BOOK REVIEWS

Advice not welcomed. Recommendations of the OSCE High Commissioner to Estonia and Latvia and the response
Vadim Poleschchuk, Münster: LIT, 2001 (Kieler Schriften zur Friedenswissenschaft; 9) ISBN 3-8258-5700-x

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After regaining independence in 1991, the political and legal processes of transformation in the Baltic states have been closely monitored by the international community, especially the Conference on/ Organisation for Security and Co-operation in Europe (OSCE). Latvia and Estonia, which followed the principle of restitution in the fields of citizenship and international obligations, have created problems of mass statelessness because of their restrictive ethnic and linguistic policies. This has given rise to some friction in the region. The third Baltic state, Lithuania, avoided such tensions by granting citizenship to almost all persons who resided in the territory of the state at the moment of regaining independence. This explains why the OSCE specifically concentrated on the other two Baltic states.

A more concise perspective of the current situation in Latvia and Estonia can be obtained in Advice not welcomed. The author starts with a short, but necessary, historical overview of events, beginning with independence after World War I followed by the Soviet annexation in 1940. The composition of the populations of these two states changed significantly during the Soviet era — to the disadvantage of the respective nations. The percentage of the majority was reduced, and a policy of Russification eroded the majority culture. In 1991, the idea of building a nation-state prevailed over the fact that both Latvia and Estonia are multi-ethnic states. It is precisely this contradiction that contained the potential for conflict, affecting stability in the region and, more broadly, its relations with Europe.

To prevent instability and to assist in the integration, OSCE Missions were established in Estonia in 1992 and Latvia in 1993. Furthermore, to ensure security, minority protection and inter-ethnic harmony in these countries was a high priority for the OSCE High Commissioner on National Minorities (HCNM), particularly during the period when Max van der Stoel held that post from 1993 to 2001. This book describes his relationship with the Latvian and Estonian Governments and the extent to which his recommendations were taken into consideration.

In his book, Vadim Poleschchuk classifies the High Commissioner’s recommendations in four main categories: (1) those with a principal character, such as the integration process and the status of national minorities; (2) those regarding

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the legal situation of aliens (only with regard to Estonia); (3) recommendations affecting the process of naturalisation; and (4) recommendations concerning linguistic requirements. Poleschuk points out that almost any recommendation by Max van der Stoel, which did not reflect the opinions of Estonian or Latvian political leaders, was met with harsh and pre-emptory criticism. It is in this context that the book has received its title.

On the issue of integration, the point is made that there has been some progress. The term assimilation is no longer officially used, and there is a growing realization that integration involves more than integrating minorities into the mainstream: it involves the integration of society as a whole. However the author points out that while the Estonian and Latvian authorities understand integration as a process which is mainly achieved through acquiring knowledge of the majority (state) language, the High Commissioner has defended the idea of integrating the non-national population by facilitating the possibility for them to obtain Estonian or Latvian citizenship.

In that respect, Van der Stoel considered naturalization to be the main driving force of social integration in Estonia and Latvia. The basic proposal, to ensure the reasonability of naturalisation requirements, was unfortunately not realised.

The fact that the majority of non-Estonians remain without Estonian citizenship deprives them of certain rights and protection. According to the Law on Cultural Autonomy of National Minorities of 1993, national minorities must be citizens of Estonia. If they are stateless, they fall under the legal status of aliens. Estonia was not ready to fulfil all the recommendations regarding the legal status of aliens. Those who had settled in Estonia during the Soviet era cannot enjoy a special status. In contrast, Latvia found different means by which to solve this problem.

The Estonian and Latvian governments were even more restrictive regarding proposals for and changes to the language legislation. In both states, the language laws were deemed to form the basis for ethnic policy. The protection of the state languages was seen by these nations as being vital for their own survival.

Poleschuk concludes that the impact of the recommendations of the HCNM on the development of Estonian and Latvian legislation was rather limited. The Estonian and Latvian governments only complied with advice that was related to technicalities, such as the execution of documents or issues concerning concrete international law arguments, such as the naturalisation of children of stateless parents. But the Estonian and Latvian governments have tried to give the impression that they have fulfilled almost all of the HCNM's recommendations, and this is especially true towards the member states of the EU and NATO, which they would like to join.

Nevertheless, the recommendations played an important role in Baltic politics. The monitoring of the developments in the fields of democracy, human and minority rights had a moderating effect on ethnic policy in these Baltic states.

The author has embarked upon a serious analysis of the preventive diplomacy and confidential work of the HCNM, demonstrating his positive influence in the peaceful process of transformation in Latvia and Estonia. The documents found in