

Address given by Daan Everts (31 January 2003)

Caption: Address given by Daan Everts, Personal Representative of the President-in-Office of the Organisation for Security and Cooperation in Europe (OSCE), to mark the 10th anniversary of the establishment of the post of OSCE High Commissioner on National Minorities.

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Ten Years High Commissioner on National Minorities: the cost of one modern warplane and the story of the dog that didn't bark

Daan Everts

10 Year anniversary of HCNM, 31st January 2003

Thank you very much Mr Chairman.

“The dog that didn't bark”, that is how Michael Ignatieff recently described the High Commissioner on National Minorities. Since his success is measured by what did not happen, the valuable work behind the scenes of the High Commissioner often goes unnoticed. Which does not make it easier to obtain the recognition and support of the international community that the office's role in conflict prevention in Europe merits.

Mr Chairman, as his Personal Representative I am speaking on behalf of the current Chairman-in-Office of the Organisation for Security and Cooperation in Europe, Mr Jaap de Hoop Scheffer, the Netherlands Minister for Foreign Affairs, who unfortunately and for compelling reasons could not be present here today. The Minister asked me to assure you all of his strong commitment to the institution of the High Commissioner on National Minorities.

Before I continue, I think it is only right to mention a few dignitaries present here today. First of all the former and first High Commissioner on National Minorities and Netherlands Minister of State, Mr Max Van der Stoel. Mr Van der Stoel, your tireless effort has been a source of inspiration for many of us working in the field of conflict prevention. Secondly, I would like to acknowledge the presence of the Mayor of the city of The Hague, Mr Wim Deetman. Mr Mayor, your presence is much appreciated and reflects clearly the great hospitality of The Hague as the host city to not just the High Commission on National Minorities, but to many other international organisations as well. And finally of course I would like to welcome the current High Commissioner on National Minorities, Ambassador Ralf Ekeus, under whose guidance the HCNM is ready to play an equally important role in the decade to come.

Mr Chairman.

Minorities and their position in our societies have played and continue to play an important role in all parts of Europe throughout history. Today, with increasing migration, may be even more than ever before. A recently published book by Norman Davies and Roger Moorhouse – called *Microcosm: Portrait of a Central European City* – illustrates this in the way it describes the history of the city of Wroclaw (phonetic: ROTSLAV). After reading about the different periods in the history of the city; the German colonisation, the Slavic reassertion, the Jewish experience, the various empires and the several changes of name that came with it, one understands the complexities, the challenges and the opportunities emerging from the diverse ethnic and religious composition of the city. The book gives examples of the cultural enrichment stemming from the presence of the different groups. But it also provides an insight into the factors that can endanger stability and peaceful coexistence.

An important lesson from the book – and directly relevant to the work of the OSCE High Commissioner on National Minorities - is the observation that no status quo is permanent. The composition of populations is shifting through migration and birth rates. And the ability or inability of rulers or governments to adapt, to create mechanisms or institutions that can deal with these changes, is determining whether these changes will enrich the societies or undermine their stability. To quote the first HCNM, Mr Van der Stoel, it is the ability “to find a genuine balance between the rights of minorities and the rights of the majority” – that is the key to comprehensive long-term security.

In this regard the history of cities like Wroclaw, clearly shows the need for an institution such as the HCNM. An independent institution that can advise, relate and liaise with all parties involved in a potential conflict situation to find ways out the deadlock and avoid conflict from erupting into violence. It is not surprising that the Netherlands was actively involved as midwife to the birth of the HCNM. After all, this is a country

where the emancipation of minorities was channelled through a pillared society, which helped to prevent strife from turning into open conflict. However, this society also experienced the limitations of this conflict prevention model. And therefore understands the need for continuous maintenance and adjustments in its ways to deal with different groups in society.

When the HCNM was created its mandate “did not deserve the beauty prize for clarity” – as was once stated by the first High Commissioner – but on the positive side this allowed a certain flexibility for the Commissioner and his office. Students in international relations often approach the HCNM office about its working methods. In their endeavour to test certain conflict resolution models these students are highly surprised to hear that there is no such thing as ‘a grand vision’. Please do not get me wrong. The HCNM is not - to paraphrase the great Dutch painter Karel Appel – just ‘messaging about’, but while there is no blueprint, there is vast accumulated experience and knowledge that should be put to good use. Experiences, good practices if you wish, that can help to generate ideas and provide inspiration in current and future cases.

This brings me to the question which lessons have been learned in the last ten years. Let me be clear, I do not pretend to be complete in this regard, and I would like to stress that no conclusions should be drawn from the order in which I am going to address some of these lessons and experiences.

“In der Beschränkung zeigt sich (erst) der Meister” as an old German saying goes. Part of the success of the activities of the HCNM can be explained from the clear understanding, that by spreading itself too thinly the impact of its work would have been minimal. This understanding was partly forced by the realities of having to work with minimal numbers of staff. But this was also a decision that was consciously made and guided by the experience that only by building confidence among the different players in a potential conflict situation, and therefore by generously investing time and effort, could results be reached.

Another experience from the early days proved valuable as well. Although there is of course no such thing as ‘an easy potential conflict’, there are obviously grades of complexity. The first test case that emerged purely out of the political necessity of the moment; the Baltic States and the position of the native Russian speakers in the new republics, proved to be the right case at the right time for the new institution. The successful outcome of the case, the diplomatic way in which it was handled and the confidentiality that was observed, built a strong respectability and reputation for the HCNM among the OSCE family of participating States and specialised institutions.

The location of the office, in the city of The Hague, played a role as well. The inspiration coming from the Legal Capital of Justice, seat of among others the International Court of Justice and host to several peace conferences in the past, influenced the work of the HCNM. The distance from the theatre of most of its activities - the distance from Vienna also - and the relative diplomatic quiet provided some reprieve from the issues of the day. Essential to be able to reflect on the issues at stake. The good facilities and modern infrastructure available complete the picture of why The Hague turned out to be such a suitable seat for the HCNM. The presence of the HCNM in The Hague has been decided upon until the end of 2004. And the Netherlands is offering an extension of the Office’s stay in The Hague. The venue has been proven suitable and also the financial and physical investments made clearly justify an extension.

Silent or quiet diplomacy has long been tainted by images of men smoking cigars after copious dinners, while deciding on the future of their continent. Matters of war and peace discussed without any public or democratic scrutiny. HCNM has shown the inaccuracy of this image, by efficiently using the old principle of confidentiality, central in any silent diplomacy; by being the liaison, sometimes even a messenger between those who quarrel. A solid investment was made over and over again to gain confidence of the adversaries, either the governments or the minorities involved. Learning to understand the local situation and the cultural and historic context. Appreciating both sides’ aspirations and fears. Total commitment and dedication from the High Commissioner and his staff is required to have the slightest chance of success.

Complementarity with other international organisations to avoid duplications or even in the worst case outright opposite initiatives and activities. The geographical area and especially the complexity of the issues

is too wide for the HCNM –or any other organisation- alone. Combining specific skills, experience and financial means of all international actors will lead to a better result. The recent accession debate within the European Union is a good example how a development in the orbit of another organisation can serve as a useful carrot to bring about desired changes. And the European Commission's call upon the Turkish authorities to cooperate with the HCNM in terms with the Copenhagen criteria of accession follows the same line of thinking. What is true among the different international organisations, is true as well within the OSCE. OSCE field missions and institutions should dovetail their activities closely with the HCNM. A HCNM initiative – such as the pilot project for the Armenian minority in Georgia – should be followed up by the local OSCE Mission, ODIHR and others.

The instrument of recommendations plays an important role in the work of the HCNM. It has clearly helped to set certain standards for peaceful co-existence and desired (state) behaviour within the OSCE-area if not beyond. The normative signals sent on the position of the Roma, political participation and language legislation and policy are hard to ignore. It provides the kind of 'soft jurisprudence' upon which Participating States can draw. Finland is a case in point in this regard. In the process of redrafting its language legislation the government asked HCNM for advice. On the basis of the principles laid down in the general recommendation on language legislation, HCNM could provide the government with more specified advice tuned to the Finnish situation.

In addition, more specific recommendations have proven to be a powerful tool of the HCNM in enforcing desirable behaviour from the parties involved. After several oral explanations to the government involved and a letter to reinforce the message, the HCNM can decide to raise the matter among the 55 participating States in the Permanent Council in Vienna. The last stage is to make this specific recommendation public and to increase the diplomatic pressure on the relevant parties. The simple possibility of publication has helped to overcome the stubbornness of some parties. A very useful tool, or should I say stick, if used properly.

A lot has been said about whether it is preferable for the High Commissioner to be a politician or a diplomat. A politician with diplomatic skills, or a diplomat with well developed political senses. The discussion is rather academic, because all involved agree that both qualifications are essential. The personal judgement of both High Commissioners on National Minorities in the ten year history of the institution, Mr Max Van der Stoep and Mr Ralf Ekeus, has proven crucial. The need for some kind of sixth sense, a nose for political trouble is indispensable. The vast landmass of the OSCE, and the limited resources in staff and time, all demand clear-cut choices. Scientific political models of conflict prevention do not suffice when there is a need for rapid choices. The models come in afterwards as tool for historians to describe and explain what happened.

Another important lesson from the past ten years has been the set-up of the office of the HCNM. Swift reactions are only possible with a minimum of bureaucracy. This demands a relatively flat organisation with minimal hierarchy. Access to the High Commissioner should be easy for staff and responsibilities should lie as much as possible at the working level. Internal communication, sharing of knowledge and networks are essential.

Mr Chairman.

The past ten years have stressed time and again the simple truth that prevention is obviously best. In terms of stability, preventing human misery and financial distress. However, convincing policy makers of this simple truth has proven more difficult in practice. When the HCNM 'cries wolf' too often or too fast, its credibility and authority and therefore its effectiveness will be undermined. But a bigger problem has been to convince the donor community of the real dangers of certain situations. Prevention costs money and no politician is willing to spend lavishly on as yet invisible problems. A good example is the trouble the HCNM encountered in raising funds for the Tetovo Albanian language University – an initiative that was indisputably needed in the context of the ethnic conflict. The international donors almost took too much time to reach a decision.

A certain amount of realism from the HCNM has proven crucial over the years. The ability to read the readiness of parties involved to compromise. The HCNM experience has taught us that sometimes just starting the process of dialogue is more important than finding solutions. Solutions for centuries-old problems after all have to come from the parties involved themselves. The HCNM contributes to establishing an effective dialogue.

The ten year landmark is also a good point to look forward and see what could be improved, what could have been done better and which challenges lie ahead.

The HCNM is in full swing and a high level of activity has been reached. But now a new ceiling is looming. After all, there is only so much that can be delegated to the staff. For most of the more political part of the job the High Commissioner himself has to be directly involved. Or even present. So often the parties involved only want to do business when the 'big man' himself is there. How could the scope of the High Commissioner be broadened without diluting the medicine so to say? Are there viable ways to delegate more routine tasks? Would creating the position of deputy HCNM be an idea? Clearly some thought have to go in this?

More strategic use should be made of the specific recommendations by the HCNM. The use of the 'stick' of making specific recommendations public could be enforced in exceptional cases. The threat to do so has not really materialised. This lack of willingness to embarrass the perpetrators in a kind of name and shame exercise, will weaken the effectiveness of the specific recommendations as an instrument.

The geographical spread within the scope of activities in the OSCE as a whole, but also clearly reflected in the HCNM, has been lopsided. Activities east of Vienna are more numerous than those west of the OSCE Headquarters. This fact has led to sometimes angry reactions of a number of participating States who, to a certain extent understandably, argue that they are being considered just as OSCE objects rather than equal subjects. This imbalance can partly be understood by remembering the political atmosphere under which the HCNM was set up. The participating States of the former East bloc were considered to be societies in transition where minority problems were bound to emerge. However, this does not negate these kind of problems in the western part - as recent events, also in this country, have shown. New minorities in the west - a consequence of ever increasing numbers of immigrants, legal and illegal, underscore this point. The recognition, most recently by the OSCE Ministerial Council in Porto, that minority related problems west of Vienna also exist that could endanger stability in the long term, could help to restore a certain balance.

This may have direct consequences for the scope of activities and recommendations of the HCNM. Social disintegration of minorities, could lead to social disruption and instability. And an involvement of the HCNM through, for instance, general and specific recommendations on social policies could be the logical consequence. Also the decision of the Rome Ministerial Council of 1993 inviting the HCNM to get involved in the field of combating xenophobia has pointed in this direction. The mandate of the HCNM has in fact been extended to general matters of non-discrimination.

HCNM is not to be seen, not to be heard. Its success is largely built upon activities off camera. And at the same time HCNM is among the international political elite often mentioned as a success story without comparison. In the search to better position OSCE in the world of international diplomacy, not completely unnecessary in the light of the EU and NATO enlargements, the HCNM is a clear asset. With some well targeted initiatives, like shooting documentaries about old cases, more airplay could be given to the HCNM. On the other hand to those who are worried about the relative obscurity of the HCNM and the OSCE, I would say don't worry too much: "Goede wijn behoeft geen krans", as we say in Dutch. Good wine needs no bush.

Mr Chairman, I have taken a lot of time. And I think that it is time to conclude. The HCNM has in the ten years of its existence been able to turn itself into a valuable instrument in the field of conflict prevention. In a day and age where communication goes ever faster, and where some argue that diplomacy is of the past, the HCNM has reinvented the use of some of good old tools of diplomacy. HCNM has shown that it is important to sometimes take a step back, take time in really understanding what the aspirations and fears are

of those entangled in conflict. That it pays off to invest time and effort in shuttling between parties, to build trust and confidence. That it is important not to communicate via the media. To set your own agenda, to beat the CNN factor. The willingness to take time and to sit and drink endless cups of tea. To listen first and only then speak. But to speak frankly if necessary and live up to promises made. And to make long term commitments. Looking at the OSCE region at large, I am afraid that there is an urgent need for more of this traditional type of diplomacy instead of less.

Because let us never forget – and that brings me back to the book that I mentioned in the beginning – that wherever minorities live there are challenges and opportunities. Stories of hope and stories of sorrow. Also in the story of the minorities in the Microcosm of Wroclaw there was more than struggle. As the authors Davies and Moorhouse stress in their book: “the story was often as much one of cooperation and coexistence as of conflict and annihilation.” It is up to us and up to the HCNM to seize these opportunities in every situation to encourage the seeds of hope to grow. To prevent conflict from erupting and help to lay the foundations of truly human development. This will obviously require funds for conflict prevention. May be even more funds than are currently available. And in the current economic downturn the temptation for the international community is to deny the HCNM the necessary funds to cover the costs. Costs which are, after all, relatively small indeed, as the first High Commissioner Mr Max Van der Stoel once pointed out, reminding us that the cost of one modern warplane would fund his work for an entire decade.

Thank you.