To Influence or Ignore?

The Impact of the Institutions of Europe on Ethnic Conflict

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Due to its prevalence prior to and throughout the 20th Century there have been many attempts at explaining the causes of ethnic conflict. In trying to explain the subject it is as important to explain why conflict did not take place as why it did. One possible factor that has been somewhat overlooked is the role of international organizations. Scholars have tended to look at issues that relate more to the internal dynamics of the state. What is missed in such an analysis is the impact world opinion and international diplomacy can have on an ethnic conflict. Brubaker for example discusses what he calls a triadic relationship that dominates nationalism in Europe.[1] This relationship is comprised of 1) the naturalizing state (majority nationalism) 2) national minorities and 3) the diaspora. For Brubaker all three of these forces work against each other and pull the state in various directions. What is missing from this analysis is the role of the international community. This fourth factor could also be seen as pulling the state towards certain choices but Brubaker chooses to ignore this particular factor in his analysis. Those who do incorporate the international community are more often interested in issues of international intervention in terms of other states taking sides in an ethnic conflict. Saideman provides a clear example of this type of study.[2] He examines how states decide whom to support in an ethnic conflict. He finds that domestic factors, such as ethnic ties with one of the participants in a conflict can help predict when a state will intervene and whom they will support if an intervention takes place.[3]

There has been less emphasis on the role of international organizations in preventing ethnic conflict. Schnabel provides one such analysis. The author suggests that there should be an emphasis by the international community on "multilateral and multitrack applications of applied conflict prevention strategies" and that they need to

"converge and be harmonized in order to facilitate coordination between different actors".[4] Schnabel notes that historically the international community has been unwilling to become involved in conflict prevention for two reasons, the first being the issue of state sovereignty. Ethnic issues have been seen as an internal matter that other states have been unwilling to interfere with. Most states have their own minority issues and therefore they have been less inclined to interfere with others. Secondly states have been busy trying to stop conflicts that have already degenerated into violence. The public is more concerned with ending active conflicts than preventing future ones as the results are easier to quantify. Betts provides a more critical analysis of international intervention. He contends that it is not possible for international organizations to be completely impartial when they intervene in a state.[5] When interventions attempt at being impartial they result in causing more harm than any good resulting from the intervention. Jenne also is concerned with intervention, but in her case she is concerned with the perception by minority groups on the possibility of intervention by an outside state. Using game theory she argues that minority groups are likely to become more aggressive in their negotiations when they believe they have outside support. Conversely, when they are thought to be isolated they tone down their demands in negotiations.[6]

There has been a general agreement that international institutions can have a particularly useful role on minority issues in Eastern Europe. As Kymlicka notes "Western organizations clearly have the *ability* to impose enormous pressure"[7], and as a result many case studies that do deal with the international communities' conflict prevention role have concentrated on Eastern Europe. Due to this regional emphasis many of the case studies focus on the role of the Organization for Security and Co-

operation in Europe (OSCE) and particularly the High Commissioner on National Minorities[8] or the European Union.[9] In fact much of the literature concerning the impact of the various international organizations come from the organizations themselves. The OSCE for example describes the High Commissioner on National Minorities as a conflict prevention tool that should be active as quickly as possible "so that ideally there would never be an early warning of imminent conflict, let alone a need to engage in conflict management".[10]

This study will examine the role international organizations can play in determining whether or not a minority group will resort to violence. The piece will focus on four cases, two that have been peaceful due to the influence of the international community (the Russian communities in Estonia and Latvia) and two where the international community has not been active and ethnic conflict has remained (Corsica and the Basque region of Spain).

Of the cases examined, the Baltic states provide the most clear cut illustrations of the importance of the international community. In their case the international community has been actively involved in their affairs since 1991[11] and this involvement has led both the Russian speaking minority and the states themselves to alter their behavior and modify their strategies.

Estonia and Latvia- International Attention Overload

Post-1991 Russia and the OSCE

Due to their geographic proximity to Scandinavia and the precarious position they found themselves in relation to Russia, the international community was quick to embrace the new Baltic states after 1991. The first international organization involved in

the Baltic States was the Conference on the Security and Co-operation in Europe, the CSCE (later the Organization on Security and Co-operation in Europe, the OSCE). The CSCE first arrived in 1993. Their presence came in two forms, the first were permanent missions in Latvia and Estonia, and the second were the visits by the High Commissioner on National Minorities.

The High Commissioner position was established in 1993 with Dutch diplomat Max Van der Stoel taking the position. After agreeing to the position Van der Stoel found that the position's mandate was extremely vague as to how he was to decrease ethnic tensions within CSCE countries to prevent future conflict. His exact mandate resulting from the 1992 CSCE Helsinki Summit was:

> 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 judgment of the High Commissioner, have the potential to develop into conflict within the CSCE area, affecting peace, stability or relations between participating states.[12]

The only limitation on the position was that he could not travel to areas where there were active campaigns of terrorism. His work was to be based on two principles: secrecy (which he soon abandoned) and impartiality (risking what Betts predicted).[13] He decided that the places where the mandate allowed him to go and that he could make the greatest impact at that time were Estonia, Latvia, Slovakia and Hungary.[14] In Estonia and Latvia the areas he was most active in addressing were citizenship and language laws. As Bernier notes: "The High Commissioner made it clear, from the beginning of his involvement, that the path taken by both countries to secure the 'privileged position' of

the core group over minorities not only ran against international norms, but also disrupted internal social cohesion".[15] It was this danger of a disruption of social cohesion that led Van der Stoel to Estonia and while there was no actual violence, the situation was critical. He felt that two things needed to be done immediately: "calm the Russians down, and change the laws" on language and citizenship requirements.[16] His first trip as High Commissioner was to the Baltic states in January of 1993 and when he returned he produced a list of recommendations to decrease the level of ethnic tension in Estonia and Latvia (as discussed earlier, Lithuania did not have many of the problems found in the other two Baltic States). In Estonia the central recommendation was "for the Estonian Government to show a clear intention to reduce the number of stateless persons through naturalization".[17]

The initial response to Van der Stoel's recommendations was not positive. Despite being well received in both countries, neither implemented any of the proposed changes. In June of 1993 the Estonian parliament passed the Law on Aliens which solidified the long term Russian residents of the country as non-citizens and the response in the Russian dominated North-East was a call for a general strike and later to call for greater autonomy. Van der Stoel returned to Estonia and was able to persuade the parliament to add amendments to the legislation which placated the Russian population.[18] In order to reach this agreement the High Commissioner took the highly unusual step (and went against his own mandate which was designed for 'quiet diplomacy') of making a public statement. This statement told of an agreement he had reached with the Russian leaders in Narva that they would respect the ruling of the Estonian High Court on their

rights on autonomy and with this agreement public, the Estonian government was willing to make its own concessions.[19]

Fueled by his success in encouraging amendments to the Law on Aliens in Estonia and the continuing threat to peace and stability in the region, Van der Stoel made repeated trips to the two countries over the next few years but over time the novelty of international attention began to wear off and the reality set in that there was still a great deal of work to be done. At this point the relationship between the states and the High Commissioner changed and Van der Stoel was put in the awkward position of being disliked and considered untrustworthy by both the majority and minority groups. The Estonians and Latvians saw him as an "agent of Moscow" and to the Russians he was not effective in bringing about the necessary changes quickly enough.[20] It is possible that the High Commissioner's effectiveness was in part due to this lack of support by both sides. While both sides claimed he was working for the other; they did have a common bond in their opinion of the High Commissioner. The High Commissioner needed to reassure the Russian community that he was listening to their concerns and would bring violations of their rights to the attention of the government but he also needed to constantly remind both the Russians and the Latvians and Estonians that his position was the High Commissioner *on* National Minorities, not *for* National Minorities. This meant that he was not an ombudsman for all of the Russians' concerns and that he was interested in compromises and agreements.

As mentioned, in addition to the Office of the High Commissioner, the CSCE also had permanent missions on the ground in both countries. While the visits of Van der Stoel were high level meetings with the leaders of the two countries, the missions

provided the day-to-day interactions with the rest of the population. While the Estonian and Latvian people did not see a difference in the mandates of the High Commissioner and the missions there were important differences.[21] The missions did not have to be involved in quiet diplomacy because they were dealing with both large and small issues and were there to report back to the CSCE Secretariat on the situation.[22] As Former Deputy Head of Mission in Estonia, Sabine Machl, notes the missions played more of an ombudsmen role, where they tried to listen to complaints from all groups. The High Commissioner was more effective in pinpointing specific problems and providing recommendations at the government level.[23] The different mandates between the two CSCE bodies at times caused confusion and may have periodically limited the effectiveness of both, however, in general the High Commissioner was able to use the missions as a neutral third- party in the country that understood what each side wanted and were then able to assist the High Commissioner when he made his higher profile visits.[24] The other main function of the permanent missions was to provide a reminder to the Estonian and Latvian people that the issues facing their countries were important and that the world would be watching. As then Swedish Prime Minister Carl Bildt noted in 1993: "The presence of CSCE officials makes it clear to the governments in Tallinn and Riga that these are issues that are taken seriously by the international community and reassures those in Russia who have a legitimate concern for the rights of their fellow countrymen abroad".[25] While the missions served as a reminder to the Russians that their concerns for their diaspora were important they also served another psychological function because the missions acted as security blanket for the Estonians and Latvians against Russia. Latvia and Estonia believed that with an international presence such as

the OSCE on the ground, Russia would be unable or unwilling to act militarily against them.[26]

Vadim Poleshchuk notes that the work of the High Commissioner can be broken down into four phases, with the first of these phases ending on August 31 1994, when the last Russian troops left the region.[27] After this departure, while the views and opinions of the Russian government remained important, the immediate concern for conflict was removed. After the troops left, for the most part Russia has not interfered in the affairs of either Estonia or Latvia. As of today the influence of the Russian government has declined so much that any statements made in regard to the treatment of Russian speakers in Estonia and Latvia is usually made for the benefit of the Russian electorate and appears not to be directed to the Russian speakers in the Baltic themselves.[28] While the audience for the message may have changed, the Russia does continue to speak out on the treatment of Russians in Estonia and Latvia.[29]

The second period of influence by the High Commissioner was between 1994 and 1997.[30] During the majority of this time the OSCE was still the only large international organization with a presence in the region. In 1996 the Council of Europe opened its permanent missions but until that point all international influence came from the OSCE permanent missions and the visits of the High Commissioner. In 1994 the High Commissioner was very active in the region visiting both Estonia and Latvia several times and his main issue of concern continued to be the citizenship laws which were still very restrictive. Those who had been denied citizenship still needed to wait a lengthy period and then had to pass a difficult language proficiency test. During this time the rights of children born in the two countries to non-citizens were also pressed.[31] At this

point the countries were still less than five years removed from the Soviet Union and still required assistance. The High Commissioner, with the help of the permanent missions was therefore very successful in influencing the wording of legislation that was passed into law and in many cases the missions and High Commissioner's staff were active in actually writing the legislation that was being discussed passed in the legislature.[32] During this time the attention of the High Commissioner moved somewhat away from Estonia and more towards Latvia. Early in the mandate it was the Estonian government that was more active in passing legislation that angered the Russians (e.g. The Law on Aliens).[33] After those initial fires were extinguished it became clear that the potential for conflict was in Latvia where very little progress on the citizenship laws was taking place. The Russians in Latvia were not organized politically until 1996 and therefore the government did not have to address many of their issues. In this vacuum the High Commissioner was left to fight the Russians' battles for them.[34] If not for the vast amount of energy and political capital expended by the OSCE staff many of the early changes to the citizenship and language laws would not have occurred.

By the end of this second phase the difficult negotiations on small technical issues had caused both the Estonian and Latvian governments to suffer what Kemp called 'Van der Stoel fatigue' and in Estonia the government "argued that as soon as one issue was addressed, another one was raised and that Estonia was being singled out for 'violations' that were significantly worse in other countries".[35] The High Commissioner's mandate only allowed him to make recommendations; he did not have any influence to make a country do something it did not want to do and the result was that by 1997 the governments of Estonia and Latvia began to tune Van der Stoel out. He needed to find

another way to increase his influence and he found it in the form of another international organization, the European Union.

The EU and the Baltic States

By the middle to late 1990's the Baltic states were at a point in their development when they 1) believed that they did not need the assistance of the OSCE High Commission on National Minorities and 2) were ready to move towards the rest of Europe by joining the European Union.[36] Any thoughts that they could accomplish both wishes evaporated quickly. Due to the history of the High Commissioner in the region he had become the leading authority on minority issues in the Baltic states as well as throughout Eastern Europe. The result was that other international organizations such as the United Nations and the European Union turned to the High Commissioner for advice and recommendations.[37] When the various states in Eastern Europe (and Malta and Cyprus) petitioned to join the EU the existing members needed to determine what requirements needed to be met. As in past accession processes issues such as banking, economics, environmental concerns and farm subsidies were all included in the requirements. A new issue that this group of candidate countries was to be judged on was human rights, with a subsection on the treatment of minorities. As the process developed each country would receive a yearly 'Accession Report' that outlined what changes still needed to be made to meet EU requirements. As the ranking authority the recommendations of the High Commissioner, that up to this point were non-binding, now became part of the accession requirements. Instead of being in a situation where they could ignore the advice of the High Commissioner, the Estonian and Latvian governments were required to meet the standards that he set out, or risk being shut out of

the European Union. The 1999 EU Accession report for Latvia is a clear example of the EU deferring to the High Commissioner and the OSCE in addressing minority rights. Despite the High Commissioner's best efforts and attempts at persuasion, the citizenship laws were still not in compliance with his recommendations. The tests to gain citizenship were deemed too difficult but the Latvian government was unwilling to compromise further until the following section appeared in the 1999 Accession report: "A last issue to be addressed in this context, concerns a further simplification of the citizenship test on Latvian history, and the constitution in accordance with the recommendations made by the OSCE".[38] The Latvians now faced the possibility of being denied access to the European Union and the economic and security stability that went with membership if they did not change their laws to comply with the High Commissioner's recommendations. The Estonian government faced similar choices in its report.[39]

The pull of joining the EU shaped politics in Estonia and Latvia and once the accession reports began and these reports put the governments in very difficult positions, particularly in Latvia. Due to the complex coalition governments in Latvia the President and Prime Minister could not always be seen as complying with these international organizations. There is also a segment of Latvian society, usually supporters of the right-wing For Fatherland and Freedom Party, who do not trust outsiders and believe that Europe cannot or will not understand Latvia's history which drives their current actions.[40] As a way of trying to look independent to the Latvian people while complying with these imposed international standards the usual tactic used by the government was to refuse to act until the last possible moment and then pass the law as mandated.[41]

In Estonia the government was more transparent with the population almost to its own detriment. When a recommendation would come from the EU (as a result of the High Commissioner) the Estonian government would change the targeted law and say that this was necessary to get into the EU. The former Minister of Minister of Population and Ethnic Affairs, Katrin Saks, believes this had a negative impact on Estonians' view of the European Union and contends that Estonian society was moving in the direction of integration anyway and would have supported laws to give citizenship to children for example, but by saying the government had to do this caused resentment.[42] Saks' contention that by being seen as complying too quickly to EU demands has had an negative impact on Estonians' view of the EU is substantiated by public opinion polls in 2000. The *New Baltic Barometer IV* study asked respondents if they were in favor of their country joining the European Union. 48% of ethnic Latvians responded they were either strongly or somewhat in favor of Latvia joining EU. Approximately the same percentage (45%) of Russian-speaking Latvians strongly or somewhat agreed. In Estonia while 49% strongly or somewhat agreed, only 9% fell into the strongly agreed category (compared to 13% of Latvians and 15% of Russians in Latvia). Estonian Russians responded 64% in favor of joining EU with 23% responding that they were strongly in favor. Clearly the Russians in Estonia saw the benefits of EU involvement in their lives more strongly than their Estonian counterparts. Table 1 illustrates all of the results.

Table 1 Public Opinion on joining the European Union in 2000[43]

Question: *What do you think of the idea of this country joining the European Union?*

	Estonians in Estonia %	Russians in Estonia %	Latvians in Latvia %	Russians in Latvia %

Strongly in favor	9	23	13	15
Somewhat in favor	40	41	35	30
Somewhat Opposed	24	14	19	15
Strongly Opposed	15	9	14	16
Difficult to Say	13	13	20	25

Future Impact of the OSCE and the EU

While the OSCE and the EU had a profound impact on Latvian and Estonian society during the chaotic years immediately after independence and then when EU accession was a priority, what happens now? It is not clear what future impact international organizations will have in the region. The current OSCE High Commissioner on National Minorities Rolf Ekeus believes that there still will be a role for his organization. He contends that now that the Baltic states have been accepted into the EU and eventually NATO they can be secure in their place in Europe and will be more open to concessions and also believes that his office will be able to assist in the integration process through the securing of fund and the providing of expertise.[44] Others disagree with this assessment with many in both countries believe that after being accepted by EU the concessions should stop and the High Commissioner has no place interfering in their internal affairs. The current Estonian Minister of Population and Ethnic Affairs, Paul-Eerik Rummo, believes that the High Commissioner should not come back and that any work with minorities should be left to the European Union once Estonia is a full member.[45] His counterpart in Latvia, the Minister of Social Integration Nils Muižnieks believes that without the ability to hold the European Union over the heads of countries the leverage of the High Commissioner position may be crumbling and

as with Rummo believes that the EU can handle any issues on integration.[46] Even some in the Russian community accept that the time of influence by the High Commissioner may have passed. Vadim Poleshchuk believes that while his recommendations were often circumvented in Estonia by other restrictive laws being passed to replace those changed through the High Commissioners influence, the Russian community still saw the High Commissioner as a voice of reason. This voice he contends will not be listened to in a European Union dominated continent. He contends that "the time of the OSCE and Council of Europe is over".[47] In Latvia the opinion is similar. It may be that the job description of the High Commissioner has changed too much and his influence in Latvian society so diminished that his demands for change will fall on deaf ears once EU membership is gained.[48]

If it is true that the OSCE will no longer be effective in influencing the behavior of Latvia and Estonia, will the EU be capable of it? There are some serious questions concerning the European Union's interest and capabilities to influence minority issues in member states. Some in the region have noted that there are similar minority issues present in other member states and the EU has not tried to influence them. This was an issue when the High Commissioner was making his recommendations during the 1990's and also during the accession process. In response to a recommendation by the High Commissioner in 1997 the then Estonian Minister of Foreign Affairs Tomas Ilves wrote that the Estonian laws were similar to those in other current EU and Council of Europe members so it "can therefore not be argued that Estonian legislation in the present formulation is at variance with international practice or with practice in Council of Europe states".[49] Katrin Saks also notes that the size of the minority group in question

should not matter in the rest of Europe. If Estonia is monitored then all other states should also be monitored as well.[50] The European Union as it is currently mandated does not have an organizational body capable of dealing with minority issues.[51] This is problematic due to the emphasis placed on EU membership by the Latvians and the Estonians and this becomes even more problematic because as the Russian speakers have seen the High Commissioner lose influence in the region they "have big expectations for the EU and could be very disappointed".[52]

The European Union will need to address one common issue in both Estonia and Latvia and an additional issue in Latvia now that the accession process is complete. In both countries a determination on the status of the non-citizens needs to be devised. If they are not citizens of Estonia or Latvia but they live within the EU region, what rights do they have and what are they called? The Estonian and Latvian governments contend that they will be "third-party nationals" within the EU and have the same rights as third-party nationals elsewhere. The non-citizens argue that this is impossible because there is no 'third-party' for them to be nationals of. If they have lived in the region their entire life then Russia or the other areas of the former Soviet Union is not their country of origin. In effect they will be stateless people and the EU is not prepared to deal with such a large, well established population of stateless people. They are not refugees yet they are not citizens. In Latvia the problem is worse due to the citizenships laws as written, prevent non-citizens from voting in local elections. Many argue this is an unnecessary law as the Russians pay taxes but are denied the right to vote. Moreover, the issues decided upon at the local level do not concern national security therefore the Russians could not have an influence on matters of true national importance.[53] EU law states that

citizens of EU states have the right to vote in all local elections within the EU as long as they meet the residency requirements. This means that a citizen of France who has lived in Latvia for a long enough period of time will be able to vote in the local elections but a Russian speaker who has lived their entire life in Latvia but has yet to meet the citizenship requirements will not be permitted to vote. If the EU does not work to find an acceptable resolution to this double standard quickly the Russian-speakers may lose faith quickly in the organization they had hoped would bring it further into society.

Corsica and the Basque Country- Left out in the cold

The Lack of International Attention

The majority of this article has been dedicated to the influence of international community in the Baltic states. The reason for this is simple; there has been little or no attention by these organizations in either Corsica or the Basque region in Europe. In Eastern Europe minority issues have been tied to the democratization process. John Loughlin describes the network of organizations (the OSCE, Council of Europe, European Union, etc.) as having acted as "a midwife to democracy".[54] This has allowed for international influence on minority issues in the east. In Western Europe without the democratization process as a framework international organizations have made less of an impact.

As early members of the European Union, neither France nor Spain were asked to make any changes to their laws concerning minorities in order to gain membership. The European Union currently does not have any institutional body with authority over minority issues. There is a court that handles cases involving Human Rights, but discrimination within states involving citizens or non-citizens does not fall under its

jurisdiction. The EU's first attempt at any form of influence on minority issues was the most recent round of accession reports. Prior to the potential entrance of states from Eastern Europe the EU had refrained from discussing minority rights. Therefore, any changes that could be recommended by an international organization such as the EU or the OSCE do not have the same potential threat behind it. Any changes made by the two states have had to come from inside and both France and Spain have rejected any calls for international assistance or mediation. In Spain for example both the United States based Carter Center and an Irish peace organization have offered to provide their expertise but have been continually refused.[55] It should be noted that many of these attempts by outsiders have been rejected by the Basques as well. Unlike the Catholics in Northern Ireland there is not a large Basque diaspora from which to draw international support. Due to the association of the Basque conflict with the ETA and the resulting violence, the Basques have little sympathy throughout the world and have become somewhat isolated. This was seen with the Spanish government's early success in pinning the blame in the international media of the March 11, 2004 Madrid train bombings on the Basques. As a result, Basques separatists are leery of the international community.[56]

Like the Russians in Estonia and Latvia the Basques do place hope in the European Union as a possible way to break the current stalemate between themselves and the Spanish state. The Basques (and now following their lead the Catalans and other regional groups within Spain) have a permanent mission to the EU where they observe and comment on the EU activities. While Spain's membership in the EU has not paid any dividends for the Basques to this point and that there is nothing currently that the EU will be able to do for them, there is still a sense that the new European constitution may

provide the mechanisms to increase their autonomy.[57] The EU may be the only forum eventually capable of dealing with the Basque issue not because of the Basques who are seeking more autonomy (e.g. the Basque delegation to the EU) but due to the demands of the separatists in Batasuna and the ETA. While the autonomists are looking for a solution to the problem in Spain, the separatists do not make the distinction between the French and Spanish sides of the border because they believe the Basque problem is an international one involving the Basques, the French and the Spanish. If the violence continues it will be a 'European problem' and will need to be addressed by Europeans.[58]

Despite this hope the Basques have a negative view towards the EU. This is counter to the amount of support the EU enjoys in Spain generally and among non-Basques in the Basque region. Table 2 is telling in it shows respondents from the Basque region's satisfaction with the European Union by party preference. Those who support either the conservative Popular Party (PP) or the Socialist Party (PSE-EE) have a much higher opinion of the European Union compared to those who support the Basque Nationalist Party (EAJ-PNV) or particularly Batasuna. PP and PSE-EE supporters tend to be either non-Basques living in the region or those who have no interest in Basque autonomy or separation. EAJ-PNV supporters favor an increase in the rights of the Basque people *within* Spain while the supporters of Batasuna support a separate Basque country comprised of all seven Basque provinces in Spain and France. It is also interesting to note the large number of respondents from all political parties who do not know what to think of the European government.

Table 2 Satisfaction in the Basque Country with the European Union by Party Preference- May 2002[59]

Question: In general, are you satisfied or dissatisfied with the European Government?

	PP Supporter (%)	PSE-EE Supporter (%)	EAJ-PNV Supporter (%)	Batasuna Supporter (%)
Satisfied	63	48	27	17
Dissatisfied	12	25	38	60
Doesn't Know/Doesn't Answer	25	28	35	23

The split between Basques and non-Basques is confirmed in Table 3 which breaks the same question down by how the respondents identify themselves: Mostly Basque, both Basque and Spanish, or Mostly Spanish. What these results confirm is the opinion of the former Batasuna Member of Parliament Esther Agirre that the majority of Basques follow closely what the European Union has been up to, but are either feeling ignored and dissatisfied or have reserved the right to pass judgment at a later time. If after the constitution is ratified the EU continues to ignore the Basque situation then more of the undecided will move to the dissatisfied column. Most Basque autonomists and separatists are of the belief, however, that now that the EU has made changes in Eastern Europe there will be more attention placed on the minority issues of Western Europe.[60]

Table 3 Satisfaction with the European Union on Spanish-Basque Axis- May 2002[61]

Question: In general, are you satisfied or dissatisfied with the European Government?

	Predominantly Basque (%)	Both Basque and Spanish (%)	Predominantly Spanish (%)
Satisfied	25	45	55
Dissatisfied	44	21	15
Doesn't Know/Doesn't Answer	31	34	30

The Corsicans find themselves in a very similar position as the Basques. The French government has made it very clear that the relationship between itself and the Corsicans is an internal matter. France is willing to allow international organizations (such as the OSCE) to come to the island and monitor elections and referendums to ensure they are fair, but it will not allow for any outside mediation or interference.[62] The President of North Corsica, Paul Giacobbi explains the French government's position on the possibility of international assistance to solve the Corsica problem as: "If 200 countries do something one way France would assume that the 200 were wrong and it was right".[63] Despite not having a permanent mission as the Basques, the Corsicans have had a little more success in using the EU. The EU has helped shape the Corsican conflict and it is now seen as a struggle over sovereignty. As the EU increases its 'federalization' of Europe there are opportunities for 'positive sum' negotiations. Prior to this the conflict was shaped in win-loss terms. There has also been an opportunity for Corsica to work with the other Mediterranean islands on issues inside the EU.[64] It has been argued that the European Union's Peace programs designed for conflicts elsewhere in Europe could be a model for Corsica but that would require France's capitulation and this is unlikely.[65]

A Future Role for International Organizations in Corsica and Spain?

Clearly at this point the international community has been unable to have an influence on the Corsica and Basque conflicts. Many involved in the politics of resolving these conflicts believe that some form of international influence would be very helpful if not decisive. Paul Giacobbi believes that the influence of an international organization would help prove to the French people that devolution would not end the Republic.[66] In the Basque country there are organizations such as Elkarri, who are trying to raise

awareness on the Basque question and are looking for international assistance in ending the conflict. The hope behind this effort is that it would not only present possible solutions for the conflict but it could put subtle pressure on the both the Spanish government and the Basque terrorists to resolve the problem because the world is watching.[67]

One institution that may play a role in the future could be the OSCE High Commissioner on National Minorities. Currently, the mandate for the position prevents the Commissioner from intervening in areas where terrorism is occurring and thus prevents visits to Corsica and the Basque region. There is some reason for optimism that this could change as there have been discussions within the OSCE on changing the mandate to allow for intervention in these regions.[68] While the High Commissioner admits that some of the tools that were effective in Eastern Europe would not work in the west there is a growing belief that due to the radical changes forced upon the incoming EU members "it is time for everyone to live up to the standards".[69] In a sign of the changing view of conflicts in the west the High Commissioner in a speech on November 5, 2003 (at an event celebrating the success of the Copenhagen criteria on minority rights no less) warned: "the standards on which the Copenhagen criteria are based should be universally applicable within and throughout the EU, in which case they should be equally- and consistently- applied to all member states".[70] It is unclear if the mandate will be changed to allow the High Commissioner to go to Corsica or the Basque country as well it is also unknown if he could have any influence if he were allowed to go.[71] As the former High Commissioner's Legal Advisor on the Baltics Zdenka Machnyikova notes,

he may have been too successful in places such as the Baltics in changing legislation but now other states are leery of his intervention in their affairs.[72]

As for the European Union, there is hope by some that it could become an important player in both the Basque and Corsican conflict. As Espiau notes in reference to the Basque conflict: "The Basque case *is* a European problem. The priority of the citizens of this part of Europe is pacification and normalization".[73] Only time will tell how the EU and the OSCE begin to address these issues if at all. It is clear, however, that many people in both regions expect the EU to become involved and will hold it accountable once it does.

Conclusion

How do we measure the impact of the international organizations discussed in this paper? In some way it is difficult to *prove* that the EU and OSCE were a cause of ethnic stability in Eastern Europe and their lack of engagement is a cause of the continued violence in the west. Certainly there are other factors that can be considered. The eventual removal of the threat of Russia in the decision making of the Russians in the Baltic after 1994 for example cannot be discounted, but in general the findings of this paper run contrary to Jenne's bargaining theory analysis.[74] The fact remains however that in the immediate period after independence in 1991 the situation in Latvia and Estonia was of such concern that it was the first place the High Commissioner felt he needed to go. Despite all of this concern, there was no violence. The international community must have been a factor. It was able to prevent outright violence during the turbulent period after independence when the society was turned on its head and the Russian army was still on the ground. It was able to convince the Estonian and Latvian governments that

they needed to make changes to their minority laws and that they had a responsibility to take care of their Russian speaking minorities. They also acted as protective shell for the fledgling countries to make the necessary changes at an acceptable pace without fear that Russia would strike against them. By staying passive and particularly non-violent the Russians saw that the Estonian and Latvian governments would be induced to make changes in their favor and while at times suspicious of these organizations, they came to rely on them and chose how they would act against the government accordingly. As Latvia and Estonia edged closer to and then reached EU accession Russians have grown to see the EU as not only their means to greater rights, but also as their escape valve in case the changes that were made to join EU were not permanent.

The Corsicans and Basques have been left to their own devices by the international community. Organizations such as the EU and OSCE have been unable or unwilling to interfere with established EU members. Due to the violence associated with the two conflicts a vicious circle develops: France and Spain appeal for sympathy to the international community in their fight against terrorism and the Corsicans and the Basques become even more isolated and the response by nationalist groups such as the ETA and the FLNC become more radical and they employ more violent tactics to gain awareness for their cause and to try to force a settlement. Without a change in this cycle there can be no end to the two conflicts and the violence that results. While direct international influence acted to prevent violence in the Baltic states it can be argued that the lack of intervention is both a cause and a result of violence in Corsica and the Basque country. The European Union has seen the impact its influence can have. It will be up to the member states to acknowledge that there are problems outside of Eastern Europe and

for them to have the courage to try to influence the established Western European members to the same degree as the incoming members.

[1] Rogers Brubaker (1996) *Nationalism Reframed* (Cambridge: Cambridge University Press), p.55.

[2] Steven M. Saideman (2001) *The Ties that Divide* (New York: Columbia University Press).

[3] Gotlieb also looks at the issues involved in interventions after a conflict has begun. His analysis can be seen as a link between the work of Saideman and the work described below on the role of international organizations as he discusses what authority IO's have in intervening in ethnic conflicts within a state. Gideon Gotleib (1993) *Nation against State* (New York: Council on Foreign Relations Press).

[4] Albrecht Schnabel (2002) "International Organizations and the Prevention of Ethnic Conflicts" in S.A. Giannakos ed., *Ethnic Conflict: Religion, Identity, and Politics* (Athens: Ohio University Press), p.230.

[5] Richard K. Betts (2001) "The Delusion of Impartial Intervention" *Foreign Affairs* Vol.73 No.6, pp.20-33.

[6] Erin Jenne (2004) "A Bargaining Theory of Minority Demands: Explaining the Dog that Did Not Bite in 1990's Yugoslavia" *International Studies Quarterly* Vol.48 No.4, pp.729-754.

[7] Will Kymlicka (2001) "Reply and Conclusion" in Will Kymlicka and Magda Opalski ed., *Can Liberal Pluralism be Exported?* (Oxford: Oxford University Press), p.370. Italics in the original.

[8] See for example Pál Czáky (2001) "Experiences from Co-operating with the OSCE HCNM" *International Journal on Minority and Group Rights* Vol.8 No.1, pp.21-22, Nils Daag (2001) "The OSCE and Conflict Prevention" *International Journal on Minority and Group Rights* Vol.8 No.1, pp.23-24, Anders Rönquist (1994) "The Functions of the High Commissioner on National Minorities with Special Regard to Conflict Prevention" in Eckart Klein ed., *The Institutions of a Commissioner for Human Rights and Minorities and the Protection of Human Rights Violations* (Berlin: Arno Spitz), David Chandler (1994) "The OSCE and the internationalization of national minority rights" in David P. Forsythe ed., *Human Rights in the New Europe* (Lincoln: University of Nebraska Press) and Claus Neukirch "Russia and the OSCE- The Influence of Interested Third and Disinterested Fourth Parties on the Conflicts in Estonia and Moldova" in Pål Kolstø ed., *National Integration and Violent Conflict in Post-Soviet Societies* (Lanham MD: Rowman & Littlefied Publishers).

[9] See for example Vadim Poleshchuk (2001) "Accession to the European Union and National Integration in Estonia and Latvia" *ECMI Report #8* (Flensburg: European Centre for Minority Issues), Paul Eavis and Stuart Kefford (2002) "Conflict Prevention and the European Union" in Paul van Tongeren, Hans van de Veen and Juliette Verhoeven ed., *Searching for Peace in Europe and Eurasia* (Boulder: Lynne Rienner

Publishers). Also see the edited volume by Michael Keating and John McGarry ed., (2001) *Minority Nationalism and the Changing International Order* (Oxford: Oxford University Press) which contains several chapters that look at the European Union's (and other international actors) role in controlling nationalism.

[10] The Foundation on Inter-Ethnic Relations (1997) *The Role of the High Commissioner on National Minorities in OSCE Conflict Prevention* (The Hague: Foundation on Inter-Ethnic Relations), p.26. For more examples see Walter A. Kemp (2001) *Quiet Diplomacy in Action* (The Hague: Kluwer Law International), Sally Holt (2001) "The Activities of the OSCE High Commissioner on National Minorities January 2001-May 2002" *European Yearbook of Minority Issues* Vol.1, pp.563-589. For the impact of the European Union please see their accession reports for the potential incoming 10 members of the EU found on their webpage http://www.europa.org.

[11] This piece will focus on the impact of the OSCE and EU on Estonia and Latvia. It is important however to note the impact of other international organizations. The Council of Europe had missions in both countries after 1995 and current OSCE High Commissioner on National Minorities Rolf Ekeus notes that the Council of Europe was responsible for many of the mandates and policies that shaped the High Commissioner's activities (Interview with Ekeus, June 24 2003, The Hague). Dr. Aija Priedite, Director of the National Programme for Latvian Language Training discussed the role of the UNDP in funding programs to help integrate Russians into Latvian Society (Interview with Priedite, July 17 2003, Riga). See also Alex Grigorievs (1996) "The Baltic Predicament" in Richard Caplan and John Feffer, ed. *Europe's New Nationalism* (Oxford: Oxford University Press).

[12] Quoted in Wolfgang Zellner (2002) "The OSCE: Uniquely Qualified for a Conflict-Prevention Role" in Paul van Tongeren, Hans Van de Veen and Juliette Verhoven ed., *Searching for Peace in Europe and Eurasia* (Boulder CO: Lynne Rienner Publishers), p.19.

[13] Jennifer Jackson Preece (1998) *National Minorities and the European Nation-State System* (Oxford: Oxford University Press), p.151.

[14] Interview with Max Van der Stoel, former OSCE High Commissioner on National Minorities, June 26, 2003, The Hague.

[15] Julie Bernier (2001) "Nationalism in Transition: Nationalizing Impulses and International Counterweights in Latvia and Estonia" in Michael Keating and John McGarry, ed. *Minority Nationalism and the Changing International Order* (Oxford: Oxford University Press), p.343.

[16] Interview with Max Van der Stoel, 2003.

[17] Walter Kemp, ed., p.141.

[18] Ibid. p.143

[19] Ibid, and Interview with Max Van der Stoel, 2003.

[20] Interview with Max Van der Stoel, 2003.

[21] Phone interview with Stephen Heidenhain, Rule of Law Expert at ODIHR, Warsaw, Mission Member/Legal Advisor Mission to Estonia 1999-2001, July 30, 2003.

[22] Interview with John Packer, Director- OSCE High Commissioner on National Minorities, July 26 2003, The Hague.

[23] Phone interview with Sabine Machl, Senior Mission Program Officer- Central Asia Former Deputy Head of Mission- Estonia 1999-2001, August 6, 2003.

[24] Phone interview with Neil Brennan, Former Deputy Head of Mission- OSCE Permanent Mission to Latvia, Mission Member- Estonia, Current Deputy Head of Mission- Moldova, August 4, 2003. This was also discussed in an interview with Isabelle Poupart, Senior Mission Program Office OSCE Conflict Prevention Centre July 29 2003, Vienna.

[25] Carl Bildt (1993) "The Baltic Litmus Test" *Foreign Affairs* Vol.75 No.5, p.81.

[26] Interview with Dr. Aija Priedite, 2003.

[27] Vadim Poleshchuk (2001) *Advice Not Welcomed: Recommendations of the OSCE High Commissioner to Estonia and Latvia and the Response* (Hamburg: The Schleswig-Holstein Institute for Peace Research Press), p.18.

[28] This is the opinion of Eiženija Aldermane, Head of the Latvian Naturalisation Board, July 16, 2003, Riga.

[29] See for example Statements by the Permanent Representative of the Russian Federation to the OSCE at the Meeting of the OSCE Permanent Council, May 29, 2003 and July 1, 2003 concerning the treatment of Russians in Estonia and Latvia. In the July 1, 2003 statement Russia expresses its hope that the Russian speaking community remains committed to non-violence so that "the tragic experience of Ulster, Kosovo and Macedonia will not be repeated in Latvia".

[30] Poleshchuk (2001), p.18.

[31] See Bart Driessen (1994) "Slav non-citizens in the Baltics" *International Journal on Group Rights*, Vol.2, No.2, pp.132-133 for descriptions of the various legislation.

[32] Interview with Falk Lang, Senior Advisor to the High Commissioner (The Baltic States), June 26-27 2003, The Hague.

[33] Phone interview with Anders Ronquist, 2003.

[34] Interview with Boris Tsilevich, Former Latvian Member of Parliament, Russian Activist, July 15, 2003, Riga.

[35] Kemp ed., (2001), p.148.

[36] This paper focuses on the role of EU accession in modifying behavior. The Baltic States also were working towards NATO accessions as well during this time. The issues concerning NATO relate more to security matters and are not incorporated into this analysis.

[37] Interview with Falk Lang, 2003.

[38] *1999 European Union Accession Progress Report- Latvia* found on the European Union website, www.europa.org. Also see Michael Johns (2003) "Do As I Say, Not As I Do: The European Union, Eastern Europe and Minority Rights", *East European Politics and Societies* Vol.17 No.4, pp.682-699.

[39] *1999 European Union Accession Progress Report- Estonia* found on the EU website.

[40] Interview with Reinis Āboltiņš, Director of the Society Integration Department- Former Advisor to the President, July 17 2003, Riga.

[41] Interview with John Packer, 2003.

[42] Interview with Katrin Saks, Estonian Member of Parliament and Former Minister of Population and Ethnic Affairs (1999-2002), July 10 2003, Tallinn.

[43] Adapted from Richard Rose (2000) *New Baltic Barometer IV: A Survey Study* (Glasgow: University of Strathclyde Press), p. 32.

[44] Interview with Rolf Ekeus, 2003.

[45] Interview with Paul-Eerik Rummo, Estonian Minister for Population and Ethnic Affairs, July 9 2003, Tallinn.

[46] Interview with Nils Muižnieks- Minister for Social Integration, July 16 2003, Riga.

[47] Poleshchuk (2001) and Interview with Vadim Poleshchuk, Legal Advisor- Legal Information Centre for Human Rights, July 10 2003, Tallinn.

[48] Interview with Boris Tsilevich, 2003.

[49] Letter by Tomas Ilves to the OSCE High Commissioner on National Minorities 4 June 1997 found on the OSCE website, www.osce.org.

[50] Interview with Katrin Saks, 2003. Also see Johns (2003).

[51] Frank Hoffmeister (2004) "Monitoring Minority Rights in the Enlarged European Union" in Gabriel N. Toggenburg, ed. *Minority Protection and the Enlarged European Union: The Way Forward* (Budapest: Open Society Institute).

[52] Phone interview with Stephen Heidenhain, 2003.

[53] Interview with John Packer, 2003.

[54] Telephone interview with Dr. John Loughlin, School of European Studies- Cardiff University, June 30 2003.

[55] Interview with Francisco Martinez Montes, Counselor to the Spanish delegation, Organization for Security and Co-operation in Europe, July 28 2003, Vienna.

[56] Phone interview with Prof. Santiago Petschen, Professor of Political and Sociological Sciences, Universidad Complutense Madrid, August 4 2003.

[57] Interview with Ibon Mendibelzva, Adviser- Press Services, Basque Country Delegation to the European Union, July 22 2003, Brussels.

[58] Interview with Esther Agirre, Former Member of Parliament- Batasuna, August 19 2003, Bilbao.

[59] Sociological Survey Office- President of the Basque Government's Office (2002) *Basque Sociometer 19*, Basque government website http://www.euskadi.net/estudios_sociologicos, p.31.

[60] Interview with Esther Agirre, 2003.

[61] Sociological Survey Office- President of the Basque Government's Office (2002).

[62] Interview with Frederic de Touchet, Political Advisor Permanent Mission of France to the OSCE, July 28 2003, Vienna.

[63] Telephone interview with interview with Paul Giacobbi, President Haute Corse (North Corsica), August 7 2003.

[64] Phone interview with Dr. John Loughlin, 2003. Also see Francesco Letamendia and John Loughlin (2000) "Peace in the Basque Country and Corsica?" in Michael Cox, Adrian Guelke and Fiona Stephen ed., *A Farewell to Arms?* (Manchester: Manchester University Press).

[65] Ibid.

[66] Phone interview with Paul Giacobbi, 2003.

[67] Interview with Gorka Espiau, Director and Spokesperson Elkarri, August 18 2003, Bilbao.

[68] Internal OSCE memo, July 1, 2003. Former High Commissioner Max Van der Stoel believes that the mandate should not be changed because if the mandate is open for changes it could also be changed in other negative ways making the position redundant or powerless. Interview with Max Van der Stoel, 2003.

[69] Interview with Rolf Ekeus, 2003.

[70] Speech available on the OSCE website.

[71] Petschen believes that the High Commissioner would not be allowed into Spain even with a change in the mandate, but he would not have an influence if he came, as no one would meet with him. Phone Interview with Prof. Santiago Petschen, 2003.

[72] Interview with Zdenka Machnyikova, Legal Advisor OSCE High Commissioner on National Minorities for the Baltics, August 6 2003, The Hague.

[73] Gorka Espiau (2002) "Spain and the Basque Conflict: Still Looking for a Way Out" in Paul van Tongeren, Hans van de Veen and Juliette Verhoeven ed., *Searching for Peace in Europe and Eurasia* (Boulder CO: Lynne Rienner Publishing), p. 152.

[74] In hindsight it is clear that Russia would not come to the Russian-speakers aid after 1994, but it is impossible to know how long during the accession process it was before that was clear to all Russians in Estonia and Latvia.