CSCE Conflict Resolution in Practice
A Work in Progress

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Introduction
Having served as a magnet for innovation in post-Cold War foreign policy, the CSCE has developed a near-comprehensive array of responses to the challenge of maintaining stable development (for which democracy, observance of human rights, peace and economic development are understood to be preconditions) in the CSCE area. However, any observer of the European scene cannot help but note that even CSCE’s limited place in the public eye has declined; it is also clear that CSCE is not at the forefront of policymakers’ minds. Nonetheless, some of its efforts are bearing fruit; these small successes, combined with the failure to solve the conflicts that catch the public eye, raise the question of what multilateral conflict resolution means in practice, and what its strengths and limitations are in an era of decreasing national sovereignty but increased nationalistic sentiment.

In many areas, the CSCE involvement must be acknowledged as the most limited of responses by international organizations. Precisely the CSCE’s low profile and its lack of fixed procedures, however, are what has allowed it to innovate. This potential for innovation, in combination with its comprehensive membership and mandate, give it great potential to respond to emerging conflict, seen through the prism of the Helsinki Decalogue and subsequent commitments.

CSCE Conflict Resolution Mechanisms
CSCE responses to potential conflicts in the region, both through consensus statements or decisions and through consensus-developed procedures that could be used by a limited number of states, had begun to develop by the late 1980s. The 1986-9 Vienna Follow-Up Meeting established a procedure for states to demand information on, and meetings to discuss, human rights-related situations in participating states. 2 1990 development of a counterpart for multilateral discussion of unusual military activities was followed by 1991 enhancement of the ‘Human Dimension Mechanism’ to include fact-finding or advisory missions, even without the consent of the visited state. 3 The non-binding Mechanism for the Peaceful Settlement of Disputes established by the 1991 CSCE Valletta Meeting, riddled with exemptions, was joined in 1992 by: provision for the

1. The views expressed are the personal views of the author and do not represent the policy of the Commission on Security and Cooperation in Europe or the US Government.
2. Paragraphs 1-4 of the ‘Human Dimension of the CSCE’ chapter of the Concluding Document of the Vienna Meeting; for an account of the negotiations see, i.a., William Korey, The Promises We Keep: Human Rights, the Helsinki Process, and American Foreign Policy, New York, St. Martin’s Press, 1993, pp. 407-412.
3. Paragraphs 1-16 of the Moscow Document of the Conference on the Human Dimension of the CSCE; on its negotiation see Korey, pp. 408-413.
CSCE's governing body, the Committee of Senior Officials, to direct two disputing parties to conciliation without their consent; a pre-existing conciliation procedure for states' use; and a treaty setting up a legally-binding Court of Conciliation and Arbitration within the CSCE framework, which 32 CSCE states had signed by January 1994, although none have ratified.

These procedures have been little-used. However, a parallel network of CSCE consultations and informal procedures leading to greater activism in conflict prevention has emerged. After the Rome Meeting of the CSCE's Council of Foreign Ministers (30 November-1 December 1993) the array of CSCE techniques stands as follows:

**Short-term Rapporteur or Expert Missions**
To indicate international concern, provide for an immediate international presence, gather information, or prepare for longer-term involvement, the CSCE sends missions of diplomats and/or experts to a region. Establishment of a mission normally requires a consensus decision by the Committee of Senior Officials (CSO) or its Permanent Committee, meeting weekly in Vienna. Nine or thirteen states may, in certain circumstances, mandate the creation of a mission under the terms of the CSCE's Moscow Mechanism on the Human Dimension. Such missions may not be refused by the receiving state.

**Personal Representatives**
CSCE's Chair-in-Office may also appoint, for a long or short period, a personal representative on a given issue. Personal representatives have been used to prepare the way for long-term missions or to provide a presence where a full mission is not seen as necessary or desirable (Moldova in the former case; Tajikistan in the latter). The appointment of a personal representative can ensure a high-level or expert presence and continuity to work with a host government or other international organizations; allow a particular country to increase its profile in a region under a CSCE mantle (e.g. a Turkish Personal Representative to Tajikistan); or ensure a flexible approach to a delicate issue.

**Long-Term Missions**
An innovation between short visits and full peacekeeping (discussed below), the long-term missions put in place by the CSCE aim to assist in easing or resolving conflicts as well as gathering information, but do not dispose of military, let

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5. For the general mandate foreseeing missions, see the *Helsinki Document 1992*, Chapter III, paragraphs 12-16. The Moscow Mechanism permits nine states to dispatch a mission on human dimension related concerns when the relevant state has not satisfied their inquiries or accepted a mission of its own accord and allows thirteen states to send a mission directly in extreme cases.