Interview with Max van der Stoel, former High Commissioner on National Minorities

Cees Homan

In 1992 the OSCE established the post of High Commissioner on National Minorities. The High Commissioner's function is to identify and seek early resolution of ethnic tensions that might endanger peace, stability or friendly relations between the participating states of the OSCE. His mandate describes him as 'an instrument of conflict prevention at the earliest possible stage'.

The Netherlands Minister of State Max van der Stoel was appointed as the first High Commissioner in December 1992 and took up his post in January 1993. After several renewals of his mandate, Mr. Van der Stoel was succeeded by the Swedish diplomat Mr. Rolf Ekénas on 1 July 2001. The Helsinki Monitor spoke with Mr. Van der Stoel concerning his experiences as HCNM.

The activities of the HCNM take place within the framework of conflict prevention. How can one raise the profile of conflict prevention while maintaining the practice of 'quiet diplomacy'?

In my opinion 'quiet diplomacy' is very useful. I have learnt from experience that when you make premature statements on a developing crisis, the parties then also tend to make their views public and this results in the position of both sides becoming more rigid. This is counter-productive to reducing conflict. That's why, in general, I have preferred confidential talks.

But that does not mean that I always keep silent. Some situations may require that I make my views public. Take, for example, the case of the Baltic states. Let's say that at a certain moment a draft law is adopted on issues which are sensitive to inter-ethnic relations. That is an important moment. At such a juncture I do not keep silent, rather I say that this is an important step forward, or that I am concerned because some problems are not sufficiently addressed. In the latter case — when my conclusion is that more should be done — I fall back on the old system of confidential talks in which I indicate what still needs to be done in order to create a satisfactory situation. Quiet diplomacy proved to be an effective approach for me.

I have also learned that the timing of one's involvement is crucial. In situations where there are inter-ethnic tensions, and yet there are indications that talks are taking place which can result in a solution to the problems, then I do not hurry to that country. But in sensitive cases where the situation seems to be worsening then one had better go there at an early stage. The longer such a problem is unresolved, the more the parties stick to their positions and the more immobile they become. Then there is a great chance that the mediation formula

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will not be effective and that the situation will worsen.

You have said from the beginning of your mandate that OSCE governments should be more pro-active in preventing crises rather than acting only when a crisis has already erupted. Is your impression that there is a improvement in this regard?

It's not so easy to answer this question. Indeed, in the nineties there were situations in which the international community stayed passive when there were clear indications that a serious conflict was developing. That was already evident in the crucial months before the first shots were fired in the former Yugoslavia. I don't believe that there was any embassy in Belgrade which did not send a message to its Ministry that there was an upcoming crisis, which could develop in a serious way, even with the risk of violence. No serious attempt was made, for instance by the European Union, to look at what could be done to prevent a catastrophe. I have to add that such an attempt could have failed, but my reproach is that it was not even tried. That's one example.

I believe that in the case of Kosovo the international community also took serious action too late. Action was taken, but only when the first shots had already been exchanged. When you are that far, it is very difficult to prevent a further escalation.

But I can also sound somewhat more optimistic. Take the case of Macedonia. I do not argue that the international community acted in a faultless way, but I believe that this is an example where, by the involvement of the international community, a total civil war in Macedonia has been prevented. There were skirmishes in the middle of the year [2001], but at the same time it is possible that, with the intervention of the international community, Macedonia was withdrawn from the abyss. In particular, I think that the co-operative effort of the OSCE, EU and NATO was very important. It was only possible through this coordinated international effort that Macedonia returned to a more peaceful situation. We are still in a danger zone. There is still the possibility of risks and tensions and it could still all go wrong. But what looked like an irreversible process towards a civil war has been stopped.

You have a rather positive opinion on co-operation between institutions. Nevertheless in Macedonia you referred to the fact that there were 'too many cooks in the kitchen'. Do you have any practical advice on improving inter-institutional co-operation?

Indeed, perhaps it was a little bit too much of a good thing. But I believe we have been able to develop a way of co-operation between OSCE, EU and NATO, which is meaningful and works well. One of the most important problems we are still facing is the return of the Macedonian police to areas which are still under the control of the rebels.

In inter-institutional co-operation I consider good personal relations to be of the utmost importance. It has to be a fully harmonised performance. When one of