Profile / Profil

Mr. Max van der Stoel

On behalf of the editorial board, Catherine Kessedjian had the pleasure of meeting Mr. Max van der Stoel in his office in The Hague, in February 1999. A one-hour meeting is not enough to do justice to the vast knowledge and keen understanding of international affairs of this former Minister of Foreign Affairs of the Netherlands, who is now the OSCE High Commissioner on National Minorities.

Max van der Stoel finds it difficult to trace the origins of his interest in international affairs. Even as a young child, he remembers reading newspapers and being fascinated by international events. He was twenty when the Second World War ended, and his interest had only deepened after having witnessed his own country and people being subjected to brutal force and total lawlessness. At the same time, his desire to “be involved” was increased by the demise in 1948 of the then Czechoslovak democracy and the fact that some of his own friends were forced to live in exile.

Straight out of University, he joined the newly-reinstated Dutch Labour Party only one day after it was formed. This was no mere chance. The Labour Party’s agenda for political renewal, social justice and human rights, together with its policy for helping the poorest countries suited his own personal thinking and philosophy. Throughout his career he stayed a member of that party, even though, at times, his own ideas came to be at odds with the Party’s evolving policies. This led to his decision, in the early 1980s, not to run again for election under the Party umbrella. By then, he had served as Foreign Minister of the Netherlands from 1973 to 1977 and from 1981 to 1982.

Max van der Stoel’s influence and experience as an internationalist took him from that point on to the highest levels of the newly-developing organs of international cooperation. His entire professional life has been devoted to public affairs, with a strong emphasis on human rights. This led notably to his appointment as Rapporteur for the Parliamentary Assembly of the Council of Europe on the situation in Greece after the colonels’ coup, and prompted him to recommend that Greece be excluded from the Council of Europe. More recently, he was also active in the Iraqi crisis.

When asked to identify the major success of the last fifty years in international law, Max van der Stoel does not hesitate. The Universal Declaration of Human Rights and the development of international standards applicable to all States around the globe constitute, in his eyes, the greatest achievement. Having said that, however, he readily admits that he is disappointed by the still enormous discrepancy between the theoretical and actual positions of States,

who sign and ratify human rights conventions or covenants, but, in practice, continue to perpetrate violations of them. He also recognises that some cultures may have a different conception of human rights than others, and that specific obstacles must be overcome in certain regions and not in others. Nonetheless, he firmly believes that basic human rights are truly international and the same all over the world. This, again, is the universalist speaking. As an example, he points to the fact that human rights are no longer considered as the internal affair of a given State, but of concern for all States, and that this has become one of the principles generally accepted today. He refers, in this context, to the Moscow Declaration of 1991 on the Human Dimension of the CSCE.

When the conversation turns to his present function, Max van der Stoel expresses surprise that since the Second World War, questions relating to national minorities have so often been neglected. He draws our attention to the fact that the United Nations Charter is silent on this subject, as if the demise of the League of Nations, which, by contrast, had been heavily involved with minorities, had frightened off the founders of the UN and made them reluctant to touch this “hot potato” (on the other hand, the UN Charter puts a heavy emphasis on human rights). It is striking that the Soviet Union denied the specific identity of national minorities by emphasising the concept of a “homo Sovieticus”. His guess, also, is that the Soviet Union, which denied having any national minorities on its territory and suppressed all trace of their existence, had succeeded in influencing the negotiations.

At present, however, we are often faced with major threats to international peace, precisely because of the neglect of the question of national minorities. On this subject, Max van der Stoel has developed his own clear-sighted formula for preserving the balance between the two antagonistic viewpoints. His ideas may be summarised as follows: the rights of national minorities must be exercised within the established boundaries of a given State, bearing in mind the need to maintain its territorial integrity; by the same token, minorities must be fully recognised and not forced to assimilate, although they must integrate. This gives rise to some novel ways of looking at public affairs and governance, some of which Mr. van der Stoel shared with us. He proposes, for example, that minority councils be put in place, to be consulted each time new legislation is proposed, so that minority rights will be taken into consideration. Regional councils could also play an active role in responding to minority rights and needs. Minorities could also be accorded some degree of functional autonomy in the field of education or other areas considered vital to their identity. Max van der Stoel is again careful to emphasise the difference between “integration” and “assimilation”. The first is a necessity, whereas the second is to be avoided. Minorities have common interests with the majority. They should not live on a “little island” in isolation from the majority. All of these ideas and more were developed during an international conference he convened in Locarno in