



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

**PREVENTING CONFLICT THROUGH QUIET DIPLOMACY:
HCNM EXPERIENCE**

address by
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to the
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Dialogue Facilitation and Mediation –
Best Practices from Regional Organizations**

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Ladies and gentlemen,

Let me begin by thanking the Secretary General for his initiative to convene this meeting which gives us an opportunity to share experiences and to take concrete steps to further advance the cause of conflict prevention. Conflict prevention is the main objective both for the UN and the regional organizations. I want to commend the Secretary General for this follow up to the UN Secretary-General's retreat last January. This gathering can also be seen as furthering the dialogue on conflict prevention my predecessor Rolf Ekéus started with the regional organizations in 2005.

Even though everybody talks about conflict prevention, it fails to attract the resources and commitment it deserves. Preventing conflict is by far the most cost-effective way of dealing with conflict and its consequences. The first OSCE High Commissioner, Max van der Stoep, once remarked that the cost of one modern warplane would have funded his work for a decade. With the recent price estimates for the new Joint Strike Fighters: almost 90 million EUR each according to Dutch press reports, one such plane would have covered the current HCNM's budget for almost three decades. A telling comparison when we talk about conflict prevention. We all know how difficult it is to resolve conflicts once they erupt. The OSCE can attest to it: a number of protracted conflicts between its participating States remain unresolved. In the meantime, people continue to live in fear and insecurity, their lives endangered and their futures bleak. Our whole history testifies to the incredible suffering and destruction caused by wars not contained in time. A testimony to the fact that the international community must concentrate more on preventing violent conflicts rather than trying, often in vain, to resolve them.

So what is conflict prevention all about? It is about things not happening; about no news being good news. It is about “winning the peace” in a low-key kind of way. It is not for those seeking the headlines or claiming credit. It is a shared success.

My institution has been in the business of conflict prevention for almost 20 years. The HCNM has accumulated considerable experience during this time. It has developed practical tools as well as normative approaches to contribute to the sustainable

prevention of conflicts. Quiet diplomacy has been an integral and an essential part of this work. My aim today is to share with you some of the lessons learned from the experiences of the HCNM and to discuss the advantages as well as the limitations of preventive diplomacy.

Let me begin with a brief historical account for those who are not familiar with the OSCE in general and the HCNM in particular. The HCNM was set up against the background and to a certain extent in response to the violent dissolution of the former Yugoslavia. As the international community struggled with the disintegration of societies along ethnic lines and failed to stop atrocities that were considered unthinkable in post-Second World War Europe, an international consensus slowly began to grow that there was a need for an institutional response to these “new” ethnic and national conflicts. It was necessary to prevent such conflicts at the earliest possible stage. An instrument had to be designed to facilitate the role of the OSCE in managing change resulting from post-Communist transition – essentially to address the relationship between minorities and majorities as part of the political process in the broadest sense.

One of the initiators of the HCNM as an institution was the Netherlands, the country which presided over the European Community (now Union) when the crisis in Yugoslavia erupted. In 1992, the Dutch Ambassador to the then CSCE (Conference on Security and Co-operation in Europe), Bert Veenendaal, warned that “the situation of national minorities is likely to become the cause, or a fertile environment, for several inter- or intra-state conflicts” and that “the issue could develop into one of the most dangerous threats to stability and security in Europe.” Following long and careful negotiations, the post of High Commissioner on National Minorities (HCNM) was established as “an instrument of conflict prevention at the earliest possible stage” (para. 2 of the mandate). The mandate empowers the High Commissioner to provide early warning and, as appropriate, early action “in regard to tensions involving national minority issues which have not yet developed beyond an early warning state, but, in his judgement [...] have the potential to develop into a conflict [...] affecting peace, stability or relations between participating States [...]” (para. 3).

Negotiating the HCNM mandate was far from easy, as it necessarily touched upon issues highly sensitive for States. To begin with, many States feared that they would have to formally recognize national minorities living in their territories, thus inviting unwelcome interventions from neighbouring States who would use or abuse the presence of their "kin" to meddle in their internal affairs. Other States feared that increased minority protection would be a first step towards the recognition of collective rights for ethnic groups, a development which they perceived as threatening the fabric and cohesion of multi-ethnic and multi-religious States. Yet others feared that the wide scope of the mandate, coupled with the large measure of autonomy foreseen for the new conflict prevention institution, would potentially expose extremely sensitive problems within their jurisdictions, perhaps even resulting in their dirty linen being laundered in public.

The mandate was nevertheless adopted, and it has proved to be flexible enough to retain its added value and relevance many years after its conception. One of the limitations in the exercise of the mandate, however, was the requirement that the High Commissioner act in confidence. States accepted the "intrusive" mandate of the HCNM as long as the confidentiality of his talks and negotiations was ensured. It is not surprising, therefore, that all successive High Commissioners have relied heavily on quiet diplomacy as one of the key instruments in their work.

What are the main features of quiet diplomacy? The first, and the most obvious one, is that it is not loud. In contrast to public diplomacy, which relies on the media and publicity, quiet diplomacy is based on "behind-the-scenes" negotiations. Second, it is not backed by force. In contrast to "gun-boat diplomacy", quiet diplomacy relies on diplomatic means such as negotiation, persuasion, influence and conciliation. Like most things in life, quiet diplomacy has its advantages and its disadvantages. In the HCNM's experience, quiet diplomacy helps build trust between the parties concerned by limiting public exposure. It also reduces the political costs for domestic leaders in making concessions and appearing to be acting under international pressure. The disadvantage is that it is difficult to go public and use a "name and shame" strategy when compliance and co-operation is not forthcoming and actions require clear condemnation. Nevertheless, I would say that this is a price worth paying for an

institution such as the HCNM, since there are other actors and international organizations free to pursue the more public approach.

The advantage of relying on influence, negotiation and persuasion is that it may be easier to achieve local ownership for advice or strategies suggested by an outsider and secure better chances for more effective implementation. The disadvantage, of course, is that concrete incentives and pressures for compliance are lacking. In situations where timing is crucial, this can tip the balance and result in the failure of conflict prevention efforts.

Generating compliance is one of the major challenges of preventive diplomacy. The HCNM for instance has neither material resources nor enforcement mechanisms available to ensure that his advice is taken up and implemented by governments. He can, however, provide what all States need, and that is international legitimacy. He can also appeal to the States' interest regarding stability, integrity and political viability. In some cases, he can influence assessment and accession processes to international structures such as the EU, which tend to be a top priority for many States.

I often say that my predecessors had an easier time than I do in convincing States to follow their advice, since during their tenures many of the States were in the pre-accession stage to the EU. This was no doubt an important element in the success of the HCNM's diplomacy vis-à-vis the Baltic States. The tensions between Russian minorities and the Baltic States, mainly Latvia and Estonia, flared up on numerous occasions and displayed a high probability of open conflict with the potential involvement of the Russian Federation. The HCNM was instrumental in easing tensions and reducing stringent residency and language requirements for citizenship, relying among other things on international pressure and EU backing.

Similarly, Hungary's accession to the EU was among several decisive factors putting pressure on the Hungarian Government to co-operate with the HCNM and to amend its controversial Act on Hungarians Abroad, also known as the Status Law. This Law aimed at providing support for Hungarian minorities abroad, but some of its

provisions and the manner in which it was adopted became a cause of considerable tension between Hungary and its neighbours.

We need to work closely with the EU not only in the accession process, but also afterwards. National minority issues are not an exam to be passed and then forgotten about. They are part of a continuing process requiring constant attention.

The EU membership remains an important incentive particularly in South-Eastern Europe, but in many other areas where I am currently involved the prospect of EU accession is too remote to have any realistic influence on decision makers. In this context, I have discovered that perhaps the most effective way to ensure co-operation with States is to appeal directly to their self-interest. After all, integration and accommodation of national minorities goes right to the core of the national security interests of most States. Nothing can be more dangerous than a group of dissatisfied and alienated citizens united by a common kinship and a sense of not belonging to the State in which they reside. It is the perfect recipe for generating tensions that could disrupt both internal stability and international security. If and when the authorities understand that protection of minority rights is in the interests of the State, the extent of co-operation and compliance can be quite considerable.

For instance, one of the most extensive conflict prevention programmes carried out by the HCNM since 2003 has been in Georgia. It targets Armenian- and Azeri-populated areas of Georgia, which were once amongst the most isolated and underdeveloped regions in the country. The HCNM has been supporting activities such as the teaching of the State language, training teachers of both minority languages and the State language, building the capacity of local media outlets, re-broadcasting Georgian news in minority languages and training civil servants in management of interethnic relations. Most of these activities have been supported and taken over by the Georgian Government. There is a growing realization that addressing the concerns of the Armenian and Azeri minorities is essential if Georgia is to avoid the interethnic tensions and conflicts it experienced in the early 1990s.

Finding a convergence of interests, therefore, can be the key for successful preventive diplomacy. The difficulty of course is to convince not only the authorities to co-operate but also the minority representatives. Their bargaining positions vary from

case to case, depending not only on domestic but also external factors such as support of powerful kin-States or other regional actors. Lately, I have been closely involved with the authorities in Skopje in order to develop and implement an integrated education policy. Getting minority representatives on board and convincing them that this is ultimately in their interest has not been an easy task. Last October, however, the Minister of Education, a Macedonian, and the Deputy Prime Minister, an Albanian, jointly announced the Government's decision to adopt the integrated education policy that the HCNM has assisted in developing. The assumption that this would be reflected positively in the European Commission's Progress Report was no doubt a major factor in the decision. However, I choose to believe that there is also a growing understanding that integrated education serves the interests of the State, bringing stability and development.

Finally, conflict prevention is more than quiet diplomacy. In the long run, it is really about building a viable democracy and viable institutions, about creating confidence and trust in relations between governments and citizens, about ensuring protection of human rights and fundamental freedoms, about promoting integration and social cohesion, and about fostering tolerance, understanding and mutual acceptance in society. In such a process, however, preventive diplomacy can be essential for laying down the foundations for peaceful co-existence. It can help create mechanisms that enhance dialogue and co-operation among different groups and by so doing encourage future management of disputes through peaceful and democratic means. The challenge of course is to get the timing right. Preventive diplomacy is most successful in the early stages of an emerging conflict, before bargaining positions harden and the cycle of violence and revenge takes hold.

Clearly, the HCNM's mandate urging early warning and early action is still highly relevant, and should be exercised to the full.