



the MAX VAN DER STOEL award
2003 and 2005

Commemorative Book

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2003 and 2005*

Commemorative Book



High Commissioner on National Minorities

the Netherlands Ministry of Foreign Affairs

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MAX VAN DER STOEP, FIRST OSCE HIGH COMMISSIONER ON NATIONAL MINORITIES, 1992-2001

Max van der Stoel Award

The Award of €50,000 named in honour of Mr. Max van der Stoel – a prominent Dutch statesman and the first to hold the position of OSCE High Commissioner on National Minorities – was established by the Netherlands Ministry of Foreign Affairs in 2001. It is awarded biennially to an individual or an institution in recognition of extraordinary and outstanding achievements aimed at improving the position of national minorities in the OSCE participating States



Previous Award winners

- | | |
|------|---------------------------------------------------------------------------------------------------|
| 2003 | Latvian Centre for Human Rights and Ethnic Studies, Riga, Latvia |
| 2005 | Memorial Historical, Educational, Human Rights and Charitable Society, Moscow, Russian Federation |

Max van der Stoel

Max van der Stoel was appointed as the first High Commissioner on National Minorities of the Organization for Security and Co-operation in Europe (OSCE-HCNM) in 1992. He served an unprecedented eight and a half years in this post. Born in 1924, van der Stoel is a senior statesman with a long and distinguished career. He was twice Minister for Foreign Affairs of the Netherlands (1973-1977 and 1981-1982) and has held seats in both the upper and lower houses of the Dutch Parliament. He was a member of the European Parliament (1971-1973) and a member of the North Atlantic Assembly (1968-1973, 1978-1981) as well as a Member of the Council of Europe Consultative Assembly and a member of the Western European Union Assembly between 1967 and 1972. He served as Permanent Representative of the Netherlands to the United Nations between 1983 and 1986 and in 1992 was appointed by the UN Commission on Human Rights as Special Rapporteur on Iraq.

Van der Stoel became familiar with the work of the Conference on Security and Co-operation in Europe (CSCE later OSCE) as Foreign Minister during the Helsinki consultations from 1973 to 1975, as Chairman of the Netherlands Helsinki Committee for several years, and as the Netherlands head of delegation during the CSCE conferences on the human dimension in Paris, Copenhagen and Moscow. After several renewals of his mandate as OSCE-HCNM, he was succeeded by Swedish diplomat Mr. Rolf Ekéus in July 2001.

In 1999 van der Stoel was awarded the House Order of the Golden Lion of Nassau; the first citizen of the Netherlands to receive the award since 1919. He was also appointed Chairman of the Working Table on Democratisation and Human Rights for the Stability Pact for South-Eastern Europe in the same year. Several honorary doctorates have been awarded to him; including the Cleveringa Chair at Leiden University and the Max van der Stoel Human Rights Award at the University of Tilburg is named in his honour.



2003

Account of 2003 Award Winner's activities

(AT DATE OF PRESENTATION)

The Latvian Centre for Human Rights and Ethnic Studies (LCHRES) was founded in 1993 as a not-for-profit, non-partisan, non-governmental organization devoted to human rights education, the monitoring of human rights and ethnic relations, advocacy and the promotion of dialogue. In May 1998, the LCHRES received the EU-US Democracy and Civil Society Award and in November 1998, the LCHRES became a co-operating committee of the International Helsinki Federation for Human Rights, a network of human rights groups operating in most OSCE countries.

The LCHRES has received core funding from the Soros Foundation's Higher Education Support Programme and Open Society Institute, the National Endowment for Democracy, and most recently from the US-Baltic Foundation. In addition the LCHRES has received project grants from the Council of Europe, the Netherlands Embassy in Latvia, the United Nations Development Programme (UNDP), the EU PHARE programme and others. Major foreign partners are the International Helsinki Federation for Human Rights (Vienna) and the Foundation on Inter-Ethnic Relations (The Hague). As well as a core staff of four: Nils Muiznieks, Angelita Kamenska, Ieva Leimane and Sandra Garsvane, the Centre also has several part-time members of staff and a number of volunteers.

A core area of the Centre's work has always been minority rights and ethnic relations. Various members of staff have published substantial research on ethnic relations, including a monograph entitled "The State Language in Latvia: Achievements, Problems and Prospects" (1995), a special issue of a newsletter devoted to minorities and contributions to the chapter on "National Integration and Social Cohesion" in UNDP's Latvia Human Development Report of 1997. They also give frequent lectures on minority rights and ethnic relations and LCHRES has organised a number of events aimed at promoting dialogue and tolerance, including a major event on "Minority Rights and

Mechanisms Facilitating Government-Minority Dialogue" held in 1996 and a two-day international seminar in March 1998 entitled "The Prospects for Integration in Daugavpils and Latvia." Furthermore in mid-1998, LCHRES spearheaded an NGO coalition advocating liberalising the Law on Citizenship to grant citizenship to stateless children.



FIRST PRESENTATION OF THE MAX VAN DER STOEL AWARD IN 2003 TO ILZE BANDS-KEHRE, DIRECTOR OF THE LATVIAN CENTRE FOR HUMAN RIGHTS AND ETHNIC STUDIES, BY THE THEN NETHERLANDS MINISTER OF FOREIGN AFFAIRS, JAAP DE HOOP SCHEFFER.

The grounds on which the 2003 Award was made

This Latvian non-governmental organization was chosen for its outstanding record of achievement in addressing minority-related issues and its important contribution to improving inter-ethnic relations in Latvia.

The Centre, established in 1993, has developed a reputation for timely and informed research and commentary on issues like citizenship, minority-language broadcasting, minority participation in public life, and the application of international minority-related standards in Latvia. It is now recognized as an informed and objective source on human rights and inter-ethnic issues in Latvia. It also plays an important role in raising awareness and informing public opinion about minority issues in a balanced and credible way.

Transcript of 2003 Opening Address
1 OCTOBER 2003 - by Mr. Rolf Ekéus,
OSCE High Commissioner on National Minorities

Mr Minister, Excellencies, Ladies and Gentlemen,

Little more than 10 years ago Max van der Stoel took on the responsibility to serve as the first High Commissioner on National Minorities, an office created by the Organization for Security and Co-operation in Europe. No one could have been more fit to shoulder the responsibilities of HCNM.

Already before he took up this Office, Max van der Stoel had embodied the philosophy of CSCE/OSCE as expressed in its approval to international security. As Foreign Minister of the Netherlands and in many other capacities he had earned worldwide respect both as an insightful and effective operator of hard security policy issues and as a courageous and dynamic promoter of human rights even under the harshest of circumstances.

With this combination of insight and experience, Max van der Stoel turned his office as HCNM into an influential actor and a most effective tool of the OSCE for prevention of violent conflict.

The new HCNM in 1993 would not, as he himself has observed, be able to profit from the experience of predecessors. He had to explore a path which had not been trodden before.

To measure success or failure of the HCNM is no easy task. The mandate of prevention to be pursued with quiet diplomacy makes a judgement of success dependent upon the assessment of a conflict or crisis which did not occur. In spite of this, an international consensus has emerged that Max van der Stoel has magnificently succeeded in establishing the HCNM as an effective instrument of conflict prevention. As his successor, I have been fortunate to build on the foundation laid by Max van der Stoel, something for which I am eternally grateful. Thank you.

The government of the Netherlands has taken the decision to honour Max van der Stoel and at the same time support the work of the HCNM by establishing a special Prize in his name, the Max van der Stoel Award. The Award will, in accordance with its statute, be presented every two years, in recognition of extraordinary and outstanding achievements aimed at improving the position of national minorities in the OSCE area.

Contemporary conflict in the OSCE area is driven by tension and friction between ethnic groups, between majority and minority. The HCNM engages in dialogue with the State concerned and, may, in accordance with his mandate, consult with parties involved in a majority/minority situation as well as receive information in confidence from any individual group or organization directly involved in the matter under consideration.

In all countries where the HCNM is engaged he is establishing contacts with just such individuals and groups. The decision by the Government of the Netherlands to create this Award, to be presented to those who serve the cause of conflict prevention, is therefore very much an expression of foresight and constructive support for the idea of conflict prevention and for international peace and security among the Participating States of the OSCE.

It is especially fitting that the Award is being presented for the first time in a year when the OSCE is guided and led by a Chairman-in-Office who is the Minister of Foreign Affairs of the Netherlands, H.E. De Hoop Scheffer, who has also undertaken to present the Award.

A panel, the Jury of the Max van der Stoel Award, has been constituted with the task of selecting the recipient of the prize. In my capacity as High Commissioner on National Minorities, I took on the role as Chairman of the Jury and was assisted by the following distinguished personalities who agreed to serve on the Jury:

Mrs. Helle Degn, Commissioner of the Council of the Baltic Sea States, Copenhagen; Dr. Daniel Adam Rotfeld, Secretary of State, Ministry of Foreign Affairs, Warsaw; Professor Dr. Ed van Thijn, Member of the Upper House of the Dutch parliament, former Mayor of the city of Amsterdam; and Dr. Valeri Tishkov, Director of the Institute of Ethnology and Anthropology, Russian Academy of Sciences, Moscow.

All the Jury members are, with the exception of Dr. Rotfeld, present at today's event and I welcome them.

As I welcome all the invited guests who are honouring this occasion by their presence, it is now my distinct pleasure to introduce to you Mr. Max van der Stoel.

*Transcript of 2003 Presentation Speech
by Mr. Jaap de Hoop Scheffer,
the Netherlands Minister of Foreign Affairs
(IN ENGLISH AND LATVIAN)*

Thank you very much Ambassador Ekéus, Excellencies, ladies and gentlemen,

I am especially pleased to present the Max van der Stoel Award today for two quite different reasons: one is professional, the other personal.

Professionally, I am pleased to be the first to present an award of such significance for the rights of national minorities. But from a personal point of view, it is an honour as well as a pleasure to present this award in tribute to Max van der Stoel. Max van der Stoel is a distinguished international figure but, as Foreign Minister of the Netherlands, he was once also my direct superior. I served as his private secretary and owe to him much of what I know about international politics and human rights. Yet, I would never have imagined that I would one day be invited to present the award that bears his name.

Max van der Stoel's professional involvement in foreign affairs runs parallel to much of our history after the Second World War. He was also the first OSCE High Commissioner on National Minorities, from 1993 to 2001, and in that capacity he was closely involved with the OSCE's growing responsibility for conflict prevention, crisis management and post-conflict rehabilitation. Today, Max van der Stoel is still active in these areas as personal representative for Macedonia of the OSCE Chairman-in-Office.

The successes achieved by the OSCE High Commissioner on National Minorities seldom make headline news. After all, success means preventing conflict and therefore the media coverage that goes with it. In any case, the High Commissioner is most effective when working behind the scenes. Only thus can he ensure that the conflicting parties are not in danger of losing face. As a result, the High Commissioner's valuable work often goes unnoticed. The work of the High Commissioner seldom receives the recognition it so richly deserves. I hope that the Max van der Stoel Award will help to change this.

Quiet diplomacy is, of course, the key to the success of the High Commissioner's work. For too long, quiet diplomacy has conjured up images of men smoking extravagant after-dinner cigars, while discussing the fate of nations and matters of war and peace without public or democratic scrutiny.

But the High Commissioner has demonstrated that quiet diplomacy and democratic processes can go hand in hand. The key is to abide by the time-honoured principle of confidentiality, to apply it effectively, and to act as an impartial go-between. It means never taking the side of any party to a dispute, and never imposing solutions.

The High Commissioner must win the confidence of the conflicting parties, either the governments or the minorities involved. He must have an understanding of local conditions, of cultural and historical contexts, and appreciate the legitimate aspirations and understandable fears of both sides. This demands nothing more or less than total commitment and dedication, and a long-term view.

As Max Van der Stoep time and again quite rightly pointed out: conflict prevention in Europe not only needs more attention, it indeed needs a more long term view. The building of democratic institutions, the (re)starting of dialogue between different ethnic groups in order to regain and strengthen trust between them, and the sometimes needed transformation of economic systems, will not happen overnight. It will be a long haul. Unfortunately, in the international political arena we are sadly still too much focused on immediate crises and quick fixes.

The High Commissioner has also demonstrated that preventing conflict is extremely cost-effective. The costs of maintaining the institution of HCNM are comparatively small, negligible in fact. As Max van der Stoep once remarked, the cost of just one modern warplane could fund his work for an entire decade.

Turning now to the laureate, the Latvian Centre for Human Rights and Ethnic Studies, which has done so much to deserve the award. The Latvian Centre has set a shining example. For nearly a decade, it has worked tirelessly to foster the ideals of human rights and the rights of ethnic minorities, to reduce tension and conflict. I would like to extend my heartiest congratulations to the Latvian Centre. I am confident that it will continue its important work and lead the way for others.

High Commissioner, Excellencies, before handing over the award, please allow me to conclude by addressing a few personal words to Max Van der Stoep.

Max, your tireless efforts have profoundly inspired many of us working in the field of international politics, human rights and conflict prevention. I hope that this tribute, this biennial international award bearing your name, will encourage others to follow in your footsteps.

Thank you.

Ārlietu ministra Jaap de Hoop Scheffer runa Maksa van der Stūla balvas piešķiršanas ceremonijā

Ārlietu ministra Jaap de Hoop Scheffer runa Maksa van der Stūla balvas piešķiršanas ceremonijā 2003.gada 1.oktobrī Ridderzaal. Balva tika iedibināta 2001.gadā par godu Maksam van der Stūlam, bijušajam EDSO Augstākajam komisāram nacionālo minoritāšu jautājumos.

Liels paldies, vēstniek Ekeus, ekselences, dāmas un kungi,

Šodien, pasniedzot Maksa van der Stūla balvu, es izjūtu prieku divu diezgan atšķirīgu iemeslu dēļ. Viens iemesls ir profesionāls, bet otrs – personisks.

Profesionāli es esmu gandarīts, ka esmu pirmais, kas pasniedz minoritāšu tiesībām tik nozīmīgu balvu. Bet personiski man ir liels gods un reizē arī prieks pasniegt šo balvu kā veltījumu Maksam van der Stūlam. Makss van der Stūls ir starptautiski cienīta personība, bet es pazīstu viņu arī no tiem laikiem, kad viņš bija Nīderlandes Ārlietu ministrs. Es biju viņa privātsēkretārs un strādāju viņa tiešā pakļautībā. Par daudzām no tām zināšanām, ko esmu guvis par starptautisko politiku un cilvēktiesībām, man ir jāpateicas viņam. Tomēr es nekad nebūtu varējis iedomāties, ka kādreiz mani uzaicinās pasniegt balvu, kas nodēvēta viņa vārdā.

Maksa van der Stūla profesionālā darbība ārlietās bieži atspoguļo mūsu vēsturi pēc Otrā pasaules kara. Viņš arī bija pirmais EDSO Augstais komisārs nacionālo minoritāšu jautājumos (no 1993. līdz 2001.gadam), tādēļ viņš bija cieši saistīts ar EDSO pieaugošo atbildību par konfliktu novēršanu, krīzes un pēc krīzes situāciju vadību. Arī šodien Makss van der Stūls aktīvi darbojas šajās jomās, būdams EDSO priekšsēdētāja personīgais pārstāvis Maķedonijā.

EDSO Augstā komisāra nacionālo minoritāšu jautājumos sasniegumi reti kad nokļūst laikrakstu pirmajās lapās. Jo sasniegums ir tad, ja konflikts tiek novērsts un tādā gadījumā izpaliek arī ziņas presē. Augstā komisāra darbs ir visefektīvākais, strādājot „aizkulisēs”. Tādējādi viņš ļauj konfliktējošajām pusēm nezaudēt cieņu citu acīs. Rezultātā Augstā komisāra vērtīgais darbs bieži paliek nepamanīts un reti saņem to novērtējumu, ko godam pelnījis. Es ceru, ka Maksa van der Stūla balva palīdzēs mainīt šo situāciju.

Klusā diplomātija, protams, ir Augstā komisāra darba panākumu atslēga. Pārāk ilgi klusā diplomātija ir asociējusies ar vīriem, kas kūpina ekstravagantus cigārus un diskutē par nāciju likteņiem un kara un miera jautājumiem, iztiekot bez sabiedrības vai demokrātijas klātbūtnes.

Taču Augstais komisārs ir apliecinājis, ka klusā diplomātija var iet roku rokā ar demokrātijas procesiem. Pirmkārt, tas ir panākams, ja tiek ievērots mūžsenais konfidencialitātes princips, taču nedrīkst aizmirst arī par tā efektīvu pielietojumu un spēju būt neitrālam vidutājam. Praktiski tas nozīmē: nekad nenostāties pozīcijās, kuras ieņem kāda no iesaistītajām pusēm, un nekad neuzspiest savus lēmumus.

Augstajam komisāram ir jāiemanto strīdā iesaistīto - gan valdības, gan iesaistītās minoritātes - uzticība. Viņam ir jāizprot vietējie apstākļi, kultūras un vēstures konteksts, kā arī jānovērtē abu pušu leģitīmās vēlmes un iespējamās nedrošības izjūtas. Tam nepieciešama ne vairāk, ne mazāk kā absolūta atdeve, ziedošanās un ilgtermiņa skatījums.

Kā Makss van der Stūls ne vienreiz vien ir pamatoti atzinis: konfliktu novēršanai Eiropā tiem ne tikai ir jāvelta vairāk uzmanības, bet arī ilgtermiņa skatījums. Demokrātisko institūciju iedibināšana, dialoga uzsākšana/atjaunošana starp dažādām etniskajām grupām ar nolūku atgūt un nostiprināt to savstarpējo uzticību, un ekonomisko sistēmu maiņa, kas dažreiz ir vajadzīga, nav vienas dienas procesi. Tas būs ilgs darbs. Diemžēl starptautiskajā politiskajā arēnā mēs vēl arvien pārāk tiecamies uz tūlītējiem un acumirkļīgiem krīzes risinājumiem.

Augstais komisārs ir apliecinājis arī to, ka konflikta novēršana ir arī ekonomiski izdevīga. Augstā komisāra institūcijas uzturēšanas izmaksas ir salīdzinoši mazas, būtībā niecīgas. Kā reiz minēja Makss van der Stūls, viņa darbību veselus desmit gadus varētu finansēt no vienas vienīgas modernas kara lidmašīnas izmaksām.

Tagad es vēlētos pievērsties balvas laureātiem, Latvijas Cilvēktiesību un etnisko studiju centram, kas ir paveicis tik daudz, lai pelnīti saņemtu šo balvu. Latvijas centrs ir spīdošs paraugs. Gandrīz desmit gadu garumā tas nenogurstoši strādājis, lai veicinātu cilvēktiesību ideālus un etnisko minoritāšu tiesības, lai mazinātu spriedzi un konfliktus. Mani vissirsnīgākie apsveikumi Latvijas Cilvēktiesību centram. Esmu pārliecināts, ka Centrs turpinās savu svarīgo darbu un rādīs ceļu citiem.

Augstais komisār, Ekselences, pirms es pasniedzu balvu, es vēlētos teikt īsu personisku uzrunu Maksam van der Stūlam.

Maks, Jūsu nenogurstošie pūliņi, kas ir iedvesmojuši daudzus no mums strādāt starptautiskās politikas, cilvēktiesību un konfliktu novēršanas jomā. Es ceru, ka šis vēltījums, šī starptautiskā balva, ko piešķir reizi divos gados un kas nosaukta jūsu vārdā, iedrošinās pārējos sekot jūsu pēdās.

Paldies.



2005

Account of 2005 Award Winner's activities

(AT DATE OF PRESENTATION)

Memorial (the International Volunteer Public Organization "Memorial Historical, Educational, Human Rights and Charitable Society") is one of the oldest and most reputed non-governmental organizations in the former USSR. It was established at the end of the 1980s as a movement to honour the victims of the totalitarian communist regime. Prominent Soviet-era dissidents, including Academician Andrei Sakharov (Honorary Chairman of Memorial until his death in late 1989), Sergei Kovalev (Chairman of the Russian branch of Memorial), Larisa Bogoraz and others, have played a vital role in the shaping of Memorial's values through participation in its activities. Today's International Memorial Historical, Educational, Human Rights and Charitable Society comprises around 90 organizations, 70 in various regions of Russia and some 20 in other countries, primarily in Ukraine.

Memorial's main distinguishing feature is its combination of human rights and historical-educational activities. On the one hand, it involves the approach to issues of the current day through their relationship with recent history, while on the other, combining this perspective with an assessment of history through the prism of law or, more precisely, human rights.

Over the years, Memorial's branches in different countries and regions have organized scores of exhibitions and published several hundred books on both historical aspects of repression (including an index of purge victims, the history of the GULAG and other agencies of repression, acts of repression against entire ethnic and religious groups, and the memoirs of repression survivors) and human rights topics (including monitoring in zones of armed conflict, the state of the penitentiary system, the protection of refugees and forced migrants, and ethnic discrimination).

While thousands of people learned the fate of their relatives who died at the hands of the communist regime through the efforts of Memorial, thousands of others have been helped to counter today's arbitrariness.

Unfortunately, displays of xenophobia are on the rise and an ever greater number of people seek help from human rights activists.

Since the early 1990s, one of the key dimensions of Memorial's human rights activities has been its work in the so-called "hot spots" of actual or potential conflict, i.e. zones of local armed conflict in the former USSR, including Nagorno-Karabakh, South Ossetia, Transdniestria, Tajikistan and in Russia itself (the zone of the Ossetian-Ingush conflict in 1992, Moscow in 1993 and Chechnya since 1994). Regional armed hostility is inextricably linked to other dimensions of Memorial's advocacy work: forced migration, political persecution and, of course, ethnic discrimination. All these issues are collated in Memorial's systematic network of archives which are open to the public and the analytical bulletins which are widely distributed and presented at press conferences.

With assistance from the UNHCR, Memorial has also set up a network of legal counselling centres for refugees and forced migrants which cover more than 50 regions in Russia. This is particularly important in areas where there is a lack of an independent judicial system and, even worse, where there is no historical practice of seeking redress in the courts.

Memorial's lawyers direct their efforts at preparing cases for the European Court of Human Rights. Within the framework of this particular programme, a number of cases have been won in the Court in Strasbourg, setting important precedents. This work has encouraged citizens to appeal to the international mechanisms of human rights protection.

Memorial's activities have been recognized over the years with a number of international awards, including the Erich Maria Remarque Peace Award (Germany, 2000), the L. Kopelev Forum Diploma (Germany, 2001), the Rassegna Novecento Award (Italy, 2001), the UNHCR Nansen Refugee Award (2004), the Right Livelihood Award (Sweden, 2004) and the 15th Economic Forum Award in Krynica Zdrój for Non-Governmental Organization of the Year in Central & Eastern Europe (Poland, 2005).

The grounds on which the 2005 Award was made

The International Volunteer Public Organization "Memorial" will receive the Award for its tireless and courageous work in the field seeking, to raise awareness of injustices and violations of human rights and to build trust between different ethnic groups; for combating ethnic discrimination and repression and through monitoring, investigation and the dissemination of information preventing inter-ethnic tension and conflict; and for protecting the human rights of ordinary men, women and children facing persecution for their ethnic origin.



PRESENTATION OF THE MAX VAN DER STOEL AWARD IN 2005 TO ELENA ZHEMKOVA AND OLEG ORLOV OF THE INTERNATIONAL VOLUNTEER PUBLIC ORGANIZATION "MEMORIAL HISTORICAL, EDUCATIONAL, HUMAN RIGHTS AND CHARITABLE SOCIETY". (FROM L. TO R. THE INCUMBENT OSCE HIGH COMMISSIONER ON NATIONAL MINORITIES - ROLF EKÉUS, ELENA ZHEMKOVA, MAX VAN DER STOEL, OLEG ORLOV AND THE NETHERLANDS MINISTER OF FOREIGN AFFAIRS - BERNARD BOT.)

Transcript of 2005 Opening Address
12 OCTOBER 2005 - by Mr. Rolf Ekéus,
OSCE High Commissioner on National Minorities

Mr. Minister, Excellencies, Ladies and Gentlemen,

You are all very welcome to this ceremony where Foreign Minister Dr. Bernard Bot will present the Max van der Stoel Award to this year's laureate.

This is the second time the Award has been presented. The first Award winner from 2003 – Mrs. Ilze Brands-Kehris, of the Latvian Centre for Human Rights and Ethnic Studies – is with us today.

Max van der Stoel has had a distinguished career spanning over many years of courageous and innovative action in the service of the Netherlands and much of the international community at large. During all the years, his work has been characterized by a selfless devotion to international peace, conciliation and human rights. The Max van der Stoel Award is an expression of gratitude to Max van der Stoel for his lifelong service to humankind; specifically for the period of nine years from 1993 to 2001, as the OSCE High Commissioner on National Minorities.

The HCNM is an operational expression of the OSCE's fundamental undertaking to prevent violent conflict involving OSCE participating States.

The OSCE region has seen more than its share of inter-ethnic tension, confrontation and bloodshed since 1993, but it is without doubt the case that the efforts of the HCNM to address majority/minority dispute and inter-ethnic tension have greatly contributed to the emergence during recent years of relative peaceful development in many potential conflict areas.

The obligation of the HCNM to act on his own initiative and under the obligation of confidentiality has been decisive for the results achieved, but has also made much of his work unknown to the general public. This very public event is a rare expression of a normally discreet activity.

The Netherlands Government, who is generously financing the Max van der Stoel Award, and I as HCNM and Chairman of the Jury, hope that the Award will stimulate NGOs and individuals to fight ethnic discrimination and repression and support the work on prevention of violent conflict, especially ethno-political conflict.

A panel, the Jury of the Max van der Stoel Award, has been constituted with the task of selecting the recipient of the prize. In my capacity as High Commissioner on National Minorities, I took on the role as Chairman of the Jury and was assisted by the following distinguished personalities who agreed to serve on the Jury:

Mrs. Helle Degn, former Commissioner of the Council of the Baltic Sea States, Copenhagen; Dr. Daniel Adam Rotfeld, Minister of Foreign Affairs of the Republic of Poland, Ministry of Foreign Affairs, Warsaw; Professor Dr. Ed van Thijn, Member of the Upper House of the Dutch parliament, former Mayor of the city of Amsterdam; Dr. Valeri Tishkov, Director of the Institute of Ethnology and Anthropology, Russian Academy of Sciences, Moscow.

The Jury is tasked every two years to choose among the many nominated candidates a laureate who has acted in the spirit of Max van der Stoel with special emphasize on his work on minority related issues.

The persons and institutions who belong to the circle of nominators are the Heads of OSCE Institutions and Field Mission as well as Dutch Embassies in the OSCE region.

Again this year, the Jury has received a large number of nominations and those who have reached the shortlist have all been most worthy receiving the Award.

However the final choice has now been made. Foreign Minister Dr. Bernard Bot will read out the name of the Award winner and the full citation by the Jury.

*Transcript of 2005 Presentation Speech
by Dr. Bernard Bot,
the Netherlands Minister of Foreign Affairs
(IN ENGLISH AND RUSSIAN)*

Thank you, Your Excellency; Ladies and gentlemen,

I'm very pleased to be presenting the second Max van der Stoel Award today. It is a great honour to hand over such an important distinction, and in doing so to recognise the work of one of my illustrious predecessors, Max van der Stoel.

As a politician, minister and High Commissioner on National Minorities, Max van der Stoel has a very impressive record on the international stage. In particular, he was a champion of human rights. As rapporteur to the Council of Europe, for example, he visited Greece in 1967. The fate of the Greek people moved him greatly, and he worked hard for the restoration of democracy there. Throughout the entire period of the military dictatorship, from 1967 to 1974, he distinguished himself as a member of parliament and later as foreign minister in the international protest against the situation in Greece. It's even said that he was known at the time as *Stoelopoulos!*

From 1993 to 2001, Max van der Stoel was the OSCE's first High Commissioner on National Minorities, a position of immeasurable significance that is currently held by Rolf Ekéus. National minorities owe their existence and name to one of the defining events in history: the development of the modern state and the related concept of the nation-state, along with the principles of self-determination, sovereignty and territorial integrity. On the one hand, minorities must be allowed to develop their own identity, but on the other they must accept that they have to affirm that identity within the existing state structure. It is important to monitor the position of minorities closely and to offer them adequate protection under international law. Minorities can be protected through equality before the law, non-discrimination and a right to their own education. Minorities must also be allowed to use their own language in public life and express themselves culturally as they see fit.

Ladies and gentlemen,

It is both our moral duty and in our collective interests to protect the rights of minorities. Threats to minority rights increase the risk of conflict. Ethnic conflicts might appear uncontrollable, but they must not be met with apathy and ignorance. Nor must people think that ethnic conflicts are 'inevitable' or – even worse – that nothing can be done to prevent them. Max van der Stoel rightly said: 'mostly conflict is not an unavoidable natural disaster but can indeed be prevented if the necessary efforts are made [...] It is man-made and can be prevented by mankind'.

Like his predecessor, Rolf Ekéus has shown that he can identify conflicts between minority and state, and has the flexible touch necessary to prevent them. He excels in his skilful and even-handed approach to minority issues. As demonstrated by his engagement in the Baltic States. There Mr. Ekéus, in close co-operation with the governments and the minority communities, has played an important role in the process of phasing in reforms seen as necessary in the nation building process. In Georgia he has developed integration programmes promoting the social cohesion of the state. In Central Asia he has strongly emphasised the importance of language - both the mother tongue and the State language - and education in promoting harmonious inter-ethnic relations.

Promoting dialogue, mutual understanding and respect between different ethnic groups is more than just 'tolerating' each other - which all too often is a euphemism for ignoring each other. We have to show a genuine interest in each other and treat each other as equals. Max van der Stoel and Rolf Ekéus call this 'integrating diversity'.

Ladies and Gentlemen,

The moment has come to announce the winner. But first let me tell you something about the history of this special award. When Max van der Stoel stood down as High Commissioner, the Dutch government decided to establish an international award in his name and present it every two years to an individual, group or organisation in recognition of extraordinary and outstanding achievements to improve the position of national minorities.

Two years ago, my predecessor, Jaap de Hoop Scheffer, had the honour of presenting the first Max van der Stoel Award to the Latvian Centre for Human Rights and Ethnic Studies. This year, the award has been won by the International Volunteer Public Organisation, "‘Memorial’ Historical, Educational Human Rights and Charitable Society".

Memorial, for short, is an umbrella organisation that works in the Russian Federation and the former Soviet republics. It was established in Moscow at the end of the nineteen-eighties and was the first independent NGO in recent Russian history. Andrei Sakharov, one of the leading figures in the dissident movement during the Soviet era, was Memorial's first leader.

Memorial works in both the past and the present. It is active in a part of the world in which the past has perhaps even stronger repercussions on modern society than elsewhere. Memorial describes its main objective as a quest for 'the path to the past for the sake of the future'. It collects, verifies, analyses, documents and disseminates historical facts. It describes its activities as 'Historical-Enlightenment Work'. This underlines the importance it attaches to value-free historiography. I can only applaud this approach. Knowledge of the past is at the heart of self-understanding

and self-identification. And this is as true of individuals as it is of groups, organisations and states. That's why Memorial's work is so important. The organisation gives a voice to the painful memories of the victims of past regimes. By opening up the past, Memorial fulfils their aspirations. It presents the past as an 'unbroken whole of the past, the present and the future'. Memorial is following in the footsteps of Leopold von Ranke, the father of scientific historiography, who considered history to be the past continuous: *wie es eigentlich gewesen*.

Memorial's ambition is to prevent the recurrence of the practices of the Soviet era. It is therefore very alert to current developments in society. It is helping to build a mature, viable and democratic civil society, it reports violations of human rights and champions the rights of ethnic minorities, refugees and victims of political oppression: the prisoners of conscience.

Ladies and Gentlemen,

The international jury presents the Max van der Stoep Award 2005 to Memorial for its 'tireless and courageous work in the field seeking to raise awareness of injustices and violations of human rights and to build trust between different ethnic groups'.

The jury also praises Memorial 'for combating ethnic discrimination and repression, and through monitoring, investigation and the dissemination of information preventing inter-ethnic tension and conflict; and for protecting the human rights of ordinary men, women and children facing persecution for their ethnic origin.'

I will leave the final word to Rolf Ekéus. He once said: 'The basic philosophy behind the High Commissioner's approach is that a society at peace with itself will more likely be at peace with its neighbours'. He is absolutely right. Let us put Memorial's philosophy into practice every day.

Речь министра иностранных дел Королевства Нидерланды Бернарда Бота при вручении второй Премии имени Макса ван дер Стула

"Испанский Двор", Гаага, 12 октября 2005 года

Благодарю Вас, Ваше Превосходительство.
Дамы и господа,

мне доставляет большое удовольствие вручить сегодня вторую Премию имени Макса ван дер Стула. Для меня большая честь передать лауреату столь важный символ отличия и таким образом отдать должное работе одного из моих блестящих предшественников – Макса ван дер Стула.

Г-н Макс ван дер Стул имеет весьма впечатляющий послужной список работы на международной арене в качестве политика, министра и Верховного комиссара по делам национальных меньшинств. Особо следует отметить, что он был борцом за права человека. Так, например, в качестве докладчика Совета Европы он в 1967 году посетил Грецию. Судьба греческого народа глубоко его взволновала, и он много и напряженно трудился ради восстановления демократии в этой стране. На всем протяжении существования военной диктатуры, с 1967 по 1974 год, он в качестве члена парламента, а позднее и министра иностранных дел, играл выдающуюся роль в международных акциях протеста против сложившегося в Греции положения. Говорят даже, что в то время его называли "Стулопулос"!

С 1993 по 2001 год Макс ван дер Стул являлся первым Верховным комиссаром ОБСЕ по делам национальных меньшинств; сегодня эту безмерно важную должность занимает Рольф Экеус. Национальные меньшинства своим существованием и названием обязаны одному из эпохальных явлений в мировой истории – формированию современного государства и связанной с этим концепции государства-нации, а также принципов самоопределения, суверенитета и территориальной целостности. С одной стороны, меньшинствам должно быть разрешено развивать свою самобытность, а с другой стороны, они должны признавать свою обязанность утверждать эту самобытность, оставаясь в рамках существующего государственного строя. Важно внимательно следить за положением меньшинств и предоставлять им адекватную защиту согласно нормам международного права. Защищать меньшинства можно путем обеспечения равенства всех перед законом, недопущения дискриминации и обеспечения права на собственное

образование. Кроме того, меньшинствам должно быть разрешено использовать родной язык в общественно-политической жизни и по собственному усмотрению проявлять себя в культурном отношении.

Дамы и господа,

защита прав меньшинств является нашим моральным долгом и отвечает нашим коллективным интересам. Угрозы, которым подвергаются права меньшинств, повышают опасность конфликта. Этнические конфликты могут казаться неконтролируемыми, но их нельзя воспринимать с апатией или игнорировать. Кроме того, не следует думать, что этнические конфликты "неизбежны" или, хуже того, что ничего нельзя сделать для их предупреждения. Как правильно заметил Макс ван дер Стул, "в большинстве случаев конфликт не является неизбежным стихийным бедствием, и его действительно можно предотвратить, если предпринять необходимые усилия... Конфликт – дело рук человека, и поэтому во власти человечества его предотвратить".

Как и его предшественник, Рольф Экеус продемонстрировал, что способен выявлять конфликты между меньшинствами и государством и обладает необходимой гибкостью для их предупреждения. Он блестяще применяет свой умелый сбалансированный подход к проблемам меньшинств. Свидетельством тому является его участие в делах балтийских государств. Там г-н Экеус в тесном сотрудничестве с правительствами и общинами меньшинств сыграл важную роль в процессе поэтапного осуществления реформ, считающихся необходимыми в деле государственного строительства. В Грузии он разработал программы интеграции, способствующие единству общества в этом государстве. В Центральной Азии он активно подчеркивает важность языка – как родного, так и государственного, – а также образования в развитии гармоничных межнациональных отношений.

Содействие диалогу, взаимному пониманию и уважению между различными этническими группами есть нечто большее, чем просто "терпеть" друг друга – эвфемизм, который слишком часто означает игнорирование друг друга. Мы должны проявлять искренний интерес и относиться друг к другу как к равным. Макс ван дер Стул и Рольф Экеус называют это "интеграцией многообразия".

Дамы и господа,

настал момент назвать лауреата Премии. Но сначала позвольте рассказать вам кое-что об истории этой особой награды. Когда Макс ван дер Стул покидал пост Верховного комиссара, правительство Нидерландов приняло решение учредить международную премию его имени и вручать ее тому или иному

человеку, группе или организации в знак признания выдающихся, экстраординарных достижений в улучшении положения национальных меньшинств.

Два года назад мой предшественник Яап де Хооп Схеффер имел честь вручить первую Премию имени Макса ван дер Стула Латвийскому центру по правам человека и этническим исследованиям. В этом году данная премия присуждена добровольной общественной организации "Международное историко-просветительское, благотворительное и правозащитное общество "Мемориал".

"Мемориал" (краткое название) – широкая организация, работающая в Российской Федерации и в бывших советских республиках. Учрежденная в Москве в конце 1980-х годов, она стала первой независимой НПО в новейшей российской истории. Первым руководителем "Мемориала" был один из ведущих деятелей диссидентского движения в советское время Андрей Сахаров.

Работа "Мемориала" охватывает как прошлое, так и настоящее. Организация функционирует в той части мира, где отзвуки прошлого, возможно, больше, чем где бы то ни было, влияют на современное общество. Своей главной целью "Мемориал" называет поиск "пути к прошлому во имя будущего". Он собирает, проверяет, анализирует, документирует и популяризирует исторические факты. Свою деятельность он называет "историко-просветительской работой". Это подчеркивает важность, которую "Мемориал" придает объективной историографии. Я могу лишь приветствовать такой подход. Знание прошлого – основа основ самосознания и самоидентификации. Причем это в равной мере относится как к отдельным личностям, так и к группам, организациям и государствам. Именно поэтому работа "Мемориала" столь важна. Эта организация "озвучивает" исполненную болью память жертв прежних режимов. Открывая прошлое, "Мемориал" реализует их чаяния. Он представляет былое как "неразрывное единство прошлого, настоящего и будущего". "Мемориал" идет по стопам Леопольда фон Ранке – отца научной историографии, который считал историю непрерывным воспроизведением прошлого "wie es eigentlich gewesen" ("таким, каким оно было на самом деле").

"Мемориал" ставит перед собой амбициозную задачу не допустить повторения практики советских времен. Поэтому он весьма чутко следит за тем, что происходит в обществе. "Мемориал" помогает построить гражданское общество – зрелое, жизнеспособное, демократическое; он сигнализирует о нарушениях прав человека и отстаивает права национальных меньшинств, беженцев и жертв политических гонений – узников совести.

Дамы и господа,

международное жюри награждает Премией имени Макса ван дер Стула за 2005 год общество "Мемориал" за его "неутомимую и отважную работу на местах, направленную на привлечение внимания к проявлениям несправедливости и нарушениям прав человека, а также на укрепление доверия между представителями различных национальностей".

Жюри также высоко ценит ведущуюся "Мемориалом" "борьбу с дискриминацией и репрессиями по национальному признаку, его усилия по предотвращению межэтнической напряженности и конфликтов путем мониторинга, проведения расследований и распространения информации, а также защиту им прав обычных мужчин, женщин и детей, подвергающихся преследованию из-за своего этнического происхождения".

Последнее слово я хочу оставить за Рольфом Экеусом. Однажды он сказал: "В основе подхода Верховного комиссара лежит философская концепция, согласно которой общество, живущее в мире и согласии с самим собой, вероятней всего, будет жить в мире и со своими соседями". В этом он абсолютно прав. Давайте же будем день за днем претворять философию "Мемориала" в жизнь.

Rules of Procedure

Max van der Stoel Award

1. GENERAL

- 1.1 The Max van der Stoel Award will be presented in recognition of extraordinary and outstanding achievements aimed at improving the position of national minorities in the OSCE area. It will be awarded to international organisations, non-governmental organizations, research institutes, government bodies or individuals with a record of excellence in this field.
- 1.2 The Award shall be presented every two years.
- 1.3 The Award shall consist of a cash sum of €50,000 and a certificate.
- 1.4 Award winners must indicate in advance how they wish to receive the cash award.
- 1.5 Award winners may spend the cash award as they deem appropriate. No restrictions may be imposed in this respect.

2. MANAGEMENT

The management of the Award will be executed by the office of the OSCE High Commissioner on National Minorities (OSCE HCNM) in The Hague.

3. THE JURY

- 3.1 The HCNM will be responsible for the constitution of the Jury.
- 3.2 Members of the Jury shall be appointed for a maximum period of three terms leading to the presentation of the Award. When selecting candidates for the Jury, preference shall be given to persons with an international reputation for their work on behalf of national minorities and European security policy in relation to national minorities.
- 3.3 If a member of the Jury has a hierarchical or comparable relationship with a prospective Award winner (e.g. is on the board or the supervisory council of a legal entity or is a relative or partner of a natural person), the Jury member in question shall not take part in compiling the list of five nominees for the Award. If, at the deadline for nomination, a relationship of this kind exists between more than two members of the Jury and prospective Award winners, the Jury shall be dissolved for one year. A new Jury shall be appointed for a period of eight months, consisting of the uncontested members of the previous

Jury and the reserve members next in line on the reserve list, subject to the rules set out above concerning hierarchical or comparable relationships.

- 3.4 The Jury shall formulate, in writing, the grounds on which the Award is given.

4. NOMINATIONS

- 4.1 Nominations for Award winners shall be submitted to the Jury by:
- a) the OSCE Missions and Institutions;
 - b) the OSCE participating States through their Permanent Representations with/Representatives to the OSCE in Vienna¹;
 - c) and the OSCE HCNM in The Hague.
- 4.2 The Award may not be shared.

5. AWARD CEREMONY

- 5.1 The Award shall be presented by the Minister of Foreign Affairs and the HCNM. The Minister shall incorporate in his speech the grounds for the Award, as formulated by the Jury.
- 5.2 Two representatives of the winning organisation, or, if the winner is a natural person, the winner and one other person, shall be entitled to travelling expenses to The Hague and hotel accommodation for three nights, and shall receive the equivalent of the UN daily subsistence allowance (DSA). An extra allowance shall be granted if hotel bed and breakfast rates exceed 50 per cent of the UN DSA rate.
- 5.3 In consultation with the Netherlands Ministry of Foreign Affairs, the HCNM shall produce the certificate and a commemorative book, to be published for each award ceremony and sent to all guests present on those occasions.

The commemorative book shall include, if possible:

- a) a photograph of the presentation;
- b) a transcript of the Minister's speech in English and in the language of the Award winner's country;
- c) information about the Max van der Stoel Prize and a photograph of Mr. van der Stoel;

¹ Amended by The Netherlands Ministry of Foreign Affairs on 16 February 2006 (before the amendment, only Dutch Embassies to the OSCE participating States were entitled to nominate candidates)

- d) the grounds on which the Award was given;
- e) an account of the Award winner's activities;
- f) a chronological list of previous Award winners;
- g) the rules of procedure for the Max van der Stoel Award, in English.

6. ACCOUNTABILITY

The HCNM shall submit biennial reports to the Security and Defence Policy Division of the Ministry of Foreign Affairs for approval by the Ministry's Financial and Economic Affairs Department. Both the Ministry's internal and external accountants shall be authorised to inspect and comment on the reports.

