

## Preface

After the end of the East-West confrontation, the types of conflict, as well as the conditions for their management, fundamentally changed. Until 1989/1990, conflict in Europe was tantamount to the threat of war between two nuclear-armed alliances. At that time, conflict prevention meant containing this threat through a policy of *détente*, arms control and limited co-operation between two social systems and politico-military alliances, which were commonly seen as antagonistic. The old CSCE was one of the most important frames and the most significant symbol for this kind of international and inter-alliance conflict prevention.

After the turning point of 1989/1990, a multitude of conflicts erupted in the transformation countries in Central, Eastern and South Eastern Europe. Although primarily of domestic ethno-political nature, many of them had and still have the potential of creating international tensions and crises. Under the pressure of bloody secession and civil wars in the former Yugoslavia and the former Soviet Union, the international community discovered that not only had new domestic conflicts sharply risen in number and intensity, but also that the chances for conflict management by external actors - multilateral organizations, states and non-governmental organizations - had also increased. Both factors together - the new prominence of domestic conflicts and the new possibilities to prevent, contain and manage them - constitute the very *raison d'être* of the new CSCE/OSCE, which developed into the most important all-European organization for conflict prevention, crisis management and post-conflict rehabilitation by non-military means. Thus, while following the fundamental changes concerning the types of conflicts and the conditions for their external regulation, the CSCE/OSCE firmly stuck to its unchanged basic mission of conflict prevention.

In order to do so, the Organization developed a set of new tools: the Office for Democratic Institutions and Human Rights (ODIHR), the High Commissioner on National Minorities (HCNM) and the field missions. Because of its flexible mandate and its high degree of institutional autonomy,<sup>1</sup> the HCNM may be seen as one of the most innovative instruments. The basic stipulation of the HCNM's mandate<sup>2</sup> reads as follows:

The High Commissioner will provide "early warning" and, as appropriate, "early action", at the earliest possible stage in regard to tensions involving national minority issues which have not yet developed beyond an early warning stage, but in the judgement of the High Commissioner, have the potential to develop into a conflict within the OSCE area, affecting peace, stability or relations between participating States, requiring the attention of and action by the Council or the CSO [Committee of Senior Officials].<sup>3</sup>

The HCNM implemented his mandate and tried to reduce tensions and foster co-operation between ethnic majorities and minorities by conducting many hundreds of discussions with representatives of governments, minority associations and NGOs, and by making specific recommendations to governments<sup>4</sup> and more general ones concerning certain issue areas,<sup>5</sup> the organization of round tables and seminars and practical projects.

The appointment of the former Dutch Foreign Minister Max van der Stoel, who held the HCNM Office from January 1993 to June 2001, was seen by almost everyone as an excellent choice. Various

---

<sup>1</sup> On the HCNM's working principles and practical approach see Kemp (Ed.) 2001, and Simhandl 2002, pp. 69-106.

<sup>2</sup> As the history and substance of the HCNM's mandate has been extensively dealt with in the literature, we can do without repeating this exercise. Cf. Zaagman/Zaal 1994, Zaagman 1994, The Foundation on Inter-Ethnic Relations (FIER) 1997b.

<sup>3</sup> CSCE Helsinki Document 1992: The Challenges of Change, Helsinki, 10 July 1992, Helsinki Decisions, Section 2, CSCE High Commissioner on National Minorities, para. 3, in: Bloed (Ed.) 1993, p. 716.

<sup>4</sup> Cf. <http://www.osce.org/hcnm/documents/recommendations/index.php3>.

<sup>5</sup> At the initiative of the then incumbent HCNM Van der Stoel and organized by the Foundation on Inter-Ethnic Relations panels of international experts produced three sets of recommendations: The Hague Recommendations Regarding the Education Rights of National Minorities and Explanatory Note, The Hague 1996; The Oslo Recommendations Regarding the Linguistic Rights of National Minorities and Explanatory Note, The Hague 1998; The Lund Recommendation on the Effective Participation of National Minorities in Public Life and Explanatory Note, The Hague 1999 (also available at the HCNM website, cf. footnote 4).

CSCE/OSCE Human Dimension Implementation Meetings favourably assessed the results of Van der Stoel's work.<sup>6</sup> On the occasion of the extension of his term of office, the Permanent Council thanked Max van der Stoel on 2 July 1998 "for his outstanding service".<sup>7</sup> Also, in scholarly literature, the HCNM's general effectiveness and/or his activity in certain countries were constantly evaluated in a positive way: the High Commissioner must "in the final analysis [...] be regarded as an effective instrument."<sup>8</sup> And concerning the Crimean crisis, Hopmann noted that the HCNM "contributed significantly to averting violence".<sup>9</sup> Schlotter, however, warned that, although "his activity is generally regarded as *the* success story of the C/OSCE after 1990", "[i]n the final analysis the results of the High Commissioner's work are not easy to measure".<sup>10</sup> Cohen adds that until now, "no longitudinal surveys have been done to assess the precise impact of his [the HCNM's] involvement in each state."<sup>11</sup>

This unclear relationship between a generally positive evaluation of the High Commissioner's activity and the lack of systematic and comparative analysis of his effectiveness in different countries is the very rationale of the HCNM Project<sup>12</sup> implemented by the Institute for Peace Research and Security Policy at the University of Hamburg from 1999 to 2002. The present study, which was elaborated in the frame of this project, is an analysis of the interventions of the High Commissioner into the complex process of the development of ethno-political relations in Romania during the last decade. This study's, and the whole project's objective "lies [...] in the investigation of the effectiveness of the OSCE minority regime in light of the implementation of the HCNM's recommendations".<sup>13</sup>

In order to understand the explosive nature of this issue, one has to be reminded of the ways in which the relations and the conflict potentials between Hungary, its neighbouring states and the Hungarian minorities living there were perceived in the early nineties by Western politicians and scholars. George Schöpflin, one of the most renowned authorities on Hungarian affairs, wrote in 1993:

The problem of the relationships between Hungary, its neighbours and the ethnic Hungarian minorities in those countries, although largely neglected in Western writing during the Soviet period, is clearly the second most sensitive issue in Central and Eastern Europe after the war of Yugoslav succession; through this war, Hungary might indeed become involved.<sup>14</sup>

And one year earlier James F. Brown noted:

In Central Europe, stability might depend on the situation of the Hungarian minority and on interactions between its different groupings. [...] If Czechoslovakia breaks up, the prospects that the Hungarian minority will readily stay in an independent Slovakia will probably be extremely small. The consequences of its negative attitude would jump across Hungarians living elsewhere. In this case rather Central and not South Eastern Europe would be the starting point of a destabilising chain reaction.<sup>15</sup>

Luckily, history took another course, but these were the perceptions and expectations at the time when the High Commissioner started his activity in Romania.

In order to make the HCNM's intervention understandable, we will start with a rather broad portrayal of the dynamic of ethno-political relations in Romania after the breakdown of the Ceaușescu regime. This includes a brief overview of minorities in Romania and an analysis of relations between the Romanian majority, the Hungarian minority and the latter one's kin-state over three distinct periods between 1989 and 2001. Chapters 2 and 3 deal with the interventions of the High Commissioner into different issue areas. Chapter 2 analyses the HCNM's mainly functionally motivated efforts to raise the level of institutionalized political participation of minorities. Chapter 3 deals with Van der Stoel's in-

---

<sup>6</sup> Cf. Buchsbaum/Hammer/Suntinger/Tretter 1994, pp. 76; Pentikäinen 1997, p. 10.

<sup>7</sup> PC/DEC/240, 2 July 1998.

<sup>8</sup> Reschke 1997, p. 103.

<sup>9</sup> Hopmann 2000, p. 41.

<sup>10</sup> Schlotter 1996, p. 116 (Unless otherwise noted, all translations are the author's own).

<sup>11</sup> Cohen 1999, p. 78.

<sup>12</sup> Cf. Zellner 1999.

<sup>13</sup> *Ibid.*, p. 31.

<sup>14</sup> Schöpflin 1993, p. 1.

<sup>15</sup> Brown 1992, p. 404.

terventions into the sphere of language use and policies on education, including language use in public administration and in the media, Hungarian-language education at the pre-university level and, last but by no means least, at the university level. In the conclusions, we will try to come to an overall assessment of the effectiveness of the High Commissioner's work in Romania from 1993 to 2001.

The study is based on a wide range of sources including published and grey literature, documents (partially unpublished), and about 30 background interviews, which were of special importance for analyzing changes in interest and motivational structures. The author and Wolfgang Zellner conducted these interviews between 1999 and 2002. In order to protect the confidentiality of the interviewee, reference is made only to functional aspects of the interview, and the date it took place.

For their kind readiness to answer the sometimes-delicate questions, we would like to cordially thank all interview partners. Among government officials, these were György Tokay, former Minister on National Minorities;<sup>16</sup> Dr. Klaus Fabritius, State Secretary, Department for the Protection of National Minorities; Ovidiu Gañ, Under-Secretary of State, Department for Inter-ethnic Relations; Marko Attila, Under-Secretary of State, Department for Inter-ethnic Relations; Ivan Truțer, PSD, former Secretary of the Council for Inter-ethnic Relations; Dr. Dan Oprescu, Department for Inter-ethnic Relations; Anna Horváth, Cluj, Territorial Office of the Department for Inter-ethnic Relations; Paraschiva Badescu, Ministry of Foreign Affairs, Deputy Director, OSCE and Regional Co-operation Department; Mihai Korca, Ministry of Education and Gragos Onescu, PNȚCD, Councillor of the Minister for European Integration.

Among members of Parliament and party officials, we interviewed Emil Boc, member of the Chamber of Deputies (PD); Martian Dan, member of the Chamber of Deputies (PDSR); Serban Radulescu Zoner, member of the Chamber of Deputies (PML); Sandor Konya-Hamar, member of the Chamber of Deputies (RMDSZ); Tibor T. Toró, member of the Chamber of Deputies (RMDSZ); Hunor Kelemen, member of the Chamber of Deputies (RMDSZ); Nagy Benedek, former member of the Chamber of Deputies (RMDSZ); Wolfgang Wittstock, member of the Chamber of Deputies (Democratic Forum of Germans in Romania); Tibor Szatmari, RMDSZ, Head of the President's Cabinet and Zsusza Berecki, RMDSZ, President's Cabinet.

We also interviewed a number of NGO representatives: Gabriel Andreescu, Romanian Helsinki Committee; Anton Niculescu, Director, EU Integration Programme, Open Society Foundation Romania, former Secretary of State; Dan Pavel, Director of the Project on Ethnic Relations Bucharest; Lev-ente Salat, Branch Director of the Open Society, Cluj and Renate Weber, Director of the Soros Foundation Romania. At the Babes-Bolyai University in Cluj, we conducted interviews with Marius Lazăr, Nándor Magyar, Tivadar Magyar and with the Vice-Rectors, Prof. Dr. Paul Szilagyi and Prof. Dr. Zoltán Kása.

Without the readiness of our interview partners to kindly and patiently answer our questions, we would have missed valuable insights, which could not have been obtained by reading documents. For this unique chance they granted us, we are very grateful.

As mentioned above, this study was prepared in the framework of the larger project "On the Effectiveness of the OSCE Minority Regime. Comparative Case Studies on the Implementation of the Recommendations of the High Commissioner on National Minorities of the OSCE", which comprises five country studies and a comparative analysis. The research was sponsored by the German Research Association (Deutsche Forschungsgemeinschaft) and carried out from 1999 to 2002 by an international team of five researchers in the countries analysed and two working at the Institute for Peace Research and Security Policy at the University of Hamburg. I would like to take this opportunity to express my gratitude to the German Research Association for funding such seminal research on inter-ethnic conflict and its management.

---

<sup>16</sup> Information on political and professional functions of interview partners relate to the date of the interview.

As the research process required genuine teamwork, which materialized in several meetings and ongoing mail exchanges, I would like to thank the larger team: Teuta Arifi, Jekaterina Dorodnova, Volodymyr Kulyk, Margit Sarv, Klemens Büscher, Randolf Oberschmidt and Wolfgang Zellner for their interest and appreciation, but most importantly, for their questions and observations on my analysis, and for everything that I learned from them. I would like to especially thank Wolfgang Zellner for his continuous guidance, revealed in the form of genuine partnership and his mobilizing example of precision, discipline and accurate analytical talent.

In a more personal note, I'm deeply thankful to my wife Anna for having been patient and supportive in my seemingly never-ending effort to finalize the manuscript. Last but not least, I hope that, if and when my children Mateş Iulia Horváth and Márton Horváth read this text, this study has become history and that, by then, they will hardly see any resemblances with the manner in which future politicians handle diversity.

István Horváth  
Kolozsvár (Cluj), May 2002