



# High Commissioner on National Minorities

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**"Preventive Diplomacy in Situations of Ethnic Tensions: The Role of the  
CSCE High Commissioner on National Minorities"  
Remarks of M. van der Stoep, High Commissioner on National Minorities  
of the Conference on Security and Cooperation in Europe (CSCE)  
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Mr. Chairman,  
Ladies and Gentlemen,

Thank you for this opportunity to address you on problems concerning national minorities in Europe, problems which can lead and sometimes have led to violent conflict. As CSCE High Commissioner on National Minorities I am directly involved in this aspect of the international political situation after the fall of communism in Europe. In the course of my remarks on preventing ethnic conflict in the region, I will therefore refer specifically to the role of the CSCE High Commissioner as an instrument of preventive diplomacy.

[General remarks on ethnic conflict prevention]

As events of the last three years have shown, so-called ethnic conflicts are the greatest danger to peace and stability in the wider European region. The violent conflicts in the former Yugoslavia, Georgia, and Nagorno-Karabakh have shown us this danger all too clearly. The short-term costs have been considerable. Thousands of lives have been lost. Millions of people have been forced to flee their homes, thus burdening the fragile economies of other countries and the scarce resources of the international community. But the long-term costs may even be greater. These conflicts are not just internal disputes. They generally involve neighboring and nearby countries as well. Not merely "domestic" affairs, these conflicts disrupt regional stability and cause enormous damage to commerce and economic development in the region.

These conflicts have also shown us the need to prevent future outbreaks of such large-scale violence. The difficulties of the transition from communist rule in Central and Eastern Europe and the former Soviet Union have of course provided ample context for problematic inter-ethnic relations. These problems often start at the political level, generally due to the extremism of very small groups. Let me say directly, in fact, that so-called ethnic conflicts are not inevitable. Although ethnic groups may have a centuries-old history of difficult mutual relations, conflicts between such groups very often have more

immediate political causes. This becomes apparent 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. Often making quite emotional appeals, they may advocate for restoring and enhancing a group's ethnic or national identity. Even acceptable policies, however, might have some unintended effects. For historical reasons, ethnic or national revival for one group may be interpreted by other groups with some hesitation if not distrust. Advocating certain policies under these conditions may provoke some unforeseen antagonisms. There are, in addition, some leaders who intentionally seek to fan such antagonisms. They may single out other groups as culprits in a long history of victimhood. If this scapegoating then results in measures to exclude or harm the interests of the other group, then large-scale violence is likely to ensue. Thus playing the ethnic or nationalist card, such radicals lay the basis for the tragic patterns we have already observed in the former Yugoslavia, Georgia, Nagorno-Karabakh, and elsewhere in the region.

It is up to individual governments, to responsible leaders of minorities, and to the international community as a whole to make sure that such demagogues do not get the chance to cause new explosions of violence. One cannot overestimate the importance of effective democratic institutions in this regard. They are essential for guaranteeing and organizing popular participation in public life. They are the key to channeling and resolving the conflicts of interest that are normal in all societies.

In more fragile democratic systems, however, opportunistic leaders may have ample possibilities for exacerbating ethnic divisions. Inter-ethnic violence is nonetheless not inevitable even in these cases. Opportunities for peaceful resolution do often exist, especially at the earliest stages of tension, but reconciliation often requires the appropriate engagement of outsiders in promoting dialogue. The international community has essentially two choices in this regard: conflict prevention at the early stages, or if a conflict is allowed to develop, crisis management under often difficult circumstances. A full-blown conflict, after all, generally takes years to resolve, and much damage is likely to be done in the meantime, in terms of human suffering and social and economic devastation. As we have already seen with tragic clarity elsewhere, outside intervention only seems to become more difficult, more costly, and perhaps less effective the longer the fighting persists.

The preferable option is conflict prevention. It is easier, more cost-effective, and more constructive for the international community to address escalating tensions before the conflict erupts. Bargaining positions have generally not yet hardened, and the parties may still have considerable interest in peaceful solutions, particularly at the earliest stages of friction. The cycle of violence and revenge has also not yet taken hold. Early on, there may still be numerous possibilities for resolving specific differences. More importantly, there may still be possibilities for creating processes and mechanisms for

managing inter-ethnic relations peacefully. Outsiders who are independent and impartial may play a crucial role in this pre-conflict stage, and here I would like to speak concretely about the High Commissioner's role within the CSCE as an instrument for preventive diplomacy.

[The CSCE and the High Commissioner]

Since the early 1970s the Conference on Security and Cooperation in Europe, or the CSCE, has been an important means for multilateral engagement in the region which, as we say, extends from Vancouver to Vladivostok. Indeed, the CSCE comprises the United States, Canada, all states on the territory of the former Soviet Union, and all other European states (except the former Yugoslav Republic of Macedonia, which has observer status). Therefore, all of the countries in the region including the five post-Soviet Central Asian states participate in the CSCE, unlike other regional institutions which have more limited memberships. Established initially as a forum for East-West dialogue during the Cold War, the CSCE was instrumental in spreading the values of democracy and human rights throughout the former communist bloc.

In its first decade and a half, the CSCE was also an essential forum for standard-setting, including norms pertaining to persons belonging to national minorities. The modest progress made on minority issues during the Cold War accelerated greatly after 1989. With regard to the human dimension of the CSCE, the pinnacle of the post-Cold War agreements has been the 1990 Copenhagen Meeting, which elaborated far-reaching standards on human rights, democratic institution-building, and the rule of law. The Copenhagen Meeting resulted specifically in clear commitments on how governments should formulate policy toward minorities, and the Copenhagen Document contains perhaps the most extensive commitments by governments on the rights of persons belonging to national minorities within the context of any multilateral arrangement.

In the Copenhagen Document, important formulations were devised for the following items, among others: the relationship between the protection of minority rights and the functioning of democracy and the rule of law; the basic ethnic, linguistic, cultural, and religious rights of persons belonging to national minorities; and the need for adequate opportunities for instruction in a mother tongue, as well as in the official language(s) of the state. In 1991 the CSCE also organized the Geneva Meeting of Experts on National Minorities, the final Report of which added various provisions to the growing body of guidelines for policy on national minority issues. In fact the Report of the Geneva Meeting includes what has become known as "the shopping list," a sizeable catalogue of potentially constructive measures for addressing minority issues. Perhaps most notably the Report also states explicitly that national minority issues are "matters of legitimate international concern and consequently do not constitute exclusively an internal affair of the respective state".

This last statement also points to the CSCE's important role in promoting regional security in the post-Cold War period. The CSCE, now comprising

over 50 participating states, faces a vastly different geopolitical landscape. It has begun to re-define itself as it attempts to respond to the current problems of the region. As I already suggested, the greatest threats to peace and stability in the region arise now from conflicts within countries, rather than from conflicts immediately between countries. At the same time, the region's experience in responding to the conflicts in former Yugoslavia and elsewhere has shown that conflict prevention is far more preferable than crisis management. Although an extremely important component of the CSCE's comprehensive approach to peace and security issues, mere standard-setting has of course not been enough to prevent conflicts, including those arising out of ethnic tensions.

With an increased emphasis on conflict prevention, the CSCE's participating states decided in mid-1992 to establish a High Commissioner on National Minorities to respond proactively to ethnic tensions that could develop into a conflict affecting peace, stability, or relations between states. The High Commissioner is mandated to provide "early warning" and "early action" in these situations so that tensions do not escalate to violent and unmanageable proportions. The High Commissioner is not a "watchdog," so to speak, on behalf of national minorities, and he or she is also not supposed to function as an investigator of individual complaints from persons belonging to minorities. Rather, the High Commissioner is mandated to identify and help resolve ethnic tensions that could develop into a conflict with international implications. At its December 1992 Meeting in Stockholm, the Council of Ministers for Foreign Affairs of the CSCE nominated me as the first High Commissioner for a period of three years with the possibility of an extension for another three years.

In carrying out this conflict prevention function, the High Commissioner is to operate impartially and independently of all parties involved in the tensions. Furthermore, he is empowered to conduct on-site missions and to engage in preventive diplomacy among disputants at the earliest stages of tension. In addition to obtaining first-hand information from the parties concerned, the High Commissioner may promote dialogue, confidence, and cooperation between them. Thus he fulfills a self-standing conflict prevention function. However, there may be situations where such preventive diplomacy is not enough, and he has to call in the CSCE as a whole to prevent violent conflict. In such cases when tensions threaten to erupt into violent conflict, the High Commissioner can issue an "early warning" to CSCE, formally calling attention to the seriousness of the situation. Throughout these phases of High Commissioner functioning, I should mention, the continuous political support of the CSCE's participating states is absolutely crucial for ensuring the effectiveness of the High Commissioner's conflict prevention efforts.

I should also mention that there are some restrictions on the mandate, which is after all the product of negotiations between more than 50 governments. One restriction, for example, is that the High Commissioner is precluded from communicating with, and acknowledging communications from any person or organization that practices or publicly condones terrorism or violence. The

High Commissioner is furthermore prohibited from engagement in situations involving organized acts of terrorism.

[High Commissioner in action, observations on reducing ethnic tensions]

Since assuming the post on January 1st of last year, I must say, though, that the mandate provides considerable latitude in how the High Commissioner actually carries out the tasks of conflict prevention. I have already become involved in approximately a half-dozen situations throughout the region: in the Baltic states, particularly Estonia and Latvia; in Slovakia and Hungary; and in Romania, the former Yugoslav Republic of Macedonia, and Albania. In addition, I was requested to study the situation of the Gypsies, or Roma, in the CSCE region. Last autumn I submitted a general report on their problems and on constructive measures that governments should take to address them. This year it appears that my activities will expand eastward to include visits to some of the newly independent states of the former Soviet Union.

I would like to emphasize that the specifics of the situations in these countries vary enormously. To give you just a small taste of this, a large part of the Russian population in the Baltic states has taken root there only in the last fifty years or so, and their presence is intimately connected to the Soviet occupation of these states. For all of the injustice inflicted upon them by the Soviet regime, the Estonians and Latvians have to learn to offer a perspective of equality to these large groups: The non-Estonians and non-Latvians make up 40 and almost 50 percent of the population of their respective countries. At the same time, these groups have to become accustomed to being a minority in independent states that are no longer part of the Soviet Union. The breakup of the Soviet Union, the process of the still-huge Russian Federation trying to settle down politically and psychologically, and the presence of ex-Soviet troops in the Baltic region give these situations a specific flavor and acuteness.

In Slovakia, to give just one other example, the Hungarian minority--probably the largest in the Republic--makes up somewhat more than 11 percent of the population. The relationship between the Slovak and Hungarian populations goes back centuries, and it embraces much common history and mutual sensitivities. Part of this equation is of course also the sometimes difficult relationship between recently independent Slovakia and its neighbor Hungary. In this context, demands by some leaders of the Hungarian minority for autonomy are seen by some Slovaks as a first step towards secession and eventual reunification with Hungary itself.

For all the differences across these situations, I have been struck by a number of constant elements. Quite often, relations between different ethnic and national groups seem relatively calm and stable at the community level. Different groups interact, sometimes intermarry, but rarely harbor deep-seated animosities toward each other. At the political level, however, government-minority relations are usually more strained, sometimes involving representatives of the minority's so-called kin-state or "mother country." And here I would note that there are perhaps three steps that could be taken to

improve government-minority relations. I would sum up these measures in the following words: communication, participation, and integration.

First, communication. During my missions I have often found that dialogue and mutual trust between the authorities and minorities could be greatly improved. In some cases, an effective solution is a council or roundtable at which the authorities and representatives of the minorities can discuss specific problems together. All parties must of course engage in this dialogue in good faith and try to make it succeed. These bodies should provide for meaningful input by minorities into government policy on issues that affect them, and not be just window-dressing for the outside world. In other cases, an independent governmental body within the country, such as an ombudsman or a special ministry, can serve to receive and respond to complaints by minorities.

Second, participation. One cannot overestimate the importance of effectively functioning democratic institutions in this regard. If minorities feel that their voices are being heard through the democratic process, then they will be unlikely to resort to less acceptable means for representing their interests. Participation in public affairs is also very important to create links of mutual loyalty between the state and the minorities.

Third, and building on the foregoing, the need for integration. Integration is quite different from assimilation, in which case a minority is absorbed by the majority, loses its identity, and disappears as a recognizable group. Integration assumes instead that the distinctive identity of the minority will be maintained, but that persons of the minority are encouraged to be part of the society at large.

Sometimes, a change of perception by government authorities and minority leaders is required. Protecting and improving the status of minorities has to be seen in the interest of the entire society. If the majority society shows loyalty to minorities, then it can expect loyalty in return. For their part, national minorities should understand that developing their identity does not necessarily have to lead to territorial secession, independence, or reunification with a kin-state. There are other possibilities for self-realization, such as cultural autonomy, local government, and so forth.

Here I would like to underscore what has been perhaps only implicit in my foregoing remarks: The means for containing and eventually reducing ethnic tensions should be sought as much as possible within the framework of the existing state. There are few "quick-fixes," so to speak, when it comes to minority issues, least of all through secession, irredentism, or other formulas involving even minor border changes. Wherever the border is drawn, there will almost always be different ethnic groups living together. They will have to learn to live harmoniously with one another. State sovereignty for each group is thus not a cure-all; it might instead lead to greater ethnic tensions and regional instability. Proposing border changes or other territorial options may indeed increase the rigidity of government policy toward a minority. I myself

have not yet encountered a government which is prepared to cede even a small part of its territory as an element of a solution for a minority problem.

On the other hand, bilateral treaties between neighboring countries confirming the existing borders and, at the same time, guaranteeing the protection of minorities can sometimes be helpful. 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. A bilateral treaty may also help establish regular government-to-government dialogue on minority issues. However, as attractive as they might seem, these treaties are also no cure-all, and indeed, at least two important considerations should be kept in mind: -First, where relations between neighboring states are already difficult, efforts to conclude a bilateral treaty may only serve to underline their differences. -Second, even in cases where bilateral treaties might be within reach, any attempt to force the tempo of negotiations may actually disrupt the process of rapprochement. In short, the elimination of potentially destabilizing minority problems in Europe requires constant and tireless promotion of more harmonious relations between ethnic groups within each country itself.

Given this task, the obvious question arises: what can the CSCE High Commissioner on National Minorities really do to promote the positive steps I just mentioned? A few factors should be mentioned here. First, my experience as High Commissioner has shown me repeatedly that in most cases, parties to these ethnic tensions are themselves interested in peaceful solutions. An impartial and independent outsider with an international mandate can act as a useful catalyst or even facilitator for more direct contact between the parties. Second, I have noticed that High Commissioner recommendations to the governments are often reiterated by other international actors, thus reinforcing the importance of constructive measures by the governments. The Council of Europe is of crucial importance in this regard. I have therefore established a good working relationship with the relevant authorities of that organization. Third and most important, the High Commissioner is in fact an instrument of the CSCE, the collectivity of the states in the region. Without their support the High Commissioner would politically not be effective or even credible in his efforts at preventing conflict. More and more, the weight of consensus among 50-plus governments is strengthening the impact of High Commissioner functioning. For example, last summer the CSCE requested me to give on-the-spot comments to a very controversial aliens' law in Estonia on behalf of the entire CSCE. These suggestions resulted in noteworthy amendments to the law.

[Concluding remarks]

Mr. Chairman,  
Ladies and gentlemen,

There is of course much more that still needs to be done. Last year, substantial progress was made in identifying and analyzing a number of situations involving potentially disruptive ethnic tensions. Acute flare-ups in such tensions were also effectively contained in a few of the situations, thus

ensuring at least the possibility of future dialogue. And this important work in understanding and stabilizing potential trouble-spots needs to continue. Ultimately, however, we must devote greater energies to promoting greater dialogue, confidence, and eventual cooperation between governments and minorities. In the long run, all elements in society must devise ways to peacefully manage and resolve the differences that are intrinsic to democratic life.

Outsiders must be willing to serve different functions in this process, and here I would like to underscore the need for international support to countries undergoing complex and difficult transformations in their economic and political systems. As I already mentioned, such instruments as the High Commissioner may be able to help encourage conciliation and understanding between disputing parties. In other cases government authorities and minority leaders have actually reached agreement on some preliminary steps to be taken. Too often, however, the capacity for implementing these modest ideas is missing. Without implementation, this goodwill and cooperation cannot be properly developed. The international community can provide immeasurable support here, even through extremely minor expenditures. I am thinking, for example, of assistance for an accurate census in one country, or perhaps language education for integrating a minority in another. And in general terms, the international community -- through the CSCE, the Council of Europe, and bilateral channels -- must also continue to promote the proper political climate for dialogue, dispute resolution, and democratic development within each state.

Simply put, I am saying that future outbreaks of so-called ethnic conflicts are not inevitable, but may be largely preventable. International engagement is necessary for two purposes: to understand the unique nature and dynamics of inter-ethnic relations in each situation, and to help check the influence of the small groups of extreme nationalists who wish to capitalize on the opportunities of this transition period. International goodwill is then necessary to support the constructive approaches of moderate, democratically oriented leaders who do exist in each situation. This whole process will require time, resources, and above all the vigilant and constructive engagement of the international community. The alternative, I am afraid, would only embolden the forces of extremism and intolerance, leading to greater insecurity in the region.

Thank you.