I. INTRODUCTION

This overview of the activities of the High Commissioner on National Minorities (HCNM) of the OSCE covers the period June 2002 through June 2003.1

Currently, the HCNM is Rolf Ekéus of Sweden. He took up his duties on 1 July 2001, succeeding Max van der Stoel of the Netherlands who served as High Commissioner between 1 January 1993 and 30 June 2001.

To commemorate the 10th anniversary of the institution of the HCNM, on 31 January 2003 Daan Everts, Personal Representative of the Chairman-in-Office (The Netherlands) of the OSCE, gave a speech on the HCNM's contribution to peace and ethnic harmony in Europe over the preceding decade. Ambassador Everts noted that the HCNM's success could be attributed to the effective use of quiet diplomacy, complementarity with other international organizations, and the issuing of general and country-specific recommendations.2

The following day, the HCNM held an off-the-record dialogue on Preventing Conflict Through Integrating Diversity attended by a diverse group of experts on conflict prevent-

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1 An account of previous activities of the HCNM back to January 2001 can be found in Sally Holt, 'The Activities of the OSCE High Commissioner on National Minorities January 2001 – May 2002,' 1 EYMI (2001/2) 563-89. For an account of the activities of the first HCNM, Mr. Max van der Stoel, from the founding of the office in 1993 to early 2001, see Walter Kemp (ed.) Quiet Diplomacy in Action: The OSCE High Commissioner on National Minorities (The Hague, 2001).

tion, interethnic relations and minority rights. In a wide-ranging discussion, participants examined such areas as the HCNM’s involvement in Central Asia and his interaction with the European Union, including vis-à-vis ‘new minorities’. The participants agreed on several points. First and foremost, the HCNM was strongly encouraged to continue the work of the past decade with the same approach and engagement. Second, it was felt that counter-terrorism efforts in the EU threatened to undermine minority protections which needed to be safeguarded. Another broadly echoed point was that Central Asia deserved the HCNM’s full attention. Finally, the participants concurred that one of the HCNM’s greatest achievements has been the development and dissemination of general recommendations and urged further efforts to elaborate and disseminate additional general recommendations on relevant subjects.3

During the time period covered by this article, the HCNM initiated dialogue with two OSCE participating states for the first time: Turkmenistan and Turkey. He visited Turkmenistan in November 2002, met with government officials and learned more about the government’s views on minorities.4 His visit to Turkey occurred in January 2003. The discussions centred around Turkey’s legislative reforms and Turkish minorities in the OSCE area.5

II. MINORITY PROTECTION

As the HCNM often makes clear in his public statements, he is the High Commissioner on – not for – national minorities. The HCNM is not an advocate for minorities, however the HCNM has found that the protection of the rights of persons belonging to national minorities contributes greatly towards minimizing ethnic tensions that may lead to conflict. Norms of minority protection also serve as the minimum basis upon which minority claims and matters in dispute may be evaluated and negotiated in a democratic setting. Thus, much of the HCNM’s attention is focused on assisting states in adopting and implementing domestic policies, legislation and practices in accordance with their international obligations and commitments.

A. Legislative Frameworks

The Office of the HCNM works with governments on the development and reform of minority-related policy and law, including framework legislation on the rights of persons belonging to national minorities. In 2002 and 2003, the Office of the HCNM focused

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4 OSCE Newsletter, December 2002, 23.