Introduction

Since the adoption of the Helsinki Final Act in 1975, the Conference on Security and Cooperation in Europe (CSCE) has been an important intergovernmental forum for addressing issues of peace and stability in the region. Through CSCE, also known as the Helsinki process, participating states agree to observe and promote wide-ranging commitments in three principal areas: military security, economic cooperation, and human rights. Currently there are 53 participating states, including all of the countries of Europe and the former Soviet Union, as well as the United States and Canada.

In the few years since the dissolution of communist rule in the Soviet bloc, CSCE has become a significant mechanism for responding to nascent conflicts that threaten collective security. With the conclusion of milestone human rights agreements in the immediate aftermath of the Cold War, a new emphasis on conflict prevention, crisis management, and peacekeeping has now developed. National minority issues, especially in the context of growing inter-ethnic tensions, have gained greater recognition as a source of possible conflicts. CSCE has increasingly sought to respond proactively to these potentially destabilizing circumstances.

Since 1989, significant steps have been taken to widen CSCE's authority in the resolution, and now the prevention, of ethnic conflicts. New CSCE agreements have allowed greater response by participating states to developments in each other's 'internal' affairs, including response to alarming changes in inter-ethnic relations. At its 1992 Follow-Up Meeting in Helsinki, CSCE took the unprecedented step of establishing a High Commissioner on National Minorities, expressly to provide 'early warning' and 'early action' on ethnic tensions that could develop into a conflict threatening peace, stability, or relations between participating states.

---

1 The authors have written this piece in their personal capacities.
Greater CSCE ‘intrusiveness’ in the ‘internal’ affairs of participating states

The establishment of the office of High Commissioner adds significantly to what might be dubbed the ‘increasing intrusiveness’ of CSCE. This trend has emerged both within the human rights category of CSCE, known as the Human Dimension, and in the area of conflict prevention and crisis management.

During the first 15-odd years of the Helsinki process, the principle of non-intervention in internal affairs was used by participating states to ward off unwanted scrutiny of internal human rights conditions. However, with the changes in the Soviet Union and the rest of Eastern Europe, international involvement in such issues has been explicitly accepted by all CSCE participating states. Incrementally, CSCE approved a number of institutional tools, each of which sanctioned greater and greater monitoring of, and response to, human rights developments within a participating state. At the same time, the hitherto-sacrosanct CSCE principle of consensus decision-making was abandoned in certain instances.

These changes started with the adoption of a mandatory four-stage procedure for inter-state dialogue on human dimension issues. CSCE then established a mechanism of expert- and rapporteur-missions, which can be initiated by a minority of participating states without the necessary consent of the state to be visited. A new stage has now been reached with the creation of the High Commissioner, who is obliged only to consult with the Chairman-in-Office and the state he or she wants to visit.

The Human Dimension at the Helsinki Follow-Up Meeting

With emphasis placed primarily on conflict prevention, crisis management and peacekeeping, the Helsinki Follow-Up Meeting devoted less attention to human dimension issues, the bulk of which were treated extensively at previous CSCE meetings. The order of subjects in the Helsinki Document is one indication of this shift in focus: the chapter on the Human Dimension follows the passages on CSCE institutions and structures; early warning, conflict prevention and crisis management; and CSCE’s external relations. At Helsinki, participating states were less interested in coming to new normative commitments on human rights, and more interested in creating tools to promote the implementation of standards adopted over the years. As the annexed text testifies, the Human Dimension chapter (Chapter VI in the Helsinki Document) first elaborates the framework for monitoring compliance with CSCE commitments and for promoting cooperation in the Human Dimension. Enhanced commitments come only second.