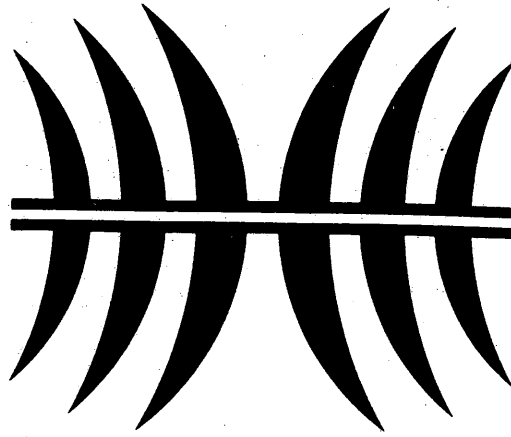


**THE HELSINKI FOLLOW-UP MEETING
OF THE CONFERENCE
ON SECURITY AND
CO-OPERATION IN EUROPE**

March 24 - July 8, 1992



**A Report Prepared by the Staff of the
Commission on Security and Cooperation in Europe
September 1992**

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Commission on Security and Cooperation in Europe
237 Ford House Office Building
Washington, DC 20515

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Among the most historic steps taken during the meeting were the decisions to apply the consensus-minus-one procedures adopted by the Council of Ministers in January 1992 in two separate actions against Serbia and Montenegro, which had claimed the seat of Yugoslavia within the CSCE process. First, finding a pattern of "clear, gross and uncorrected violations of CSCE commitments," the CSO suspended Yugoslavia (Serbia and Montenegro) from participating in decisions relating to the crisis. In light of further subsequent deterioration of the crisis, representatives of Yugoslavia (Serbia and Montenegro) were then barred from attending any CSCE meetings until October 14, 1992, when the CSO is mandated to revisit this decision.

It was thought that the end of the Cold War would leave Europe freer and more united and peaceful than ever before. But the Yugoslav crisis and similar problems that have since erupted have left the CSCE participating States groping for direction; much of the euphoria that surrounded the adoption of the 1990 CSCE Charter of Paris for a New Europe had dissipated by the time the Helsinki Meeting opened. At a time when ethnic conflicts were fostering insecurity in the East and taking their toll in parts of the West, the member states of the European Community (EC) found themselves struggling with uncertainty, damaged first by inability to end the Yugoslav conflict, undermined by a less than fully effective presidency in the first half of 1992, and, finally, questioned as a symbol of European unity in light of the mid-June Danish referendum rejecting the Maastricht treaty. At Helsinki, consequently, EC effectiveness in shaping the course of the meeting did not live up to West European hopes or expectations. And while Europe in general and France in particular remained sensitive to appearances of American domination, a need for a U.S. presence and leadership in Europe was evident at the Helsinki Meeting as a result.

The escalation of open violence in several participating States repeatedly drew attention away from the task of developing crisis prevention and management tools for future use to the task of responding to crises that had already erupted. Nevertheless, delegations were able to engage in implementation review and negotiations aimed at improving relations among the participating States. It was clear at the outset of the Helsinki Meeting that a large number of participating States wanted to give prominence to the areas of military security and CSCE institution building, while relegating the Human Dimension and economic cooperation to second place. The United States and several other states, however, persuaded the Helsinki Meeting to place all of these areas on equal footing, resulting in the establishment of four working groups: Institutions and Structures; Military Security; The Human Dimension; and Economics, Environment, Science and Technology.

Nonetheless, throughout the meeting, emphasis was given to the first two working groups. The modest results of the economic/environmental working group's efforts mean that the "forgotten basket" of the CSCE will likely slip further down the CSCE agenda. And the lackluster implementation review in the working group on the Human Dimension,

the dearth of discussion of human rights in summit remarks, and the comments heard in corridors that the problems of the Human Dimension were now largely solved, cast doubt on the CSCE's ability to bring lasting solutions to violence flowing from the denial of basic human rights.

Altogether, a total of 63 formal proposals were introduced: six in plenary, 14 in the working group on structures and institutions, one in the working group on military security, 26 in the working group on the Human Dimension, 11 in the working group on economic and environmental cooperation, and one during the summit. The United States introduced formal proposals on the peaceful settlement of disputes, Human Dimension seminars on migration, tolerance, and free media, traveling CSCE seminars on building democratic institutions, and on an economic forum. In the end, agreement was reached on organizing the institutions, mechanisms, rapporteur and fact-finding missions, and the political consultative process that the CSCE has now established. Potentially most important of all, agreement was reached on the principle that the CSCE may undertake peacekeeping in order to supervise and maintain ceasefires, monitor troop withdrawals, and provide humanitarian medical aid. However, the mandate is likely to exclude CSCE from much traditional peace-keeping activity, as it states flatly that CSCE peacekeeping will not involve enforcement action and provides that any proposed action may be referred to the UN because of its size or character.

In addition, follow-up work was mandated in several areas, including military security, peaceful settlement of disputes, economic and environmental cooperation, and the Human Dimension. This follow-up work will take different forms, from long-term, open-ended meetings (military security) to short, fixed-term seminars (Human Dimension). Efforts were also made to provide for greater interaction between the CSCE and non-governmental organizations (NGOs), and CSCE institutions were tasked with providing the public more information. Finally, closer links were forged between the CSCE and Japan, and international organizations such as the UN, NATO, and the Council of Europe.

There was a small but steady presence of NGOs throughout the meeting, primarily consisting of Finnish NGOs but also including several U.S.-based and European organizations. Organized with the assistance of an NGO office, NGOs held regular seminars and briefings in Helsinki for the public and interested delegates. The fact that these took place outside of the conference center, however, limited delegate attendance and confined most NGO-delegate interaction to private, bilateral meetings between NGO representatives and members of individual CSCE delegations. Efforts to spur public interest and involvement, as well as to increase the transparency of CSCE institutions, were met with indifference or hostility by many delegations. In the era of the global village, their preference that CSCE remain a closed shop for diplomats seems unlikely to help its development.

II. CONCLUSIONS

The Helsinki Follow-Up Meeting reaffirmed, but did not complete, the CSCE's transition from process to structure. The network of CSCE bodies and work methods described in the beginning sections of the Helsinki Decisions is greatly developed and clarified from its Paris genesis. Some effort was also made to integrate existing structures and past practices. Notably, the CSCE took as its central concept for the future the U.S.-proposed theme "managing change." While the United States put this forward as a response to perceived European negativism and tendency to paint the future in apocalyptic colors, requiring only conflict-oriented responses, it was also telling that the United States and others were ready to see the CSCE as a key instrument for the management of inevitable change, rather than looking past the CSCE in efforts to maintain the status quo.

The period since the Vienna Follow-Up Meeting has seen a sea change in participating States' interest in using the CSCE to address and solve problems multilaterally. The institutions of the Charter of Paris, flawed though they are, were the first indication of this development -- their failure to react effectively to crises from Riga to Skopje reflected the less-than-complete willingness to use what had been created. The membership and subject matter limitations of organizations such as NATO and the Council of Europe, combined with a proliferation of conflicts after the signing of the Charter, made the CSCE a more palatable choice for responses.

This increase in political will to work through the CSCE was clearly evident in Helsinki. Commitments to use the CSCE for peacekeeping, aid to new states, and a host of other issues were expanded. More concretely, the CSO's role in crisis management expanded during the follow-up meeting, from suspending Yugoslavia (now representing only Serbia and Montenegro) to setting up a peace conference on Nagorno-Karabakh and attempting to send monitors to the region.

The CSCE gave itself several new tools, from regular reviews of implementation to the High Commissioner on National Minorities and peacekeeping capabilities. These new tools, it is hoped, will enable the CSCE to play a key role in managing post-Cold War relations among states of Europe, North America, and Central Asia. But given the inability of participating States to specify spheres of competence for the various institutions, this system, and thus the CSCE's role, will inevitably continue to be largely ad hoc.

The structures of the CSCE have another fundamental purpose, the achievement of which would be the best way of assuring peace and prosperity throughout the region - monitoring and assisting the observance of CSCE principles and commitments. This fundamental *raison d'etre* often seems to have been lost, as participating States rush to quick-fix mechanisms and procedures. The resulting lack of focus on implementation,

difficulty in viewing human rights violations or economic and environmental degradation as threats to security, and disinterest in the Human Dimension bring the foundation of the CSCE's activities into question.

Indeed, the Helsinki Meeting revealed substantial disagreement among the participating States in their approach to the Human Dimension of the CSCE. For the most part, the United States, sometimes with broad support but in many cases purely by the force of its own efforts in Helsinki, prevailed in having its views reflected in the concluding document, with the Human Dimension remaining central to the CSCE and its broad concept of international security. At the same time, other participating States, and particularly those within the EC, may have acquiesced only unwillingly to some U.S. points of view in Helsinki, remaining unconvinced that the Human Dimension should remain a prominent and active field for the CSCE. The dearth of discussion of human rights in summit remarks, and the comments heard in corridors that the problems of the Human Dimension were now largely solved, cast doubt on the CSCE's ability to bring lasting solutions to violence flowing from the denial of basic human rights. This was compounded by the reluctance of participating States to confront directly the issue of self-determination, even as problems relating to self-determination were at the core of many of the on-going crises that absorbed the Helsinki Meeting.

The CSCE, while its tools and implementation reviews have always enabled it to identify problems, has been markedly less successful at solving them. While it undoubtedly took on more than it (or perhaps any other organization) could handle in Yugoslavia and Nagorno-Karabakh, failure to look comprehensively at the situation in participating States, as the "old CSCE" and the Western insistence on complementary progress in all three baskets provided, is likely to lend a short-sighted cast to proposed solutions.

For example, most participating States assign national minority issues pride of place among the challenges facing them. Most are unable to see human rights issues as key challenges, however, and insist on considering national minority issues as a conflict prevention problem and only incidentally among human rights issues, considering the latter largely ancient history. Such short-sighted approaches lead to misunderstandings of the nature of violent conflicts, and handicap efforts at long-term solutions, as opposed to temporary cease-fires or stand-offs.

The dichotomy described above is central to several unresolved tugs of war which, while they lend vitality to CSCE proceedings, may seriously compromise its effectiveness in a time of dwindling resources. Battles over legalization of CSCE commitments, from the foundation of the institutions themselves to proposed courts and treaties, will continue. States interested in activities aimed at improved implementation of CSCE commitments and thus long-term conflict prevention will have to struggle against the trend to give priority to high-visibility responses to crisis situations, especially when those high-visibility remedies are torturous procedures, courts or treaties that are never used. They will also

have to develop better justifications for their approach, and better methods of taking action than small seminars for diplomats.

The diplomatic process inevitably resolves differences such as those discussed above through compromise. Compromise among national interest does not, however, provide the straightest road to peace and stability. In Helsinki, diplomacy-as-usual spawned an arms control forum that completely avoids hard arms control, one-week meetings of diplomats to address the most pressing problems in the CSCE area, and continuing expansion of CSCE institutions with visible reluctance to fund them adequately.

If the CSCE is to be a central institution for its participants, hard decisions will have to be made which cannot always please everyone. Serious rationalization and prioritization, or printing presses for a new CSCE currency, will be required. CSCE cannot be all things to all participants; but to date, no participating State has put forward a well-explained vision of what the CSCE and its institutions should become. This flexibility of purpose, while allowing the CSCE to respond as its environment changes, will lead to its over-extension and irrelevance unless states are willing to approach it -- and every CSCE activity agreed to -- with adequate funding, staffing and political will to take and implement meaningful decisions. In Helsinki, CSCE states demonstrated more interest than ever before in addressing a host of problems through the CSCE; however, their determination to see each area through to a resolution remains in doubt.

Public interest is an important component of political will, a fact which is often lost sight of in the preoccupation with diplomatic activity. Interest in using the CSCE and, in some countries including the United States, support for participation in the CSCE are contingent on public awareness, support, and pressure for the observance of principles and the use of methods to which participating States have committed themselves. Over recent years, however, as CSCE activities have become more arcane and less focused on traditional human rights concerns such as political prisoners and divided families, public interest has declined. Efforts to spur public interest and involvement, and to increase the transparency of CSCE activities, have been met with indifference or hostility on the part of many states. In the era of the global village, the notion that any institution can survive and prosper as a closed shop for diplomats is mistaken. Governments must keep this in mind, as should NGOs and individuals who would like to see the Helsinki process and its fundamental principles prosper.

Another key component of political will, both for the public and for governments, is the problem of financing. Costs may well handicap major operations like peacekeeping, but they already impinge on implementation of agreed activities by the institutions and on consideration of new proposals. Unwillingness to commit to the CSCE resources commensurate with national ambitions for it, or to make the hard choices required by limited resources, will handicap even routine CSCE activities and make extraordinary ones, such as peacekeeping missions, impossible. If the establishment of the CSO financial

committee were to lead to systematic review and consideration of expenses and cost-cutting measures, it would be one of Helsinki's major achievements.

CSCE institutions, now that ideological solidarity no longer motivates its participants, could provide institutional impetus for decisions and actions which states may not be prepared to take on their own. The Helsinki Meeting took further steps in this direction. Yet institutional impetus is of little use if states are not prepared to fund and, more importantly, to authorize collective action. Political will is the cornerstone of CSCE activity. All the "early warnings" received, all the dispute settlement procedures in place, and all the resources the institutions can muster are useless without participating State willingness to address problems and conflicts, and to address them multilaterally through the CSCE.

Continued willingness to work through the CSCE, to use its mechanisms and procedures, and to make its commitments meaningful, proceeding from the CSCE's fundamental principles and goals, is more important to the CSCE's future than any specific proposal adopted in Helsinki. If, however, governmental interest in the CSCE focuses on CSCE structures and tools, without concern for the fundamental causes of tensions and aspirations of peoples, the CSCE will become a dysfunctional and eventually non-viable organization of diplomats, rather than the inspiration to the people that gave the CSCE its strength in the past.

III. FROM PARIS TO HELSINKI: SETTING THE STAGE

The Helsinki Meeting was the fourth meeting held to follow up on the original work that led to the signing of the Helsinki Final Act in 1975. The choice of Helsinki as a setting had symbolic importance: During a time of change within the CSCE and throughout its participating States, the conference returned to its cradle with high hopes for promoting its identity and role.

Previous follow-up meetings, in Belgrade (1977-78), Madrid (1980-1983), and Vienna (1986-1989), had been convened with the three-fold goal of reviewing implementation, considering new proposals to enhance existing provisions, and adopting a concluding document. Between the Vienna and Helsinki Follow-Up Meetings, however, the activities of and aspirations for the CSCE had changed dramatically. The collapse of repressive regimes in East-Central Europe in 1989-90, combined with the unification of Germany, left an undivided, euphoric Europe with newly-stirred ambitions for closer cooperation. With Soviet-imposed political, economic, and military institutions rapidly being phased out in the East, and the future role of NATO in doubt in some quarters, many countries -- most strongly the newly unaligned East-Central European states -- felt the need for new institutions, new systems of cooperation and support. The CSCE, comprehensive both in membership and mandate, seemed the ideal organization to meet this need. Vaclav Havel, then-President of Czechoslovakia (formerly a dissident "raised" under CSCE mechanisms), has described it as having "the potential of one day becoming a genuine guarantor -- in fact, the chief guarantor -- of collective European security."¹

The desire for, if not a complete security system, new institutions to fill the void left by the demise of the bipolar system, led to strong support for the CSCE's development. At a special summit meeting in Paris in November 1990, the participating States took the first steps to regularize and institutionalize the CSCE process. Besides setting up the CSCE's three institutions -- the Secretariat in Prague, the Conflict Prevention Center (CPC) in Vienna, and the Office for Free Elections (OFE) in Warsaw -- the meeting created a set of regular political consultations, of which follow-up meetings became a part. Henceforth, follow-up meetings would occur at two-year intervals, with a duration of three months as a rule, instead of the multi-year marathons at three-year intervals which had been the practice. They would also, always, be the occasion of a summit of heads of state or government. In addition, foreign ministers would meet in a CSCE Council once a year, and a Committee of Senior Officials (CSO) would meet regularly in Prague to oversee the work of the CSCE.

¹ Vaclav Havel, Summer Meditations (Faber and Faber: 1992), p. 93.

The Paris Summit decisions had a far more profound effect on follow-up meetings than their simple abbreviation. By setting up a regular consultation process at various levels, they increased the opportunity for decisions to be made outside follow-up meetings, and decreased the importance of follow-up meetings as the sole opportunity for major changes or advances within the CSCE.

At the same time, the dramatic enlargement of the CSCE's activities and responsibilities heightened the need for a prolonged look at all of the CSCE, particularly the review of commitments and institutions already in place. Over the months between the Paris Summit and the Helsinki Meeting, it had become clear that the CSO, due to time pressure and political pressure for results, was incapable of reviewing past activities or of dealing with certain subjects in a meaningful way. Perhaps the Human Dimension suffered most grievously from neglect at the hands of the CSO, even when human rights violations of crisis proportions were being considered. Expert knowledge on most areas of CSCE activity was generally in short supply at hastily-called CSOs staffed minimally by most participating States.

CSO debates leading up to the Prague Meeting of the CSCE Council of Ministers highlighted numerous issues which needed further consideration. The pre-Council consultations had provided neither time nor incentive to structure the Helsinki Meeting as a thoroughly subsidiary body of the Council, despite the interest of many states in establishing the Council's absolute primacy. The Prague documents were used in developing Helsinki's work program but did not constitute a comprehensive structure or even a priority list. Issues highlighted for Helsinki included: peacekeeping; development of modalities for the use of the consensus-minus-one rule; relations with non-participating States, international organizations, and NGOs; national minorities and non-discrimination; arms control; support for new participating States; modalities for ODIHR activities; further consideration of economic issues, including establishment of an economic forum; and cost-saving.

Even so, the need for an in-depth review of the entire process was not clear to all. Sweden led other countries in expounding the view that follow-up meetings should be converted to preparatory meetings for the summits, their sole purpose being the drafting of a document -- a position similar to that espoused by the Soviet Union at the 1978-79 Belgrade Follow-Up Meeting. And, despite the problems inherent in the rapid expansion of the CSCE's responsibilities, many delegations were less than wedded to a full review of implementation and examination of all CSCE endeavors, preferring to focus on further development.

By the time of Helsinki, the mood in Europe had changed considerably from the euphoria of the 1990 Paris Summit. The seemingly intractable war in Yugoslavia, combined with the disintegration of what had been another of the old verities, the Soviet Union, and the numerous conflicts on its former territory, had shaken the faith of the

