

Max van der Stoel, The role of the OSCE in Conflict Prevention

Caption: On 30 September 1996, Max van der Stoel, OSCE High Commissioner on National Minorities, gives a lecture in Brussels on the role of the Organisation for Security and Cooperation in Europe in conflict prevention.

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The role of the OSCE in conflict prevention*

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In the present state of discussion on the situation in Europe, a sort of consensus emerges on at least two points. The first is that large parts of Europe go through a period of instability, and that this instability might perhaps continue for quite a number of years. The second is that while in the past we saw the possibility of large-scale military conflict between two opposing blocs of states as the biggest danger, now relatively small-scale conflicts, mostly within a state, constitute the major security threat. In this context we have also learned that questions relating to national minorities can trigger off such conflicts.

Even though I am telling you nothing new, I have to do it because I sometimes wonder whether so far we have managed sufficiently to draw the practical political conclusions from these two elements of the present day European situation. It is evident from the experience of Bosnia, of Chechnya, of Nagorno-Karabakh and other conflicts, that once a conflict has erupted it is extremely difficult to bring it to an end. In the mean time precious lives have been lost, new waves of hatred have been created and enormous damage has been inflicted. Today, I would like to share with you my views on the need to concentrate more on conflict prevention. It is my firm belief that capital spent on conflict prevention is capital well spent. Not only because it is cheaper in both economic and financial terms, but especially because it saves so many lives.

Many countries in Central and Eastern Europe have already drawn their conclusion from the present-day security situation. They see their strategic interests best served by NATO and EU membership and seek this membership on the shortest possible term. Both organizations are perceived by prospective members as the quintessence of freedom and democracy. Central and Eastern European countries therefore consider membership as the final piece in their integration into the Western world.

Still, membership of NATO and EU, cannot constitute a panacea for all security threats. Conflict prevention in Europe has a wider scope and can only be successful if it comprises all states on this continent, as well as our Transatlantic partners, not only present and future members of NATO and EU. That is why I firmly believe that the Organization on Security and Cooperation in Europe has an important role to play in taking up the challenge of conflict prevention in Europe.

Before the fall of the Berlin wall and the cataclysmic changes which swept Europe in the first years of this decade, the CSCE, as the OSCE was then called, had functioned as a meeting place for East and West. Its Helsinki process had contributed to a large extent to building an atmosphere of confidence between the opposing blocs, thus keeping at bay the possibility of an accidental escalation between the nuclear powers. The price the West had to pay for the signing of the Helsinki Final Act was the acceptance of the principle of territorial integrity. The Soviet bloc hoped that the recognition of existing borders would entail the definitive recognition of the partition of Europe — an assumption which never materialised, since this did not prevent the collapse of the communist regimes. On the other hand, the price paid by the communist bloc proved to be a nail in their coffin : they accepted that states have the obligation to obide by the human rights standards enshrined in the Helsinki Final Act and that all CSCE states have the right to monitor the implementation. In other words : the principle of non-interference in domestic affairs in this area was thus buried. Not only were states now accountable to their own citizens, but also to the CSCE community as a whole. The courageous activities of movements such as Charta 77 in Czechoslovakia and Solidarity in Poland drove this point home and thus contributed considerably to the downfall of the communist regimes.

With the end of the Cold War, the CSCE had progressed in a different direction. The Paris Summit, in November 1990, set the CSCE on a new course — that of making the end of confrontation irreversible and consolidating the difficult process of transformation of the Central and Eastern European nations. For the first time it became clear that the CSCE states could develop a common strategy to reach these goals.

Then came the war in Yugoslavia and the optimism which had characterised the Paris Summit encountered a serious drawback. We now know that, although the division of Europe is a thing of the past, we are faced

with a number of serious threats, which need to be tackled by the OSCE community as a whole.

This brings me to the fundamental ideas behind the role of the OSCE in conflict prevention. The basis from which we operate are the values we have in common. These values apply to all those who want to be part of the OSCE community : they are indivisible, non-negotiable and universal. They comprise the rule of law, democracy, human rights, including the rights of persons belonging to national minorities, pluriform society and the existence of market economy. It would be wrong to perceive these values as belonging solely to part of the OSCE area, or as religious dogmata some OSCE States want to impose on others. Rather, they are the core of the Helsinki process, which starts from a comprehensive concept of security which relates peace, security and prosperity directly to the sharing of the values. In other words, the Helsinki process has taught us that lasting peace and security are only possible in an environment where these values are shared. Thus, the observance of these values is no longer a matter of choice, but a political necessity.

However, one aspect should be very clear : States must have an open eye for longer-term developments with a view to anticipating future crises and not only pay attention to already existing conflicts. The success of preventive diplomacy ultimately depends on the concrete political and other support they are prepared to invest in it. Of course alarmism and precipitate actions have to be avoided. But it is never too early for a realistic assessment of worrisome developments. If we devote our attention only to the wars of today, we will have reasons to mourn again tomorrow.

In spite of this clear need for early responses, one cannot escape the impression that individual states or the international community as a whole are rather slow in their reactions. Probably the Foreign Ministries have the necessary information at their disposal and they employ competent analysts who know to assess it. But do their reports and analyses get the necessary attention at the decision-making levels in time ? One gets the impression that this is not always the case. Equally, it appears that the states as a group are not always able to come sufficiently quickly to effective decisions. If the international community really wants to make an effort in conflict prevention, serious progress will have to be made in this field. The OSCE is in my view well placed to offer a forum for discussions on this issue.

Perhaps you will allow me to illustrate the role of the OSCE in conflict prevention by turning to my activities as High Commissioner on National Minorities. I am specifically mandated to work towards the prevention of ethnic tensions. Such tensions can lead to immense violence as we have seen in the former Yugoslavia and elsewhere. Indeed, it is my impression that most if not all of Europe's current and potential conflicts have, at least in part, an interethnic dimension.

According to his mandate, the High Commissioner has a two-fold mission :

— first to try to contain and de-escalate tensions involving national minority issues which could lead to violent conflict, in particular international conflict, and

— second, to alert the OSCE whenever such tensions threaten to develop to a level at which he would not be able to contain them with the means at his disposal.

At present I am involved in minority questions in a great number of OSCE countries, in alphabetical order, in Croatia, Estonia, the FYR of Macedonia, Hungary, Kazakstan, Kyrgyzstan, Latvia, Romania, Slovakia and Ukraine. It would take too much of your time if I would give a detailed description of my activities in these states, though I would of course be glad to answer any questions you might have. Let me just add two comments. As my mandate sees me as an instrument of conflict prevention, I do not play a role in areas of acute conflict, such as Chechnya or Nagorno-Karabach. On the other hand, I have to keep in mind the interest which a kin-state or *mère-patrie*, usually shows for its related minorities in other states, and the consequences this has for the relationship between the kin-state and the state where the minority lives.

But perhaps you will allow me to concentrate on some general aspects of my work.

Sometimes I am asked : on what basis do you select the countries on which you concentrate your activities ?

Why have you selected this group of 10 and why not any of the remaining 44 OSCE states ? The answer is rather simple. Though the list may, depending on the circumstances, be expanded, I am presently active in these 10 states because it is my view that they face especially difficult and complicated minority questions and because it is my hope that my office can be of some help in coping with them. It is my impression that the states I am involved in have understood and have accepted that this is the task I have been given in the mandate which was agreed upon by all OSCE states during the Helsinki CSCE summit of 1992.

During my actual involvement in these situations, I have tried to employ an approach which can be characterised in three catch words : impartiality, confidentiality and cooperation. To start with, *impartiality* : the High Commissioner is not an instrument for the protection of minorities or a sort of international ombudsman who acts on their behalf. In other words, he is High Commissioner ON, and not FOR national minorities. During my fact-finding missions I listen to all parties concerned and I also offer all of them my advice, and not just governments.

Confidentiality is important since then parties involved often feel they can be more cooperative and are less inclined to maintain strong demands or trying to exploit outside attention. Lastly, I would emphasise the *cooperative* and non-coercive nature of the High Commissioner's involvement. Durable solutions are only possible if there is a sufficient measure of consent from the parties directly involved.

Although my mandate allows me to operate with a large degree of independence, it is clear that I could not function properly without the political support of the participating states. This becomes particularly acute whenever I present my reports and recommendations to the state concerned and, afterwards, to the Permanent Council of the OSCE, where all participating states are represented. At such a stage it becomes clear whether there is sufficient support for my activities, and whether states are willing to give their own follow-up where needed also contains a number of restrictions to the High Commissioner's activities. Explicitly excluded are individual cases of persons belonging to national minorities. Also, I am not allowed to consider national minority issues in situations involving organized acts of terrorism nor to communicate with or acknowledge communications from any person or organization which practices or publicly condones terrorism or violence.

I am not going to hide from you that, in trying to perform these tasks, I do make enemies. But I also have to add that these enemies are almost invariably extreme nationalists. I think this is inevitable. I would even feel that I would not perform my task properly if they would not object to my activities and views. These nationalists are not interested in promoting inter-ethnic harmony — they prefer to stir up inter-ethnic hatred.

Perhaps I can now share with you some of the lessons I have learned after nearly four years as one of the OSCE instruments of conflict prevention. The very first lesson I learned is that it is necessary for the international community to get involved at an early stage, before an emerging conflict has reached dramatic proportions. Once an incipient conflict has moved too far, we always see that too much prestige has become involved and that too many emotions have developed. As a consequence, positions of parties have become more rigid. Once we are beyond the stage of incipient conflict, it is more difficult, if not almost impossible, to succeed in preventing it.

Another conclusion I reached is that behind inter-ethnic tensions, there are often other, deeper causes of conflict. If people are unemployed, if they have little or no possibilities for education, if no decent housing is available, if the prospects for their children's future are gloomy, it is no wonder that they are dissatisfied. In many countries in the OSCE area this situation is exacerbated by the fundamental changes societies are going through. Frequently, people in these countries are faced with huge problems in their day-to-day lives, without it always being clear what the future has in store for them. Past ideologies have failed them and new ideologies with tailor-made answers are not at hand. Unfortunately, history teaches us that human nature is such that in a situation of discontent easy answers are sought and scapegoats are readily found. Nationalism then becomes the panacea for all problems. In my view, it should be the task of the OSCE to identify the root causes of conflict and to help combat these, in order to ultimately prove that nationalism, xenophobia, racism and the portrayal of " others " as the enemy, are certainly not the answers to, but indeed part of, the problem.

It goes without saying that trying to prevent a conflict under such circumstances is not an easy task. It is a tedious process requiring considerable investment over a long period of time. Such investment will have to include significant investment of financial capital, but no less political capital. Speaking about the need to make some financial sacrifices, I hasten to add that such a financial effort will have to be seen in its proper perspective. Annually, probably less than 1% of what OSCE States spend each year for defence and security would be needed. We are used to thinking of security in terms of protection against aggression from outside. But, as I said before, today we have to take account of the fact that violent conflict *within* a state can lead to a major threat for peace and security. Conversely, the timely provision of financial assistance can help considerably in promoting stability *within* a state. Let me just quote one example. I have developed a number of activities in Ukraine, inter alia concerning the position of the Tatar population in the Autonomous Republic of Crimea. The Tatars, and other smaller population groups who have returned from their deportation to Central Asia, are faced with considerable difficulties in trying to build an existence for themselves and their families. There are very few jobs, almost no housing and few opportunities for education. If these problems are not tackled, Tatar discontent might destabilize a situation in the area which in other political aspects has begun to show a remarkable improvement. But to remedy the situation, large investments are needed, for which the Ukrainian authorities lack the resources, which is understandable in the present economic situation. This means that the international community should be made aware of its responsibility and should step in with considerable financial means. So far, it has been very difficult to persuade a sufficient number of OSCE states about this necessity.

Another example is that sometimes minority groups feel unhappy because they do not get what they want in the cultural or educational fields. Sometimes it is not just unwillingness of the government concerned : it is more a question of the government having little money to spend in these fields. But still the discontent is there ; it can grow and even explode. Here a small injection of capital from outside can help considerably to reduce such a risk.

A final example : sometimes minorities have concrete difficulties in integrating in a specific society, even if they have the wish to do so. Let me just quote the example of the Baltic States, where the ethnic Russians have to pass language tests in order to become Estonian or Latvian citizens. Many of them wish to do so. The problem is that there are no adequate facilities for language training or that the expenses required are too great. And this in turn leads to the situation that they cannot realise what they want to achieve. This is not an insoluble problem as a number of governments and international organizations now begin to realize. A programme of international support can help to solve the problem and to reduce the risk of increasing tensions.

In conclusion, I would like to come back to the OSCE. I would like to mention one more reason why I believe the OSCE is especially well placed to play a role in conflict prevention. In the course of the years, the OSCE has developed, especially during the human dimension conferences, a number of international standards which are very relevant, especially for potential intra-state conflicts. In particular, I am referring to a document which in my view is perhaps one of the most important OSCE documents — second only to the Helsinki principles. That is the 1991: Human Dimensions Copenhagen Document which has some very clear and detailed standards regarding the rights of persons belonging to minorities. If these standards could find wide-spread application throughout the OSCE community, many potential inter-ethnic conflicts could be defused at an early stage. Also, the standard setting in this area would be a precursor of standard setting in other areas where security risks occur.

This can only lead to the conclusion that the OSCE is still at the beginning of the road as far as conflict prevention is concerned. Of course the OSCE has other tasks which I have not mentioned today : arms controls ; conflict resolution and conflict management. But in my view it is in the field of conflict prevention where the OSCE has the strongest potential for further growth.

* Lecture given at the Royal Institute for International Relations, Brussels, Palais d'Egmont, 30 September 1996.