



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

**OPERATIONAL CONFLICT PREVENTION - HOW DOES IT WORK?  
THE EXPERIENCE OF THE OSCE HIGH COMMISSIONER ON  
NATIONAL MINORITIES**

address by  
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Ladies and Gentlemen,

It is a pleasure for me to be given the opportunity to address you today on the question of how conflict prevention can work in practice. It seems that no matter how popular and revered the concept of conflict prevention may be, when it comes to actually carrying out such action in practice, hesitation and nervousness often set in. Talking about the virtue of conflict prevention is far easier than putting into place the concrete mechanisms that would serve the purpose of preventing violent conflict. I will therefore try to be as concrete as possible in describing both the challenges I am facing as the OSCE High Commissioner on National Minorities with regard to potential interethnic conflicts in Europe, and the operational solutions I apply in order to help prevent such conflicts.

The structure of my presentation will be as follows: after an introduction recalling the new interethnic conflicts and challenges after the end of the Cold War, I will set out the essence and key principles of my mandate. I will then go on to describe the tools and the modus operandi of my work. Next, I will endeavour to outline my basic approach to conflict prevention based on the concept of "integration with respect for diversity". Following on from this, I will focus on education as one of the typical issues I deal with, citing a few concrete examples of my involvement in different countries. By way of conclusion, I will share with you some views about the lessons we've learned on how operational conflict prevention can work.

*(Background: the "new" ethnic conflicts in Europe)*

The legacy of the OSCE's Europe which includes the Central Asian states, presents us a complex mosaic of majorities and minorities. This richness of cultures, languages and traditions makes this wider Europe what it is today. It is a source of strength for us in our common endeavour for democracy and pluralism. However, implicit in this ethnic diversity, as we have seen in the past decade, is the potential for tension and even for frictions which ultimately can lead to violent conflicts both within and between States.

The roots of the present situation go back to the last century and the break-up of three empires. The collapse of the Habsburg, Ottoman and Russian/Soviet empires ushered forth a period of nation-building and national self-determination. Hand in hand with this

development came also – in some cases – interethnic tensions and conflicts. American President Woodrow Wilson's vision of a Europe of nation-states was out of step with the multi-ethnic reality of Europe's cultural heterogeneity. Attempts to carve out nation-states under the leadership of a titular majority ignored the reality of the existence of the many different national and ethnic groups and their wish to assert their cultural identity in the newly independent states. The domination of the titular majority led to cases of minority rights abuses and deportations and contributed to the warped logic of ethnic cleansing, fascism and genocide.

The end of the Cold War and the collapse of the Soviet Union did not only mean the end of a global ideological confrontation. This great historic event implied fundamental changes for the structure and character of international security as well as for NATO and the EU – both taking on new tasks and new members. This transformation has also changed the nature of contemporary conflict. The clashes and tensions between the States of the Westphalian system of sovereign states, appear to have been replaced in Europe by conflict generated out of tension between ethnically defined groups within States. We now see a tendency in Europe – and I would say the same is true for most parts of the world today – for the classic intra-state conflict about things such as territory and wealth to be substituted by a new type of conflict. Namely, intra-state conflicts generated out of tensions and frictions between the majority and minorities defined by differences in ethnicity, language or religion. Tensions that can originate from a sense of exclusion and alienation from society at large or a sense of threat to one's identity – cultural, linguistic, religious and traditional. Tensions that flare into conflict in a situation where state borders are redrawn, where there is economic instability, social and political upheaval or where States seek to re-establish a national identity in the wake of newly achieved independence, sometimes at the cost of the identity of the minorities living within their borders. Such tensions within a state can have complex repercussions on security in regional and international contexts, not least through their impact on kin-states or neighbouring communities.

Central Asia is a good example of these new frictions and challenges. On independence in 1991, as a result of Russian colonial and Soviet nationalities policies, the countries of the region emerged as poorly developed States with weakly articulated notions of national identity. Further, the approach of the Soviet era to impose national republics on the ethno-linguistic diversity of the region has ensured that all States in the region have substantial

national minority communities, thus establishing a situation where national minority communities share an ethnic identity with the majority population of neighbouring republics in the region. Following the creation of international borders with independence in 1991, this has meant that interethnic relations in the region have acquired an interstate character. In recent years, the pressure exerted on interethnic relations has increased as a result of the desire of some States, backed by significant numbers of the ethnic majority, to strengthen the identity of the titular populations at the expense of the rights of persons belonging to national minorities. The domestic stress within States of the region caused by advancing the interests of the titular nations is beginning to have an impact on external relations within Central Asia. States within the region are becoming engaged to an increasing degree with their ethnic kin through policies to extend privileges to co-ethnics in neighbouring States and by policies of ethnic repatriation.

The international community was, however, perhaps in a better position to cope with such tensions at the end of the twentieth century than it had been at the beginning. The emergence of the universal human rights norms which gained recognition after the Second World War with the creation of the United Nations, the Council of Europe and the Conference on Security and Co-operation in Europe (later the OSCE) as laid down in the Helsinki Final Act, created a new dimension in the shaping of international relations. These norms aimed at protecting the rights of all individuals in order to avoid the horrible abuses – including the consequences of extreme nationalism – also became the touchstone in the development of modern democracy.

But, as became evident at the beginning of the 1990s, the system of international human rights norms in itself was not sufficient to prevent atrocities. The norms also needed effective systems for their implementation. The violent break-up of the Socialist Republic of Yugoslavia brought home a new awareness of how explosive disputes could be between ethnic groups when the overarching logic of the Cold War and the imposed socialist identity no longer kept sentiments and national interests in abeyance. While wars between States in the “old times” were carried out under the Grotian world order, characterized by at least a token respect for the rules of conduct of war, there seems to be no respect whatsoever for rules or principles in interethnic conflicts. The CSCE participating States could not close their eyes to the ongoing bloodshed, nor could they stand back in apathy and wash their hands of the situation. Witnessing the human suffering, the participating States were able to accept the

idea of an institution – which would be intrusive and one that would engage in the domestic affairs of individual States – tasked to work to prevent future violent conflicts originating from tensions involving national minorities.

*(Establishment of the HCNM as a targeted conflict prevention institution)*

This was the background to the decision by the CSCE in 1992 to create the position of the High Commissioner on National Minorities. The fundamental thinking behind my mandate is to make the High Commissioner a central element in the OSCE's overall mission to prevent violent conflicts. As conflicts in Europe are perceived to emerge from interethnic tensions, the High Commissioner has been tasked to focus on such situations. Being part of the security dimension of the OSCE, my mandate thus is to provide early warning and take early 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.

The decision in 1992 was not merely a reactive response to an ongoing crisis. Rather it was taken with a view to preventing future conflicts. The institution of the High Commissioner on National Minorities (HCNM) is one of the few – if not the only one – which is tailor-made to deal specifically with the prevention of violent interethnic conflict.

As one can see from the mandate, the original primary intention was to use the HCNM mainly as a sort of alarm bell. When the sound of early warning rang out, other – and presumably more potent – institutions or forces would, in most cases, take over the responsibility. However, right from the outset the HCNM interpreted the mandate in such a way that he always endeavoured to move briskly towards "early action" and has only once sounded the "early warning" signal.

It is important to note that not all minority issues fall within the mandate. Only interethnic issues which, in the judgement of the HCNM, have a potential to develop into a conflict are to be considered. And, as I have pointed out, only if the issues have not yet developed into a full-fledged confrontation, where other tools such as conflict management or conflict resolution apply, is the HCNM to become engaged.

The implication is that there *is* a stage in the conflict cycle where effective intervention can significantly reduce the threat of a potential outbreak of violent conflict. One has to stay ahead of the curve. Experience has shown that if one can identify warning signs early enough and take timely action, conflicts can indeed be prevented. This may not make headlines, but that is the point. The HCNM should seek to address the causes of tension by acting pre-emptively.

The logic of such preventive diplomacy is simple. Timely and effective action can help to avert a costly crisis. We should act with foresight and make the necessary investments when it comes to preventing conflicts. More often than not the warning signs are there. The problem is to act on them – in time. Crisis management and post conflict rehabilitation are vital. But they would not be so necessary if we invested more in preventing conflicts. After all, an ounce of prevention is worth a pound of cure. This means putting more resources into conflict prevention at national and international level. For example, much can be done in terms of specific tension reducing projects, institutional capacity-building, or in supporting development projects that can reduce the likelihood of minority disaffection. These investments require only modest sums, but the dividends can be great.

It is notable that my task is not primarily the protection of minorities. My title is High Commissioner *on* National Minorities, as was carefully negotiated when creating the position of HCNM, not *for* – as is the case with the UN High Commissioner for Refugees. The focus of my attention is therefore questions relating to the interface between ethnic groups, whether they are minorities or majorities. This does not mean that I am not concerned with minority rights – on the contrary, they are the foundation on which my recommendations are built. They constitute my tool box. But the focus of my work is on the risk of conflict.

One can understand the anxiety that preceded the decision to establish the HCNM, and the prudence and caution employed when formulating every line of the mandate. The negotiations between the participating States of the OSCE were not easy. Governments were naturally reluctant to award rights of such intrusive nature to an international organ. Conflict prevention with the duty to address national minority issues meant in practice involvement in the internal affairs of participating States, which could be seen by them as a challenge to their sovereignty. How were they to agree on such an instrument?

Also important to bear in mind in this context is the 1991 Moscow Meeting of the Conference on the Human Dimension of the CSCE, when all the representatives of the then CSCE categorically declared that “commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned”. In other words, human rights are everybody's business and while sovereignty matters, there are inalienable rights and international standards which cannot be compromised by the so-called “national interest”.

The mandate does, however, contain a few provisions restricting the involvement of the High Commissioner in the internal affairs of States. Explicitly excluded from the mandate are individual cases concerning persons belonging to national minorities. With regard to the activities in general, and to information-gathering and fact-finding activities in particular, my mandate does not permit me either to consider national minority issues in situations involving organized acts of terrorism or to communicate with any person or organization that practices or publicly condones terrorism or violence.

*(Basic principles: confidentiality, long-term perspective, impartiality)*

As I have pointed out, the mandate and OSCE human dimension commitments are the basis for my conflict prevention work, giving me the legitimacy to go to countries where I believe that my involvement is needed. This is the reason why OSCE governments generally feel obliged to co-operate with me. The participating States did after all decide to create the post of the High Commissioner on National Minorities and to give him the directive to act independently and – and here comes the quid pro quo – work “in confidence”.

Nobody wants to be singled out or stigmatized as having a so-called “ethnic problem” or “minority issue” or even more problems of such complexity that they constitute a potential for violent conflict. That is why my mandate says that I should work in confidence. Experience shows that *quiet* diplomacy – especially when it comes to conflict prevention – is usually the most effective approach.

By keeping a low profile, issues do not become sensationalized. It is easier to tolerate the HCNM's engagement on a state's territory if it is done discretely. If the parties know that their remarks are being made and treated in confidence, they will usually be more forthcoming and

more constructive than if the debate is played out in the media. To “name and shame” may be a necessary approach for the UN Human Rights Council, the High Commissioner of Human Rights and even for the Council of Europe, but because of the political and security dimension of my work such an approach would undermine my effectiveness. As a result of quiet diplomacy, it becomes easier to focus on specific issues and to find common ground.

Operating confidentially also helps to maintain a good working relationship with the parties involved. Effective diplomacy requires trust. If that trust is eroded, people may harden their positions and may be reluctant to pursue dialogue. That is why third party involvement can be crucial. If confidence in the third party is lost, the chances of a resolution will be hampered.

If a third party is to be truly effective, it is equally essential to preserve impartiality at all times. In view of the sensitive issues with which I am called upon to deal, I cannot afford to be associated with one party or another. If international norms and standards – to which OSCE participating States have committed themselves – are not met, I will ask the government concerned to change its policy, reminding it that stability and conflict prevention are as a rule best served by ensuring full rights to the persons belonging to a minority. In doing so, I act with strict impartiality.

Let me also stress that reducing tensions requires patience and persistence. One must constantly follow up in a constructive step-by-step way and stay up to speed with the situation in order to keep the momentum heading in the right direction. Even when other crises erupt and dominate the agenda of the day, one cannot abandon important projects and processes which require long-term engagement. We would then be merely dashing from one crisis to the next, trying to put out fires.

*(Tools and modus operandi of the HCNM's conflict prevention work)*

I would like to take this opportunity to share with you some operational aspects of my engagement. As High Commissioner, I frequently travel to the countries where I am engaged and visit not only the seats of governments but also regions where minority groups are located, in order to establish and maintain dialogue and co-operation with governments, authorities, civil society and national minority representatives as well as to experience the atmosphere and learn to understand the situation at first-hand. My visits are followed up by

concrete recommendations and advice to governments on policy steps or legislative measures, in writing or during discussions. This is all done in confidence. My advice often concerns such issues as constitutional law, minority related legislation, the political and institutional frameworks and practices in areas including education, language policy, media broadcasting, minority participation in public life and policing in ethnically, linguistically and culturally diverse societies.

Early and credible information is vital. This is seldom a problem in our information age. Indeed sometimes information overload can bog us down. Thus, one essential part of my work is the unique opportunity to act within States, a mandate which has been given to me by the participating States of the OSCE. This allows me to go where I want and see whomever I wish. This first-hand contact with government and minority representatives, leaders of ethnic groups and non-governmental organizations working in the different countries where I am active, enables me to assess the need for action at the earliest possible stage – as required of me by my mandate.

The key is to look for indicators of possible problems which may be exacerbated if left unattended. In this respect there is no substitute for on-the-spot contact with a range of parties – not only those who advocate the official position. Indeed, while the High Commissioner's office is part of an inter-governmental organization, I spend a considerable amount of time talking to minority representatives who may not be part of – indeed, may be opposed to – the government.

In addition, the resources and expertise of the OSCE field offices, other international organizations, NGOs and the media all help in providing as accurate a picture as possible. Allow me in this context to pay a special tribute to the in-house area specialists of the High Commissioner's office – my advisers – who have acquired unique insights in their respective area of responsibility and provide me with high-quality and indispensable data.

In evaluating this information it is important to look at the context and the players, but especially the underlying issues. What often reaches public attention are the symptoms of a problem. I seek the root causes. While being sensitive to questions of culture, history and symbolism, one must try to identify what is at the core of the issues in dispute. That is why I try to get the parties to be specific, to spell out their concerns and to look at co-operative and

constructive solutions to their problems. Only by addressing the specific concerns will one be able to outline solutions to a problem. The concerns may include questions of minority participation, for example in the local or central legislature, the executives such as law courts, prosecution and the police, local administration and more generally in public administration. Other critical matters involve minority education and language use, as well as the opportunity to freely express cultural and religious identity. The point is to identify quickly the issues which are in dispute and address them before positions harden and extremism takes hold.

After having evaluated the information on a specific issue, I must then decide how to act on this information. Early warning must be followed by “early action”. Some may say that it is no good becoming involved – that it is up to the parties concerned to sort out their own problems and one should not meddle in the internal business of a state. Certainly a state should have internal dispute-settlement mechanisms in place, such as the institution of Ombudsman, to try to head-off and resolve disagreements. It is also imprudent for the international community to immediately react to every warning sign without first ascertaining that the parties involved are unable to sort out their differences. But there may be times when a third party can play a useful role. I am fortunate to have a mandate that allows me to act when *I* see the potential for conflict.

It is my experience that governments frequently and gratefully accept offers of assistance in drafting the language for legislation which has a bearing on the interethnic situation in their country. The job of the HCNM should be to facilitate this process if necessary, to intervene if he encounters problems, and to provide support and expertise to ensure that short-term good intentions develop into long-term results.

It is essential to bring the right expertise and resources to bear in the most effective way. Sometimes a situation requires legal advice, or the expertise of education or language specialists. At other times it may require trainers to help with capacity-building or to provide civil servants with new approaches and skills. Conflict prevention may also require the creation of new mechanisms or bodies or a reform of the media in order to give minorities a voice. It may require the monitoring of a volatile situation or the provision of funding to tension-reducing projects. In support of conflict prevention policy recommendations, I have introduced and implemented projects targeting areas such as education, language, legal advice, participation policies, broadcasting in minority languages and policing.

I draw on financial and other support from sympathetic governments, partner organizations and internationally recognized experts. This is the case, both in terms of the diplomatic process and in terms of more operational activities. Within the OSCE, I rely on the support of the participating States and the Chairman-in-Office. Such support gives me increased leverage in effecting change, it makes my activities more transparent, and it can activate resources of others who may have greater capabilities than my office.

To complement the conflict prevention operation in individual situations, over the years the HCNM has also developed a number of thematic recommendations on issues that recur in many of the regions and situations of engagement. The recommendations are meant to serve as practical guidelines for legislators, governments, authorities and civil society on how best to address certain issues.

*(Underlying HCNM philosophy)*

In the situations that I engage myself in, I emphasize the need to find a fair balance between the promotion and protection of minority rights and the policies of integration. My experience shows that if such a balance is not achieved, polarization between minorities and majorities within the state may become a source of considerable tension. The basic philosophy behind this approach is that a society at peace with itself will more likely be at peace with its neighbours, and thus contributes to regional stability and creates the conditions for prosperity.

My customary approach to situations involving national minorities is based on the concept of “integration with respect for diversity”. As HCNM I have always emphasized the importance of state policies aimed at supporting the integration of national minorities, as distinct from forced assimilation. The heart of integration policies is the promotion of participation in the political, economic and social life of society. Integration respecting diversity involves rights and responsibilities for the state, society as a whole (including the majority) and persons belonging to national minorities.

This relates to a further observation, namely that effective participation by national minorities in public life is an essential component of a peaceful society. Through effective participation in decision-making processes and bodies, representatives of minorities have the opportunity to

present their views directly to the responsible bodies. This can help the decision makers to understand the concerns of the minorities and take these into account when developing policies. At the same time, the authorities are provided with a platform through which to explain their policies and intentions. This can contribute to a more co-operative and less confrontational environment.

Experience has shown that integration through participation is an important element in forging links of mutual understanding and loyalty between the majority and minority communities within the state, and in giving minorities input to processes that directly affect them. It also improves overall governance. If minorities feel that they have a stake in society, have input to discussions and decision-making bodies, have avenues of appeal open to them and feel that their identities are being protected and promoted, the chances of interethnic tensions arising will be significantly reduced.

It goes without saying that the HCNM recommendations are based on fundamental human rights standards enshrined in international law. The CSCE Copenhagen Document agreed upon in 1990, is the first and most significant international expression of minority protection and minority rights. A couple of years later, the Council of Europe codified these principles into treaty law in the Framework Convention for the Protection of National Minorities. Human rights are the bedrock of minority protection. If these rights and especially the principle of non-discrimination are respected in a democratic political framework based on the rule of law, then all citizens, regardless of ethnicity, language or religion, will have the opportunity and the equal right to freely express and pursue their legitimate interests and aspirations.

As indicated, the most important normative documents in my work are the Framework Convention of the Council of Europe and the Copenhagen Document. This is not only because these documents expressly refer to the integration of persons belonging to national minorities but also because their monitoring and implementation mechanisms have been consistently guided by the understanding that the ultimate goal of minority rights protection consists of achieving the full integration of national minorities into the society of the States in which they live while, at the same time, guaranteeing the preservation and promotion of their distinct identity.

Since the core of my conflict prevention activities is associated with the goal of minority rights protection, I always recommend that OSCE participating States ratify the Framework Convention. I also advise States to avoid the exclusion of minority groups by refraining from entering restrictive declarations upon ratification of the Convention.

While one must not undermine minimum international standards, it is important to apply these standards in the specific context of the States concerned. Many of the issues that I deal with are, as you understand, concrete and tangible. It is conflict prevention in practice. In a practical and pragmatic way, I start with the norms and try to apply them in specific political and social situations. Practical and enduring solutions require approaches that are tailor-made to the specific situation. One must be sensitive to the local conditions in order to best explain to the parties concerned the reasons and the potential for applying the relevant norms and standards. It is a matter of translating the principal norms into concrete reality. Even if the issues that I deal with in many countries are quite similar, every situation is different and thus needs an individual approach. There are of course measures that are generally applicable, but as HCNM, I look at the individual situation in hand: the causes of tensions and how one can address them at a given moment.

The aim is to move from the abstract to the concrete, to get governments to take measures – legal and political – to create the types of conditions foreseen in the international standards concerning minorities. Compliance is not only the acknowledgement of international standards: it is an integral part of good governance and a condition for peace, security and prosperity. This is the message that I try to convey through my recommendations and during my visits to OSCE participating States. One scholar has referred to the High Commissioner as a "normative intermediary".

*(Thematic example)*

I have already listed the recurring issues I encounter in my work as High Commissioner and where the HCNM over the years has gained experience and expertise on the adoption of appropriate policy and practices that can improve interethnic relations. Let me now elaborate on one concrete example: the matter of education, and in particular language education. This has proven to be a most contentious issue, and one that can cause grave concern and stir up tensions; especially in a situation where the majority population of a country having recently

achieved independence, wishes to reinvigorate or strengthen the national identity. As language forms a central element of a person's identity, the efforts of the majority population to strengthen the State language as an element of nation-building can be perceived – sometimes rightly so – by the minorities as a threat to their language and in the long term their identity, as well as a first step towards enforced assimilation. Debates on language can therefore be clouded by nationalistic connotations and lead to tension.

As High Commissioner, I follow these debates closely and when I see a need, I intervene and offer my advice to the respective government in the form of recommendations on legislation and on ways to strengthen the State language while at the same time respecting the right of the minorities to their mother tongue. In many of these situations my practical activities (projects) focus particularly on assisting the States to provide adequate educational opportunities for minorities to improve their command of the State language. In many transitional democracies, where a substantial part of the population may not speak the designated State language to any degree of proficiency, there is a need for adequate educational opportunities for persons belonging to minorities to improve their command of the State language(s).

Therefore, I have frequently emphasized that the right of persons belonging to national minorities to maintain their identity can only be fully realized if they acquire a proper knowledge of their mother tongue during the educational process. At the same time I underline that persons belonging to national minorities have a responsibility to integrate into the wider national society through the acquisition of a proper knowledge of the State language.

Education becomes a key aspect in this context. I have recommended to a number of States that the introduction of educational reforms to assist national minorities in attaining bilingual/multilingual skills should be undertaken with careful consideration of the impact that such reform can have on children and on communities. This is why I have been following the introduction of the State language as a means of education in some countries so closely.

But education goes far beyond preparing young people to survive in an increasingly competitive world, it is also about spreading the positive values of our societies. Good education can and must aim higher, seeking to shape future generations for responsible citizenship. It must direct us in our attitudes and experiences, teaching us to learn, and thereby

to understand and even to enjoy different cultures, languages and traditions. Fostering the values of mutual respect and understanding has become even more important as so many of our societies face a struggle with xenophobia and racism.

I have often found that separation along ethnic lines in schools reinforces ethnic divisions in communities and serves as a fertile breeding ground for negative stereotypes and prejudices among different ethnic groups. To alleviate ethnic tensions, it is important to create opportunities for students of different communities to make contact, to communicate with one another, engage in joint curricula and extracurricular activities in order to learn about one another, regardless of their ethnicity and language of instruction.

*(Country examples)*

Ladies and Gentlemen,

Allow me to illustrate the character of operational conflict prevention with a few more concrete examples. Since I took up the office of High Commissioner, I have been involved in many of the States in the OSCE area, including the Baltic States and countries in Central, Eastern and South-Eastern Europe, Southern Caucasus and Central Asia. Let me start with the example of Hungary, where my engagement at the beginning of this decade was particularly intense.

When Hungary adopted an Act on Hungarians living in neighbouring countries in 2001, the so-called "Status Law", the preamble referred to the "United Hungarian Nation". Furthermore, the Act contained a system of economic and other forms of support to be provided by the Hungarian Government to ethnic Hungarians who are citizens of and living in neighbouring countries. This Act was inspired by the sense of injustice felt by the Hungarian nation when, after World War I with the Treaty of Trianon, Hungary was confined to a geographically limited region, and as a consequence a large portion of the ethnic Hungarians in Europe found themselves living as national minorities in neighbouring countries like Romania, Slovakia, Austria and Yugoslavia. Technically harmless but politically explosive, this legislation – in itself a reflection of Hungarian nationalistic sentiments – raised strong concerns in the neighbouring countries of Romania and Slovakia and fanned the flames of anti-Hungarian feeling in the neighbouring countries. In Romania it raised concerns about the unity of the

country and in Slovakia it brought back memories of the hundreds of years of Hungarian domination, while the Hungarian minority on the other hand recalled the suffering caused by the implementation of the Benes Decrees.

With regard to the Hungarian Status Law, my involvement as HCNM has been to bring home to the governments and to the minority representatives concerned the importance of respecting the principal that the protection of minority rights and the human rights of individuals is the responsibility of the home-State: the State where the minority resides. Furthermore, I have to stress that national legislation should not be given extra territorial impact without the agreement of the other country or countries concerned and generally such legislation should not discriminate against the citizens in the neighbouring countries.

After two years of intense consultations, the Law was finally amended in such a way that most of the extra territorial components and the expression of an ambition for national unification were eliminated, and most of the remaining unclear elements were dealt with in bilateral negotiations. The case of the Hungarian Status Law illustrates the significance of the problem of a kin-state and co-ethnics constituting a minority in a neighbouring country.

Another major case in my work as HCNM has been the question of the Russian-speaking minority in the Baltic States of Latvia and Estonia. Latvia and Estonia, both former republics of the Soviet Union, were subject to a Russification policy during the Soviet era, when many Latvians and Estonians were deported from their homeland to Siberia, and Russian nationals were brought in to take their place. Now the two countries are struggling to restore their national identity through various means, notably by strengthening the role of the national language in economic and social life, especially through education and educational reform. This generally legitimate policy has nevertheless raised understandable concerns on the part of the Russian-speaking population. This obviously relates to the mandate of the HCNM.

As High Commissioner, my engagement in this situation is to prevent tension and frictions between the Baltic majority and the Russian-speaking minority. To this end I have helped to develop and support policies and projects designed to assist the integration of Russian speakers, including non-citizens, into the society, by teaching them State language skills. This is done in a way that does not force the minority to assimilate. The policies and projects aim rather at supporting integration with respect for the cultural identity of the minority and access

to education in their mother tongue. Integration and participation have been helped by streamlining language requirement and implementation practices.

In Central Asia, I have recently intensified my engagement, reflecting my concern about the growth of interethnic tensions in the region. My response to these developments in Central Asia is designed to reinforce the basic principle of international law that a State may only act within its jurisdiction which extends to its territory and citizenry. At the same time, in my discussions I underline that the protection of the rights of persons belonging to national minorities is the obligation of the State where the minority resides. My approach to Central Asia is therefore based on the idea of mutual security in the area of interethnic relations through a reciprocal respect for the sovereignty and responsibilities of each State, *inter alia* the respect of the rights of persons belonging to national minorities.

My particular priority in Central Asia in respect to supporting this principle is to promote integration, particularly in the areas of education and language. In order to assist the States in this endeavour, I have developed a set of initiatives that are intended individually to counter tensions in specific States. At the same time, I have supported a process of regional dialogue on national minority education whereby all five States of the region can express their concerns about the treatment of their kin-minorities and can develop joint initiatives aimed at helping each other in the area of minority education, such as teacher-training, curriculum development and textbook development. I hope that this regional confidence-building project will nurture good neighbourly relations and ultimately serve my conflict prevention goal.

The example of Kosovo points to another area which in my view deserves our attention, namely reconciliation and confidence-building between different communities in a society. Efforts to promote reconciliation are essential in a context where a society is emerging from severe social trauma, such as a war or human rights atrocities. Reconciliation is also essential in view of the need to prevent a re-escalation of existing tensions. I am seeking ways to provide assistance to the international efforts in support of minority rights and to promote improved relations between communities. In particular, I have, in co-operation with the International Center for Transitional Justice and the OSCE Mission in Kosovo, initiated a process in support of a long-term, structured and systematic approach to seeking truth and achieving reconciliation.

I would also like to mention the case of Samtskhe-Javakheti. This is a rather remote and little-known region of Georgia where the majority of the population is ethnic Armenian. Few people speak Georgian, the local economy used to be dependent on a Russian military base which is due to close by the end of 2007 and there is little contact with the central authorities. This fragile situation is further complicated by the fact that Meshketian Turks – who were deported from the region by Stalin in 1944 – are expected to return to their old homes in the region. This is a complex case and one which could become fractious if not carefully handled.

I have thus judged that I need to take a comprehensive approach on this region and I have been working since 2002 with the Georgian Government, local officials and numerous international organizations involved in the region (like the UNDP, the UNHCR and the Council of Europe) to see what can be done. A strategy for the strengthening of the integration of this region has been developed with project components such as language training and media accessibility. Samtskhe-Javakheti is a good example of how multi-faceted preventive diplomacy requires the co-operation of a number of actors. It also demonstrates the extent to which aid can be a useful means of conflict prevention. The political health and stability of Georgia is more than just a national interest, it is an international interest of great relevance for peace and security in the sensitive region of the Caucasus.

*(Conclusion)*

In conclusion, many violent conflicts – perhaps most – are rooted in and driven by interethnic tension and tensions between majority and minorities. There are no easy answers or simple solutions to how such conflicts can be prevented from emerging or escalating. However, quite a lot is known about the factors which underlie such conflicts and about the means required to reduce those risks. I am under no illusions that all interethnic conflicts can be solved. However, I do not believe interethnic conflict is inevitable. We now have a better understanding of why conflicts erupt and how they can be prevented.

As I have explained, there are a variety of instruments and techniques that can be applied to different situations. The tool box is now well stocked, blueprints have been devised, and valuable lessons have been learned. We must, however, remain vigilant to potential signs of conflict and follow up early warning with early action. This action must be focused, it must pool available capabilities, and must tackle short-term tensions as well as supporting longer

term sustainable development. We will never eliminate conflict entirely, but there are certainly steps that we can take to reduce the likelihood that disagreements will erupt into violent conflicts.

It is in all our interests that States have the best possible access to sound advice and to insights into methods used to deal with such matters. Internationally, I hope that the merits of operational conflict prevention will be more highly appreciated in order that we may live in a world of peace and security.

Thank you for your attention.

I look forward to your questions and comments.