The CSCE Meeting on National Minorities in Geneva

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Soon after the CSCE meeting of experts on national minorities had started on the first of July, it became clear that the spirit was seemingly willing but the flesh as weak as ever. Despite all acclaimed good intentions about a new Europe, the issue of national minorities was still too hot to handle within the framework of 35 sovereign states. Therefore, the outcome of the conference was disappointing. Only general statements were produced, more or less a repetition of the commitments laid down in the Copenhagen Document and the Charter of Paris.

Yugoslavia

The first day of the conference was influenced by two events. First of all and not surprisingly, the exploding situation in Yugoslavia seriously hampered free discussion. Several states — for example the United States, the Soviet Union, Albania and Yugoslavia — felt obliged to make political statements about the Yugoslav crisis. This prevented an objective approach of the issue of national minorities.

Secondly, the Dutch minister of the Interior, Dalles, opened Pandora’s box at the beginning of the conference. In her opening address on behalf of the European Communities she started admitting that it would be fruitless to search for a definition of the concept of national minorities. However, she then stated that also migrant workers and people from (former) colonies now living in Europe should be included into this concept. By doing so, she widened the scope of existing and fiercely contested definitions, and complicated the discussion from the outset. Now both Eastern and Western states felt obliged to present their own definition in order not to be forced to admit the existence of ‘national minorities’ in their own country.

Closed Doors

The actual work of the conference took place behind closed doors in so-called subsidiary working groups. Only a few plenary sessions were open to NGO’s and the press. This was enough to show that not much progress was made.

Firstly, discussions kept being focused on the issue of definition. Especially Yugoslavia and Albania dissented on this point. Remarkably, the USA and the USSR strongly defended the Yugoslav territorial integrity, while Albania tried to link the forthcoming independence of Slovenia to the situation in Kosovo. Greece, Turkey and Cyprus kept quarelling about the isle.

Secondly, no progress was made in granting collective rights to national minorities. Post-war experiences with human rights documents clearly show
that a non-discriminatory and individual approach is not enough to preserve the ethnic identity of national minorities. However, most states are still reluctant to grant collective rights to groups of people. Their main (and traditional) argument is that collective rights only stimulate ethnic groups to put forward growing demands for autonomy and territorial independence. This of course threatens their territorial integrity. Already during the League of Nations era, in which a legal system of minorities protection existed, the same argument could be heard. No less persistently, minorities always have claimed that exactly this fear of irredentism and the maltreatment resulting from it stimulated them to look outside the borders of a state. This problem of mutual distrust could be solved by just a sign of confidence and by the prospect of a decent treatment: In present-day Europe where borders are fading away, states should give such a sign of confidence by reassuring the rights of national minorities. However, many states are not yet prepared to do so. Consequently, xenophobic chauvinism as a mechanism of protection is likely to rise once again.

Dutch Skill
Three weeks of these kind of discussions did not produce many positive results. Thanks to the skill of the Dutch delegation, headed by ambassador Buwalda, new elements could be added to the discussions. Finally, these resulted in a concluding document. In this document, general statements about the respect for human rights and a non-discriminatory approach towards national minorities are followed by some interesting suggestions in chapters IV to VI. These state inter alia that due to the diversity of constitutional systems among the CSCE-states a single approach is feasible nor necessary. So, the participating states "note with interest that positive results have been obtained by some of them in an appropriate democratic manner".

The document also contains fourteen suggestions how to create a modus vivendi between majority and minority groups. These — sometimes valuable — suggestions include inter alia: local or regional (territorial) autonomy, educational facilities in the mother-tongue of the minority, research stimulated by state-organs in order to forestall racial bias and hatred, and the establishment of permanent mixed commissions, transnational or regional, to facilitate continuing dialogue between the border regions concerned.

Although very promising, these points are only suggestions. The Dutch and like-minded delegations hoped to gain more binding results at the third meeting of the Conference on the Human Dimension of the CSCE in Moscow.

Promising Facts
Two promising facts deserve to be mentioned. First, the so-called Pentagonale group plays an important role. Austria, the Czech and Slovak Federal Republic, Hungary, Italy and Yugoslavia have formed this group in order to discuss and to solve their minority problems. This regional approach should be