

3.3. “The CSCE in the new Europe”

Speech at the Royal Institute of International Affairs

London, 18 May 1994

Mr. Chairman,
Ladies and Gentlemen,

I am deeply honoured to be able to address this distinguished audience. At the same time it is a genuine pleasure to experience the spirit of a free and frank exchange of views, here at Chatham House.

In this first visit to London by a Secretary General of the CSCE, it is my pleasant duty to recall the particular role of the Prime Minister of the United Kingdom in establishing this CSCE post. It was in fact Mr. John Major who suggested, at the Helsinki Summit in July 1992, that “the CSCE should appoint a Secretary General to assist the Chairman-in-Office”. Endeavouring to live up to those expectations and to the hopes invested in the establishment of this post is a challenging task.

This is why I am particularly grateful for opportunities like the one accorded me today to present and submit to examination what the CSCE is doing. Without broad public support it will be extremely difficult for the CSCE to accomplish what I think it can and must do, namely, make a contribution to establishing new stability between Vancouver and Vladivostok.

Ladies and Gentlemen,

Difficult times provoke interesting discussions. An international debate has been in progress for some time on the nature of the challenges in the post-Cold War era. What kind of response should the international community be making?

The starting point in this discussion is the new Europe. Debate continues as to whether we are dealing with a new order or a new disorder – or whether we have simply returned to the old disorder. Do we need a new, all-embracing vision of Europe, or can we proceed pragmatically step by step? Should we invent new means and new structures, or should we merely adjust the existing ones?

Within the CSCE we are following this debate very attentively. But when possible answers are proposed, the CSCE is mentioned only occasionally. These days the CSCE does not seem to be in fashion. However, away from the limelight the CSCE is quietly at work; it is developing its own contribution to the solution of some of today’s challenging problems. This is a new CSCE, marked by growing operational involvement and by a modest but increasing ability to undertake concrete and effective action.

Political consultation and negotiation are still on the CSCE agenda. But today CSCE consultation is mostly based on, or directed at, concrete action. For that reason, I do not wish to speak at length about visions and structures. Rather, I should like to examine, first of all, what the CSCE is actually doing. Let us consider this question in three key and closely related areas: preventive diplomacy, the development of the human dimension, and co-operative security.

The CSCE has deployed a number of missions. Most of them can be described as conflict-prevention or crisis-management missions. These missions are operating in Estonia, Latvia, the Former Yugoslav Republic of Macedonia, Moldova, Georgia and Tajikistan. Three missions – those in Kosovo, Sandjak and Vojvodina – were expelled last year by Serbia/Montenegro. The CSCE is trying to convince Belgrade of the importance of restoring them, but unfortunately this has not been successful yet.

While all the missions I have just referred to are on a small scale, involving not more than 20 participants, one relatively large genuine peacekeeping operation concerning Nagorno-Karabakh is in the preparation stage. Very specific and, in CSCE terms, large-scale operations are the CSCE Sanctions Assistance Missions. More than 150 people, most of them customs officers, have been deployed to all the countries bordering the Federal Republic of Yugoslavia to help implement the United Nations sanctions.

The dispatch of missions was the CSCE response to the growing number of potentially destabilizing problems and open conflicts in its area. Another incentive for the CSCE to become operational, was the need to share some of the burden of the UN, in line with the letter and spirit of the UN Charter. In a sense this was a pragmatic response to a situation in which there were almost no alternatives. If not the CSCE, then who was to provide international support in lessening tensions in such places as Estonia or Moldova? For political or practical reasons no other international framework was suitable. The CSCE simply had to try.

Allow me to discuss in some detail the Mission to Estonia as an example of a typical preventive diplomacy mission. This mission was established in December 1992 pursuant to a decision by the CSCE Council of Ministers. As you know, the underlying problem in Estonia was the situation of the non-ethnic-Estonian, largely russophone, population. In late 1992 increasing signals of concern were being received from inside and outside the country. While explicitly recognizing that no conflict existed in Estonia, the CSCE came to the conclusion that a permanent mission would promote stability and dialogue between the communities. Since CSCE action cannot be imposed, the dispatch of the mission depended on its acceptance by the Government of Estonia. Obviously, Estonia was sensitive about its sovereign rights so recently re-established after a long period of Soviet domination. However, the Estonian Government recognised the advantages of CSCE involvement and gave its consent.

The CSCE Mission to Estonia numbers six members. Besides its office in Tallinn, the mission has two additional offices, one of them in Narva, a town with an almost 90-percent ethnic-Russian population.

An important part of the mission's work consists in establishing contacts with the competent authorities, in particular those responsible for matters of citizenship, migration and language and for social services and employment. Closely connected with this function are the mission's tasks in collecting information, providing for technical assistance and advising on matters relating to the status of the communities in Estonia and to the rights and duties of their members. Particularly with regard to these areas of its mandate, the mission co-operates closely with the CSCE High Commissioner on National Minorities. The combination of a permanently present, well-informed mission, on the one hand, and the particular capabilities and experience of the High Commissioner on National Minorities, on the other, has proved quite useful.

Thus the CSCE is in a position to offer concrete advice reflecting the specific Estonian situation. The High Commissioner on National Minorities recommended various changes to the first version of the Law on Aliens passed by the Estonian Parliament in June 1993. Heeding this advice, the Parliament amended the law. These amendments contributed to reducing the tension between Estonia and Russia, which had increased dangerously in mid-1993. It was of course very helpful that experts from the Council of Europe had advised to Estonia along the same lines. At present the mission is following with particular attention the procedures in place for obtaining citizenship, residence and work permits as well as alien passports.

As it endeavours to build bridges and overcome divisions in Estonia, the mission is actively involved in encouraging dialogue between the government and the non-ethnic-Estonian population. It has contributed to getting the work of the presidential roundtable started, which brings together State officials and representatives of the non-ethnic-Estonian population to discuss their problems. The mission's presence at the presidential roundtable may well facilitate its work.

Under its mandate the mission is to support the re-establishment of a civic society, in particular through the promotion of local mechanisms designed to facilitate dialogue and understanding. In this context the mission presented a number of suggestions aimed at carrying out orderly and representative local elections in Estonia in October 1993. There was a danger that the non-ethnic-Estonian population would set up parallel representative but illegal "community structures". This was ultimately averted by extending the passive voting right and facilitating the naturalization of some candidates for public office, as recommended by the mission.

Estonia and Russia have had and continue to have to cope with extremely complex and difficult problems. It has been possible, however, to contain the tensions below the threshold of open conflict. This must be credited to far-sighted, responsible behaviour on all sides. Although very serious problems remain and further forward-looking decisions will soon have to be taken, it is gratifying to note that the CSCE may have contributed to preventing an open conflict. At the same time it should be emphasized that in Estonia as elsewhere the success of the CSCE effort was heavily dependent on continuous and visible support from CSCE participating States.

By way of highlighting the complexity of the situation in Estonia, let me remind you that the status of the non-ethnic-Estonian population is only one of the problem areas between the two sides. Another is the problem of the withdrawal of Russian troops.

The CSCE and Estonia refuse to link the two issues. But the CSCE is also involved in the withdrawal question. The negotiations on troop withdrawals are being conducted on a bilateral basis between Estonia and Russia, but they are based on a decision of the CSCE Summit in Helsinki in 1992 calling for the negotiation of the early, orderly and complete withdrawal of Russian troops from the territories of the Baltic States. Within the framework of the ongoing political consultations of the CSCE – which, are now a part of the weekly meetings of the Permanent Committee in Vienna – the CSCE participating States are regularly informed about the progress or lack of progress in these bilateral Estonian-Russian negotiations on troop withdrawals. This provides an opportunity for participating States to express their views on this issue. Despite many setbacks, the withdrawals have been progressing, and it is hoped that the negotiations on this issue can soon be completed. The CSCE consultations may well have been a positive factor in this process.

A few very brief remarks on the CSCE Mission to Latvia. This mission, which is very similar in tasks and size to the one in Estonia, was deployed to Riga in November 1993. At the end of April Latvia signed an agreement with Russia on the withdrawal of Russian troops. One collateral aspect of this set of documents is the request to the CSCE that it monitor the implementation of an agreement on the time-limited use by Russia of a radar installation at Skundra. This adds another element to the CSCE's activities in this area.

Ladies and Gentlemen,

Another type of CSCE mission, namely a crisis-management mission, can be seen in the Mission to Moldova. Unlike the situation in Estonia, this mission was despatched after the conflict had already degenerated into a military conflict. Military aspects are part of the day-to-day activities of this mission.

The conflict in Moldova started in the spring of 1992. The region of Transnistria, referring to rumours about Moldova's integration into Romania, embarked on a policy of secession. In June 1992 there were violent disturbances on a para-military scale, resulting in many killed and wounded.

The CSCE decided to dispatch a mission in April 1993. Stability on the ground had been restored by Russian forces, but efforts towards a political settlement were deadlocked. The overall task of this mission is to break the impasse and assist in developing lasting solutions to the underlying problems.

The mission has been instructed to facilitate the establishment of a comprehensive political framework for dialogue and negotiations with a view to a lasting political settlement of the conflict. It has formulated a comprehensive proposal on a special status for Transnistria that has been the subject of favourable comments by the parties concerned and by Russia and is now in fact a basis for the process of finding a solution.

The mission has also the task of investigating specific incidents. In this context it has been involved in the so-called Ilascu case, Ilascu being the name of the principal defendant from among a group of Moldovans detained in Transnistria and accused and sentenced by a court in Transnistria of terrorist activities. With the active support of

the CSCE Office for Democratic Institutions and Human Rights, the trial was reviewed by international legal experts. These experts established that there had been serious violations of the rules of due process. There are good prospects for further steps aimed at solving this problem with full respect for the rule of law.

The Mission has also been asked to furnish general legal advice and expertise; in particular, it is to provide a framework for contributions on issues relevant to a political settlement, e.g., minority rights, democratic transformations, etc. Again with the support of the Office for Democratic Institutions and Human Rights, the mission was able to provide expert counselling on constitutional law for the benefit of the Moldovan law-makers and the Moldovan Government.

The mission's task is also to gather information on the situation, including the military situation, and to encourage negotiations on the status and withdrawal of foreign troops. The mission is regularly briefed on progress in the negotiations on the withdrawal of the 14th Army. It is also negotiating the modalities for its participation in the work of the joint control commission and the observation of peacekeeping activities in the so-called Security Zone.

The most recent meeting between the President of the Republic of Moldova, Mr. Mircea Snegur, and the Transnistrian leader is seen as a breakthrough towards an ultimate settlement of the conflict. On 28 April 1994 these leaders signed a joint Declaration establishing the basis for a negotiated agreement resolving the dispute over Transnistria.

The Declaration was countersigned by the Head of the CSCE Mission and a Russian representative. The Declaration, which sets out the agenda for immediate negotiations, pays tribute to the CSCE contribution. The Parties declare that in seeking agreement they "...will take into account the recommendations of the CSCE Mission." The CSCE Mission is now actively involved in assisting the expert negotiations.

Ladies and Gentlemen,

CSCE activities in Moldova, Georgia, and Tajikistan, and CSCE efforts concerning the conflict dealt with by the Conference on Nagorno-Karabakh have also to be seen in conjunction with the diplomatic and military activities of Russia in relation to these issues. This is obviously an important and delicate subject for the CSCE. But it is also an important subject for Russia and other CSCE participating States directly or indirectly involved in it. In each of the situations mentioned Russian diplomatic and military involvement is different. In my view, however, it is crucial in all cases to try to maintain or to establish a CSCE framework that should encompass, on the basis of full respect for CSCE principles, the necessary contributions by CSCE participating States, made individually or collectively. At this point, and with many conflicts active or looming up in member countries of the Commonwealth of Independent States, this is one of the most challenging tasks that the CSCE has to deal with. In short the question is, how can the diplomatic and military potential of all the CSCE participating States be brought to bear in a manner acceptable not only to the State directly concerned but to the CSCE community as a whole.

As you know, Foreign Secretary Douglas Hurd and Foreign Minister Andrei Kozyriev have dealt with this question in a joint article. What they wrote in December last year is, in my view, still true today: “ We need to deal with it together in a spirit of partnership. And we need to deal with it urgently.”

This is what the CSCE is trying to do on several levels. As far as third-party military deployments in conflict situations within other CSCE States are concerned, the CSCE Rome Council asked to actively pursue deliberations on this issue. These are based on the agreement in Rome that “exceptionally, on a case-by-case basis and under specific conditions, the CSCE may consider the setting-up of a CSCE co-operative arrangement in order, *inter alia*, to ensure that the role and functions of the 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 co-operative arrangements, certain criteria and principles would have to be observed: respect for sovereignty and territorial integrity; consent of the parties involved; impartiality; multinational character; clear mandate; transparency; integral link to a political process for conflict resolution; plan for orderly withdrawal. Meanwhile it has also been agreed that some form of CSCE monitoring must accompany the acceptance of the presence of a third party by the CSCE. Discussions, or rather negotiations, on this point are continuing in the Permanent Committee of the CSCE – not as quickly as foreseen in Rome, but with good prospects for considerable progress by June.

While the discussions on a general framework for such co-operative arrangements continue the CSCE is gaining some limited experience in individual cases. In Georgia arrangements have been agreed for CSCE co-operative monitoring of a tripartite peacekeeping operation in South Ossetia, with the inclusion of a Russian contingent. Negotiations are underway on somewhat similar arrangements for Nagorno Karabakh. Finally, it should be mentioned that Russian diplomatic involvement in solving the several crises with which the CSCE is dealing in Moldova, the Caucasus and Tajikistan is also very important. Here, too, in the interest of all concerned constant efforts are needed to establish the CSCE as a forum and framework guiding and reinforcing the efforts of individual participating States.

Ladies and Gentlemen,

Almost all of the new, post-Cold War conflict situations are rooted in unsolved issues involving national minorities. Targeted preventive action touching upon this ethnic dimension has become crucial for restoring stability. The CSCE High Commissioner on National Minorities is an innovative CSCE asset. His mandate relies on discreet diplomacy and authoritative advice. Mr. Max van der Stoep, who is currently holding this post, has been involved in national minority questions in Estonia and Latvia, in FYROM, Hungary, Slovakia, Romania, Greece and Albania. He has paid visits to Ukraine, Kazakhstan and Kyrgyzstan. He has made a study of the Roma population. The High Commissioner’s method relies on political persuasion through direct contacts with the State leadership and with minority group representatives. He recommends practical measures and he monitors implementation of his recommendations. The HCNM’s record is impressive even if it does not make front-page news.

Over and above national minority issues, the CSCE tries to contribute to the development and strengthening of the human dimension. A lasting and peaceful order cannot be envisaged unless it is based on human rights, democracy and the rule of law. The best recipe for preventing conflicts is the consolidation of a civic society.

In the human dimension the CSCE has developed high and in some areas the highest international standards, particularly since the Charter of Paris in 1990. We are now trying to care for and focus more attention on and promote the implementation of these commitments.

This difficult task has been entrusted to the CSCE Office for Democratic Institutions and Human Rights in Warsaw, now lead by a British diplomat, Mrs.

Audrey Glover. It is, as is usual for the CSCE, a small office. It co-operates closely with other international organizations, more especially the Council of Europe. I continue to be impressed by the broad spectrum of its activities. Recently, the ODIHR arranged, and to a certain extent co-ordinated, international observation of elections, for example, in Kazakhstan, Moldova and Ukraine. Following the elections, the ODIHR prepares a list of recommendations for improvement so that monitoring is not conceived as mere control, but as part of an overall co-operative approach.

Almost one third of the CSCE community are States which have only recently gained independence. Many of them have had no experience of statehood and carry the legacy of totalitarian regimes. To implement human dimension commitments for these countries means a serious effort to establish a legal and institutional basis and to develop patterns of political culture. The CSCE is trying to help by integrating them into CSCE structures and activities. The CSCE Office for Democratic Institutions and Human Rights is also available as a clearing house for expert advice on constitutional and legal matters. The seminars organised by the ODIHR create possibilities for an open dialogue. A seminar on the human dimension recently organized in Almaty evoked lively and interesting discussions in which the Central Asian States and NGO's made very constructive contributions.

Ladies and Gentlemen,

One of the aims of the new CSCE is to strengthen co-operative security. The CSCE cannot provide collective defence and does not therefore offer its members the active security guarantees of an alliance. But by promoting co-operation in security matters the CSCE helps to strengthen the perception of indivisible security. This is a very specific concept. It implies the commitment by States, individually and collectively, not to enhance their security at the expense of the security of other States. But it should, in my view, also mean that no State will be left alone if its security is threatened.

Developing co-operative security is an ambitious target. But some of the necessary components are already there. The CSCE, indirectly or directly, is the political guardian of the arms control agreements which can form the basis of a new order of military security in Europe: the CFE Treaty, the CFE 1 A Act on Personnel and the Vienna Document on Confidence- and Security-Building Measures. Last November, the CSCE Forum for Security Co-operation agreed on new measures concerning

information on defence planning, on military contacts, on stabilizing measures for localized crisis situations, and on conventional arms transfers.

Negotiations are underway to rationalize and harmonize, in relation to all CSCE participating States, a number of the provisions of existing arms control instruments that have been agreed between NATO and the former Warsaw Pact countries. The Budapest Summit in December of this year will most probably have before it a draft CSCE Code of Conduct. It should be a substantial document guiding relations between States in the new, post-confrontation security environment.

Mr. Chairman,

I have presented examples of what the CSCE is actually doing.

- How the CSCE is contributing to preventive diplomacy;
- How the CSCE is helping to establish and consolidate civic societies;
- How the CSCE is contributing to co-operative security.

What then are the conclusions to be drawn in connection with the CSCE's role in the new Europe?

Firstly, the CSCE continues to be a framework for setting standards and establishing norms. The principles and detailed CSCE standards, applied in the human dimension, constitute a regulating basis for the behaviour of States both internally and in their international relations. These CSCE commitments provide a moral indicator for all participating States seeking to face together the difficult and challenging times. The conflicts and hostilities of the early 90's have done a lot of harm to the credibility of common values. Human rights have been violated, the principle of the non-use of force ignored, the appeal for solidarity disregarded. But the strength of their stability- and peace-building potential must be restored. Naturally, the CSCE cannot limit itself to merely indicating the right course. It has to support actively all those ready to move in that direction.

Secondly, the CSCE is active in preventing and managing conflicts. The CSCE has a number of comparative advantages for dealing with early warning and conflict prevention. CSCE capabilities in crisis management, including actual peacekeeping, are limited to smaller operations.

To use the CSCE effectively we must realistically assess what it can do and what it cannot do. The CSCE is a framework and a tool for international action. The real leverage for settlement lies with individual States. The CSCE can shape the mainstream of international opinion. Combined with suitable face-saving procedures this could lead to more compromising attitudes. Parallel, well co-ordinated action by individual States is, however, often crucial. The level of such direct or indirect support is the limit of the CSCE's effectiveness.

Equally, the CSCE can offer the parties to a conflict its help in finding convenient neutral ground for conducting negotiations. But it cannot make up for a lack of good will on the part of the parties involved. Again, the amount of this good will is the limit of what the CSCE can do.

Thirdly, the CSCE is one element in a developing structure for restoring stability and indivisible security. It cannot offer alliance-type guarantees, neither can it provide States with financial or technical assistance. Thus it does not compete with organizations able to perform such functions. CSCE principles and CSCE structures can contribute considerably to the acceptability of all the elements of a security system. A strong CSCE makes it easier for all its participating States, irrespective of their size, to find an appropriate place within the developing structures.

One of today's basic challenges is to satisfy the manifold concerns of the countries in transition. The CSCE tries to mobilize solidarity. Its emphasis on the principle of indivisible security and indivisible stability must go beyond words. The CSCE as a regional arrangement under the UN Charter is at the same time providing a flexible link with the UN.

Fourthly, the CSCE is, in a sense, a method of solving problems by peaceful means. This method includes consensus-building, patient but determined persuasion, and dialogue based on partnership and conducted on a basis of parity. The CSCE approach seeks to generate co-operative behaviour. It is positioned to involve and include. This "all-inclusiveness" and a comprehensive political mandate makes the CSCE a unique body over an area stretching from Vancouver to Vladivostok. This should not, however, be seen as a kind of hierarchy. Just the opposite. The CSCE framework facilitates individual and collective action in full compliance with the rules of the game.

Mr. Chairman,
Ladies and Gentlemen,

Allow me a final remark. What has happened in former Yugoslavia and lately in Rwanda has delivered a shock to the international community. We are now faced with a yawning gap between exaggerated expectations and the brutal facts of the real world. As a consequence, the denigration of institutions has become a la mode. There is certainly much room for constructive criticism. But there is also a great risk that by focusing on what we cannot do, we undermine our readiness to do what we can do.

I have tried to present the facts and I hope you have not found me too complacent. Let me say it again explicitly: there is a lot of unfinished business within the CSCE.

But the CSCE can make and is making a contribution to the new stability. We try to avoid the trap of bureaucracy. Despite our rather rapidly expanding activities we still have a small budget. It is less than US\$ 18 million, all included.

Preventive diplomacy and conflict prevention are challenging tasks. It is not like fighting a pitched battle, where at the end of the day you have lost or won. It is more a continuous, sometimes slow circular movement looking out for the right access to the gist of the problem. It needs patience and perseverance – and understanding and support from governments and from the public at large. I think the work that is being done justifies this.