is to draw minorities into the decision-making process.

There is no universal recipe that will apply to all cases. In some countries, a majority electoral system is the best way of ensuring minority participation. In others, a proportionate system is more suitable. Dual voting might be applicable in yet another. Whatever the final outcome, minorities have to have a voice in the decisions that have a direct impact on their lives.

Excluded or marginalized groups often react strongly against policies that are uniformly forced upon the wider society. Good governance entails the responsibility of administering to the whole population and taking into account, in a meaningful way, the specific concerns and interests of minorities.

Arguably, the greatest challenge is to give national minorities a meaningful role in political decision-making or, to put it simply, actually governing the country.

Whatever the form – be it territorial autonomy, non-territorial arrangements, specific provisions in the election law, advisory or consultative bodies, the fundamental feature of all these models is their departure from pure majority rule. They reach out to national minorities in order to take their needs and aspirations into account.

Inclusive government and distribution of power across ethnic lines are keys to overcoming internal divisions and reconciling competing interests.

In all these areas – education, languages, policing, broadcasting and participation – the HCNM has, over the years, encouraged experts to produce written guidance grounded in international law. I draw on these documents in formulating my recommendations to the parties concerned in a particular case. Issues in the areas mentioned above are usually the core concern of national minorities and need particular attention and resources from governments. By addressing these matters, we move from operational to structural conflict prevention.

Ladies and Gentleman,

Borders and ethnicity rarely follow identical lines in today's world. In Africa, we have about 50 states but over a thousand ethnic groups. As I mentioned earlier, a minority community in one OSCE participating State often has coethnics who are the majority in a neighbouring State. Such a neighbouring State is often called a kin-State in our jargon.

European history recounts many clashes, both military and diplomatic, between States over national minority issues. Various motivations lie behind such encounters, but one thing is certain, the concern on the part of the kin-States is there and it continues unabated. In 2008, I developed a set of recommendations designed to assist the participating States in peacefully managing national minority issues in inter-State relations. It is called the Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations.

These Recommendations offer the States solutions: solutions on how to co-operate across borders on issues relating to national minorities, while respecting each other's sovereignty and territorial integrity.

National minorities are not a source of inter-State tension by default. On the contrary, their presence can help States to build bridges between each other, to foster economic and cultural co-operation and to develop good neighbourly relations.

Ladies and Gentleman,

Last year, the HCNM turned 15. I think the past fifteen years have demonstrated that ethnic tensions do not resolve themselves. On the contrary, in some cases those in authority or influential positions use ethnic tensions to advance narrow interests at the expense of the people. It is important for the international community to recognize the danger signals early on and to intervene vigorously if conflict is looming.

Max van der Stoel, the first High Commissioner, once remarked that the HCNM budget over the first decade of operations was less than the cost of one military aircraft. In general, military expenditure has sharply increased in a vast range of countries, while the money invested in conflict prevention has stagnated. Nevertheless, the return on just a modest investment in conflict prevention has been shown to yield dividends of peace, development and regional stability.

International institutions, such as the HCNM, must remain strong. It is vital that the international community supports the HCNM recommendations because peer pressure from other States is often the only way to correct another State's behaviour.

We also need to preserve the achievements of the 1990s, when minority rights were codified and inter-ethnic issues featured high on the political agenda. We must not allow these standards to drop. On the contrary, the international community needs to come up with new and bold ideas on how to firm up soft law instruments developed by the HCNM and the Council of Europe.

In order for this to happen, we need the help of policy networks and academia. But first and foremost, we need the help of sympathetic governments, such as Kazakhstan. We hope that your country, as Chairmanship of the OSCE, will induce decision makers in other countries and in established international forums to promote conflict prevention. We must draw attention to the devastating nature of ethnic conflict and the value of preventing it at an early stage.

I thank you for your attention and look forward to your reactions and questions.