

# Max van der Stoel and Latvia

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Latvia was a very frequent stop in the busy travel schedule of Max van der Stoel during his tenure as the OSCE High Commissioner on National Minorities (HCNM) from 1993 to 2001. As the Director of the non-governmental Latvian Centre for Human Rights and Ethnic Studies from mid-1994 to the end of 2002, I met with the HCNM regularly over the years and had numerous telephone conversations with him and members of his staff to exchange information and coordinate strategy for pushing minority-related reforms. I came to have deep respect for his role in resolving some of the most sensitive political issues in post-independence Latvia.

The political context in Latvia was extremely complicated in the early 1990s, and occasionally even dangerous. This required the utmost diplomatic skill from outside interlocutors, of which the HCNM was a key player. After regaining independence in August 1991 after 50 years of Soviet rule, Latvia had to contend with the presence of tens of thousands of disgruntled Soviet/Russian troops and a very large Russian-speaking minority. This minority was very dissatisfied with the ‘nationalizing’ policies of the Latvian government in the realms of citizenship, language, education and other policy fields. While Russia sought to link the troop withdrawal to changes in Latvian minority policy, the HCNM, together with other Western partners, succeeded in delinking the two, transforming a political (and potentially military) conflict into a legal dispute.

For various reasons, the Russian government dragged its feet in withdrawing the troops — while most had left by August 1994, a small contingent remained in Latvia until 1998, when an early-warning radar station in the Western Latvian town of Skrunda was dismantled. In 1993 and early 1994, local newspapers were full of stories of Russian soldiers selling weapons and diesel on the black market and ignoring Latvian customs in exporting scrap metal and illegally felled timber. Many of these troops had joined forces with the local anti-independence movement during the latter years of *perestroika*. The Latvian political elite was impatient to negotiate the withdrawal of the troops, which were seen as a security threat and a hated symbol of the Soviet ‘occupation’. For his part, Yeltsin feared that a rapid withdrawal might lead to unrest, as there was

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little available housing for the huge number of troops returning from forward positions in the former Soviet empire, but also that upon returning to Russia, these troops could undermine his own position by strengthening the ‘red-brown’ opposition.

The Russian-speaking minority — accounting for more than a third of Latvia’s population — also posed a number of thorny dilemmas. Soviet policy provided no incentives and few opportunities for Russian-speaking settlers to learn ‘republican’ languages. Thus, less than a quarter of them knew the Latvian language upon independence. As most were post-war settlers, they did not qualify for automatic citizenship when Latvia ‘restored’ citizenship in 1991 to those who were citizens before World War II and their direct descendants. While these settlers demanded ‘equal rights’, citizenship and a continued prominent role for the Russian language, many Latvians harboured unrealistic hopes that settlers would return to Russia or could be made to do so through foreign assistance and/or pressure. Russia took an active interest in the fate of these Russian speakers and sought to use its troop presence as a tool to influence Latvian policy. Throughout the 1990s, Russia also sought to use international organizations in which it and Latvia were members, such as the OSCE, the UN, the Council of Europe, and the Council of the Baltic Sea States, to attack Latvian minority policy and to pressure Latvia to liberalize its policy. When the HCNM began to visit Latvia in 1993, his room for manoeuvre was very limited, though he had a number of important tools at his disposal. In addition to expertise in minority rights and conflict prevention, the most powerful tool in the arsenal of the HCNM was his stature among foreign diplomats and international organizations as the most authoritative source of information on Latvian minority policy, its compliance with international standards, and the degree to which further political reforms were possible and necessary. This stature allowed him to mobilize foreign diplomats based in Latvia as allies, as well as to serve as a ‘gate-keeper’ for Latvia’s entry into various international ‘clubs’ — first, the Council of Europe and, later, the European Union and NATO.

How did this work in practice? I remember several episodes in 1997 and 1998 when liberalizing the citizenship law was at the top of the agenda. The European Union and numerous influential member states, following advice from the HCNM, had issued clear signals that the liberalization of the citizenship law was necessary if Latvia were to achieve progress in accession negotiations. I remember the HCNM asking me if I thought telephone calls to the Prime Minister and other high-ranking Latvian officials from the ambassadors of countries representing the EU *troika* would have any impact. I thought it would, and I assume such calls took place afterwards.

While I call this kind of diplomacy ‘arm-twisting’, another kind of engagement by the HCNM could be termed ‘hand-holding’. This involved sending experts to provide detailed commentary on draft minority-related Latvian legislation. This was usually done discreetly, so as not to embarrass Latvian officials. However, I was frequently given these draft analyses by friendly

diplomats or members of the HCNM's staff, so that I and my colleagues in the human rights sector could reiterate the same minority rights arguments in the public sphere that were being made behind the scenes. This helped to raise awareness all around.

While 'arm-twisting' and 'hand-holding' proved effective tactics, they did not enhance the HCNM's popularity among Latvian politicians and the general public. Indeed, at one point, a local newspaper even dubbed the HCNM the 'angel of death' — a dark figure flying in to dispense lethal medicine that threatened the well-being of the nation as a whole. The name 'Max van der Stoel' even became a label used by right-wing commentators to characterize all sorts of allegedly ill-intentioned foreign experts who were unwilling or incapable of understanding Latvia's unique history of suffering. I took it as a badge of honour to be named a local 'Van der Stoel' and I named my Rottweiler 'Max' in his honour.

Often, the HCNM would organize joint meetings with me and Boris Cilevics, a long-time opposition member of parliament and the most articulate defender of the rights of Latvia's largest minority, the Russian-speaking population (people with Russian as a native language). I called this the 'Nils and Boris show', in which I would tend to focus on emerging opportunities, while Boris would give a more sceptical analysis of the prospects for change. During these meetings, Max would occasionally look disinterested, even drowsy, but this was deceptive. He would take in all the information, then snap back to attention at the end of the meeting and make a pointed comment indicating that he had processed all the information we had provided and was thinking ahead.

Occasionally, Max would exhibit flashes of mischievous humour. I remember at one point suggesting organizing joint training meetings for Latvian and Estonian minority policy makers. Max dismissed this idea with the following phrase delivered in a dead-pan fashion: 'there is too great a danger that they could infect one another'.

Max van der Stoel is probably remembered by most Latvian policy makers and the general public as the foremost advocate of unpopular reforms in the 1990s. However, research suggests that he played an absolutely crucial role in helping Latvia navigate very difficult political terrain to achieve critical foreign policy goals — membership of the EU and NATO.<sup>2</sup>

In the long run, I believe history will be kind to Max's memory in Latvia. Latvia had a unique historical window of opportunity. In the 1990s, Russia was weak, the US enjoyed its unipolar moment, and the EU and NATO were willing to

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<sup>2</sup> See, e.g., Jekaterina Dorodnova, *Challenging Ethnic Democracy: Implementation of the Recommendations of the OSCE High Commissioner on National Minorities to Latvia, 1993-2001* (Hamburg: Centre for OSCE Research, 2003); for the HCNM's cooperation with the EU and the Council of Europe, see Nils Muiznieks and Ilze Brands Kehris, 'The European Union, Democratization and Minorities in Latvia', in Paul Kubicek, ed., *The European Union and Democratization* (London: Routledge, 2003), pp. 30-55; for an overview of the literature on conditionality as it pertains to minorities in Latvia, see David J. Galbreath and Nils Muiznieks, 'Latvia: Managing Post-Imperial Minorities,' in Bernd Rechel, ed., *Minority Rights in Central and Eastern Europe* (London: Routledge, 2009), pp. 135-150.

enlarge. All that was needed was candidate countries willing and able to carry out the necessary reforms. Max helped those reforms come about and, thus, Latvia was able to jump through that unique window of opportunity, which is now closed. And for that I am grateful.