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Module 2. OSCE Mission Structures and Functions

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MODULE 2. OSCE MISSION STRUCTURES AND FUNCTIONS

Introduction

OSCE missions

Mission specialists

All OSCE missions are different, and their structure and functions depend on the mandate for each mission. The size of missions varies from a few individuals in Central Asian missions to the mission in Kosovo, which currently has 700 international and 1200 local staff. Larger missions may include specialists on issues such as:

- democratization
 - election monitoring
 - rule of law
 - human rights
 - rights of persons belonging to minorities
 - freedom of the media
 - economic and environmental affairs
 - conflict resolution
-

Mission coordination

Overall mission activity is supervised and coordinated by the Conflict Prevention Center, which is part of the OSCE Secretariat located in Vienna. Missions receive their mandates from the OSCE Permanent Council in Vienna and are responsible for reporting to the PC about their activities and accomplishments.

Mission staff

A Head of Mission (HoM) serves as the chief officer of each mission, a position normally held by a senior diplomat seconded by a participating state. HoMs are appointed by the Chairperson-in-Office. Larger missions may also have a Deputy HoM. Missions also frequently have an administrative officer and a public affairs officer, as well as a staff of interpreters / translators. The specialized functional staff varies in size according to the mandate of each particular mission.



Pascal Fieschi, OSCE Head of Mission in Kosovo

Mission categories

In general, mission mandates may be grouped into five major categories:

1. Long-term conflict prevention through democratization; strengthening human rights, the rule of law, and the rights of persons belonging to minorities; and reinforcing human security through combating terrorism, trafficking in persons, contraband and small arms, and improving police capabilities consistent with the rule of law
2. Monitoring, early warning, and conflict prevention to head off incipient violence
3. Mediation during the negotiation of ceasefires in ongoing conflicts
4. Preventing the re-ignition of violence and assisting the resolution of underlying issues in conflict situations
5. Post-conflict security-building, economic security and good governance

Each of these categories is described in detail later in this module.

Long-term conflict prevention

Principles

Overview

From its very beginning, the CSCE linked the human dimension of security with the effort to avert the outbreak of violent conflict. Both the original Helsinki Final Act of 1975 and the Copenhagen Document of 1990 set forth the major principles of the OSCE role in human dimension activities. Being fundamentally a security organization, however, the OSCE was not only interested in the human dimension for its intrinsic value, although that was important, but mostly for its role in removing many of the underlying issues that might give rise to violent conflicts.

Violence

In virtually all societies, conflicts of interest inevitably arise. However, in the vast majority of cases, these conflicts do not lead directly to overt violence, especially mass violence. Violence may occur when individuals and groups perceive that they are being unfairly deprived of their fundamental rights and share in the well-being provided by society. It also arises when there are weak or no institutions or alternative ways available to resolve those conflicts of interest equitably, in a fair and open process, and by peaceful means.

Violence can also be the means chosen by individuals and groups that seek to attain their goals outside the rule of law. Criminality, corruption, and lawlessness threaten individuals and entire societies with violence, not primarily from warfare but through threats to the personal security of individuals.

Philosophy

The underlying philosophy behind the Helsinki Final Act of 1975 and the Copenhagen Document of 1990 is that the best antidote to violence is:

- the creation of democratic societies, governed by the consistent rule of law
- showing respect for the rights of persons belonging to minority groups and for individual members of that society
- experiencing broad-based economic development and a healthy environment

The "democratic peace hypothesis" has been widely accepted by OSCE participating states, namely the belief that democratic states seldom or never engage in violent conflict with other democratic states. Consistent with this belief has been the assertion by leading OSCE states that the long-term foundations for peace may be best constructed through encouraging the widespread development of democratic regimes throughout the OSCE region.

Human dimension

Virtually all OSCE missions have a human dimension component built into them. The mandates for all missions and field activities assign an important role to the promotion of democracy, rule of law, human rights and fundamental freedoms.

Techniques

Overview

OSCE missions carry out their human dimension mandate in a wide variety of ways. This section describes the various techniques that the OSCE uses to address long-term conflict prevention.

Local contact

A key technique in long-term conflict prevention is the "open door" that OSCE field offices provide:

- a place for individuals and groups to inform the OSCE staff of their grievances
- a place for regular contact with local non-governmental organizations (NGOs)

The OSCE's contact with individuals, human rights activists, and NGOs help to:

- build up civil society, a necessary component of democratic society
 - spread democratic values and information on human rights to governments and individuals
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Government contact

The OSCE missions also work with local governments in an effort to get them to improve their protection of human rights and human dimension activities. When problems are uncovered, the OSCE mission will alert the relevant governmental unit about the problem and seek immediate relief at that level.

While performing their human dimension role, mission members must be able to distinguish between:

- intentional violations of human rights perpetrated by governmental authorities, and

- frequent neglect or abuse of human rights due to bureaucratic ineptitude or indifference

While both may represent some degree of a human rights violation, the methods to solve the problems may be different, i.e., political dialogue or training.

Reporting

The human dimension monitoring function is performed by continuous reporting through various OSCE mechanisms:

- Missions
- Secretariat
- Permanent Council
- Chairperson-in-Office
- Parliamentary Assembly
- Human Dimension Implementation meetings

This continuous reporting is important because it provides a clear signal to governments that their observance (or lack thereof) of the Helsinki principles is widely known in both governmental and public circles outside their own country.

Mission reporting is also important because it constitutes the lion's share of material used by the Secretariat, CiO, Parliamentary Assembly, and Permanent Council and provides an "on the ground" evaluation to the situation at hand.

Information, education, and training

Another major activity of the OSCE mission is to provide information, education, and training to government officials and NGOs. This is often achieved in the form of seminars about:

- human rights
- rule of law
- democratic process
- freedom of the media
- other aspects of international norms and codes about humanitarian issues
- police practices in a democratic society

In most societies where OSCE missions are stationed, there is little or no historical experience with democratic process, either among government officials or individual citizens. Therefore, there is an immense need in these societies for basic education

about the fundamental principles of modern democratic societies. The OSCE missions can be very effective in introducing such information into the local setting.



Training sessions for newly arrived election supervisors held by the OSCE Mission in Kosovo cover all aspects of community registration and explain the updating of the voters' list.

Economic and environmental health

Many missions have economic and/or environmental officers assigned to their professional staff. Although these areas have not been the principal focus of the OSCE in the past, the OSCE has integrated this focus on material well-being into the human dimension activities, and it may become an increasing part of mission mandates. The OSCE can thus provide information about:

- economic reform
- the legislative basis for regulation of economic and environmental activity
- threats to the physical environment
- good governance and anti-corruption activities

Poverty, desperation, and environmental degradation are often associated with violence, so efforts to deal with these social ills may reduce the propensity for violence in many societies where the OSCE works.

Due to its limited resources in these fields, however, the OSCE cannot tackle these problems alone. Its role has generally been to bring these problems to the attention of other organizations and governments in the hope that they will identify resources that can help alleviate these material foundations for violent conflict.

Elections

Whenever OSCE monitors an election, the Office of Democratic Institutions and Human Rights (ODIHR) creates an Election Observation Mission. An Election Observation Mission head is appointed by ODIHR and sent with a core team to

prepare for long term and short term observers.

Election Observation Missions are entirely separate from OSCE field missions (if present in the country), but they cooperate as part of the OSCE family. Election Observation Missions report to ODIHR, whereas field missions report to the Conflict Prevention Center.

Long-term observers monitor the:

- run-up to elections
- use of media during campaigns
- access of candidates to the electorate
- other provisions to ensure that all candidates can get their message out to the voters.

Short-term observers are generally sent in for the period immediately prior to and during an election to monitor:

- access to polling places
- secrecy of the voting process
- tabulation process
- the methodology in which outcomes are determined and certified

Kosovo and Bosnia are special cases where the ODIHR role was modified. The OSCE field missions there have full time elections staff that provides election capacity building. Bosnia Mission Election Department staff supervised and conducted elections; they now play the more limited role of election monitoring. The Kosovo OSCE Department of Election Operations organizes and supervises elections.



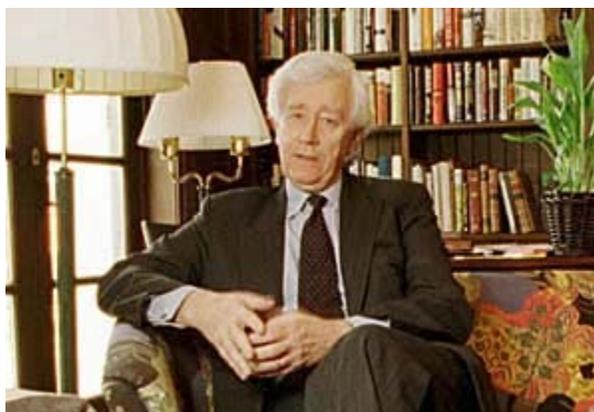
Voting in Kosovo's assembly election
November 17, 2001

Rule-of-law

The ODIHR's section on the rule of law has also assisted states in developing legal principles to strengthen democratic processes; i.e., the rule of law ought to prevail over the will of individuals.

HCNM

Whenever a dispute breaks out involving persons belonging to national minorities, the High Commissioner on National Minorities (HCNM) may travel to an OSCE participating state to consult with the mission members as well as with the parties to the dispute. Typically the HCNM works with the mission to develop both short-term solutions to the dispute and to try to alleviate the underlying conditions that produced the dispute.



Rolf Ekéus, Swedish diplomat, took up the post of OSCE High Commissioner on National Minorities on July 2, 2001

Delicate position

The OSCE mission must always be mindful of its delicate position, situated between a host government, non-governmental sectors and civil society, and the governments represented in the Permanent Council. Host governments often become irritated with the intrusion of OSCE missions into what they consider to be the internal affairs of their own country. Often, human rights and other activist groups and NGOs perceive that the OSCE is not being sufficiently forceful in representing their grievances and pressing their demands. In the final analysis, all of these demands must be carefully balanced by OSCE officials and personnel.

Role of OSCE mission

The role of the OSCE mission is not to become an advocate either for participating states or for organizations engaged in advocacy on behalf of human and minority rights issues. Rather its role is to serve as an ombudsman, as a go-between, assisting these different groups to reconcile their differences peacefully. In performing this function, it must constantly remind governments of their responsibilities undertaken

when they signed the various OSCE human dimension documents and, as appropriate, carrying out their own laws to protect human rights. At the same time, it must remind government critics of the necessity of pursuing their grievances through legal channels, seeking legislative changes when they appear to be necessary.

Case Study: Estonia

Brief History

Estonia, like its Baltic neighbors of Latvia and Lithuania, was forcefully incorporated into the Soviet Union soon after the beginning of the Second World War. This annexation, within the lifetime of the older generation of residents, created a situation in which the native populations had a stronger sense of foreign occupation than in any of the other Soviet Republics. Although Estonia had been taken over by the Russian Empire in the 18th century, it had experienced within recent memory a period of independence and international recognition as a sovereign state between 1918 and 1940.

Large numbers of Russians moved into Estonia to take up jobs, fueling resentment of the Baltic peoples towards their Russian "occupiers." After the breakup of the Soviet Union, and the attainment of independence by the Baltic states, the situation of the ethnic Russian population, especially those who entered after 1940, became an issue.

[Map of Estonia](#)

Estonian citizenship

Estonia considered itself to be a European state whose policies should conform to the norms of European civilization and democratic procedures. When the country began to democratize, however, ethnic Russians, Ukrainians, and Belarusians were excluded from Estonian citizenship. This deprived a very substantial minority of Estonian residents of democratic rights.

All individuals who resided legally in Estonia as of the time of the annexation by the Soviet Union in 1940 were granted Estonian citizenship virtually automatically. However, the situation was much more problematic for all those who arrived in Estonian after that date. Upon independence, Estonia adopted a citizenship law that allowed individuals who moved to the country after 1940 or their descendants to obtain citizenship only if they:

- had lived in Estonia for at least two years after March 30, 1990
- were fluent in the Estonian language
- took an oath of loyalty to the Estonian state

Persons not meeting these criteria would have to apply for non-citizen residence permits. The Estonian government felt that these measures were necessary to safeguard the Estonian national identity, since belonging to the nation required knowledge of its language, history, and culture.

CSCE mission to Estonia

The Russian Federation strongly defended the rights of the Russian diaspora in the former Soviet states, and the possibility existed that this situation could result in Russian intervention. This possibility created a threat to European security and became a matter of concern to the CSCE in the early years after the breakup of the Soviet Union.

In response to the situation, a CSCE mission of experts was invited to visit Estonia in December 1992, under the auspices of ODIHR, with a mandate to examine Estonian legislation and to compare it with universally recognized norms of human rights.

The Committee of Senior Officials (predecessor to the Permanent Council) voted to establish a CSCE mission in Estonia, with its principal role being to strengthen democratic institutions and to ensure that democratic procedures were widely available to the entire population. Its mandate included promoting understanding and integration between the communities in Estonia, including their rights and duties towards one another.

[Additional information on the OSCE mission in Estonia](#)

Language problem

Estonian citizenship laws required fluency in the Estonian language. Only about 13% of ethnic Russians in Estonia spoke the local language as of 1989.

The Estonian language belongs to the Finno-Ugric group, which has little in common with most other European languages, including the Slavic languages. It is thus very difficult for a speaker of any of the Slavic languages to learn Estonian. Not many members of these groups, especially among the older generation, felt prepared to learn a new and difficult language, even though they would be deprived of civil and political rights.

Furthermore, even for those who wanted to make the effort to learn Estonian, possibilities to study the language were seldom readily available. Therefore, especially in the northeast regions of Estonia, almost fully inhabited by Russian speakers, there were few incentives or possibilities to learn Estonian.

Language solution

The CSCE decided to concentrate its efforts on making it easier to obtain citizenship, especially through expanding opportunities for learning the Estonian language. The CSCE suggested that:

- exam fees be cheaper
 - minimal language knowledge should be sufficient to pass
 - standards for passing should be uniformly administered
 - those who failed the test should be permitted to take it again
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Law on aliens problem

A draft law on aliens was proposed on June 15, 1993, that would have required residence and work permits for non-citizens wishing to reside in Estonia. Those who had entered the country before July 1, 1993, on the basis of a residency permit from the Soviet period, would have only until July 12, 1994, to apply for these permits.

Individuals who had served in the military or intelligence and security services of a "foreign" state, e.g., the Soviet Union, would have been denied access to residency permits altogether, so that they would have been denied the right to vote even in local elections. Some might have even faced deportation.

Law on aliens solution

The CSCE criticized the law on aliens because it gave Russians the impression that a process was being set up to make it difficult for them to legalize their residency status. The CSCE Mission and the High Commissioner on National Minorities appealed to both parties to open dialogue and an amended law was passed on July 12, 1993, which removed some of

the most problematic provisions from the original legislation.

The OSCE offered three suggestions for implementing the law on aliens:

- the deadline for registration should be extended for more than one year due to the inefficient system in place for processing registrations
 - the law should be interpreted to grant permanent residence permits to all those who resided permanently in Estonia prior to July 1, 1990, under the Soviet law; and
 - aliens' passports should be issued immediately to facilitate travel and family visits across the border with the Russian Federation.
-

Ethnic integration

The OSCE took a number of other initiatives to promote integration between the two communities, having opposed the strategy of assimilation preferred by the Estonian government as unworkable and inappropriate.

The OSCE:

- stressed that all attempts to increase knowledge of Estonian language and culture should build on, but not replace the native languages and cultures of non-Estonian peoples.
 - worked to reduce barriers inhibiting participation in all aspects of economic and political life due to ethnic differences.
 - created a forum to develop dialogue between the two communities on issues such as human rights, education, workplace issues, and language questions.
 - Created a forum to deal with trans-border issues, focusing attention on the problems faced by both ethnic Russians and Estonians living in the border region.
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Conclusion

The OSCE conflict prevention mission in Estonia was different from most other conflict prevention activities. At no point did the situation in Estonia reach a crisis stage and at no time did events risk breaking out into large-scale violence. Indeed, the OSCE role essentially consisted of encouraging the government of Estonia to adopt a democracy-building strategy that would encourage the integration of the large Russian minority population into the political and economic life of the country.

Gentle persuasion proved to be an effective tool: the OSCE served as a kind of unofficial ombudsman between the two communities to facilitate communication and the development of greater understanding by each community of the needs and aspirations of the other.

The situation in Estonia had improved sufficiently by 2001 that the OSCE Mission was closed at the end of the year.

Similar missions

Overview

Although virtually all OSCE missions have a significant human dimension and democratization function, this activity has been the central focus of several other OSCE missions such as those in Belarus, and Central Asia.

Latvia

In Latvia, much as in neighboring Estonia, the primary OSCE focus was to assure that the government did not deprive the large Russian minority of their democratic rights.

The OSCE encouraged the Latvian government, which aspires to join the European Union, to democratize in a way that will not discriminate against the large Russian minority. Not only has the OSCE helped Latvia move along the democratic path and closer toward a more significant relationship with the major Western European institutions, but it has also reduced any reason Russia might have to justify intervention in Latvia's internal affairs in the interests of defending ethnic Russians. As in Estonia, the OSCE Mission in Latvia was withdrawn at the end of 2001.

Belarus

[Belarus](#) is one of the few post-Soviet countries that is relatively homogenous ethnically, with a population overwhelmingly made up of Slavs, including Belarusians, Russians, and Ukrainians. While there was thus no danger of ethnic conflict in Belarus, a divide did open up between liberal reformers and the supporters of a Soviet-style *ancien regime* mostly made up of former communist elites.

Under the government of President Alexander Lukashenko, there was a substantial reversal of the regional trend towards democratic reform and economic liberalization. Belarus seemed to be turning the clock back. Indeed, Lukashenko extended his term of office and forced all political opposition out of the already weakened parliament.

The OSCE mission in Belarus became a point of contact for the political opposition and for the many non-governmental organizations that had been harassed and threatened by the Lukashenko government. It also became engaged in organizing seminars on:

- democratic process
- free elections
- the rule of law

The OSCE actively sought to monitor both parliamentary and presidential elections in Belarus, but its efforts to do so have frequently been frustrated by the government of President Lukashenko. Throughout much of 2001-02, OSCE officials, including the Head of the OSCE Advisory and Monitoring Group in Belarus, were denied visas to enter the country by the government, forcing the Group to close its mission at the end of 2002. However, on January 1, 2003, a new OSCE Office in Minsk was opened with a changed mandate to assist the government in "institution-building, in further consolidating the rule of law and in developing relations with civil society, in accordance with OSCE principles and commitments."

Central Asia

[The five Central Asian republics](#) have also encountered serious difficulties in democratization. All five of these states emerged from the collapse of the Soviet Union with strong national leaders in charge, often with close connections to the Soviet past. The OSCE has established offices in each of these countries to try to encourage, mostly through gentle persuasion, movement in their domestic politics towards greater opening and eventually democratization. In the case of Tajikistan, a mission had previously been established in 1993 in response to an ongoing violent conflict within the country. In late 2002, that mission was reorganized as a "centre" similar to the OSCE offices in the other four Central Asian republics.

The focus of OSCE efforts in Central Asia has been on stimulating education about democratization and human dimension issues. In each case, numerous special seminars have been organized with local political elites and NGOs in which outside specialists on the various human dimension issues are brought into the country to discuss the obstacles that

must be overcome to construct a democratic state.

Recently, the Central Asian states have pushed for more economic dimension activities. This reflects a desire to "balance" OSCE activities in the region and to do something to bolster their ailing economics. Unfortunately, corruption and lack of good governance remain the primary obstacles to economic and business development. In the wake of the September 11, 2001 terrorist attacks, the Central Asian states renewed their calls (first made in 1999) for assistance in countering the terrorism threat (and related criminal activity) emanating from Afghanistan. The OSCE has begun to respond with tailor-made programs for Central Asia in the economic dimension and counter-terrorism.

The human dimension situation grew so serious in Turkmenistan in late 2002 that the OSCE invoked the "Moscow Mechanism," for the first time when ten states requested information about serious and pervasive threats to human rights and appointed an OSCE Rapporteur, Emmanuel Decaux of France, to investigate. However, he was denied access to the country by its government and thus was forced to prepare his report from information available outside Turkmenistan.

Mini-quiz

The "democratic peace hypothesis" that is at the basis of much of OSCE's activities is that:

- democratic institutions take a long time to develop
- democracy and peace are unrelated concepts
- democratic states seldom or never engage in conflict with each other
- peace leads to democracy

Conflict prevention through monitoring, early warning, and preventive diplomacy

Principles

Focus OSCE's conflict prevention activities involve monitoring developments in areas of potential conflict and responding to prevent the outbreak of violence. These activities are most intensive in times of unstable peace, when the possibility of violence looms somewhere over the horizon. Once conflicts reach the stage of violence, peaceful accommodation becomes extremely difficult to achieve.

Preventive diplomacy Instead of waiting for the typical cycle of violence to run its course, OSCE preventive diplomacy seeks to identify an earlier point to intervene before a conflict turns violent in the first place.

Window of opportunity

There is often only a very narrow "window of opportunity" during which parties may intervene to prevent the outbreak of violence. At early stages in a conflict, however, the signals of a developing confrontation may be so ambiguous that the gravity of the situation may not be recognized.

At the same time, if outside parties wait too long before intervening, the threshold of violence may be crossed.

Early warning

The first requisite for effective OSCE preventive diplomacy is "early warning" to detect situations that might lead to violent conflict. Indicators of incipient conflicts include:

- protests, demonstrations, and riots
 - actions by governments to suppress dissent and freedom of the media
 - reports of threats to peace from witnesses
 - nationalist claims to establish separatist regimes
 - irredentist claims of secession and unification with another state
 - concerns about the possible "spillover" of an ongoing conflict across international borders into neighboring states
 - warnings about potential unauthorized external intervention in ongoing internal conflicts within participating states
-

False alarms

Early warning is not enough to trigger an appropriate response, however. There must be a capability of separating real dangers from "false alarms."

However good may be their intentions, states and multilateral organizations may antagonize important constituencies by too many cries of "wolf." They may alienate parties if they try to intervene in situations that don't seem to warrant such a drastic response. And they may exhaust both the willpower and the limited resources of regional security organizations if they try to intervene in more conflicts than they can handle at any one time.

Mobilize negotiations

Once the outbreak of violence has become a real possibility, convincing the conflicting parties to enter into negotiations to solve their differences is difficult. It can also be hard to convince third parties to intervene quickly and meaningfully to act to head-off violence if they do not believe that their interests are endangered by the conflict.

In order to be effective:

- warnings must be rapidly delivered to the central OSCE institutions and to key participating governments
- there must exist a political will among participating governments and the OSCE authorities to respond to those warnings
- it is necessary to decide upon an appropriate reaction

OSCE responses to warnings may take the form of:

- verbal protest or denunciation
- imposition of sanctions
- creation or reinforcement of a mission of long duration

- deployment of monitoring or even peacekeeping operations

Third parties can also intervene separately, or in parallel to OSCE efforts by providing good offices, assisting in mediation or deploying military forces.

- Principal organs** The principal organs of the OSCE available to perform the conflict prevention function include the:
- Chairperson-in-Office
 - Conflict Prevention Center
 - High Commissioner on National Minorities
 - Permanent Council
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Case Study: Ukraine

- Brief History** The region of Crimea, populated by about 67% ethnic Russians, was part of the Russian Soviet Socialist Republic until it was given as a "gift" by Nikita Khrushchev to the Ukraine in 1954. This change in status made little practical difference until the Soviet Union collapsed, and the Crimean Russians suddenly found themselves to be a minority in the new [Ukrainian state](#). Relations between Russia and Ukraine also were tense at this time due to support in the Russian Duma for the return of Crimea to Russia and to the dispute between Russia and Ukraine over the disposition of the former Soviet Black Sea Fleet based in Crimea.

Tensions between the Crimean authorities and Kiev reached a crisis level in January 1994 when Yuri Meshkov, a nationalistic Russian, was elected as the first president of Crimea. He immediately proposed changing the Crimean constitution and declaring independence, which set off a strong response among Ukrainians who wanted to preserve the territorial integrity of the Ukrainian state.

- Warning signs** The following events were warning signs of incipient violence in the Ukraine:
- Crimean president Meshkov unilaterally abolished the Supreme Council of Crimea
 - Presidium of the Supreme Council of Crimea declared the abolition to be unlawful
 - Ukrainian parliament required the Crimean constitution to be fully in line with Ukrainian constitution
 - Supreme Council of Crimea declared that state property of Ukraine in Crimea belonged to Crimea
 - Supreme Council of Crimea threatened to hold an independence referendum
 - Ukrainian parliament attempted to dismantle Crimean autonomy
-

- OSCE findings** The OSCE Mission in Ukraine in 1995 investigated the claims and counter-claims and reached the following conclusions:
- Ukrainian authorities had generally acted within their constitutional authority
 - Crimean autonomy remained intact, even though the central government had substantially increased its veto power
 - Ukrainian abrogation of the Crimean local election laws was deplorable

- Ukrainian parliament had provoked an escalation of tensions
 - Crimea ought to remain autonomous, but stay within the Ukrainian state
-

OSCE recommendations

As a result of warning signs in the Ukraine and Crimea, the High Commissioner on National Minorities proposed:

- drafting parallel language in the constitutions of Crimea and Ukraine to grant Crimea irrevocable autonomy in many key areas
- the parliaments of Ukraine and Crimea should create "an organ of conciliation with the task of suggesting solutions to differences arising in the course of the dialogue about relevant legislation"

The OSCE mission also recommended:

- economic development projects in Crimea
 - initiatives to privatize and restructure the extensive military industries in Crimea
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Results

As a result of the OSCE mission, the Crimean leadership began to acquiesce in most of Ukraine's demands. On November 1, 1995, a new constitution on the status of the Autonomous Republic of Crimea was adopted that incorporated many of the suggestions from the High Commissioner.

The territorial integrity of Ukraine was preserved, at the same time that the residents of Crimea achieved a substantial degree of self-determination over the most important issues of everyday life, including education, language for the conduct of official business, and local police.

Success

The OSCE's role in Crimea is one of its most significant successes in the field of conflict prevention. The situation was especially explosive due to the threat of Russian intervention. By intervening rapidly, the OSCE mission, supported by the High Commissioner on National Minorities, was able to strengthen moderates on both sides and to push for a solution granting substantial autonomy to the region without full independence.

In this explosive situation, violence was averted within Crimea, which could have escalated rapidly in the already tense situation that existed between Russia and Ukraine.

Ongoing mission

As a consequence of the positive developments, the OSCE Mission in Ukraine transformed at the end of 1999, from a mission focused on preventing inter-ethnic conflict to developing projects to promote democratization and the rule of law. It is now called the OSCE Project Coordinator in Ukraine.

Therefore, the new "project coordinator" represented a compromise between the preference of the Ukrainian government to have the mission withdrawn, and the OSCE preference to maintain a presence on the ground in Ukraine.

Similar missions

Kosovo, Sandjak, and Vojvodina

1992-1993

The first CSCE mission of long duration was created in the regions of Kosovo, Sandjak, and Vojvodina in the Federal Republic of Yugoslavia (FRY) on August 14, 1992, and it began its activities on September 8, 1992. All three regions are inhabited by significant proportions of ethnic minorities - Albanians (mostly Muslims) in the case of Kosovo, Slavic Muslims in Sandjak, and Hungarians in Vojvodina. All feared for their safety at the hands of the majority Serb population of the country.

The mission's mandate included observing the individual and minority rights situations in each of these three regions, in order to promote peaceful dialogue between representatives of the minority populations in each region and the central government in Belgrade. The mission was to collect information on human rights violations, to encourage negotiated settlement of issues of conflict, and to provide local authorities with information about the CSCE and other international standards regarding the protection of the rights of individuals and minorities.

The government of the FRY was suspended from participation in the CSCE in 1992, due to the behavior of Serb forces during the fighting in Croatia and Bosnia. In retaliation, the regime in Belgrade refused to renew the memorandum of understanding governing the CSCE mission after it expired at the end of six months. The CSCE mission was thus withdrawn in June 1993.

Kosovo

1998-1999

Suspension of the FRY from participation in the CSCE in 1992 limited the organization's involvement as the conflict in Kosovo escalated in 1998.

Following the escalation of hostilities between the Serb police and paramilitary forces, and Albanian Kosovars and the subsequent threat of NATO air strikes against Serbia, U.S. Special Envoy Richard Holbrooke brokered an agreement on October 13, 1998, calling for a ceasefire to be monitored by the OSCE. The OSCE committed itself to send in approximately 2000 civilian, unarmed monitors to verify compliance on both sides with the ceasefire agreement and to work with the office of the UN High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC) to assist in the return of displaced ethnic Albanians who had fled during the fighting.

This effort, the OSCE Kosovo Verification Mission (KVM), was by far the largest operation undertaken by the OSCE in terms of personnel, and it was also one of the most risky. The volatile nature of the political situation in Kosovo, and the vulnerability of the unarmed "verifiers" to attacks from militants on either side who wanted to disrupt the ceasefire, placed the OSCE in a very difficult position. The mission only reached 1400 observers prior to its withdrawal immediately preceding the NATO air campaign in Yugoslavia in March 1999. Since it was unarmed, there was little it could do to stop the escalating cycle of violence that was already well underway prior to its deployment in Kosovo.

Former Yugoslav Republic of Macedonia

The second OSCE mission, officially known as the "OSCE Spillover Monitor Mission to Skopje," was established on September 18, 1992. Its primary mandate was to monitor developments on the border with Serbia and other neighboring states that might "spill over" into the Former Yugoslav Republic of Macedonia (FYROM).

The original CSCE mission of eight persons also worked closely with a European Community Monitor Mission at the outset. The small CSCE and EC missions were eventually complemented by the stationing of United Nations peacekeeping forces in the FYROM. Their

major function was to deter Serbian intervention in the affairs of Macedonia, although much attention subsequently shifted to the internal scene where tensions appeared between the Albanian minority and the majority of Macedonians.

Although scattered violent incidents broke out in 1997, large-scale fighting was averted then due in part to the frequent interventions by both the High Commissioner on National Minorities and the OSCE Monitor Mission. However, tensions continued to rise between an increasingly nationalist Albanian (and Muslim) community and an increasingly nationalistic Macedonian (and predominantly Christian) majority that also holds a majority of major posts in the government.

Albanian separatist ambitions were fueled by a ready availability of weapons and fighters that crossed the border from neighboring Kosovo. As a result violence flared up in the spring of 2001 between Albanians near the border areas and the Macedonian armed forces. After a ceasefire and a subsequent peace agreement (The Ohrid Framework Agreement) were negotiated in August 2001, several units of NATO troops deployed in Macedonia to voluntarily disarm the separatists, following which the armed forces were supposed to withdraw.

Subsequently, the OSCE enlarged its mission in Macedonia to a total of about 210 unarmed monitors, protected by some 1000 NATO troops. While the OSCE mission's mandate remained basically unchanged, the necessity for intensive conflict prevention at the local level had been clearly indicated by the outbreak of violence and the increased radicalization of the two communities involved in the violence. Recent events in Macedonia have presented what has heretofore been regarded as one of the more successful preventive diplomacy missions with new challenges.

Currently the mission's priority focus is to assist with the implementation of the Ohrid Framework Agreement and to build confidence between the ethnic Macedonian majority and the ethnic minorities in Macedonia.

New parliamentary elections were held on September 15, 2002, which the ODIHR observers judged overall to be "conducted largely in accordance with OSCE commitments and international standards for democratic elections." As the political transition occurred without major incident, Macedonia appears to be headed back on the road towards democratic development, although the potential for violence still exists.

Mini-quiz

A key aspect of effective preventive diplomacy is:

- avoiding the window of opportunity
- waiting until the threshold of violence has been crossed
- developing early warning
- peace enforcement forces

Conflict mediation and ceasefire negotiation

Principles and Techniques

Overview

The OSCE has been generally reluctant to intervene in ongoing conflicts that have taken place within the formal jurisdiction of a single participating state. Typically those states contend that secessionist conflicts are internal matters. In addition, the OSCE lacks the capability for coercion that other parties, such as the United States and Russia, have brought to bear to impose ceasefires and political settlements in places such as Bosnia, Kosovo and Abkhazia.

It is precisely for these reasons that the OSCE has tended to intervene more often either before conflicts turn violent or after the violence has been brought to a halt. In general, the OSCE has been tasked with implementing the provisions of agreements negotiated with the assistance of other third parties.

Nevertheless, there is at least one war in which an OSCE field mission promoted ceasefire negotiations in the midst of ongoing violence (Chechnya). It is certainly possible that OSCE missions might play a similar role in future violent conflicts.

Case Study: Chechnya

Brief history

The only case in which the OSCE became a direct broker of a ceasefire was in the 1994-1996 war between Chechnya and the Russian Federation. Chechnya is a predominantly Sunni Muslim region in the [northern Caucasus](#), with a population consisting largely of mountain-dwellers that had resisted Russian occupation for centuries. Its population in 1989 consisted of about 65% ethnic Chechens and 25% Russians, the latter mostly living in the capital of Grozny.

Following the Moscow coup attempt in August 1991, General Dzhokhar Dudayev seized power in Chechnya. Shortly thereafter, he declared Chechnya's independence from Russia and refused to sign Yeltsin's Federation treaty. After a long period of political skirmishing, on December 11, 1994, approximately 40,000 Russian troops entered Chechnya, resulting in a full-scale war, among the bloodiest of the post-Cold War conflicts in Eurasia.

CSCE violations

The conduct of the Russian Federation troops represented a violation of many CSCE norms and principles. The massive military activity in the region, which was undertaken without the presence of international observers, represented a formal violation of the many confidence-building agreements, most recently incorporated in the Vienna Document of 1994. Furthermore, the war began only days after the signing of the Code of Conduct on Political-Military Affairs at the CSCE Summit in Budapest, which established extensive norms for military engagement and especially respect for the rights of non-combatants.

OSCE Assistance Group

Once a consensus on intervention was achieved, an OSCE Assistance Group in Chechnya was created by the Permanent Council on April 11, 1995. Its mandate was to "promote the peaceful resolution of the crisis and the stabilization of the situation in the Chechen Republic in conformity with the principle of the territorial integrity of the Russian Federation and in accordance with OSCE principles.

In addition, the OSCE Assistance Group was assigned to monitor compliance with human dimension norms, including human rights, the unfettered return of refugees and displaced persons to their homes, and allowing for the operation of international humanitarian organizations in Chechnya. Finally, they were mandated to "promote dialogue and negotiations between the parties in order to achieve a ceasefire and eliminate sources of tensions," the first such mandate of this kind.

Ceasefire negotiations

At the outset, the OSCE Assistance Group found that there was little basis for productive negotiations between the parties. However, negotiations were opened at the OSCE offices in Grozny. The Russian delegation refused to accept full independence for Chechnya, but it did discuss informally the possibility of a formula based on "constructive ambiguity." The Chechens agreed to a moratorium on the implementation of their declaration of independence for a period of two years while the formal status might be negotiated, whereas the Russians insisted on a moratorium of five years.

The two sides then agreed to work out a military ceasefire and to leave final negotiation of a political solution to a later stage. Under the terms of this agreement, Russian forces in Chechnya were to be reduced to about 6000 men. In exchange, the Chechens would be allowed to maintain small, armed self-defense units in every village until a new law enforcement organ was established. An agreement was thus signed on July 31, 1995, and a military ceasefire went into effect in the absence of a political settlement.

Ceasefire breakdown

The ceasefire soon broke down. The Russian troops began to resume military actions against Chechen villages in the mountains, whereas Dudayev and his associates began to take advantage of the ceasefire to rearm their supporters in Grozny. The Russians refused to allow the Chechens to arm themselves in villages under their control, and Chechen appeals to the OSCE to "interpret" the terms of the agreement allowing them self-defense forces in all population centers apparently had no effect. By October the ceasefire had broken down altogether.

OSCE active mediation role

In January 1996, the HoM of the OSCE Assistance Group in Chechnya took a much more activist role as a mediator between the parties to the conflict. Several more ceasefire agreements were reached and shortly broken. Finally, on August 31, the OSCE Assistance Group Head arranged for a formal meeting between the two parties. The resulting agreement called for a ceasefire and withdrawal of Russian troops from Chechnya, but it deferred a final settlement of Chechnya's future for five years (until the end of 2001) during which time the two sides would negotiate their relationship.

The OSCE monitored elections that brought a new government to power in Chechnya in 1997. However, the new government was unable to establish law and order throughout the country, and Chechnya increasingly fell under the influence of radical Islamists. Their actions led to Russia's breaking of the ceasefire agreement in 1999, when it sent military troops into Chechnya again. The fighting and lawlessness in Chechnya had grown so serious that, out of concern for the safety of its personnel, the OSCE Assistance Group moved its office to Moscow.

The OSCE returned to Chechnya in 2001, when it set up a new office in the northern city of Znamenskaye. From this location, however, active Assistance Group monitoring of the ongoing violence could only be limited, and it focused on refugees and other human dimension activities.

Subsequently, the OSCE and Russian government were unable to reach agreement on extending the mandate of the OSCE Assistance Group to Chechnya, following Russian proposals involving serious changes to the mandate of the mission. The mission was closed on March 21, 2003. Since that time, the Dutch CiO has continued to negotiate with Russia on a role for the OSCE in monitoring the situation in Chechnya.

Summary

The OSCE initially reacted hesitantly to violations of its norms and principles by one of its most important participating states. The desire to achieve consensus and the fear of a *de facto* Russian veto largely paralyzed the OSCE during the first few months of the fighting. Early efforts to contain the conflict seemed to many critics in fact to legitimate Russian actions in defense of its territorial integrity.

Once Russian military excesses became apparent to all, and the OSCE mission was taken over by an activist mission head, the OSCE played a much more proactive and effective role in mediating several ceasefires and a possible peace agreement between the warring parties. However, the disappearance of all Russian influence in Chechnya and the inability of the newly-elected Chechen government to establish legitimate authority over the many factions in postwar Chechnya meant that the OSCE was largely powerless to reverse the trend towards anarchy. Therefore, although the OSCE was able to mediate an end to the first Chechen war, albeit after several failed attempts, it was unable to move the parties to a durable political settlement. After the renewed outbreak of fighting in 1999, the OSCE was unable to assume a role like the one it had played during the December 1994-August 1996 fighting.

[Additional information about the OSCE Assistance Group in Chechnya](#)

Mini-quiz

The OSCE had difficulty developing its approach to the Chechnya Was because:

- the conflict was taking place within one of the largest and most powerful OSCE states
- this was a low intensity conflict
- OSCE norms were not violated
- ethnic issues were involved in the conflict

Prevention of renewed violence and conflict resolution

Principles

OSCE focus

In those regions that experienced violent conflict followed by tense stalemate, the OSCE has focused on managing the situation in order to:

- avert the reoccurrence of violence
- resolve the underlying issues that led to conflict in the first place

The kind of situations that the OSCE has confronted in the former communist countries have often been very challenging since they typically involved questions of ethnic or national identity. During ethno-political conflicts, groups felt that their identity was challenged, perhaps even at risk of being extinguished.

Conflict resolution

After periods of prolonged violence and substantial killing, it is difficult to promote a resolution to the underlying conflict. Many conflicts remain frozen for years. Nonetheless, it is important for the OSCE to maintain continuous pressure on the parties to seek a resolution of the underlying issues. As long as these efforts are underway, violence is less likely to break out again.

Furthermore, when both parties realize that they are trapped in a stalemate with no satisfactory long-term solution, the OSCE may be readily available as a third party to assist them in the negotiation process that will get them to move towards an end to violence and a political solution.

Third-party roles

Within the OSCE, third party roles may be played by key individuals such as:

- the Chairperson-in-Office
- the High Commissioner on National Minorities
- a Head of Mission

These individuals assume a special role as a representative of a regional international organization whose principles have been subscribed to by all states involved in the ongoing dispute. What matters in the eventual success of the OSCE intervention is usually the ability of the individual or team to assist the parties to move into a problem-solving mode.

The third party role is thus primarily one of facilitating the negotiation *process*, although of course in so doing the third party may also assist in the discovery and formulation of solutions to the conflict or of ways to prevent its mutually destructive escalation.

Techniques

Overview

This section describes a number of techniques that have been utilized by OSCE representatives performing third-party roles in conflict management and resolution.

Seminars and shuttle diplomacy

The High Commissioner on National Minorities, for example, has frequently organized seminars, often in conjunction with the non-governmental Foundation on Inter-Ethnic Relations. He has also undertaken "shuttle diplomacy," traveling between disputing parties, listening to their grievances and suggestions, and then following up with specific recommendations directed to the parties involved.



Participants of a training seminar hosted by the OSCE High Commissioner on National Minorities discuss the situation of ethnic minorities in Kyrgyzstan at the OSCE Osh Field Office.

November 2000

Good offices

Another approach, utilized especially by the missions of long duration, has been to provide "good offices" and other forms of third party intervention to assist parties to a dispute in reaching agreement. The OSCE mission head often serves as a go-between or mediates during formal meetings between disputing parties.

For example, OSCE mission heads have served as mediators both between the government of Moldova and the breakaway region of Transdniestria and between the government of Georgia and the separatist regime in South Ossetia.

Formal groups of states

A third approach at mediation has involved the establishment of formal groups of states operating under OSCE auspices to try to assist disputing parties to resolve their differences peacefully. These may take the form of:

- contact groups
 - "friends" of a particular country
 - a formal group such as the "Minsk Group" which was established to prepare for an eventual peace conference to resolve the dispute over Nagorno-Karabakh
-

Overseeing implementation of agreements

Where agreements have been reached, the OSCE may play a role in overseeing their implementation. For example, the OSCE has set up special missions to assist in the implementation of bilateral agreements between Russia and Latvia concerning the decommissioning of a Russian radar station at Skrunda and to monitor agreements between Russia and both Latvia and Estonia on the operation of a joint commission on military pensioners.

Similarly, the OSCE mission in Moldova is charged with monitoring the 1994 treaty between Russia and Moldova on the withdrawal of the Russian 14th army and associated equipment and supplies stored on the left bank of the Dniester River.

Peacekeeping

In principle, but thus far not in reality, the OSCE may undertake a peacekeeping operation, perhaps with assistance from NATO, other military alliances, or individual member states, to oversee political agreements between disputing parties.

The OSCE has anticipated establishing a peacekeeping operation as part of a political settlement between the parties to the conflict in Nagorno-Karabakh since the 1992 Helsinki Summit, and at the 1994 Budapest Summit it created a High Level Planning Group to prepare for such an operation. However, to date a political settlement has remained elusive so that there is no agreed mandate under which an OSCE peacekeeping force might function there.

Case study: Moldova (Transdniestria)

Brief history

The history of the east bank of the Dniester River (also known as the Nistru) makes it somewhat distinct from the rest of [Moldova](#), since it had been part of the Russian Empire as long ago as the 18th century, while the rest of Moldova had been part of the Russian province of Bessarabia and later part of Romania. Furthermore, about sixty percent of the population of this region is made up of Russian and Ukrainian speaking peoples, and a good deal of industry was built there during Soviet times, so that even the ethnic Moldovans living there were generally more "Sovietized" than their compatriots living west of the Nistru River. Finally, the Russian 14th Army was (and its successor still is) stationed in this region.

Moldovan independence

During the Gorbachev period, Moldovan nationalists began calling for independence from the Soviet Union, and some even called for unification with Romania. The Moldovan language, which had been written in the Cyrillic alphabet in Soviet times, was renamed Romanian and written in the Roman alphabet. The residents east of the Nistru resisted these moves and responded to Moldovan calls for independence by declaring themselves to be the Transdniester Moldovan Soviet Socialist Republic within the Soviet Union, and their leadership continued to proclaim its loyalty to the Soviet Union even after its collapse.

In the spring of 1992 the authorities in Chisinau, Moldova's capital, insisted on enforcing the primacy of Moldovan law throughout the country. Their attempts to implement this decision by force led to fighting between the Moldovan Army and the Transdniestrian Republican Guard which was supported by elements of the Russian 14th Army.

Ceasefire

A ceasefire was reached in Moscow on July 6-7, 1992, after approximately 800 people had lost their lives, and a peacekeeping force of Russian, Moldovan, and Transdniestrian forces was established to police the ceasefire. In the aftermath of the Moscow ceasefire agreement, the CSCE mission in Moldova was created to monitor the performance of the peacekeeping forces, report on the human rights and security situation, and to assist the parties to achieve a permanent political settlement that would recognize some form of autonomy for the Transdniestrian region within the Moldovan state.

CSCE proposal

At the outset, the CSCE mission set out to create transparency and assure that the "peacekeeping" forces would prevent a resumption of fighting along the lengthy border, which mostly coincided with the Nistru River. The Head of Mission also began informal consultations with officials on both sides of the Nistru, proposing that a special region be created as an integral part of the Moldovan state but enjoying considerable self-rule.

Transdniestria was also assured representation in the national parliament executive and

court system in Chisinau.

Three governing principles

The OSCE mission identified three governing principles for a settlement:

- the need for a single economic, social, and legal space
- the principle of "subsidiarity" under which anything that does not need to be decided at the central level would revert to the regional or local levels
- the promotion of mutual trust

Three categories of jurisdiction

The OSCE missions also proposed three categories of jurisdictions:

- those residing exclusively in the central authority
- those shared between the center and the region
- those falling exclusively within the regional jurisdiction

Finally, it noted that Transnistria should be given a right to "external self-determination" if Moldova should ever decide to merge with Romania.

HCNM

The OSCE's High Commissioner on National Minorities also became active in Moldova and Transnistria in December 1994, concentrating mostly on problems faced by ethnic minorities in both regions of the country. He especially focused on three Romanian-language schools in Transnistria that claimed that their efforts to conduct instruction in the Latin alphabet had met with considerable harassment at the hands of the Transnistrian authorities.

Tentative agreement

In early 1996 the OSCE achieved an agreement signed by the President of Moldova and leader of Transnistria in which they agreed to settle their differences peacefully, without future resort to force. Thus, even though a political agreement remained elusive, the likelihood of a return to violence was nonetheless significantly reduced.

OSCE efforts

Negotiations between Moldova and Transnistria, mediated jointly by the OSCE, Russia, and Ukraine, have proceeded in cycles of apparent progress followed by stalemate or breakdown. The OSCE has worked on several fronts to try to keep the negotiation process moving forward:

- The OSCE has focused on negotiations on specific functional issues where common interests clearly exist between the parties, including facilitating trans-border economic activity, rebuilding of bridges across the Dniester destroyed during the fighting in 1992, and coordination of energy distribution across the line of division.
- The OSCE held seminars bringing the two sides together with outside experts in conflict resolution and power-sharing arrangements in multinational states to try to identify acceptable political arrangements.
- The OSCE mission has overseen the withdrawal of large quantities of armaments and troops of the Russian Army, based in the Transnistria region. The OSCE hopes that full withdrawal of these forces and military depots left over from the Cold War era will facilitate progress in negotiations. Although Russian withdrawals have proceeded slowly for years, the pace has stepped up. The current deadline is for all Russian arms and forces to be

withdrawn by the end of 2003.

In late 2002 OSCE-mediated negotiations produced the so-called "Kiev document" outlining proposed solutions to some of the key issues in dispute. The prospects for a political settlement in Moldova seem considerably greater than in any other conflict being mediated by the OSCE. Tentative discussions have considered a possible role for the OSCE in monitoring any agreement that may eventually emerge.

Summary

The situation in Moldova illustrates many of the difficulties and frustrations faced by the OSCE in its role as a third party. These frustrations have resulted from the continuing failure of the parties to reach an agreement. Nonetheless, patience by the OSCE in its third party role is necessary until the conflict is ripe for resolution. When such a moment occurs, the presence of the OSCE, and its extensive experience as a third party, may be able to help the parties reach a political settlement, and the OSCE will be available as a potential guarantor of any agreement that is reached.

Similar missions

Georgia

After the Soviet Union broke up, Georgia was wracked by a civil war over control of the central government and by two wars of secession, one in Abkhazia and another in South Ossetia. The United Nations took primary responsibility for dealing with the former secessionist conflict, while the OSCE mission became the principal intermediary in the latter.

During the Soviet period, South Ossetia was an autonomous region (oblast) within Georgia and had close ties with its neighbor across the Caucasus in North Ossetia, itself an autonomous oblast within the Russian Federation. Georgia's first post-Soviet president insisted upon creating a unitary Georgian state by abolishing the autonomous regions, including both Abkhazia and South Ossetia. He sent Georgian troops to the South Ossetian capital of Tskhinvali to establish Georgian authority throughout the region. This met with violent resistance from the Ossetian population. An agreement reached on June 24, 1992, declared a ceasefire and created a peacekeeping force in South Ossetia consisting of Russian, Georgian, and South Ossetian troops.

The OSCE mission entered Georgia after this ceasefire was signed. It was specifically charged with preparing an international conference, in cooperation with the UN, aimed at resolving the conflict and settling the status of South Ossetia within the Georgian state. The mission organized roundtable discussions including all parties to try to overcome their major differences. It was also charged with overseeing the peacekeeping force to assure that its mission was being carried out in conformity with OSCE principles. Although the conflict has still not been completely resolved, some progress has been made, and both parties to the conflict generally credit the OSCE with having, at a minimum, prevented a resumption of the fighting. More significantly, it has contributed to a slow improvement in confidence between the parties that appeared to enhance prospects for a political settlement of the status of South Ossetia.

Another major OSCE role has been monitoring the border between Georgia and the Caucasus regions of the Russian Federation to prevent spillover of the fighting in Chechnya into northern Georgia. Begun in December 1999 along the Georgian border with the Chechen Republic, observation posts have been established along the border at the highest ridges of the Caucasus Mountains staffed by unarmed OSCE monitors, currently reaching 144 in the summer and 111 in the winter months. The mission was expanded in 2002 to include the border between Georgia and the Ingush Republic of the Russian Federation, bordering Chechnya on the west, and in 2003 to include the border with Dagestan to the east of Chechnya. Security for the observers is provided by units of the Georgian army.

Tajikistan

The Mission to Tajikistan was created on December 1, 1993. The issues in conflict in Tajikistan involved an internal power struggle among competing groups seeking power rather than a secessionist movement involving a particular national or religious minority or a distinct region. In addition, the United Nations was involved in Tajikistan prior to the arrival of the CSCE mission. Several important issues arose due to the situation along the southern border with Afghanistan, where the Tajikistan government, with the support of Russia and other Central Asian states, feared that radical Islamist forces could easily gain entry into the region. The border also proved to be a porous barrier against trafficking in drugs and other contraband. Therefore, Russian border guards remained stationed along the frontier even after the Soviet Union collapsed, and the CIS also took on a peacekeeping role, again fulfilled primarily by Russian soldiers with the assistance of a few units from other Central Asian countries. In this instance, the Russian forces have generally played a one-sided role in helping to defend the central government against its opponents.

The OSCE mission focused on issues such as protecting human rights, improving the democratic character of the regime in Dushanbe, and on confidence-building and negotiation between the government and its opponents. Although the lines of division within Tajik society are complex, the civil conflict mainly involved forces from outside the capital, often though not always with a radical Islamist bent, opposing a secular government composed mostly of clan leaders and former leaders from the Soviet period. The OSCE has sought to protect the human rights of those individuals who were part of a peaceful opposition, and to promote integration of dissident groups into the government.

With the encouragement of the CSCE mission, talks took place between the government and opposition leaders in Moscow in April 1994. In addition, the CSCE consistently encouraged the government to create an independent ombudsman to promote dialogue between the government and the opposition.

After many sporadic violations and repeated extensions of the ceasefire, a major breakthrough came in 1997, when an agreement on peace and national accord was accepted by all parties in inter-Tajik negotiations in Moscow. A Commission of National Reconciliation was created, and the OSCE assumed substantial responsibility for aiding and advising this commission as it set about creating conditions in which the civil conflict could be brought to a halt. Although the OSCE did not play a major mediating role in bringing about the Moscow agreements, it helped to create the conditions under which an agreement could be achieved and assisted in its subsequent implementation.

In October 2002 the OSCE renamed the mission in Tajikistan as a "centre," making it parallel to the activities in the other four Central Asian republics. In recognition of the progress in implementing the agreements bringing an end of the civil conflict, the mandate now focuses almost exclusively on democratization and other human dimension activities, such as gender issues, rule of law, and civil education. The OSCE Centre in Dushanbe has five field offices located in major cities in all regions of the country.

The Minsk Group

Another OSCE mission whose primary function is to promote conflict resolution is the "Personal Representative of the Chairman-in-Office on the Conflict Dealt with by the OSCE Minsk Group."

Nagorno-Karabakh, formerly an autonomous region within the Soviet Socialist Republic of Azerbaijan (SSR), was originally populated by a mix of ethnic Armenians and Azeris. The conflict in Nagorno-Karabakh began even before the breakup of the Soviet Union. In 1988 the Regional Council of Nagorno-Karabakh petitioned the Supreme Soviet of the Azerbaijan SSR and that of the Armenian SSR to transfer sovereignty over the region from the former to the latter. This was followed by sporadic violence between Armenians and Azeris both within Nagorno-Karabakh and along their common border.

When the Soviet Union collapsed and both republics became independent, the fighting became more intense as the Armenians in Nagorno-Karabakh drove virtually all ethnic Azeris out of the territory and began to fight in earnest to separate from Azerbaijan and to unite with the newly independent Armenian state.

When both Armenia and Azerbaijan joined the CSCE in January 1992, the organization immediately began to deal with the conflict involving two of its newest members. In March 1992 the CSCE created a group of eleven member states to prepare a peace conference in Minsk. (Since 1996 this group has been led by a "troika" of "co-chairmen," special envoys representing France, Russia, and the United States.) During the Helsinki Summit in July 1992, the CSCE was optimistic that it might broker a peace agreement in Nagorno-Karabakh, so it considered undertaking the organization's first peacekeeping operation to enforce whatever agreement might emerge, perhaps calling on NATO, the WEU, and the CIS for support. The High-Level Planning Group (HLPG) was created for this purpose, and staffed with a dozen military officers from participating states.

The situation on the battlefield, however, prevented serious negotiations from getting under way. By May 1994, when a ceasefire was agreed upon, the Armenians in Nagorno-Karabakh had not only gained complete control of the territory to which they lay claim but also of nearly 20% of Azerbaijani territory outside the Nagorno-Karabakh region. The military outcome encouraged ethnic Armenian leaders in both Armenia and Nagorno-Karabakh to dig in their heels. The Azeris have also been reluctant to negotiate from a position of military weakness.

The primary issues involve: 1) the formal, legal status of the Nagorno-Karabakh region and its relationship to Azerbaijan and Armenia; 2) security guarantees demanded by the regime in Karabakh, as a condition for withdrawal from the occupied territories in Azerbaijan outside of the Karabakh region, especially control over the Lachin corridor which connects Karabakh with Armenia through what would once again become Azeri territory; 3) provisions for the safe return of displaced persons, especially of Azeris displaced from their homes in the regions occupied by the Karabakh army; and 4) the extent and role of OSCE peacekeeping forces.

At the 1996 Lisbon Summit, the OSCE declared its support for the principle of the territorial integrity of Azerbaijan, while calling for "self rule" for Nagorno-Karabakh within its original frontiers and security guarantees to protect Armenians against retribution and to assure safe passage along the Lachin corridor between Karabakh and Armenia. In 1998 the Minsk Group introduced a new proposal calling for an Azerbaijan-Karabakh "common state." This proposal called for two coequal parties to form a common state, similar in structure to the Republic of Bosnia-Herzegovina, which is divided into the Republika Srpska (primarily Serb) and the Federation of Bosnia-Herzegovina (primarily Croat and Bosniak). Furthermore, the Minsk Group advocated a return to a "package" approach for negotiations. None of the proposals of the Minsk Group have been accepted by the parties to the conflict.

The conflict dealt with by the Minsk group currently remains frozen in place.

Mini-quiz

OSCE conflict resolution efforts include:

- "good offices" provided by a mission of long duration
- seminars and shuttle diplomacy by the High Commissioner on National Minorities
- overseeing the implementation of agreements that have been reached
- all of the above

Post-conflict security building

Principles and techniques

Overview The OSCE has frequently been engaged in promoting long-term peace and security in regions where conflicts have occurred and where a political settlement has been formally achieved, but where the destruction of war has left a legacy of hatred and animosity, so that peace remains conditional.

Stable peace The goal of creating a more stable peace usually involves efforts to promote reconciliation between the parties to the conflict that go beyond a formal settlement of the dispute, and move them toward a deeper resolution of their differences. It may also involve assistance with building democracy in order to create non-violent means to resolve conflicts, as well as to limit the availability of small arms and light weapons.

In order to create a stable peace, the OSCE may assist in the:

- construction of civil society
 - holding of elections
 - creation of new constitutions
 - promotion of the rule of law
 - other security measures, such as the destruction of weapons
-

OSCE assistance The OSCE has assisted in the verification of disarmament agreements between disputing parties. It has also provided training for institutions required to maintain law and order, especially civilian police. Since economic distress is frequently a major obstacle to post-conflict rehabilitation, the OSCE assists parties in identifying donors to obtain external economic relief, or in helping humanitarian organizations become established in zones where violence has created severe social needs.

Refugees

In a number of cases the OSCE has assisted with the return of refugees and internally displaced persons to their pre-war homes. For example, the OSCE has assisted displaced persons by advising governments on the legal provisions regarding property rights. In some cases, as in Croatia, the OSCE has worked alongside representatives of the UN High Commissioner for Refugees to facilitate the return of displaced persons to their prewar homes.



A child refugee from Kosovo, 1999.

Case Study: Albania

Overview

The OSCE played a major role in resolving the conflict that broke out in Albania in early 1997, and in the rebuilding of a political and social order after the fighting ended.

Origins of the crisis

Albania was one of the most repressive regimes in the communist world, as well as the poorest country in Europe. Prior to the collapse of communism, Albania experimented only once (in 1924) with parliamentary democracy.

The communist regime in Albania under President Enver Hoxha was authoritarian internally and isolationist externally from 1944 through 1985. Hoxha died in 1985. He was replaced by a moderate communist, Ramiz Alia, who began a modest reform process. Nonetheless, by 1991-92, anarchy had swept across Albania. Disputes between the Gheg clan in the north and the Tosks in the south largely divided the country along regional lines, destroying the dominant authority of the once powerful central government and the communist ruling elite based in the capital city of Tirana.

A new Democratic Party headed by Dr. Sali Berisha, a Gheg from the north, also emerged in 1991. Following student demonstrations, Fatos Nano assumed the leadership of the Albanian Party of Labor (the formal name of the Communist Party), moving even further in the reformist direction than Alia. Nonetheless, the Democratic Party gained a majority of the seats in Parliament, Alia resigned, and Sali Berisha was named President.

CSCE involvement

The High Commissioner on National Minorities, Max van der Stoel, visited Albania in 1993 in response to rising tensions between the Greek minority in the south and the central government in Tirana. Van der Stoel recommended that minority issues be taken into account in national legislation and that a special office for minority affairs be created.

The OSCE Office for Democratic Institutions and Human Rights (ODIHR) monitored the parliamentary elections held in May and June 1996. Berisha manipulated the process to produce a favorable outcome, and gained virtually absolute control over all branches of government. The ODIHR election report concluded that the "administration of the election seriously departed from the election law."

Collapse of Albanian government in 1997

Private banks in Albania had for several years been organizing "pyramid schemes" to attract funds, and these programs attracted major public investment. Since the government profited a great deal from the success of these schemes, it refused to heed the advice of the IMF and World Bank regarding the threat that they presented to the banking system. In January 1997 the entire scheme collapsed. The Albanian public vented its anger at the Berisha government, already weakened by the 1996 election fiasco.

A spontaneous, chaotic, and unorganized uprising against the government followed. The police refused to enforce the law. Albania fell into anarchy, with criminal gangs and local clan leaders gaining control in many parts of the country. The central government collapsed. Some 1800 people were killed by criminals, in local disputes, feuds, and by random gunfire as a consequence of the breakdown of law and order.

International response

Initial Albanian appeals went to the European Union for economic assistance, and to the Western European Union for military intervention to restore law and order. The Europeans were divided over what to do, however, and could not agree on a response.

The OSCE, meanwhile, assumed a major political role in the Albanian crisis. The OSCE Chairperson-in-Office, Danish Foreign Minister Petersen, appointed former Austrian Chancellor Vranitzky as his Personal Representative in Albania. Vranitzky visited Albania in March and met with President Berisha and the opposition. The OSCE brokered an agreement that created a Government of National Reconciliation, including all major political groups. An amnesty was declared, all weapons were ordered turned over to an international authority, and new elections were scheduled for June 1997 under international supervision.

Despite the agreement, fighting continued and rebels captured Tirana and its airport, causing Berisha to flee. He appointed a caretaker government under Socialist Prime Minister Fino. Vranitzky and Fino met on March 14, and, with Vranitzky's support, Fino asked for military support from the international community.

Italy was being swamped by refugees fleeing across the Adriatic Sea, and wanted to intervene militarily, preferably by taking a leading role in a military force composed of troops from "a coalition of the willing." Some consideration was given to establishing a peacekeeping force under OSCE auspices, but Italy opted to take the issue to the UN Security Council. On March 28, the Security Council adopted Resolution 1101 authorizing "Operation Alba," a peacekeeping force headed by Italy, with a mandate to intervene in Albania on the basis of the UN Charter's Chapter VII. Operation Alba had two major objectives: 1) to guarantee delivery of humanitarian aid to victims of the crisis, and 2) provide a security environment in which regional and international organizations could operate.

The OSCE presence

Vranitzky's visits convinced him the OSCE should create a long-term mission in Albania, and the Permanent Council established an OSCE Presence in Albania on March 27. The "Presence" was mandated to assist in democratization, the development of free media and human rights; election preparation and monitoring; and monitoring the collection of weapons. Vranitzky served as coordinator in his role as Personal Representative of the Chairman-in-Office, and Ambassador Grubmayr of Austria was appointed his resident deputy in Tirana, and *de facto* Head of Mission on the ground. Grubmayr opened the OSCE Presence in Tirana on April 16.

1997, with a staff of nine.

[OSCE Presence in Albania](#)

Election monitoring

The major focus of the new OSCE Presence was preparing for the elections to be held in June, as agreed by the Albanians. The OSCE coordinated international monitoring and did its best to see that the election process was open and fair. The OSCE role was extensive. Some 88,000 colored posters were prepared urging voters to go to the polls. Training manuals were drawn up for polling station managers and observers. The OSCE arranged to have secure ballots printed in Rome, and some 9,000 ballot boxes were shipped from Vienna.

ODIHR deployed 250 teams composed of over 500 short-term observers, including representatives from 32 OSCE participating states, 112 of whom were national or European Union parliamentarians themselves. Ninety teams were deployed outside of Tirana, traveling in military vehicles and escorted by members of the Multinational Protection Force (MNPf); the OSCE set up a 24-hour radio network so that all of these units could remain in contact with the Presence at all times.

A rapid-reaction force of the MNPf was also standing by to respond to any incidents that might threaten the safety of the international observers. ODIHR observers covered approximately 80% of the polling stations in Albania, and MNPf troops reassured voters that their safety would be protected when they went to the polls.

The first round of elections finally took place on June 29, 1997. A run-off election was held in 32 zones on July 6, with 150 ODIHR observers present in all locations covering over 600 polling stations. A third round due to irregularities in some zones was held on July 13 with ODIHR observers on hand. After the election, ODIHR concluded that the election had been "acceptable" under the prevailing circumstances in Albania and especially in light of the recent governmental crisis.

The election results produced a significant victory for the opposition Socialists and a defeat for President Berisha. Rexep Mejdani, a physics professor who had little previous political experience, was selected as President, and Fatos Nano was appointed Prime Minister and proceeded to organize the government. The transfer of power took place smoothly and uneventfully, although Berisha's party protested the election results and temporarily boycotted the parliament. The new government requested that the OSCE coordinate the international efforts to support the reconstruction of Albania, and asked for technical assistance from ODIHR in drafting a new constitution. At the same time, the Multinational Protection Force, without whose presence OSCE monitoring of the elections would have been impossible, withdrew.

Post-election security-building

The government initiated a program to have weapons turned in. During the unrest, over 700,000 weapons, mostly assault rifles, but also including mortars and rocket launchers, had been looted from military and police storage facilities. By September 1997 the OSCE Presence reported that 32,000 weapons had been collected. The rest have probably remained in private hands in Albania, or been smuggled to other countries in the Balkans or abroad.

As the political situation stabilized, the OSCE Presence directed its attention to the security problems resulting from feuds that had broken out during the period of anarchy. Both the WEU and NATO played an active role in improving internal security mechanisms. The WEU sent 24 police officers to Tirana to retrain the local police. A NATO team arrived to work on an Individualized Partnership for Peace Program to assist in rebuilding the Albanian armed forces.

The economic crisis was also a major threat to the restoration of political stability, especially in the southern part of the country. A donors conference in Brussels on October 22 generated pledges of over \$500 million for short- and medium-term investments and technical assistance:

an additional \$100 million to support an IMF six-month emergency program; and support for a Trust Fund to pay off some of the losses from the collapse of the pyramid schemes. Later, the European Union pledged additional funds. The OSCE agreed to coordinate international economic assistance for the reconstruction of the Albanian economy.

Long-term political reform

The OSCE and the Council of Europe cooperated to create an Administrative Center for the Coordination of Assistance and Public Participation, to assist the Albanians to revise their constitution. In January 1998, the mission hosted representatives of the European Parliament and the Parliamentary Assemblies of the OSCE and the Council of Europe to support the drafting process. They proposed creation of an international advisory body for the parliamentary constitutional commission. The OSCE also monitored the work of the commission charged with drafting the new constitution, and provided recommendations on how to improve the process. The OSCE also coordinated the efforts of non-governmental organizations operating in the country to build a stronger civil society and a more stable political system.

Impact of the Kosovo crisis

The escalation of the Kosovo crisis in 1998 promoted internal unity within Albania, even though the Democratic Party attacked the Nano government for failing to defend the interests of fellow Albanians across the border. Democratic Party leaders, including President Berisha, had in the past made provocative references to a "greater Albania" and had encouraged Kosovar separatists politically.

Serb ethnic cleansing and fighting led to a flood of ethnic Albanian Kosovar refugees into Albania, which placed an increased economic burden on the fragile economy.

Since the CSCE Mission in Kosovo, Sandjak, and Vojvodina had been thrown out of Yugoslavia in late 1992, following suspension of Belgrade's active participation in the CSCE due to Yugoslav actions in Croatia and Bosnia-Herzegovina, Albania became the OSCE's primary observation post on developments in Kosovo. The OSCE opened a field office in Bajram Curri on March 28, 1998, to monitor activity along the Kosovo border. Following the intervention by NATO forces in Kosovo in 1999 and the subsequent withdrawal of Serbian forces from Kosovo, the OSCE Presence in Tirana resumed its emphasis on the post-conflict reconstruction and democratization within Albania itself.

OSCE accomplishments in Albania

The OSCE Presence in Albania has been one of its most successful activities in post conflict security-building. Unfortunately, the OSCE had not taken preventive action prior to the collapse of the pyramid schemes and the implosion of the Albanian state in early 1997. Although there were clear signs of mounting economic and political problems, there was insufficient "early warning" to prepare the international community for the collapse of the central government. But the OSCE acted rapidly and effectively to assist in preventing further escalation of the internal violence, restoring political order, preparing and monitoring new parliamentary elections, and assisting the new government in re-establishing pluralistic democratic processes following the June 1997 elections.

The *ad hoc* nature of the OSCE proved to be an asset, enabling it to respond promptly without significant bureaucratic or political delays. Its pragmatism and flexibility also enabled it to adjust rapidly as circumstances changed.

Mini-quiz

Which of the following was not an aspect of OSCE post-conflict security building in Albania?

- election preparation and monitoring
- coordinating efforts of non-governmental organizations to build a stronger civil society
- assistance in development of a new constitution
- deployment of an OSCE peacekeeping force

Similar Missions

Bosnia-Herzegovina

The most dramatic illustration of the OSCE's role in post-conflict security building is in the implementation of the 1995 Dayton Accords.

The OSCE:

- organized and monitored elections at the municipal, entity, and national levels
- implemented the regional stabilization and arms control measures of the Dayton Accords
- organized negotiations on confidence and security-building measures
- worked with the international community regarding displaced persons (particularly on property rights)

The OSCE has played the leading role in the implementation of the political dimensions of the security-building process established by the Dayton Accords.

The OSCE Mission has its head office in Sarajevo, four regional centers based in Sarajevo, Tuzla, Mostar, and Banja Luka, and 24 field offices. The OSCE mission has about 800 personnel, including 550 national staff and 250 international staff. The number of national staff is increasing, as they are integrated into senior and professional positions within the mission.

Croatia

The OSCE Mission in Croatia assists the government with settlement of many issues left over after the end of the 1991-1995 war. The mission's mandate focuses on implementation of democratic processes and the rule of law.

The OSCE has:

- assisted in the return and reintegration of displaced persons, and the restitution of private property
- promoted human rights and the rights of persons belonging to minorities
- assisted the work of the International Tribunal for Yugoslavia in identifying war criminals in Croatia and has encouraged the government to locate and turn them over to the tribunal
- encouraged freedom of the media
- engaged in police training consistent with OSCE principles and has encouraged recruitment of ethnic minorities into the police academies

- supported NGOs and the development of civil society in Croatia
- assisted in the implementation of elections at all levels of government

A report by the OSCE mission in July 2003 noted that the Croatian government's response to the mission mandate has improved. The report noted improvements in legislation on key issues, although implementation of existing legislation, especially restoration of homes and private property to their original owners, has been slow. It also noted the need for more active implementation of existing legislation on minority rights and representation of persons belonging to minorities in local and regional government.

The OSCE Mission to Croatia had an international staff of 67 at the end of 2002. In addition to its headquarters in Zagreb, the mission has regional Field Centres in Knin, Sisak, and Vukovar, and 16 field offices.

Kosovo (since 1999)

Following the NATO military campaign in the spring of 1999 and the withdrawal from Kosovo of Serbian police and military units, a new government authority was established under UN auspices in accordance with UN Security Council Resolution 1244.

The OSCE Mission in Kosovo takes the leading role on matters relating to democratization, human rights, and elections. The mission itself consists of six departments, that define its major functions in the post-conflict reconstruction process in Kosovo:

1. The **Department of Democratization** assists mostly in the area of developing political parties and non-governmental organizations. Major activities have included building capacity for the Kosovo Assembly and establishing a Kosovo Institute for Public Administration to train a professional civil service.
2. The **Department of Human Rights and Rule of Law** monitors and safeguards human rights and the rights of persons belonging to minorities. It has proposed legislation to bring the legal foundation for human rights in Kosovo up to international standards. It has also overseen the return of persons to their homes and restoration of their property.
3. The **Department of Elections** organizes and supervises elections throughout Kosovo. It has recommended a new legal structure for the conduct of elections, and worked to develop an improved voter registry.
4. The **Department of Media Affairs** supports independent media and fair access to diverse media sources. It has proposed creation of an Independent Media Commission to promote a diverse and independent media.
5. The **Department of Police Education and Development** has trained thousands of police cadets to provide a multi-ethnic police force responsible for upholding the rule of law and the rights of minorities. It has developed the Kosovo Police Service School as a multi-ethnic, multi-gender police force following professional standards, and trained 6,000 cadets for the Kosovo Police.
6. The **Department of Administration and Support** provides logistics and technical support to the mission.

The OSCE Mission in Kosovo is the largest OSCE field mission, with 350 international staff and 1,150 local staff. Mission headquarters is in Pristina, and there are 8 regional centers, 21 field offices, as well as the Kosovo Police Service School. The mission is a component of the UN Interim Administration Mission of Kosovo, and the OSCE Head of Mission also carries the title of Special Representative of the United Nations Secretary-General for Institution-Building.

CONGRATULATIONS!

You have completed Module 2: OSCE Mission Structures and Functions

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Please note, you must be a U.S. candidate with a user name and password to take the test.