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Integration of Diverse Societies as a Tool for Conflict Prevention – The Experience of the OSCE High Commissioner on National Minorities

An Evolving Geopolitical Landscape

The end of the Cold War profoundly affected the global security environment and fundamentally transformed the nature of conflict. Classic inter-state conflict has almost disappeared. Instead, we are now witnessing acute crises and hybrid conflicts characterized by internal strife, sometimes in the context of failed or dysfunctional states, or violent separatism, in some cases accompanied by quasi-military operations affecting the civilian population.

Meanwhile, societies have become more diverse. It appears increasingly difficult to achieve a balance between protecting the sovereignty and territorial integrity of states on the one hand, and the right of peoples to self-determination, including minorities, on the other. This is especially true for those relatively young states that are still undergoing nation-building processes. They frequently face the challenge of reconciling ongoing efforts to unify and homogenize their often diverse societies – through language, education, historical narratives, and symbols – with the need to protect the multiple identities that have historically coexisted there. More recent waves of immigration have diversified the demographic composition of society, posing additional challenges. Against this backdrop, states often see the principle of fostering the progressive integration of societies in an inclusive manner through balanced policies as unrealistic. At the same time, minorities sometimes resist integration, demanding levels of protection that would effectively isolate them from the rest of the society of the country where they reside.

The re-emergence of nationalism, populism and identity politics all over Europe is detrimental to the goal of social integration with respect for diversity. At best, these phenomena tip the balance towards the assimilation of minority groups. In the worst case scenario, however, they create a situation in which minority rights and identities are seen as a disintegrating element and minorities are perceived as a security problem. At the same time, along with the increasing appearance of inflammatory language in mainstream political discourse, hate crimes and hate speech are on the rise. These dynamics can pave the way to further marginalization and, in some cases, radicalization and extremism.

In addition to these internal dynamics, we are witnessing the emergence of other, equally concerning, external dynamics. For example, the practice of politicizing minorities abroad, who are sometimes used by their so-called “kin-states” as proxies in local crises or conflicts, is on the rise. Domestically, this

erodes the possibility for mixed identities and slows down integration processes. Internationally, while a certain level of interest in one's ethnic "kin" may be considered legitimate to a certain extent, one state's efforts to support and protect minorities abroad can easily be understood as meddling in another's internal affairs, which can affect bilateral relations. The High Commissioner on National Minorities (HCNM), established at the CSCE Helsinki Summit in 1992, proposes a balanced approach to these challenges in *The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations*.¹

These phenomena are increasingly demonstrating the centrality of the minority file to international peace and security. Indeed, today's crises in and around Europe often emerge over minority-related issues: legislation that is seen as infringing on rights, attempts by states to grant privileges and protection to minorities in other states, and questions related to language, education, citizenship, historical legacies. These are just a few thematic areas where the HCNM is regularly engaged. Furthermore, even where minority issues are not the main cause of conflict, how states choose to handle diversity can determine how strong and resilient societies are to internal or external threats. This is why the minority file – often associated with the human rights sphere – and its potential to ignite crises and conflict cannot be underestimated. This is also why the High Commissioner attaches huge importance to the management of diversity as a powerful conflict prevention strategy.

Modern Conflicts Require a Shift in the OSCE's Approach to Conflict Prevention

The changes outlined above – and the growing realization of the relevance of minority-related issues to international peace and security – force the OSCE, but also the multilateral system in general, to rethink the effectiveness of traditional conflict prevention methodology. Refocusing the states' efforts on policies aimed at increasing societies' resilience to conflict by stepping up the degree of their integration appears to be the key. With the re-emergence of nationalism and the return of geopolitics to the international agenda, inclusive platforms such as the OSCE can prove extremely useful for opening up a space for dialogue and joint efforts. However, higher levels of confrontation often lead to a total disregard for the tools of co-operative security and a refusal to engage in good-faith dialogue to try to solve problems that are becoming increasingly complex. The space allowed for efforts to find common ground between different parties has shrunk. States are increasingly urging the international community to take action against other states' policies that negatively

1 OSCE HCNM, *The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations & Explanatory Note*, June 2008, available at: <https://www.osce.org/hcnm/bolzano-bozen-recommendations>.

affect their communities residing there, while, in some cases, resisting requests to vet their own policies affecting internal minority groups.

It is exactly in this polarized environment that the HCNM can play a particularly relevant role. The HCNM has a two-fold mandate: first, to provide early warning and early action to prevent ethnic tensions from developing into conflict, and second, to assist the OSCE participating States in developing and implementing policies that facilitate the integration of diverse societies. At a time when the degree of diversity in our societies has dramatically increased, the promotion of policies that facilitate integration is one of the most effective tools for preventing conflicts.

This approach entails the use of a very broad set of policies and a strong focus on longer-term trends to address the root causes of possible future instability. Impartial good offices based on recognized international practices are essential to address misperceptions and, in some cases, to successfully correct perceived imbalances, through phased implementation, for example. This is where the HCNM's Recommendations and Guidelines have proven to be particularly useful tools.

While they do not represent a consensual set of principles agreed upon by the participating States, the HCNM's Recommendations and Guidelines draw their authority from the prestige of the office of the High Commissioner, the high quality of experts and contributing partners, and, most importantly, the personal accountability of the High Commissioner to the membership of the Organization. The existing set of Recommendations and Guidelines covers the most relevant and sensitive policy areas related to minority protection and the integration of diverse societies. These Recommendations and Guidelines range from the overall processes of integration (*The Ljubljana Guidelines on Integration of Diverse Societies*²) or inter-State relations (*The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations*) to others which address more specific angles, such as education, language, participation, media, policing in minority areas, or access to justice. The office invests considerable resources to ensure that they remain relevant and up-to-date and, most importantly, that they are well known and used by governments and parliaments as guiding principles for all policies that have an impact on minorities and diverse societies in general. Efforts are made to ensure that the HCNM Recommendations and Guidelines are accessible and user-friendly, and they are often translated into many languages. They are also promoted locally through round tables and other events that target local officials. At the same time, emerging needs and new challenges in the geopolitical landscape may necessitate the conceptualization of new advice, which the office develops in the form of new Guidelines or Recommendations. Key anniversaries of older Guidelines or Recommendations are often used to revisit these documents and take stock of progress since their publication.

2 OSCE HCNM, *The Ljubljana Guidelines on Integration of Diverse Societies*, November 2012, available at: <https://www.osce.org/hcnm/ljubljana-guidelines>.

Focusing on Thematic Work to Depoliticize and Offer Solutions to Minority-related Issues

In 2019, on his travels to various regions of the OSCE area, the HCNM continued to observe tensions in a number of fields relevant to his mandate. These tensions warrant the further strengthening and promotion of the office's thematic toolbox as a depoliticized way to deal with sensitive issues.

Language and Education

Education is a key tool for preventing conflict but, if misguided, it can divide societies and provoke clashes and crises. This is a central consideration in a number of the HCNM's thematic Recommendations and Guidelines. *The Hague Recommendations regarding the Education Rights of National Minorities*,³ *The Oslo Recommendations regarding the Linguistic Rights of National Minorities*,⁴ and *The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations* place the question of minority education on the conflict prevention agenda. *The Ljubljana Guidelines on Integration of Diverse Societies* also place the special role of education within integration policies in the context of cross-community dialogue and interaction.⁵

Over the years, the attention of successive High Commissioners has focused in particular on overcoming ethnicity-based segregation, which still persists in many contexts in which the High Commissioner operates, and on the language in which education is delivered. In this regard, in many of the places he visited in 2019, the High Commissioner called for approaches based on multilingual education as a way to achieve a balance between protecting minorities' mother tongues, and the need for fluency in the state language(s) to ensure minorities are fully engaged in public life and can realize their full potential in society, wherever they live.

In several multi-ethnic societies in the OSCE area, new trends towards more investment in teaching in the state language (which is undeniably important for integration) are creating tensions, as the reduced investment in multilingual education is perceived as undermining the identities of minority communities. These tensions are often fuelled or exploited by external players, who may use minorities as proxies in the wider geopolitical game. In particular, in 2019 the High Commissioner witnessed steps to accelerate the introduction of new legislation to strengthen the use of the state language by countries where

3 OSCE HCNM, *The Hague Recommendations regarding the Education Rights of National Minorities & Explanatory Note*, October 1996, available at: <https://www.osce.org/hcnm/hague-recommendations>.

4 OSCE HCNM, *The Oslo Recommendations regarding the Linguistic Rights of National Minorities & Explanatory Note*, February 1998, available at: <https://www.osce.org/hcnm/oslo-recommendations>.

5 Cf. *The Ljubljana Guidelines on Integration of Diverse Societies*, cited above (Note 2), p. 21.

minority languages had traditionally been given a stronger profile in the education system. In other places, he observed continued segregation in education based on ethnicity.

In addition to providing policy advice, the office also implements projects that provide concrete examples of multilingual and integrated education. For example, the multi-year *Central Asia Education Programme* supports multilingual and multicultural education in Central Asia and Mongolia, and aims at building expertise through teacher training, pilot multilingual education programmes, and exchanging experiences. In 2019, the High Commissioner signed a Memorandum of Understanding on co-operation in the field of multilingual education with the government of Tajikistan.⁶ In the Western Balkans, the office of the HCNM, together with a number of partners, has promoted the creation and further development of the Bujanovac Department, a branch of the Subotica Faculty of Economics of the University of Novi Sad. This is the first truly multilingual and multi-ethnic higher-education institute in southern Serbia, where Albanian and Serbian students study together in a shared space. A number of bilingual dictionaries and other educational materials have also been published in several regions.

Participation

The effective participation and representation of persons belonging to national minorities in public life continues to be one of the main focuses of the work of the High Commissioner, as it is indicative of their level of inclusion and integration in society as a whole. The core message is that minority participation in decision-making is an asset that generates substantive gains, both for the minorities themselves and for the state. As such, minority participation is approached not only from a rights-based perspective, but also from that of conflict prevention. A meaningful level of representation and participation of minorities in all aspects of a country's public life, such as elected assemblies, executive structures, the public sector, the courts, and the civil service, is vital to foster loyalty to and trust in state institutions. This helps ensure ownership of decision-making processes by all members of society, which in turn positively affects social cohesion. A balanced approach to education and language in diverse societies is a prerequisite and starting point for ensuring the participation and representation of all members of society, taking into account their own specific identities. The participation of minorities in public life, as a vehicle to social cohesion, is indeed one of the end goals of the HCNM's policy advice in these specific fields too.

6 Cf. OSCE, OSCE High Commissioner on National Minorities promotes multilingual education in Tajikistan, 24 June 2019, at: <https://www.osce.org/hcnm/423926>.

The principles above are articulated in the HCNM's *Lund Recommendations on the Effective Participation of National Minorities in Public Life*,⁷ the 20th anniversary of which was celebrated on 14 November 2019 in Lund, Sweden. The event marking this anniversary addressed issues of political representation, as well as economic participation and cross-border co-operation, and offered a specific gender angle.

In 2019, the HCNM continued to support participating States by reviewing and advising on legislation and policies in a way that fosters the participation and representation of all social groups in the public life of a state. In this context, attention to the participation of (minority) women and youth was a priority. While women lag behind in terms of representation in most spheres of public life, in the case of minority women, gender intersects with other social categories of identity, such as ethnicity and language, often exposing them to two (or more) types of discrimination. Therefore, opportunities to voice their concerns were integrated into the High Commissioner's engagements, both with minorities and authorities, and related considerations were reflected in the HCNM's policy advice.

With regard to youth, the HCNM hosted a panel discussion on 19 July 2019 at the United Nations (UN) in New York, in co-operation with the UN and the Slovak OSCE Chairmanship. This built on the success of a similar event held in 2018. The event explored ways to strengthen the contribution of regional organizations to conflict prevention under Chapter VIII of the UN Charter, with a focus on the role of youth in peace and security. In particular, participants were encouraged to reflect and exchange experiences on how integration policies in fields such as education, language and participation can foster the inclusion and empowerment of youth, so they can play a central role in conflict prevention efforts. In addition, with a view to encouraging the participation of national minorities in political life in Georgia, since 2014 the HCNM has been supporting a project to create opportunities for dialogue between political parties and minority representatives. One of the main project components was aimed at equipping minority youth with the skills required to get involved in politics through internships with political parties and capacity-building workshops. In 2019, two former minority youth HCNM-supported interns ran as candidates in the municipal by-elections for mayor of the city of Marneuli, home to a large ethnic Azeri community.

7 OSCE HCNM, *The Lund Recommendations on the Effective Participation of National Minorities in Public Life & Explanatory Note*, September 1999, available at: <https://www.osce.org/hcnm/lund-recommendations>.

The Rule of Law and Policing

The principles of participation also apply to the judiciary and law-enforcement agencies. The High Commissioner called for increased participation and representation of all ethnic groups in these key sectors in a number of places he visited in 2019.

As articulated in the *Recommendations on Policing in Multi-Ethnic Societies*,⁸ when the police and the military are representative of the composition of society and are responsive to the wishes and concerns of all ethnic communities, they have the potential to promote stability within the state and increase its legitimacy in the eyes of society, including among minorities. A police service that is seen to incorporate sections of society that are otherwise excluded or marginalized will be more likely to secure the acceptance and co-operation of members of all communities, leading to sustainability. The presence of representatives of minority communities in these bodies also improves the effectiveness of law enforcement agencies, as it brings more operational information, increased sources for intelligence gathering, and additional language and cultural expertise. Both law enforcement agencies and minorities therefore have much to gain from working closely together.

The same notions apply to the judiciary. A lack of adequate representation of minority communities in the judiciary diminishes minorities' confidence in the justice system. The failure to adequately prosecute crimes that disproportionately affect minority communities, such as hate crimes committed against them by members of the majority, can also affect confidence, thereby also diminishing the deterrent effect of the system. In multi-ethnic societies, access to justice for national minorities should be promoted by the state through positive measures, such as ensuring that there are not disproportionate socio-economic barriers to accessing legal advice. These are some of the key elements of *The Graz Recommendations on Access to Justice and National Minorities*.⁹

In the course of 2019, one of the themes that emerged in certain contexts in relation to access to justice is the issue of language, and in particular minorities' inability to make formal use of documents and services in a language that they understand, even in cases where they speak a language that is recognized by law as an official language in that context. While reiterating the importance of fully mastering the state language for all social groups, the High Commissioner noted how, in these situations, a lack of multilingual personnel within the judiciary, shortcomings in translation, and inaccuracies in the translated versions of the laws can be detrimental to the right of all to access justice. They can also impact the credibility of the justice system, and create an environment

8 OSCE HCNM, *Recommendations on Policing in Multi-Ethnic Societies*, February 2006, available at: <https://www.osce.org/hcnm/policing-recommendations>.

9 OSCE HCNM, *The Graz Recommendations on Access to Justice and National Minorities & Explanatory Note*, November 2017, available at: <https://www.osce.org/hcnm/graz-recommendations>.

of legal uncertainty, paving the way to further divisions within society. This is when access to justice, which is often addressed from a human rights perspective as part of efforts to promote states' compliance with their politically and legally binding human rights commitments, becomes part of conflict prevention work, and therefore relevant to the mandate of the High Commissioner.

The office held a number of events in 2019 on issues related to the rule of law and policing. In Pristina, the High Commissioner addressed a panel discussion on access to justice for non-majority communities, organized in the context of an EU-funded project on strengthening judicial and prosecutorial capacities. In Kazakhstan, he addressed a regional event on policing in multi-ethnic societies, targeting the police and organized in co-operation with the OSCE Transnational Threats Department (TNTD). In Georgia, the office contributed to a training module on hate crime, organized by the Office for Democratic Institutions and Human Rights (ODIHR) and targeting the police and officials of the Ministry of the Interior.

Historical Narratives and Legacies

Another recurring issue that the High Commissioner observed in the OSCE region is the damaging impact of competing and confrontational historical narratives on inter-ethnic relations. The way people understand, remember, and value history is an important factor affecting the self-image and personal identity of a community. When remembering the past, people have a tendency to glorify and commemorate their achievements, victories, and sufferings, while glossing over the darker chapters concerning the tragedies and suffering their people may have inflicted on others. As a result, different groups often attribute different meanings to the same events. Variations in the way people see and remember history can divide societies, even along ethnic lines, for decades or even centuries after the events have occurred. This is what Joke van der Leeuw-Roord refers to as the “mirror of pride and pain”¹⁰, where the pride of one group corresponds to the pain of the other.

The state has an important role to play in addressing these issues. While it is up to the central or local authorities to decide whether to permit or ban commemorations, to erect or remove statues, to name or rename public spaces, and to organize how history is taught and learned in schools, these political choices may provoke strong reactions from within a society and can sometimes fuel tension and trigger conflict. With strong trends towards identity politics emerging as a result of the increasing diversity of our societies, governments need to be all the more aware that if they impose singular historical narratives and prohibit alternative interpretations in “memory laws”, they draw a line in

10 Cf. Joke van der Leeuw-Roord, A Textbook for Europe: Could the "History of Europe" Avoid the Traditional European Mirror of Pride and Pain? *Internationale Schulbuchforschung*, Vol. 18, No. 1, Europa/Europe (1996), pp. 85-95, at: https://www.jstor.org/stable/43057019?seq=1#page_scan_tab_contents.

the sand that could continue to divide societies for generations to come. Differences in historical interpretations and commemoration practices can have a negative effect on bilateral relations between states, which in turn fuel instability and conflict. Governments should instead strive to create conditions for a tolerant, inclusive debate on historical memory with respect for human rights.

In 2019, the High Commissioner continued to deepen the office's understanding of these dynamics by engaging with a number of partners working in this field. For example, in March, he was invited to Oxford, United Kingdom, to address a task force meeting of the *Contested Histories in Public Spaces* project, implemented by the Institute for Historical Justice and Reconciliation and the Salzburg Global Seminar. During his visit to the United States in July 2019, he met with the New York City Commission on City Art, Monuments, and Markers and had a chance to hear their proposed recommendations on how to deal with controversial monuments in a way that reflects and respects all existing historical narratives constructively. According to this principle, in many relevant contexts, the High Commissioner pointed to the value of addressing multiperspectivity in history constructively.

Media

In 2019, the HCNM, in co-operation with the Estonian Ministry of Foreign Affairs, launched the most recent addition to its set of thematic Guidelines and Recommendations: *The Tallinn Guidelines on National Minorities and the Media in the Digital Age*.¹¹ Estonia's President Kersti Kaljulaid also participated in the event held in the capital Tallinn.

Named after the city, which is a pioneer in the use and promotion of digital technologies, the *Tallinn Guidelines* emanated from the observation that the fundamental transformations in the media landscape during the past decade have multiplied opportunities to access an abundance of diverse content, as well as tools for individualized and interactive participation in public debate. The media's ability to disseminate information and to reach and connect people has been exponentially amplified. So too has its potential to defuse or, alternatively, ignite conflict.

This is particularly relevant for diverse societies. In societies where minorities and majorities live side by side, the media can offer all groups enhanced opportunities to shape their own identities and explore different viewpoints. As the media increasingly transcends borders, minorities can easily form transnational networks, which in turn can play a key role in supporting the preservation of cultures and traditions. Regrettably, however, the media also carries risks for peace and stability. Transnational networks involving mi-

11 OSCE HCNM, *The Tallinn Guidelines on National Minorities and the Media in the Digital Age & Explanatory Note*, February 2019, available at: <https://www.osce.org/hcnm/tallinn-guidelines>.

minorities spread across various states have the potential to interfere in, and possibly damage, bilateral relations. New media carries the risk of political manipulation, and minorities can be instrumentalized. A rise in inflammatory language in global political discourse has led to the spread of xenophobic and racist language.

The *Tallinn Guidelines* appeal to the responsibility and the interest of states to ensure that the media and the opportunities it offers are used in a way that minimizes these risks, and instead, catalyses the integration of diverse societies. Crystallized in 37 concrete recommendations, the proposed recipe is a mix of multilingualism reflecting the linguistic diversity in society; the participation of various groups, including minorities, in media content production and delivery; and restraint by states in their interference in other countries' affairs.

On most of his visits to countries in the OSCE region, the High Commissioner engaged with media outlets and stressed the importance of including minority representatives in the media, providing a wide range of information, featuring topics of interest and relevance to minorities, and conveying content in minority language(s).

Conclusion

As minorities become an increasingly important pawn in the geopolitical game, a set of basic principles and rules applied equally to all can serve as a valuable tool to prevent crises and reduce tensions. However, the work of the High Commissioner does not take place in a political vacuum and relies upon the continuous support of the participating States. In that sense, the HCNM's Recommendations and Guidelines are only effective tools for conflict prevention if they are integrated in the policies of participating States and operationalized accordingly. Regrettably, however, the geopolitical climate is far from conducive. Insufficient investment in co-operative platforms by the international community only reinforces the current geopolitical polarization and weakens existing tools for common reflection, dialogue, and concerted preventive action.

The High Commissioner's main working method of quiet diplomacy may therefore have to be complemented by new tools. New horizons need to be explored, and new partnerships created. Quiet diplomacy must be accompanied by high-profile initiatives aimed at better informing governments and the public about the key Recommendations and Guidelines and suggested policies, and promoting their implementation. There is also a need to forge and strengthen coalitions with other international players, including the United Nations, regional organizations and arrangements operating under Chapter VIII of the UN Charter, as well as with civil society. The stronger engagement of women and youth should be actively promoted. This is the direction that the High

Commissioner intends to follow in the time to come. Sharing tried and tested tools that have proven to be effective in many contexts as widely as possible is one of the HCNM's key contributions to the longer-term sustainable development agenda.