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Twenty Years of the OSCE High Commissioner on National Minorities

Introduction to the Special Focus Section

This year marks the 20th anniversary of the High Commissioner on National Minorities. The anniversary offers a good opportunity to take stock of the institution's past achievements, present relevance, and future challenges.

Established by decision of the Helsinki Summit in December 1992, the HCNM was very much a child of its time. When looking back at the decision, two elements stand out: first, the acute sense of emergency that prevailed among the leaders; second, the strong belief in the merits of multilateralism and international intervention that shines through. Rereading today the final document agreed by the leaders of the then-CSCE, it becomes apparent just how pressing the challenges were. But it also comes through that they had a great belief in international co-operation, a sense of common purpose, and shared a belief that the challenges they were facing could be overcome through concerted efforts. The Helsinki final document was quite aptly named "The Challenges of Change".

As we now look back, there can be no doubt that we have come a long way since 1992. Although much remains to be accomplished in the OSCE area, I believe one can rightly say that the challenges and threats facing us today are less imminent than they were in 1992. The institution was created at a time when interethnic conflicts had re-emerged and transformed into open warfare in parts of the OSCE area. This is no longer the case. The conflicts that erupted in the early 1990s were halted, although a final resolution and settlement are still pending for several of them. In most of the countries ravaged by conflict, a new future is being built. However, progress is still often slow and the underlying grievances may still be present and affect the future.

As part of the efforts of the OSCE, the HCNM has played an important role in facilitating this progress in several countries. With the use of quiet but persistent diplomacy, the institution has been able to bring parties together and find some measure of common ground. And this work continues. Currently the HCNM is involved with a number of participating States, working on issues that involve national minorities and interethnic relations both within and between participating States. In spite of the fact that the risk of new or renewed conflicts appears to have subsided, the progress achieved still remains brittle and reversible in many places, and neither past nor future progress should be viewed as final or irreversible. Upholding the commitments

that have brought us to where we now stand is and will remain an active process, and any further progress will come only as a result of sustained efforts.

Even though the threat of open conflict is lower, interethnic accord remains a big challenge in many participating States. Maintaining this accord is an active political process that is never fully achieved. It requires constant readjustment of policies as circumstances change. Some of the conflicts of the 1990s were brought to a halt by establishing strong rights for the ethnic groups involved, often without addressing the underlying grievances that were the real drivers of conflict. Today I am concerned that some of these conflict settlements, although successful in bringing about an end to hostilities, are showing certain shortfalls, as their provisions reflect a reality that no longer exists. I believe the OSCE still has an important role to play in helping majorities and minorities alike to find new common ground and go beyond static agreements of the past to forge a common future.

With its unique working methods, the HCNM is well placed to play a role in these efforts. Throughout my tenure as High Commissioner, I have come to appreciate the strengths of this mandate and the opportunities it provides. The real strengths of the HCNM include persistency and consistency, and I believe this is an important reason why the institution remains relevant today. Through persistent engagement and consistent advice, states and authorities have come to see the HCNM as someone to be reckoned with. Though the activities and advice given by the institution are not always equally welcome everywhere, I find it reassuring that they are taken into consideration. This proves that persistence and consistency do pay off.

Quiet diplomacy has become another hallmark of the HCNM. Although it was only brought in as a precautionary measure at the time of the mandate's adoption, I have come to appreciate the benefits of working outside the limelight. Working in confidence often helps me gain the necessary trust and intimacy with interlocutors. The obvious downside, however, is that many of the success stories of my institution remain unknown. The confidentiality clause is what sets the HCNM apart from other international institutions and makes this institution complementary to them. Through close co-operation with other parts of the OSCE, relevant UN bodies, and the Council of Europe, we ensure that our work reinforces rather than duplicates that of others.

Given the special circumstances that gave birth to the institution and the progress that has since been made, one can justifiably ask if the HCNM is still needed. Are interethnic relations still a potent threat to peace and stability within and between OSCE participating States, and is the HCNM's mandate still relevant? Are the tools at the institution's disposal appropriate and adequate to handle the challenges of the future? In short, is there still a place for quiet diplomacy in an age when politics is characterized by ever-shorter attention spans, and exchanges of opinion take place on social media rather than in grand halls and ballrooms?

Needless to say, as High Commissioner my perspective on these questions is different to those of others, and I would like to offer some of my reflections. Throughout my tenure as High Commissioner, I have often thought about the perennial relevance of the issues my institution deals with. Although interethnic tensions are now less likely to develop into hostilities, the basic challenge of accommodating increasing diversity and building resilient, cohesive societies remains as topical as ever. Moreover, this challenge is relevant to all participating States, as they are all multiethnic societies. In the experience of the HCNM, there can be no definitive solutions to issues that arise from interethnic relations, and no state can claim that their challenges have been resolved once and for all. Consequently, interethnic relations affect all participating States, and should be an area where increased co-operation between them could yield benefits. The decision to establish the HCNM was made at a special point in our history, but I would argue that the founding fathers of the institution displayed considerable foresight and vision. Though the symptoms may differ over time, the causes of interethnic conflict remain unchanged and must still be tended to.

The HCNM was set up very much as a personalized institution, and the mandate, while giving the High Commissioner a wide margin of appreciation as to where and how to get involved, also contains a set of constraints. As previously mentioned, the requirement of confidentiality has often proved to be of help. At the same time, public attention has arguably become increasingly important to maintain political focus on any issue, and the confidentiality clause limits the ability to engage with a wider audience through public diplomacy. I often try to offset this disadvantage through close co-operation with other actors, such as the Council of Europe, the European Union, and the UN, who can more easily adopt a public stance on an issue. Nonetheless, broadening the institution's target audience is a challenge and will become increasingly important in the time to come.

During the year of the anniversary, we shall try to shed some more light on the work that we are doing. This section of the OSCE Yearbook is the starting point for these efforts. The chapters herein are written by people with deep knowledge of the institution's work and they look at different aspects of what has been achieved and, not least, what is to come.

It is my hope that the anniversary will be an opportunity to look forward more than backwards. While our past achievements are certainly worthy of attention, they can never be a justification or rationale for the institution's present and future work. Rather, the continued relevance of the institution will rest solely on its ability to accomplish its mission: to prevent interethnic tensions from developing into conflicts. I invite you to engage with us as we try to chart the future of the HCNM.