

Wolfgang Zellner

## Obituary of Max van der Stoel

On 23 April 2011, Max van der Stoel, the great Dutch diplomat and politician and the first OSCE High Commissioner on National Minorities, passed away. He was one of those outstanding personalities who reinvented the CSCE/OSCE after the end of the Cold War. Almost his whole life was dedicated to foreign policy, and he accomplished almost everything that can be achieved in this field: He was a member of both chambers of the Dutch parliament, International Secretary of the Dutch Labour Party, Dutch Ambassador to the United Nations, Deputy Minister for Foreign Affairs, Foreign Minister, and finally from 1993 to 2001, OSCE High Commissioner on National Minorities.

Max van der Stoel was an extremely judicious diplomat, a tireless and uncompromising fighter for human rights and against all kinds of authoritarian and totalitarian regimes, and a gifted political entrepreneur and institution-builder, in brief, the ideal person for the post of the OSCE High Commissioner. Asked why he had agreed to take on the job as High Commissioner, he replied: "My first look was at the mandate and what fascinated me was that there were two elements, which always had been my main interests in international politics: human rights issues and security problems."<sup>1</sup> These words represent the very essence of the High Commissioner's preventive diplomacy task.

When Max van der Stoel took up his position in January 1993, he had a mandate but almost no staff. The establishment of the post of the High Commissioner had been hotly debated at the 1992 CSCE Helsinki Summit Meeting, and the sceptics included a number of Western states, among them France, Spain, and the United Kingdom. Thus, in 1993 it was far from clear that the post of the High Commissioner would develop into a fully fledged OSCE institution. As the High Commissioner recalled: "There was even the question of whether I need a secretary. In fact I started with one secretary, who was seconded by the Dutch government, which also provided me with a personal adviser."<sup>2</sup> It is van der Stoel's great achievement and merit that he translated the mandate into the OSCE's most innovative institution, which is seen by almost everybody as one of the Organization's greatest success stories. Certainly, in the early 1990s, in the wake of the Yugoslav wars of secession, there was a huge demand for an institution such as the High Commis-

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1 Interview with the OSCE High Commissioner on National Minorities, Max van der Stoel, on 28 May 1999 at The Hague, conducted by Wolfgang Zellner, in: Max Van der Stoel, *Peace and Stability through Human and Minority Rights. Speeches by the OSCE High Commissioner on National Minorities*, Wolfgang Zellner/Falk Lange (eds), Baden-Baden 1999 (2nd ed. 2001), p. 15.

2 Ibid., p. 14.

sioner. But it took van der Stoel's powerful personality and the trust that everybody placed in him to establish the institution of the High Commissioner. Beyond that, the High Commissioner on National Minorities has remained the OSCE's least disputed institution, one that enjoys the support of almost every major participating State, including the EU states, Russia, and the USA.

One specific aspect of Max van der Stoel's *modus operandi* must be mentioned here: In contrast to most of the OSCE, which has only rather sporadically made use of research and researchers, he had close links with academia and was very skilful in using scholarly expertise for the purpose of preventive diplomacy. The best example are the sets of issue-oriented recommendations – The Hague, Oslo, and Lund Recommendations – that were elaborated by panels of renowned scholars asked to give advice on questions with which the High Commissioner had been confronted time and again. Although not official OSCE commitments, these recommendations have been widely acknowledged, and van der Stoel's successors have continued this fruitful tradition.

The greatest miracle of Max van der Stoel, however, was that despite all his intellectual and political merits, he behaved in his personal dealings in a friendly, modest, and warm-hearted way. For him it was always the task – preventive diplomacy and human rights – that mattered, not his person. That is what made him so likeable. We will always keep him in our thoughts.