

‘Wilhelm Höynck: CSCE works to develop its conflict prevention potential’ from the NATO Review

Caption: In an article published in April 1994 in the NATO Review, Wilhelm Höynck, Secretary-General of the CSCE, analyses the means adopted by the organisation for its transition from the role of a forum for negotiation and dialogue to that of an active operational structure centred around the tasks of early warning, conflict prevention and crisis management.

Source: NATO Review. April 1994, n° 2; Vol 42. Brussels: NATO.

Copyright: NATO / OTAN

URL:

http://www.cvce.eu/obj/wilhelm_hoynck_csce_works_to_develop_its_conflict_prevention_potential_from_the_nato_review-en-b35b4126-5bcf-4c33-b9a9-0677932f42cb.html

Publication date: 18/09/2012

CSCE works to develop its conflict prevention potential

Dr. Wilhelm Höynck, Secretary General of the CSCE

New and serious risks to European security have appeared on the international agenda in the post-Cold War era. There have been outbreaks of ethnic and nationalistic conflicts. Massive violations of human rights, including minority rights, are giving rise to tension. Local conflicts are escalating and regional wars have led to tens of thousands of dead, and millions of refugees, to say nothing of the destruction and complete absence of development in the war-torn regions.

Uncontrolled inter-ethnic conflicts were an almost unknown phenomenon in the period of East-West confrontation. With their abrupt re-emergence, the international institutions were caught completely unprepared, without experience and basically without instruments, to deal with this challenge - thus new approaches have had to be developed.

Against this background, the Conference on Security and Cooperation in Europe (CSCE), too, was challenged to make a contribution to conflict prevention and crisis management. This has become an integral part of the process of the CSCE's functional redefinition and institutional development. With the landmark decision of the 1990 Charter of Paris and the 1992 Helsinki Document, the new CSCE took up the challenge of managing the historic, revolutionary changes occurring in the CSCE area. It had to embark on a transition from its role as a forum for negotiation and dialogue to an active operational structure. Early warning, conflict prevention and crisis management have become the main features of the new CSCE. They are based on, and directly linked to, the tasks of the CSCE in the human dimension field and its efforts to contribute to the development of cooperative security. Thus, the new CSCE wishes to serve as an agent of stability in the whole Vancouver-to-Vladivostok area and to ensure that security in this area becomes truly indivisible.

In dealing with conflict situations at different stages of escalation, the activities of the CSCE range in principle from early warning to crisis management and post-conflict measures, but in reality it is early warning and conflict prevention which have been given the greatest emphasis since prevention is preferable to cure.

Early warning

One readily available instrument of early warning, as foreseen in the 1992 Helsinki Document, is the "intensive use of regular, in-depth political consultations, within the structures and institutions of the CSCE", (Decisions, III (3)). Political dialogue is a valuable source of information and, at the same time, a method of determining action.

The possibilities for consultation and dialogue within the CSCE were significantly expanded with the establishment, as of December 1993, of a new body in Vienna - the Permanent Committee. This is the first permanent body of the CSCE for political consultation and decision-making. Discussions in the Permanent Committee, which meets in formal session at least once a week, are becoming increasingly candid, direct and straightforward.

Delegations feel encouraged to raise problems and concerns and discuss them in a cooperative spirit. This kind of open dialogue, which involves the CSCE community beyond the states directly concerned, can help to ease emerging tensions, clarify misperceptions and prompt more forthcoming approaches.

An example of a regular exchange of views within the CSCE framework is provided by the situation in the Baltic states. The Helsinki Document called for the early, orderly and complete withdrawal of foreign troops from the territories of the Baltic states, and this provision is the basis for regular reviews by CSCE bodies concerning the withdrawal of these troops. At the same time, the meetings of the Permanent Committee have been used as a forum for articulating concerns regarding the situation of large minority population groups in Estonia and Latvia.

Another early warning instrument can be seen in the regular implementation debates within the CSCE framework. The participating states collectively examine how agreed principles, norms and commitments are being implemented in daily practice. Ongoing violations of commitments are often the sign of the beginning of a conflict. The CSCE conducts this kind of comprehensive examination once every two years at a review conference, the next of which is due in Budapest on 10 October this year. In addition, sectoral reviews of the military and the human dimensions are regularly conducted.

The CSCE has developed confidence- and security-building measures (CSBMs), which can also serve as an early warning indicator. The failure of Yugoslavia to submit its military data in December 1991 was a signal suggesting a serious regrouping of forces for potentially aggressive purposes. Furthermore, the annual reviews of the implementation of CSBMs can provide an opportunity for discussing potential crisis implications of military developments in the participating states.

CSBMs are subject to constant improvement in order to increase their early warning quality and, in particular, their applicability to inter-state conflicts. In November last year, for example, the Forum for Security Cooperation adopted a proposal calling for an exchange of information and dialogue on defence planning. This commits the participating states to share in advance their long-term plans and intentions as regards the size, structure, deployment and training of their armed forces, changes in infrastructure, and planned allocation of resources, and above all, defence budgets.

The CSCE High Commissioner on National Minorities also has a specific and explicit early warning function. According to his mandate, he "will provide early warning at the earliest possible stage in regard to tensions involving national minority issues that have not yet developed beyond an early warning stage, but, in the judgement of the High Commissioner, have the potential to develop into conflict within the CSCE area, affecting peace, stability or relations between participating states" (Helsinki 1992, Decisions, II(3)).

Another early warning instrument is provided by the Warsaw Office for Democratic Institutions and Human Rights (ODIHR), which collects and processes information from wide-ranging sources on human dimension issues. The role of the ODIHR is now to be enhanced following a decision taken by the Rome Council meeting last December.

The CSCE also receives early warning signals from several other sources. In particular, non-governmental organizations provide various CSCE bodies and institutions with information on potential and existing conflicts. This can be a source of early, possibly eye-witness reports supplementing other available information.

Early action and conflict prevention

The crucial point in any conflict management strategy is the step from early warning to early action, as states have developed a considerable capacity for looking the other way or adopting a "let others do it" mentality. There are several ways of initiating CSCE action and getting it involved in resolving a conflict situation. Among the instruments that can be used to mobilize concerted CSCE action are the so-called "mechanisms" which currently relate to the following areas:

- military developments ("The Vienna mechanism on unusual military activities");
- human dimension issues ("The Moscow mechanism");
- serious emergency situations ("The Berlin mechanism").

These mechanisms are built on a phased approach, starting from a clarification of situations through consultations with the states involved, and they can lead to CSCE meetings at which fact-finding measures are decided on. The initiative of a limited number of states is enough to trigger these mechanisms. However, as they have been amended and developed on several occasions, some have become rather unwieldy, thus CSCE bodies are now discussing ways of streamlining and harmonizing the mechanisms and looking at

ways of ensuring that they are regarded and used as cooperative rather than confrontational tools.

One of the operational aspects of the mechanisms is comprehensive, impartial, on-the-spot fact-finding. This leads relatively easily to concrete recommendations for specific CSCE involvement including the application of other CSCE instruments. For example, the fact-finding mission to Kosovo in the former Yugoslavia in 1992, undertaken in the context of the unusual-military-activities mechanism, prepared the ground for further CSCE involvement, which resulted in the decision to establish CSCE missions of long-duration in Kosovo, Vojvodina and Sanjak. Other examples are the fact-finding missions against the background of the minority and human rights situations in Estonia and Moldova, in both cases invoked by these countries themselves. The relevant reports led to decisions to establish permanent missions there.

Particularly since the 1992 Helsinki Decisions, the Chairman-in-Office of the CSCE - the Foreign Minister of the country which hosted the last Council of Ministers meeting - has assumed considerable operational significance. In fact, in most cases, the first step leading to CSCE involvement in conflict prevention (and crisis management) has been the appointment of personal representatives of the Chairman-in-Office. Thus, their recommendations constituted the point of departure for the discussions on the CSCE's involvement in the conflict situations in Georgia, Moldova and, more recently, Tajikistan.

A successful record in CSCE conflict prevention has been achieved by the High Commissioner on National Minorities, Mr. Max van der Stoep. Appointed in December 1992, he has had to deal with minority problems in Estonia and Latvia, in the Former Yugoslav Republic of Macedonia, in Albania, in Slovakia and Hungary. In the latter case, following a recommendation by Mr. van der Stoep, an expert group has been appointed to work on a two-year programme. He has also undertaken a study on the situation of the Romany population. The discreet, impartial and subtle diplomacy pursued by the High Commissioner, coupled with the necessary expertise, has shown that preventive diplomacy can be instrumental in defusing tensions. Although he enjoys a high degree of autonomy, he consults closely on his activities with the Chairman-in-Office and regularly informs the participating states. Continued endorsement of his actions by the CSCE community, and the active support of a large number of influential participating states, is crucial to his success.

Another CSCE instrument for conflict prevention is the long-term mission. The first such missions were dispatched in 1992 to counter the imminent danger of a spill-over of the conflict in the former Yugoslavia. In September 1992, the CSCE established an eight-member mission in the Former Yugoslav Republic of Macedonia which has been monitoring developments, providing advice and fostering grass root processes to guard against the country being dragged into the conflict. That same month, the CSCE missions of long duration were assigned to Kosovo, Sanjak and Vojvodina. These missions focused on promoting dialogue between the authorities and local communities and on building confidence at the local level. Regrettably, however, they were expelled by the Belgrade authorities last August, to the detriment of the situation in the entire region.

The CSCE missions in Estonia and Latvia also have a preventive function. In addition to encouraging dialogue and promoting local confidence-building, these missions monitor developments that may have potentially dangerous implications. Their close cooperation with the High Commissioner, combining a permanent presence with high level advice, has proven particularly useful.

In addition to mechanisms, joint political decisions and independent action by officials in the context of conflict prevention, the CSCE has developed several other instruments for the peaceful settlement of disputes. The Convention on Conciliation and Arbitration, signed by 33 states and so far ratified by six (12 being necessary for its entry into force), establishes an obligatory conciliation procedure leading to non-binding proposals for settlement. Arbitration procedures based on the agreement of the states concerned would end with a decision that is binding upon the parties. The CSCE also has at its disposal Directed Conciliation procedures under which the Council or the Committee of Senior Officials may direct two participating states to seek conciliation. However, to date none of these procedures has been used by the participating states.

Crisis management

In a number of situations, the CSCE has been faced with a seriously advanced conflict, where it was too late for preventive diplomacy, and it has had to apply crisis management instruments. The overall responsibility for crisis management rests with the CSCE's political bodies - the Committee of Senior Officials or the Permanent Committee - which assess the situation and give the impulse and direction for action. Sometimes, the CSCE sets up ad hoc steering groups specifically assigned to deal with conflicts, such as the 11-member Minsk Group charged with mediation and settlement of the conflict around Nagorno-Karabakh.

Good offices on the ground are provided by the CSCE missions dispatched directly to the trouble spots. At present, there are CSCE teams operating in Moldova, Georgia and Tajikistan.

The Moldova mission, consisting of six members, was sent in April 1993 with the task of contributing to the settlement of the conflict in the Trans-Dniestr region. The CSCE presence in Georgia, established in December 1992, focused on the South Ossetian conflict but also performs an auxiliary function in the peace process around Abkhazia, where the leading role is played by the UN. The latest mission, in Tajikistan, is endeavouring to facilitate dialogue between regionalist and political forces in the country.

Simply stated, the task of all these missions, composed of political, civilian and military representatives, is to facilitate dialogue, encourage conciliation, advise on necessary legal and political arrangements, follow developments and, when necessary, investigate incidents. Within the scope of their mandate, they operate with a certain degree of autonomy, but receive constant political guidance from the Chairman-in-Office.

The CSCE has not yet launched a major peacekeeping operation to ensure stability on the ground, though this eventuality is also provided for in the CSCE documents. Preparations are at an advanced stage for the first such mission, however - a relatively large-scale deployment in the context of the Nagorno-Karabakh conflict.

At all stages of conflict management, the Chairman-in-Office plays a key role - this is one of the original and distinctive features of the CSCE - by providing for the direct involvement of the organization and ensuring a constant input of political guidance. The Chairman also ensures coordination of efforts and a productive division of labour, issuing guidance to the missions in the field, taking the initiative on the agenda of the political bodies, and implementing their decisions.

The Chairman-in-Office, who often acts together with the preceding and the succeeding Chairmen, thus together forming the Troika, is also supported by the Secretary General in fulfilling the goals of the CSCE.

One of the CSCE's contributions to conflict management is through the provision of political legitimization or additional political support for actions undertaken by other international organizations. In August 1992, the CSCE endorsed the deployment of the European Community Monitoring Mission in regions of the former Yugoslavia. This decision ensured acceptance of this mission by all CSCE participating states, including the Russian Federation, and prepared the ground for non-EC states to join the mission (Canada, Czechoslovakia, Poland and Sweden).

Beginning in October 1992, seven Sanctions Assistance Missions (SAMs) were deployed in the countries neighbouring the Federal Republic of Yugoslavia (Serbia and Montenegro) - Albania, Bulgaria, Croatia, Hungary, the Former Yugoslav Republic of Macedonia, Romania and Ukraine - under the aegis of, and financed by, the CSCE. Customs officers on the SAM teams, consisting of more than 150 members, advise the authorities of the host countries on the implementation of sanctions and thus support these authorities in enforcing the sanctions imposed by the UN Security Council. In February 1993, the Committee of Senior Officials appointed a joint CSCE-EU Sanctions Coordinator whose task is to oversee the implementation of the sanctions imposed on Serbia and Montenegro.

In April 1993, the CSCE "welcomed" the Western European Union's (WEU) patrolling operation to implement the sanctions on the Danube. This "allowed" all Danube riparian states to accept the WEU operation.

The CSCE is considering the possibility of establishing common rules for cooperative arrangements concerning third-party military deployments in conflict situations within other CSCE states. This issue is complex and sensitive. While some have expressed concern about the danger of so-called Russian "neo-imperialism", particularly after the last election in Russia, developments in Tajikistan or Georgia have demonstrated that Russia is willing and able to provide the forces required to ensure a minimum of stability on the ground. At its meeting in Rome last December, the CSCE Council of Ministers agreed that "exceptionally, on a case-by-case basis and under specific conditions, the CSCE may consider the setting up of a CSCE cooperative arrangement in order, inter alia, to ensure that the role and functions of a third-party military force in a conflict area are consistent with CSCE principles and objectives." The ministers were unanimous in affirming that if the CSCE were to agree to establish such cooperative arrangements, certain criteria and principles must be observed: respect for sovereignty and territorial integrity; consent of the parties; impartiality; multinational character; clear mandate; transparency; integral link to a political process for conflict resolution; a plan for orderly withdrawal. A final result of the discussion of this difficult subject is, however, still to be achieved.

A new element was added to the CSCE inventory of crisis management instruments last November, with the adoption by the Forum for Security Cooperation of a document on stabilizing measures for localized crisis situations. It contains a list and detailed description of possible military measures designed to complement a process of political settlement and comprising, among other things, various forms of military information exchange, local demilitarization, constraining measures, and on-site verification and monitoring.

Mutually reinforcing cooperation

Conflict prevention and crisis management must be based on a concept providing for a continuum of action from early warning to possible enforcement and post-conflict peace-building. The response to an emerging conflict must be credible from the very outset. In particular, the possibility of applying enforcement through military measures if non-military means fail should be an option even at the initial, persuasion stage of emerging conflicts. This option would clearly improve the chances of a peaceful settlement.

For the CSCE, which is a body without enforcement powers and capabilities, this means maintaining close links with other organizations, first and foremost the UN. In this context, it is of particular importance that the CSCE was established by the Heads of State and Government at their Summit in Helsinki in 1992 as a regional arrangement under Chapter VIII of the Charter of the United Nations. Practical cooperation was arranged within a framework agreement between the UN and the CSCE in 1993, and the CSCE now has observer status at the UN General Assembly.

Cooperation with the UN takes a variety of forms. Several UN Security Council resolutions on Nagorno-Karabakh, for example, have made it clear that the CSCE is acting in this crisis with the full confidence and support of the Security Council. To allow for coordination and cooperation, the CSCE informs the UN about all its activities, in particular its missions. UN officials are often present at CSCE meetings at which conflict situations are discussed, and the Chairman-in-Office's Permanent Mission in New York is in constant contact with the UN Secretary General and the UN Security Council.

Moreover, as it has no military structure of its own, the 1992 Helsinki Summit stated that "the CSCE may benefit from the resources and possible experience and expertise of existing organizations such as the EC, NATO and the WEU, and could therefore request them to make their resources available in order to support it in carrying out peacekeeping activities". In my view, it is high time to further explore this possibility!

A very practical and often practised form of cooperation is "cross-participation" in missions, especially in those of a fact-finding nature, and mutual participation in meetings and seminars on conceptual and practical aspects of conflict management. The CSCE has cooperated with NATO in this manner, as well as with the Council of Europe. However, better organized and more effective coordination and cooperation between international organizations is essential if the credibility of international action is to be re-established. The public has little understanding of institutional imperialism.

Mutual cooperation should allow each of the international organizations to preserve its own area of action and responsibility, while avoiding duplication of work, thereby saving resources and ensuring better cost-effectiveness. We must look for a constructive division of labour on the basis of comparative advantages. Particularly in crisis management, we must fully eliminate the danger that, in competing for roles, international organizations find themselves being played off against each other by the parties.

Since a fundamental transformation of international organizations requires some time, a certain overlapping of tasks and responsibilities may, in the short term, be unavoidable. These problems can and must be solved in a pragmatic manner. One case that certainly needs further thought is the division of labour between the CSCE and the North Atlantic Cooperation Council (NACC) since the similarity in terms both of membership and of tasks is growing. If CSCE's area is to be operational conflict prevention, what then should be the focus of the NACC in the overall area of crisis management?

Comparative advantages

CSCE experience in conflict prevention and crisis management is still limited, but certain comparative advantages have begun to create a specific CSCE profile. One element of that profile is that the CSCE can legitimize in a political sense international measures and actions. This capacity is based mainly on the CSCE's comprehensive membership. All states in the Vancouver-to-Vladivostok area are CSCE participating states on a basis of equality. The political value of a CSCE decision is strengthened by the consensus rule which legitimizes the decision and makes it more difficult for states to dissociate themselves from a decision once it has been taken.

Based on a comprehensive concept of security, which explicitly links the maintenance of security and stability to the observance of human rights and fundamental freedoms, the CSCE can get to the root causes of tension and apply "comprehensive treatment" at an early stage. Furthermore, the CSCE also has a clear mandate to deal with crises within states, CSCE involvement easily transcending the walls of national sovereignty. As long ago as 1991, immediately after the abortive Moscow coup, the CSCE states declared categorically and irrevocably that the commitments undertaken in the field of the human dimension "are matters of direct and legitimate concern to all participating states and do not belong exclusively to the internal affairs of the state concerned".

Realizing its potential

CSCE involvement in preventive diplomacy and crisis management over the past two to three years has been driven by the effort, in a kind of emergency situation, to find peaceful settlements to new potential and open conflicts. We are often asked: Where are your tangible, concrete results? In response, I would say that the CSCE has made a real contribution to calming down situations in places where its missions are active and that it has certainly helped defuse tensions in the Baltic region. While it is true that there have been no definitive solutions, conflict management needs time and patience. It is a process requiring a constant focus and long-term persistence. It requires endurance to overcome frustration and hopelessness caused by deadlocks and setbacks. Although conflict management is very severely criticized these days, and sometimes unconstructively, it is a field in which public support for international activities has a solid basis. The organizations involved in conflict management should build on this capital.

The CSCE is also determined to develop its conflict prevention potential, a policy which was backed by ministers at the CSCE Council Meeting in Rome last December. Furthermore, the support for the CSCE at the NATO Summit last January undoubtedly provides a fresh political impulse for the dynamic development of CSCE capabilities. As stated in their Declaration, the NATO Allies "remain deeply committed to further strengthening the CSCE, which is the only organization comprising all European and North American countries, as an instrument of preventive diplomacy, conflict prevention, cooperative security, and the advancement of democracy and human rights". They "support the efforts to enhance the operational capabilities of the CSCE for early warning, conflict prevention, and crisis management".

As part of its preparation for the review conference and 53-nation Summit scheduled for December this year

in Budapest, the CSCE is considering its future tasks and responsibilities. An important part of the preparations will be devoted to the consideration of ways to: improve the functioning of existing CSCE mechanisms; streamline decision -making in emergency situations; promote the cooperative approach to conflict prevention; enhance the implementation of, and compliance with, CSCE decisions; tap the resources and experience of non-governmental organizations; and deepen links with international bodies.

The instruments available to the CSCE, combined with the political will of the participating states, can make an important contribution to stability and security in a region composed of interdependent states and which is an area of common security. The CSCE states declared at their Rome meeting last December that their security is indivisible, a declaration strengthened by a similar proclamation by NATO leaders since it entails the commitment to deal collectively with problems and conflicts and to actively project stability. The CSCE stands ready to make its contribution.