



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

BUILDING AN HCNM FOR THE FUTURE

address by
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Mr. President,
Parliamentarians,
Dear ladies and gentlemen,

Twenty years ago, the CSCE (Conference for Security and Co-operation in Europe) Ministers met in Helsinki amid tumultuous times in Europe. The fall of the Iron Curtain and the break-up of Yugoslavia had, within a relatively short period of time, broken the European political architecture established at the end of World War II. While these times were awash with political euphoria and high hopes for the future, the festive mood was soon darkened by war and bloodshed that came to epitomize this period in some countries. Troubled by interethnic strife and the rise of virulent nationalism, the CSCE leaders responded by setting out the mandate for what would become the High Commissioner on National Minorities. Born in such extraordinary times, what is the relevance of this Institution today?

The mandate given to the first High Commissioner, the late Max van der Stoep, remains unchanged. Quintessentially, this is to identify and seek early resolution of tensions involving national minorities that could threaten peace and stability within and between OSCE (Organization for Security and Co-operation in Europe) participating States. This mandate is unique, in that it leaves me as the High Commissioner a lot of room to exercise my personal judgement, both as to where I should get involved and, not least, how I should engage. The mandate obliges me to work in confidence, which is why most of you rarely hear about my activities. But can an institution built upon such a mandate remain relevant in a world where politics are increasingly driven by publicity and with ever-louder demands for transparency? Is there still room for silent diplomacy in the era of Twitter and Facebook?

Of course, the HCNM has changed and adapted its work to the dynamic political landscape, and will continue to do so. The Institution is now actively engaged in countries I would never have anticipated, sometimes on issues we all thought were resolved. But still, I am more struck by the similarities than the differences. Many issues remain as topical today as they were when the mandate was formulated. This testifies to the complexity and lasting relevance of the matters we deal with. There is no panacea to resolve interethnic tensions. This work is a process that demands constant adjustments to our policies. As a result, my activities also change over time.

As in 1993, the job of the HCNM remains to help States strike the right balance between the interests of the majority and minorities, and to sound the alarm bell if this proves impossible and conflict seems inevitable. The most important component of my conflict prevention work is to assist States in fulfilling their responsibilities to their citizens. To do so, I need to earn the trust and, hopefully, respect of both the State and the minorities. It is when offering advice on what are, at times, very sensitive political topics that the confidentiality aspect of my mandate proves its worth. In such circumstances, the requirement for confidentiality also helps me maintain a distance from what can be rather heated political debates.

Let me give you an example of the issues we are currently concerned with, and how their manifestations have developed over time:

Two weeks ago, I visited Skopje in the wake of a fresh outbreak in interethnic tensions. But the backdrop for my work in this country differs significantly from the context Mr. van der Stoel was dealing with. The peace agreement in 2001, the Ohrid Framework Agreement, gave the Albanian minority far-reaching rights. Mr. van der Stoel was himself active in the negotiation process leading to this agreement, and there can be no doubt that the Ohrid Framework Agreement has been instrumental in stabilizing the situation and averting further conflict. To appreciate just how much has been achieved, it is enough to note that the largest political party of the Albanian minority is today part of a coalition government. Moving from a situation of armed insurrection to a political coalition in ten years is certainly a great achievement. But, as I have repeatedly warned, and as the recent incidents illustrate, ethnic tensions persist. I have argued for a while that the time is now ripe to take one step further and go beyond Ohrid. It is not enough to ensure the rights of the minorities. They also need to be part of the wider society. Today I am concerned about the widening ethnic divisions in this country, where very few bonds cross the ethnic lines. To ensure longer-term stability, there is a need to secure a more cohesive society. So the main challenge still remains to build an integrated society that can provide for all ethnic groups. This is also the case in many other OSCE participating States, such as in the Balkans and beyond. To achieve stability in the longer run, any State must provide opportunities for its citizens to pursue their aspirations, irrespective of their ethnicity.

This is but one concrete example. There are many others. We are today actively working in Kyrgyzstan and the rest of Central Asia, where my strategic goal is to improve the conditions

for minorities and the communication between States, all in the interest of future stability. In Georgia, we continue to promote a more integrated society, where minorities' interests are taken on board as the country charts its course for the future. The same goes for Ukraine, where the situation in Crimea remains a particular concern. In the Balkans, we work to bridge ethnic divides to create more cohesive societies, where a citizen's opportunity to realize his or her potential will no longer be determined by ethnicity. More than a fundamental right, this is also a prerequisite for these countries to make full use of their human capital as they meet the challenges of modernization. Throughout Central Europe, I promote minority rights and act as a facilitator when minority related issues become an impediment to bilateral relations, be that in Poland, Lithuania, Hungary or Slovakia.

Mr. President, parliamentarians, Mr. Secretary General, dear ladies and gentlemen,

As some of you will know, my Institution is also actively working to develop a normative framework to support the relations between States and minorities. This normative work has developed considerably over time. In the 1990s, the main focus was to develop a set of standards for minority rights in practice. The earlier recommendations, such as the *Hague Recommendations on the Educational Rights of National Minorities* and the *Oslo Recommendations Regarding the Linguistic Rights of National Minorities*, are now well established and set the standard throughout the OSCE area.

In recent years, this normative work has become more closely interlinked with my political work. The *Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations* are a prime example of this, and demonstrate that our work remains firmly rooted in the first dimension of the OSCE. These recommendations also illustrate that my Institution works not only on the relationship between ethnic groups within States, but also assists inter-State relations when these are affected by national minority issues. The *Bolzano/Bozen Recommendations* have caused much debate among the participating States. While some have seen it as their cause to make these recommendations politically binding, others have argued strongly against them. Although I would have welcomed a more formal adoption, I am nonetheless happy to report that these recommendations are having a great impact. I often experience that both State parties and minority representatives build on the recommendations when developing their arguments. In my opinion, this clearly shows that the recommendations do fill a normative gap. But more importantly, by providing both State

parties and minorities with a platform for discussion, these guidelines have had the intended effect of providing States with a framework within which they can communicate on minority issues. The recommendations also serve me well when we bring together representatives from neighbouring countries, as we have a common point of reference. Interestingly, in recent years I have been increasingly involved in such matters within the European Union, where Member States have sought our advice as a neutral third party to settle disputes and improve bilateral relations. We continue our work in several thematic areas, and I hope we can contribute further to the normative basis of our societies in the future.

So what does the future hold for the HCNM? As I have tried to illustrate, we see a pattern of recurrence throughout the OSCE area. Far too often, conflicts are not really resolved; their root causes are not properly addressed. Rather, the symptoms and the grievances most easily identified are dealt with in a hurry, before the focus shifts elsewhere. Left unaddressed, the underlying grievances still simmer, only to re-emerge later when circumstances change. These problems can only be properly addressed through long-term, structural work. It is time consuming, often unrewarding and certainly yields few quick political dividends for State authorities. But in an environment where the political attention spans are short and where superficial changes too often pass for real, I believe it is of fundamental importance that we do not allow ourselves to forget that the root causes still need to be addressed. And it is here that I see a valuable role for the quiet, old-school diplomacy of my Institution. For this to be effective, however, a few elements remain as important now as they were 20 years ago when my Institution was created.

Firstly, to be effective, this Institution must remain independent. Although the principle of decision making by consensus is fundamental to the OSCE and there are many arguments for consensus, it also comes with constraints. Consensus slows one's ability to act swiftly and decisively on sensitive matters. This is precisely why the three Institutions were set up to be autonomous in the first place, and it is as important and relevant today as it was then. I readily admit that this autonomy comes with challenges to transparency and accountability, but I really do not see any other way. Given the sensitivity of our work, the need for the parties involved to trust our impartiality and the importance of timely action, any more detailed political control can only hamper our ability to deliver on our mandate.

Secondly, we can only be as efficient as you, politicians of the participating States, allow us to be. We are a small Institution and it would not take much to undermine us. As parliamentarians you are uniquely placed to keep OSCE issues on the agenda of your governments. By engaging on subjects relating to the OSCE and by holding your governments to account for their activities in the OSCE, or in some cases lack thereof, you can ensure that this organization stays relevant and useful and can serve the citizens of our States. We rely upon your interest and support, we are grateful for it, and we hope to see it continue.

Finally, even though we are an independent Institution, we rely heavily on the rest of the OSCE, not only for practical support, but especially for our political and moral legitimacy. If the OSCE is not utilized and slips into political irrelevance, so will the HCNM.

Mr. President, parliamentarians, Mr. Secretary General, dear ladies and gentlemen, I thank you very much for your attention and your continued support. Thank you for the invitation to speak to you here today and for your interest in the work we do.