

**Conflict Prevention and Early Warning  
in the Political Practice of  
International Organizations**

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## Preface

In 1994 the Netherlands Institute of International Relations “Clingendael” initiated, in co-operation with the Netherlands Minister for Development Co-operation, a long-term research project about the inter-relationships between violent conflict and development. The first phase of this project was concluded by an international symposium and resulted in a publication entitled *Between Development and Destruction: An Enquiry into the Causes of Conflict in Post-Colonial States*, edited by Luc van de Goor, Kumar Rupesinghe and Paul Sciarone (Macmillan: London, 1996). During the second phase of this project a comparative study concerning the causes of conflict is undertaken by local research institutes in three regions: South Asia, West Africa and Central America.

In addition, it was decided to study a more policy-oriented topic, namely “early warning”. As a first result, the present Clingendael *Occasional Paper* addresses the issue of the existence of “early warning” mechanisms in various security organizations: the Organization on Security and Co-operation in Europe (OSCE); the United Nations (UN); the Organization of American States (OAS); the Organization of African Unity (OAU); the Economic Community of West African States (ECOWAS); the Southern African Development Community (SADC); the Inter-Governmental Authority for Drought and Development (IGADD); and, finally, the Association of South-east Asian Nations (ASEAN). While some preliminary remarks are made on theoretical notions of “early warning”, emphasis is put on the significance of “early warning” in the actual practice of international politics. The first six chapters of this report, as well as chapter VIII, were written by Klaas van Walraven. Chapter VII was written by Jurjen van der Vlugt.

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# 1 Introduction

International organizations have always been active in the settlement of conflicts between, and sometimes within, their member states. For many organizations that focus on political co-operation it is, indeed, one of their central tasks. However, they rarely actually resolve such conflicts by tackling the merits of the case concerned and by realizing an agreement on the contentious issue between the disputants. Rather, international organizations are often preoccupied with the management of conflicts. This involves the containment or transformation of disputes in less conflictual forms of interaction or the reduction and restriction of the means with which the parties pursue their dispute (Zartman, 1991 and Väyrynen, 1991).

Moreover, in most cases organizations only become involved once they are confronted with an outbreak of hostilities. By and large, they are concerned with mediating in violent conflicts and not with resolving or easing tensions between political forces *before* these give rise to (violent) disputes. In other words, international organizations usually respond to existing conflicts and not to potential ones.

The intensification of many conflicts and the difficulties that organizations have experienced in tackling domestic crisis situations have exposed the shortcomings of this approach. Thus, in recent years academics, politicians and functionaries of international organizations themselves have been contemplating on the possibilities of intervening in conflicts before they reach a violent stage or pass a certain threshold.

The argument is that one stands a better chance of success in resolving or abating a conflict before the eruption of violence, than when blood has been spilled, passions have been aroused and resultant cognitive rigidity prevents the disputants from pursuing non-violent alternatives. The vicissitudes of the United Nations presence in Somalia and Bosnia speak in this respect for themselves. Moreover, considering the limited resources that international organizations have at their disposal, conflicts that have spread or intensified may easily exceed their capabilities in peace-keeping and conflict resolution.

Scholars are therefore increasingly arguing a case for introducing mechanisms that can provide international organizations early warning of impending violent conflict. Such early warning mechanisms should consist essentially of standardized procedures for the collection, analysis and processing of data and - if these give rise to suspicions that violence is imminent - the provision of a warning about this to those responsible for political decision-making. The latter should thus be able, in principle, to take timely action to forestall violent conflict or the spreading and intensification of conflict. Early warning is therefore one specific aspect - albeit an essential one - of conflict prevention.

However, this report does not focus on the concepts of early warning and conflict prevention as constructed in theory. It will analyse whether and to what extent international organizations have already formulated and implemented strategies of conflict prevention and, to this purpose, early warning mechanisms. A lot of words have already been devoted to the concepts of early warning and conflict prevention, but do international organizations have any *concrete* plans, strategies and mechanisms for the prevention of strife? And if so, are they being used and what are the results?

The report investigates in particular what kind of developments and events are treated by international organizations as signals of potential or impending (violent) disputes. This is done irrespective of the fact whether these developments and events should, from a theoretical point of view, be considered as the real causes of conflict. It is the practice and not the theory with which this report is concerned.

It will also assess the related and underlying concepts of security as used by those institutions and whether anything is done with (perceived) signals of potential conflict and, if so, with what kind of mechanisms and procedures. In so far as particular organizations have not yet realized early warning mechanisms and conflict preventive strategies the report will analyse their arrangements for the settlement of existing disputes - as well as any reforms - from the perspective of their relevance to conflict prevention.

In executing this research project it was decided to concentrate on the following international organizations: the Organization on Security and Co-operation in Europe (OSCE); the United Nations (UN); the Organization of American States (OAS); three African international organizations: the Organization of African Unity (OAU), the Economic Community of West African States (ECOWAS) and the Southern African Development Community (SADC)<sup>1</sup>; and the Association of South-east Asian Nations (ASEAN).

In doing so we are aware that many institutions have been left out of the discussion and that more organizations should be analysed to obtain a really comprehensive view on conflict preventive strategies as they exist in practice. However, time constraints necessitated a conscious selection of relevant organizations. The above-mentioned institutions were chosen because they are all among the most important organizations in their region and the issue area of conflict management.

The next chapter will provide, for the sake of clarity, an outline of how scholars approach the concept of early warning in relation to conflict prevention. This is followed, in chapter III, by an assessment of those concepts as employed in the political practice of the OSCE. Chapter IV does the same for the United Nations and chapter V concentrates in this respect on the OAS. Chapter VI focuses on the practice of conflict management of the three inter-African organizations in the light of their relevance to conflict preventive strategies. Chapter VII analyses the relevance of ASEAN in these respects. The general conclusions of this report are presented in chapter VIII.

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1 In chapter VI some reference is also made to the Inter-Governmental Authority for Drought and Development (IGADD).

## **2 The Concept of Early Warning in Relation to Conflict Prevention**

### **2.1 Origins**

The concept of early warning has only recently made its way to the field of “high politics” and the settlement of conflict. It used to be employed only in more specialized areas, as in the form of military warning systems for the prevention of surprise attacks or military accidents. Thus, computerized warning systems linked to satellites were meant to give timely warning of the launching of nuclear missiles by rival superpowers (Rupesinghe, 1994). The concept of early warning was also elaborated in relation to the prevention of natural disasters, such as drought and food shortages (f.i. Atwood, 1991).

### **2.2 Definition**

In recent years scholars have argued on the necessity and possibility of extending the concept's application to the area of violent human conflicts, both inter-state and domestic ones. As noted in chapter I it is also in this area that the concept enjoys growing attention of politicians, diplomats and officials of international organizations.

There are different ways in which one can describe or define the concept of early warning. For example, Lund argues with regard to the related concept of preventive diplomacy that this involves efforts to either prevent or contain violent conflicts. The core notion behind preventive diplomacy is the argument that addressing problems the moment they emerge is generally better than responding after they have grown to a less manageable scale. Thus, a key defining criterion for preventive diplomacy would be the *intensity* of a conflict. Preventive diplomacy is concerned with efforts taken at the low levels and incipient stages of a conflict and should be distinguished from action taken with regard to conflicts at higher levels of violence (Lund, 1994).

Such a description implies that concepts like preventive diplomacy and early warning do not aim at the prevention of violence as such, but are supposed to prevent more massive forms of hostilities only. Yet, others define early warning as an instrument of preventive diplomacy, which aims at the early detection of developments that may result in the eruption of violence. As such, it is a specific aspect of the more general concept of conflict prevention, which refers to situations in which conflicting goals are controlled so as to avoid the development of hostilities (Rupesinghe, 1994). This means that early warning aims at the prevention of any form of violent conflict.

In this report there are several reasons to use this second definition. First, this report will show that there is a tendency in international politics to use the concept of early warning in a rather vague way and as a synonym for different things. As it is rarely defined, its fluidity enables politicians to articulate it gratuitously, sometimes creating the impression that an early warning system actually exists. Thus, in order to ascertain whether or not international organizations have already formulated and implemented strategies of conflict prevention and early warning it is necessary to use a comprehensive definition. Moreover, if it would refer to the containment of (massive) violence it is not clear how early warning and the related concept of conflict prevention could be distinguished from the concept of conflict *management*. As noted in chapter I, conflict management amounts to containment or transformation of disputes in less

conflictual forms of interaction or reduction and restriction of the means with which conflicts are pursued (Zartman, 1991 and Väyrynen, 1991).

Furthermore, the debate whether large-scale conflicts, such as genocides and world wars, can be explained by other variables than those which explain small-scale conflicts has only just begun. Its outcome is still indeterminate. As long as it is not refuted that large-scale conflicts emanate from small-scale ones, it seems worthwhile to relate notions of early warning to all (causes of) conflict. Finally, many authors argue that a response to conflict is likely to be more effective in its early stages. It is therefore more appropriate in this report to adopt a definition of early warning that refers to any form of violence rather than merely hostilities on a massive scale, which usually occur in the later stages of a conflict.

Thus, in this report early warning is defined as an instrument of conflict preventive strategies that should help to ascertain whether and when violent conflicts can be expected to occur, with the object to prevent this from happening by way of a so-called “early response”. Such response could consist of different forms of (military and non-military) intervention by third actors, such as states, international (governmental and non-governmental) organizations or individual mediators (also Rupesinghe, 1993; Rupesinghe and Kuroda, 1992; and Doom, 1994).

### **2.3 Gathering and Analysing Data on Potential Violent Conflict**

Scholars specializing in early warning distinguish two stages in the application of this instrument. The first one is that of collecting and analysing data that may be regarded as signals of potential violent conflict. If it is concluded that violence is imminent and that an early response to it can still make a difference, the early warning procedure reaches the second phase: a warning is transmitted to political decision-makers who should take the requisite action to make sure that violence is prevented.

While it is admitted that there exists a lot of information on conflicts, early warning specialists emphasize that accurate, comprehensive and analytically based data on conflict or associated phenomena are still hardly available, let alone systematically analysed (Lund, 1994).

Reliable data must therefore still be collected. This task could be performed not only by the secretariats of international organizations but also by NGO's, academic specialists, possibly government-related institutions such as national diplomatic services and intelligence networks and, finally, local organizations. In this respect one could contemplate, at the country level, the formation of country-specific networks or working groups to collect and analyse data on potential conflicts in the region concerned. Rupesinghe even argues for a global network based on inputs of various (governmental and non-governmental) organizations, in which early warning work is decentralized on the basis of an appropriate division of labour (Rupesinghe, 1994).

Analysis of the data collected would be vital for any early warning mechanism to function properly. To this purpose different theoretical notions have been formulated. There is no agreement among scholars, however, which notions or models could best explain, and possibly predict, the eruption of (different kinds of) violent conflict. Such agreement would, of course, presuppose considerable knowledge of, and consensus on, the causes of war.

Some scholars use so-called correlational models. Such models use multiple regression to test the strength of a postulated set of causal links among variables. They are usually tested “post-dictively”, which means that they use information on developments and events that took place in the past. While such models belong to a well-established social science tradition, Gurr and Harff concede that they have their limits if applied for the purpose of early warning. Thus, patterns of causal relations may change over time, which necessitates regular appraisal on the basis of fresh data. Correlation models also do not identify the junctures at which intervention by third parties is likely to have the greatest effect (Gurr and Harff, 1994).

Nevertheless, an important example of such correlation models is the diagnostic model formulated by Gurr with regard to the possible escalation of (domestic) communal conflict. He identifies background conditions, intervening conditions and response conditions. The background conditions, which constitute structural factors that determine the nature of grievances and the demands of communal groups, are formed by the significance of historical antagonism and conflict between dominant and subordinate groups; the extent to which a subordinate group has lost autonomy; and the severity of political and economic inequalities between subordinate and dominant groups, especially inequalities that are maintained by discrimination and repression. At least one of these background conditions must be present "at a medium or high level" in order to define a group as having significant conflict potential (Gurr, 1994).

The so-called intervening conditions are sometimes called accelerators, as in the Clingendael Institute's research design for regional investigations into causes of conflict. These amplify the effects of the background conditions. They concern the nature, strength and cohesion of political or communal organizations pressing group claims and the existence of high levels of communal conflict among similar groups in neighbouring countries. One or both types of intervening conditions must be present for serious communal strife to erupt, but their impact depends on the extent of the background conditions.

Finally, the response conditions determine whether communal conflict is likely to take the form of peaceful protest or violent rebellion. They refer to the history of the governing elite's use of coercion; the strength and duration of its democratic experience in terms of norms and institutions, that inhibit coercion and encourage accommodation of interests; and the extent of the regime's power and resources to respond to group challenges (Gurr, 1994).

Some scholars also use sequential models. These are well-suited to track crisis situations as they evolve over time. So-called response models identify the junctures at which third party intervention can probably make the greatest difference. Conjunctural models specify alternative scenarios. They posit different combinations of conditions that may lead to different (violent and non-violent) outcomes. These models could therefore be useful to early warning analysts (Gurr and Harff, 1994).

However, several scholars have stressed that no model will be able to forecast, with absolute certainty, whether violent conflict will erupt (Doom, 1994). Singer and Wallace have in this regard argued that no permanent grand theory is possible, but that inductive correlational studies relying on a few indicators could provide the foundation for theories on the eruption of violence (Singer and Wallace, 1979; also Adelman, 1994).

Leitenberg is less optimistic. He argues that it is extremely difficult to make predictions because, as far as massive domestic conflicts are concerned, the key determining factor is often a change in the tactics and strategies of governments with regard to the instrumentalities of repression. A narrative approach to conflicts would therefore be better. However, it has also been observed that the above-mentioned models might help and structure the various data and that some of these models could identify what kind of strategies could be adopted by certain types of regimes (Gurr and Harff, 1994 and Alker, 1994). Naturally, this creates an additional problem of conceptual early warning models: their validity in terms of early warning cannot actually be tested as the purpose of the policy variables is to disconfirm, by way of third party intervention, the expectation that violence will erupt (Fein, 1994).

Whatever model is preferred, it is important to note that for predictions to be reliable, scientifically based early warning systems demand strictly regulated and standardized procedures for the collection and processing of data, as well as harmonized usage of conflict indicators and rigorous application of all the concepts involved. Co-ordination of information and among information gatherers is therefore of considerable importance (Gurr and Harff, 1994).

Some argue the importance of computers to store information in data banks, as well as software to facilitate the making of projections on the basis of these data. Such data banks could filter the overwhelming volume of raw material in order to produce consistent narrative and analytical descriptions of key

variables, which are identified through experience and model testing as useful elements in early warning indicators. Moreover, one would have to include in these data so-called near real-time based information so as to acquire data whose presence would determine the probability that violence could erupt. In the Gurr model these would be considered response conditions or trigger variables. This would require the constant updating of information sets (Davies and McDaniel, 1994; also Kurth, 1994).

## **2.4 From Early Warning to Early Action**

The early warning procedure reaches its second phase if it is concluded that violence is imminent and a warning about this is sent out to political decision-makers with the request to take some kind of action to prevent the eruption of hostilities.

In preparing decision-makers to respond to impending conflict early warning specialists should exercise due caution. First, the literature emphasizes that relevant data will usually constitute too high a threshold to be readily used and acted upon by decision-makers. As the data will often be rather complex and difficult to digest, the early warning message needs to be presented in formats that can be easily used by decision-makers. Alker argues that it is better to provide verbal narratives tailored to fit the decision-maker than to present intricate conceptual models. These could easily inhibit (historical) understanding (Alker, 1994).

Development of possible future scenarios might also sensitize decision-makers to new realities and encourage them to respond faster to impending violence. In addition, as an early warning might have to compete with several other messages that reach the decision-maker, it is important to present this warning in the form of repeated messages. Communication theory indicates that these are more likely to be absorbed than single, isolated reports (Spencer, 1994). However, in some cases politicians may not be interested in the prevention of violence as they expect to benefit from its occurrence or escalation.

Early warning specialists differ as to their selection of the types of conflicts that should be targeted for preventive action (f.i. Lund, 1994 and Gurr and Harff, 1994). By and large there is agreement that the nature of the response should be proportional to the intensity of the conflict and that such response is likely to be more effective in its early stages. Lund, however, speaks of moments of ripeness, in the sense that there could be more possible turning or opportunity points, at which third parties might take effective action (Lund, 1994). This is in line with the work done by Bloomfield and Leiss (1970) on the containment of localized conflicts. They argue that conflict is, above all, a dynamic process consisting of a sequence of phases. Within each phase there are factors that generate pressures, which encourage or discourage violence. The balance between them determines whether a conflict will deteriorate. Within each stage these factors push the conflict across thresholds toward or away from violence.

The first stage is the so-called dispute phase, in which the parties do not necessarily consider the conflict in military terms. Once one or all parties perceive it as such, the conflict passes a threshold and enters the “pre-hostilities” phase, in which violence becomes potentially likely. One could think here of disputants acquiring military hardware as a preparatory step towards hostilities.

When violence erupts the third phase is entered, during which hostilities may or may not escalate. A fourth stage is reached when violence ends but a resumption of fighting can still be regarded possible, and a fifth phase begins when the military option is discarded but the contending issue remains unresolved. Only if this happens can one regard the dispute as settled. The precise moments at which thresholds are crossed cannot be easily ascertained, however, because the factors that produce or discourage violence are at work throughout the phases of conflict, rather than only at the exact moments of transition to another stage.

Bloomfield and Leiss contend that the course of a conflict can be affected by way of policy measures that are appropriate to the phase in question. As a conflict is a dynamic process it cannot be halted by

single policy objectives. Moreover, during each stage there are opportunities to prevent or contain violence. Nevertheless, their study concludes that the best and most realistic option is to concentrate on discouraging violence during the pre-hostilities phase, when military action seems imminent. They argue that, more generally, opportunities for preventing or controlling violence are concentrated in the very early stages of a conflict, especially the first, so-called dispute phase (Bloomfield and Leiss, 1970).<sup>1</sup>

Once it is decided that some sort of preventive action must be taken decision-makers are confronted with an extensive range of possible responses. Non-military responses could include the dispatch of monitors, fact-finding missions and mediators; the formulation and presentation of confidence-building measures to the disputants; and the imposition of various kinds of sanctions. Military responses could involve the formulation of agreements on the exchange of military information; the preventive deployment of troops; and the imposition of demilitarized zones and economic or military embargoes (also Doom, 1994).

## **2.5 Concluding Remarks**

Early warning is an instrument with an essentially short-term objective. While it is aimed at finding out when and where violent conflicts may erupt and at preventing their occurrence - and therefore focuses on intervening and response conditions - it does not concentrate on the background variables, which function as a necessary, but not sufficient, cause of conflict. This is a long-term objective which should be the province of international development co-operation. It is argued that sustainable development and early warning may in this way complement each other to create an environment where (massive) violent conflicts are unlikely to occur and economic development is not disturbed or annulled by the eruption and escalation of conflict (Doom, 1994 and Lund, 1994).

As shown above, however, the proper functioning of early warning mechanisms would in itself already demand the fulfilment of various conditions. The following chapters will show whether the mundane world of international organizations meets these requirements.

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1 As the following chapters focus on the *practice* of conflict prevention, they do not analyse the record of international organizations from these theoretical perspectives. The terms conflict and dispute are thus used interchangeably.

## 3 The OSCE

### 3.1 Introduction

This chapter will first discuss the way in which the concepts of security, conflict prevention and early warning are used in the political practice of the Organization on Security and Co-operation in Europe (OSCE). Then it reviews the phenomena that the OSCE treats as signals of potential (violent) conflict. This is followed by an analysis of the instruments and mechanisms with which such signals are processed.

### 3.2 The Concepts of Security, Conflict Prevention and Early Warning

#### 3.2.1 *Comprehensive Security*

The concern of the OSCE with early warning derives from a comprehensive concept of security. The Helsinki Summit Declaration of 1992 states that the OSCE's approach to conflict is based on the "comprehensive concept of security as initiated in the Final Act", adopted in Helsinki in 1975. It argues that this concept relates the maintenance of peace to respect for human rights and fundamental freedoms, as well as to economic and environmental solidarity and co-operation. The protection and promotion of human rights and the strengthening of democratic institutions are seen as the "vital basis" for comprehensive security (Helsinki Summit Declaration, 1992). The underlying idea is that violations of human rights will often lead to tensions and conflicts inside states and sometimes to problems and disputes between states. Dictatorially governed countries are more likely to pursue aggressive policies than democratically controlled governments (Van der Stoel, 1994c).

#### 3.2.2 *Conflict Prevention*

Conflict prevention therefore necessitates that the OSCE pays attention to a wide range of aspects and developments that are part of the domestic life of its member states (Van der Stoel, 1994d). In view of the transitions taking place in Eastern Europe after the Cold War the OSCE tends to see this in terms of process: the Helsinki Summit Declaration of 1992, for example, states that the OSCE wants to be involved in the "management of change". Such management entails that it will try and forestall aggression and violence "by addressing the root causes of problems" and by preventing, managing and resolving conflicts (Helsinki Summit Declaration, 1992, sections 18-19). Some authors contend that this broad focus on conflicts also involves, or should involve, attention to post conflict measures. This makes peace-building, *after* the violent phase of a conflict has ended, imperative. As will be shown in the next chapter, the idea on post conflict measures was introduced in the *Agenda for Peace* of UN Secretary-General Boutros-Ghali in 1992 (Höynk, 1994 and Van der Stoel, 1994c).

The emphasis in the OSCE is, however, on prevention. It is in this area that the OSCE plays a special role with regard to European security (Van der Stoel, 1994d). Yet, sometimes the term conflict prevention is used in such a general way that it appears to be synonymous with older and more common concepts used in the context of international organizations. Thus, Zaagman argues that OSCE documents contain implicit and explicit suggestions that political consultations and discussions - which are an instrument for

the peaceful settlement of *existing* disputes - may also work to prevent the eruption of conflicts in the future [Zaagman, 1994a].

It is clear, however, that the OSCE is supposed to become active in tackling problems, tensions and actual conflicts at a much earlier point in time than other international organizations. According to Vetchera the OSCE provides mechanisms that enable states to co-operate with each other so as to extricate themselves from situations that would otherwise be likely to escalate into confrontation and armed conflict. Even peace-keeping “is not necessarily bound to wait until a conflict has broken out and a cease-fire has been reached, but [can] in principle also be employed in a preventive way” (Vetchera, 1994). Thus, conflict prevention is the hall-mark of OSCE strategies with regard to European security (Van Santen and Zaal, 1993), even if the concept is at times used in a rather broad sense.

### 3.2.3 Early Warning

Early warning is a particular aspect of conflict prevention. Because of this, many of the OSCE’s mechanisms and instruments may, in the view of Van der Stoel, be considered “to have early warning aspects” (1994a). However, in this sense the notion of early warning is not defined or distinguished from other concepts of conflict management and prevention. Fortunately, apart from such a generalized use of the concept the term figures explicitly in OSCE documents.

The term was introduced in 1992, although it was left rather vague as to what it signifies exactly (Zaagman, 1993 and 1994a). The third chapter of the Helsinki decisions merely speaks of the objective “to have early warning of situations within the CSCE area which have the potential to develop into crises, including armed conflicts”. In this context nothing is said about what kind of events or developments are regarded as signals of potential conflict, although the formulation makes clear that early warning is not solely tied to the prevention of violence. However, how soon such early warning is supposed to be issued is left obscure as well (Helsinki Decisions, ch. III).

The second chapter relates early warning to the mandate of the High Commissioner on National Minorities, on whom more will be said below. It speaks of early warning “at the earliest possible stage in regard to tensions involving national minority issues”. Moreover, the High Commissioner has to activate other OSCE institutions if he concludes that there is *prima facie* risk of potential conflict (Helsinki Decisions, ch. II).

This still begs the question when precisely such an issue is considered to hold a *prima facie* risk of conflict and when intervention is meant to take place (Chigas, 1994b). Other OSCE documents, such as the Budapest Summit Declaration and Decisions of 1994, merely emphasize that the organization is “an instrument of early warning and conflict prevention”.

In an attempt to fill this conceptual void the first High Commissioner on National Minorities, Max van der Stoel, formulated the following “working definition”: early warning should

provide the relevant CSCE bodies with information about escalatory developments, be they slow and gradual or quick and sudden, far enough in advance in order for them to react timely and effectively, if possible still leaving them time to employ preventive diplomacy and other non-coercive and non-military preventive measures (1994a).

Preventive diplomacy should contain particular disputes and threats and prevent them from escalating into armed conflict. With regard to preventive diplomacy Van der Stoel distinguishes between an early and late variety. This distinction is inspired by a book written on the subject by Australian foreign minister Evans (1993). The aim of early preventive diplomacy is to encourage and support efforts by parties that are embroiled in a (non-violent) conflict to seek accommodation, while late preventive diplomacy seeks to persuade them not to resort to force when violence appears imminent. The High Commissioner should

ideally engage in early preventive diplomacy. Van der Stoel argues that, in practice, the distinction between early warning and preventive diplomacy is blurred as activities in the OSCE and the mandate of the Commissioner have characteristics of both. He sees early warning and preventive diplomacy “as a continuum of activities during what may be called the early warning stage”, which he takes as meaning “the period before a situation with tensions develops into a conflict” (Van der Stoel, 1994a). As in the Helsinki decisions, this formulation encompasses more than conflicts that are marked by violence.

### **3.3 The Signals of Potential Conflict**

#### *3.3.1 Introduction*

In view of its comprehensive concept of security it is not surprising that the OSCE considers various phenomena, events and developments as signals of potential conflicts. Some of these signals are mentioned only implicitly and have to be deduced from the instruments, mechanisms and institutions that the OSCE has developed in order to engage in the management and prevention of conflicts. The existence of these mechanisms and institutions also provides insight into which signals are given priority by the OSCE. This is important as its list of possible threats to security, peace and stability is very broad indeed.

Moreover, its documents do not establish any analytical distinctions between signals. They are all grouped together, without any apparent sequence or attributed importance. Distinctions such as in terms of general background conditions, intervening conditions reinforcing structural factors and trigger or accelerator conditions, that finally cause the eruption of violence, are completely absent.

#### *3.3.2 Categories of Signals and Priorities*

Some phenomena are explicitly mentioned as causes or roots of tensions, problems and (potential) disputes, either in broad, sweeping statements that express OSCE concern with certain current developments or in more specific contexts, such as in provisions on the High Commissioner on National Minorities. Thus, the Helsinki Summit Declaration emphasizes that “[economic] decline, social tension, aggressive nationalism, intolerance, xenophobia and ethnic conflicts threaten stability in the CSCE area”. This is repeated in the Budapest Summit Declaration and enlarged to include racism, anti-semitism and hostility to foreigners. The Budapest document also expresses its concern over struggles for hegemony and territorial expansion, which have led to the continuation of war. Together with social and economic instability these aspects are seen as the main causes of crises, death and human misery (Budapest Summit Declaration, section 5).

Both the Helsinki and Budapest documents list more specific indicators of (potential) conflict, whether explicitly or implicitly, in the sections entitled “Decisions”. These include treatment of minorities, displacement or involuntary migration of people, violations of human rights and the fuelling by governments of hatred and ethnic tension by way of the media.

To simplify matters, one can divide the general and more specific phenomena and events that the OSCE treats as signals of (potential) conflicts into two categories. One involves signals in the military sphere and the other encompasses aspects that are part of, what in OSCE parlour is called, “the human dimension”. Those in the military sphere usually pertain to inter-state conflicts and sometimes to domestic ones. Signals of the human dimension refer to intra-state disputes and only rarely to inter-state ones.

#### *The Military Sphere*

In the context of the OSCE European states have formulated various so-called confidence and security-building measures (CSBM's). In November 1990 they established a Mechanism for Consultation and Co-operation as Regards Unusual Military Activities that is part of procedures for their implementation and verification (Bloed, 1993b). The aim of the CSBM's is to enhance security by reducing the risks of surprise attacks, improving transparency and openness as far as military affairs are concerned and eliminating the possibilities of misunderstandings or miscalculations. A related aspect concerns hazardous incidents of a military nature and a procedure to restrict its negative effects on European security.

The contents of these procedures is discussed in paragraph 3.4. Here it is important to observe that, in aiming at the prevention of conflicts, these measures consider unusual troop movements, hazardous military incidents and possible misunderstandings emanating from these events as roots of potential conflicts. This does not refer to domestic tensions and disputes but to conflicts that are essentially part of inter-state relations (Vetchera, 1994). However, failure of Yugoslavia to furnish information on troop movements in 1991 was regarded as a signal of impending trouble in that country (Höyink, 1994).

Although the above-mentioned mechanism on unusual troop movements was established only after the end of the Cold War, it builds on work that was begun in this issue area with the start of the Helsinki process in 1975. Hence, Greco stresses that the CSBM's are based on a traditional concept of international (*i.e.* inter-state) conflict. In his mind this kind of conflict has become obsolete, as most new disputes in Europe concern domestic conflicts or are triggered by domestic tensions (Greco, 1994).

However, in 1992 the OSCE created, as its security component, a Forum for Security Co-operation (FSC). According to Borawski and George (1993) its primary objective is to "adapt the traditional tools of arms control ... to the contemporary 'security parlance' [sic] of preventive diplomacy ...". They hold that the CSBM's are needed more than ever before and therefore continue to have importance for the prevention of conflict. The adoption by the OSCE of the Stability Pact for Europe, in March 1995, likewise reaffirms the importance of understanding, trust and friendly relations between European countries (OSCE Newsletter, 1995, No. 3, p. 3).

The "Programme for Immediate Action", adopted by the FSC, thus aims at improving arms control, disarmament and confidence and security-building measures that are based on the old concept of inter-state security and take the same sort of events - such as unusual troop movements - as signalling potential conflicts. Yet, a NATO framework proposal to the OSCE of April 1993 widened this by pleading for stabilizing measures for localized, *i.e.* domestic, crisis situations. These would, among others, involve notification of conventional arms transfers to parties engaged in a domestic crisis (Borawski and George, 1993 and Ghebali, 1993). Thus, conventional arms transfers might serve as a signal of impending domestic strife.

The FSC's Programme for Immediate Action also included a call for a politico-military code of conduct. Besides traditional arms control and confidence and security-building measures, this code should stipulate the need for democratic control by member states of their (para-)military forces, emphasize the importance of their political neutrality and subjection to the rule of law and call for the use of such forces in conformity with human rights and the rights of minorities (Ghebali, 1993).

The Code of Conduct on Politico-Military Aspects of Security that was finally adopted by the Budapest Summit of 1994 reaffirms the desire for democratic control of (para-)military forces and widens it to include police, intelligence and security agencies (Budapest Decisions, ch. IV). Thus, the role in certain domestic political contexts of the military and other agencies is implicitly regarded as a potential source of trouble and conflict.

### *The Human Dimension*

The other group of events, phenomena and developments that are taken as signals of potential conflict belong to the human dimension. This is a central concept in the OSCE standing for the whole range of human rights, fundamental freedoms, democracy, the rule of law and humanitarian principles (Zaagman,

1994a). As was observed with regard to the comprehensive concept of security, violations of OSCE commitments in this area are interpreted as signals of potential tensions and conflicts both within and between states.

In view of the broad range of OSCE concern with aspects in this issue area it is difficult to establish which elements are regarded as more important signals than others. As shown above, the sweeping statements made at its summits mention numerous phenomena and developments, whether of a general or more specific nature.

However, since 1992 there is one aspect that is given considerable priority, namely problems concerning national minorities. According to Chigas it is now recognized that the greatest danger to peace and security in Europe emanates from domestic, inter-ethnic conflicts (1994b). The priority given to these signals can be gauged from the establishment, in 1992, of a High Commissioner on National Minorities and the fact that it is especially in relation to this functionary that the OSCE uses the concept of early warning (Helsinki Decisions, ch. II).

How exactly inter-ethnic tension may generate (violent) conflict is not made clear (also Zaagman, 1993). However, the first High Commissioner has argued that, while “ethnic relationships ... often have a centuries-old history, such conflicts very often have more immediate political causes”. In this respect he refers to the manipulation by politicians of psychological uncertainties and material difficulties generated by the problems of economic transition (Van der Stoel, 1994d).

OSCE documents do not define what is meant by a “national minority”. It is often used in a broad way to discuss inter-ethnic and inter-religious ties. (Zaal, 1992). Yet, as complaints by individual members of minorities have been excluded from the High Commissioner’s mandate, it is clear that it is problems concerning an entire minority as such that are regarded as a potential source of conflict. The High Commissioner is also not allowed to concern himself with problems surrounding minorities if acts of terrorism are involved. This has, however, more to do with resistance of member states to OSCE concern with domestic security problems than with any contention that inter-ethnic tensions, marked by terrorist acts, could not be regarded as a signal of potential conflict (Zaal, 1992).

In practice the High Commissioner has concerned himself with problems concerning Russian minorities in the Baltic states, especially Latvia and Estonia; the problems of Slovak and Hungarian minorities in Hungary and Slovakia; minorities in Macedonia, Albania, Romania, Ukraine, Kazakhstan, Kyrgyzstan; and the problems surrounding the Roma group of Gypsies in Europe (Van der Stoel, 1994d and Zaagman, 1994b).

From some of the suggestions he has made to improve inter-ethnic ties, one may infer that lack of communication between government and minority is one aspect of the nature of the problems concerning minorities. Others are exclusion from public life, forced assimilation and lack of linguistic facilities, such as language education and broadcasting (Van der Stoel, 1994b).

### **3.4 The Processing of Signals: Institutions and Mechanisms**

This paragraph analyses how and by which functionaries and institutions signals of potential conflict are picked up, analysed and responded to (or not).

#### *3.4.1 Introduction*

Much more than other international organizations, the OSCE can be seen as a kind of process by which member states are more or less permanently engaged in consultations (Bloed, 1993b). Such consultations and discussions are stipulated in OSCE documents for the purpose of implementation and verification of the various commitments that member states have accepted in the military and the human dimension spheres and some other issue areas. These consultations and the information they generate are supposed to

have a preventive effect, as they enable states to put pressure on governments that do not respect their commitments and thus are likely to contribute towards the eruption of conflict. However, according to Zaagman this may only be valid in the long term, as the frequency of these consultations is not sufficient for this and discussions usually result in a rather general compromise (Zaagman, 1994a; also Greco, 1994 and Höynk, 1994).

The principal OSCE institution in the field of conflict prevention is the Senior Council (formerly known as Committee of Senior Officials or CSO) (Van der Stoel, 1994a and Zaagman, 1994a). It is made up of member state representatives and is responsible for management and co-ordination in between sessions of the Ministerial Council. The Senior Council has to be informed of all the signals and it takes all substantive decisions pertaining to (possible) conflicts. Its Permanent Council in Vienna is responsible for day-to-day management and the OSCE's operational tasks. It engages in regular consultations and decision-making. It convenes at least once a week and in extraordinary (emergency) session if necessary (Zaagman, 1994a and Budapest Decisions, ch. I).

The Senior Council's attention may be raised to any situation having the potential of developing into (armed) conflict. This may be done, for example, by the High Commissioner on National Minorities but also by any member state, whether or not involved in a dispute. The Senior Council must encourage states to take steps to avoid aggravation of conflicts and engage in their peaceful settlement. It may consult experts for an assessment of the situation, dispatch fact-finding or rapporteur missions and initiate mediation efforts. In this respect it can delegate tasks to ad hoc steering groups or the Chairman-in-Office. The latter is the foreign minister of the country that organizes the current Ministerial Council session. He bears executive responsibility in the Senior Council's name and may himself appoint a personal representative, usually for the purpose of fact-finding (Helsinki Decisions, ch. III and Budapest Decisions, ch. I; Zaagman, 1994a).

#### *3.4.2 The Berlin and Valletta Mechanisms*

One of the general procedures that the OSCE has at its disposal for the prevention of conflict is the Mechanism for Consultation and Co-operation With Regard to Emergency Situations, otherwise known as the Berlin Mechanism. This procedure is applicable in the whole area of OSCE activity and is thus in principle concerned with various kinds of signals of potential conflict. It may be invoked in case of "a serious emergency situation which may arise from a violation of one of the Principles of the Final Act or as the result of major disruptions endangering peace, security or stability" (quoted in Bloed, 1993b).

It involves two phases. A state may seek clarification of another country when it considers that an emergency situation is developing. The requested information must be provided within two days and will also be transmitted to other OSCE states. If the problem is not solved, the initiating state may, with the agreement of twelve other countries, call an emergency session of the Senior Council, which must be held within two or three days. The Senior Council may convene a meeting of the Ministerial Council or arrive at its own recommendations or conclusions (Bloed, 1993b).

The so-called Valletta Mechanism is not a procedure for the *prevention* of conflict but one for the settlement of disputes that have already broken out. It may be applied in any dispute between member states, save those which - in the opinion of the state concerned - involve issues of territorial integrity, national defence or sovereignty. The Mechanism provides for the mandatory involvement of a third party. To this purpose one or more independent members may be selected from a resource list of experts. Although the Mechanism has never been used it was later strengthened with a procedure by which the Ministerial Council or Senior Council may direct disputants to seek conciliation. Such a decision may be taken without their consent ("consensus minus two") (Bloed, 1993b).

#### *3.4.3 Mechanisms and Procedures for the Processing of Signals from the Military Sphere*

The Mechanism for Consultation and Co-operation as Regards Unusual Military Activities stipulates that states will consult each other on “any unusual and unscheduled activities of their military forces outside their normal peacetime locations which are militarily significant ... and about which a participating state expresses its security concern”.

Within two days a government must provide an answer to questions pertaining to such activities. Any state may request such clarification and request bilateral meetings or meetings of the OSCE as such, to resolve the issue. These meetings must take place within forty-eight hours (Bloed, 1993b). Vetchera writes that the mechanism was activated three times in the early stages of the Yugoslav crisis, where it helped to de-escalate tensions between Belgrade and Italy and Austria with regard to their (then) common border regions (Vetchera, 1994; but also Greco, 1994). States must also co-operate with each other in the area of hazardous incidents of a military nature, by reporting and clarifying what has happened (Bloed, 1993b).

The Forum for Security Co-operation (FSC) established in 1992 is to become the OSCE's principal institution as far as the military aspects of European security are concerned. It is made up of two committees. The ways in which it is supposed to contribute to military security is by negotiating concrete measures to reduce conventional military forces and, more generally, by realizing a co-operative dialogue between member states on the premise that security is no longer a purely national, but a collective, responsibility (Ghebali, 1993). Verification and consultation procedures on the lines of the unusual troop movements mechanism are to be part of this, as well as more general commitments on the global exchange of military information about personnel and equipment (Borawski and George, 1993).

As was mentioned in paragraph 3.3, the Code of Conduct on Politico-Military Aspects of Security adopted at Budapest stipulates the need for subjection of (para-)military forces and related agencies to democratic scrutiny. In this respect the Code stipulates certain obligations which are important for realizing such control. However, these regulations cannot be seen as processing signals of impending conflict, although they imply that (para-)military agencies are a source of potential trouble.

The Code says that governments must base their defence expenditure on legal grounds. They must see to it that their military forces are politically neutral and that their para-military forces do not get more capabilities than what was intended in relation to their original mandate. States should not condone forces that are not subject to constitutional control. Recruitment must be in conformity with human rights. The rights and obligations of military personnel are to be laid down in law and the exemption from compulsory military service and introduction of alternative service will be considered. Decisions to provide armed forces with duties with regard to internal security must be based on constitutional requirements. They may not be used to restrict the rights of individuals or groups or to hinder the expression of their national, religious, cultural, linguistic or ethnic identity. Member states will make an effort to transform these commitments into national legal regulations.

While these general commitments are not explicated further, the Code stipulates that a government must answer questions with regard to its implementation. For this, member states will use the mechanisms and procedures at the disposal of the OSCE (Budapest Decisions, chs. IV-VI).

Finally, in the purely military sphere there is one other and very concrete way in which the OSCE can respond to signals of potential conflict. This is the preventive deployment of troops (Helsinki Decisions, ch. III, section 17). A concrete example of preventive deployment is the stationing of troops in Macedonia with the object to prevent a further spreading of the civil war in the former Yugoslavia. According to Van der Stoel the principal task involved is the prevention of escalation, with monitoring of the situation as a secondary goal. He argues that its credibility depends on the perceived likelihood of retaliation or sanctions in case parties to the conflict nevertheless resort to violence. Preventive deployment is, strictly speaking, not a part of preventive *diplomacy*. He warns that such deployment should not be considered lightly. It may also not be enough for the defusion of tension, so that it should be part of a more comprehensive strategy on conflict prevention (Van der Stoel, 1994a).

### 3.4.4 Mechanisms and Procedures for the Processing of Signals in the Human Dimension

The mechanisms of the human dimension are a collection of procedures that aim at making states engage in dialogue, at collecting information and finding solutions for problems related to human rights in their widest scope (Zaagman, 1994a). Like the Berlin procedure they entail a phased approach, from clarification to consultation and, finally, to meetings of OSCE organs. These may then, for example, decide to send fact-finding missions (Höynk, 1994).

The most general procedures are the so-called Vienna and Moscow mechanisms. The first stipulates that states provide information on matters relating to the human dimension within ten days of a request to that effect from another government. It may lead to a bilateral meeting to discuss the matter and the other OSCE states may be informed of these developments. This may also be done at meetings of the Senior Council.

The Moscow procedure supplements this by making it possible to dispatch independent experts to assess the relevant situation. A state may initiate the establishment of such a mission even against the will of the government involved, if it obtains the support from five other countries. This creates the possibility for independent assessment of situations that carry the seeds of conflict. Moreover, the Moscow mechanism also allows the Senior Council to establish a mission of independent experts or rapporteurs; the voluntary invitation by a state of such experts; and the appointment of rapporteurs in case of a “particularly serious threat” to the human dimension regulations. This last opportunity must concern cases of massive and gross violations. In such cases the mission may be established with the support of ten states and it can also be sent against the will of the government concerned (Bloed, 1993b, pp. 20-21, 31-33 and 41-43).

#### *The High Commissioner on National Minorities*

The High Commissioner on National Minorities is *not* an instrument of the human dimension. The Helsinki Decisions make it clear that he is an instrument of conflict prevention and not a functionary who solely caters for the interests of minorities. However, the (signals of) potential conflicts with which he is concerned are generally part of the human dimension area. His role in processing and responding to information on possible disputes is therefore treated under this heading (also Zaagman, 1993).

The Helsinki Decisions stipulate that the Commissioner will provide early warning and, as appropriate, “early action” at the earliest possible stage in regard to tensions involving national minority issues “which have not yet developed beyond the early warning stage, but, in the judgement of the High Commissioner, have the potential to develop into a conflict ...”.

For the OSCE he represents an important means for the gathering of information and the identification of conflict (Zaal, 1992). His mandate is based on the assumption that inter-ethnic conflicts are avoidable (also Van der Stoel, 1994d) and involves two principal functions: persuading parties to seek accommodation and, if violence is imminent, attempting to de-escalate. It thus combines both early and late preventive diplomacy in the sense used by Evans (1993). In the second phase his so-called “trip-wire” function is activated (Zaagman, 1994a-b): if he concludes that there is *prima facie* risk that a situation will lead to a conflict he may issue a formal “early warning” to the Senior Council, which will discuss it at its next meeting. The Commissioner may then ask the Council to allow him to enter into further contact with the parties, which in the Helsinki Decisions is called “early action”. If, after such further consultations, he concludes that the situation will escalate or develop beyond a level that he is able to cope with, he may transfer the case to the Council (Helsinki Decisions, ch. II, sections 13-20).

According to Bloed the Commissioner has as yet never issued a formal early warning, nor has he engaged in formal early action (Bloed, 1993c and Chigas, 1994b). However, these formal provisions should not be confused with the Commissioner’s real early warning function: this consists of the continuous collecting of information, the following and assessing of events and, if need be, engaging in

consultations with the parties with the object to promote dialogue; this generally takes place at a stage *before* such formal early warnings are issued to the Senior Council (see Helsinki Decisions, ch. II, sections 11-12).

The Senior Council, as well as the Chairman-in-Office and individual states, can provide the Commissioner with the necessary political backing when he engages in early warning activities (Van der Stoel, 1994d). However, he is allowed considerable latitude in the execution of his tasks. The Commissioner decides for himself with which cases he will concern himself (Zaagman, 1994a), even though he regularly engages in informal consultations with the Senior Council and the Chairman-in-Office so as to enhance his effectiveness (Chigas, 1994b).

The first High Commissioner considers that, in general, it is best to intervene as early as possible. His impartiality is regarded as a crucial aspect of his function. As his title implies, he is the Commissioner *on* (i.e. concerning) minorities, rather than an ombudsman *for* such groups. Thus, he may point out to minorities that they, too, have certain obligations. He tries to operate in an atmosphere of confidentiality and lays emphasis on the non-coercive character of his intervention. While he may visit a state without the consent of the Senior Council or the state involved (Van der Stoel, 1994a-b), in practice the Commissioner prefers to operate in consultation with the parties concerned (Zaagman, 1993). It is only by dialogue and co-operation that durable solutions are seen as possible.

For this the Commissioner adopts a graduated approach, starting with low-profile discussions and “co-operative implementation”. This may be followed by more intrusive forms of intervention. For example, he may attempt to involve other states in order to exert political pressure on the parties concerned, although this must be done with caution (Chigas, 1994b and Van der Stoel, 1994a-b). While he cannot take binding decisions, his influence derives mainly from his ability to move freely between the parties, from understanding their views and offering information and advice. Both governments and minorities may get in touch with the Commissioner of their own accord.

The suggestions that the Commissioner makes for resolving inter-ethnic tension are based on a process orientation: it is only by structural dialogue and solutions, especially of a political nature, that such problems can be eradicated. Legal remedies tend to reinforce the rigidity of the parties involved. Thus, the Commissioner recommends on changes in government policies and suggests measures, such as investment in language facilities and the realization of dialogue through round-tables, ombudsmen or minority rights offices (Van der Stoel, 1994b; Chigas, 1994b; Zaagman, 1994b).

### *Long-Term Missions*

The High Commissioner’s task is essentially of a short-term nature: keeping conflicts tractable so that one can start addressing root causes.

Missions of long duration are an important OSCE instrument for the realization of this long-term objective, although they are also engaged in early warning. They are established by the Senior Council and can only function with the consent of the state involved. While short-term missions are usually established on an ad hoc basis and restrict themselves to fact-finding and analysis, long-term missions aim at softening or resolving conflicts by offering their mediation; collecting information; and signalling and preventing escalatory events. If they observe such developments they can warn other OSCE institutions. One of these is the High Commissioner, who regularly consults such missions and uses the information collected by their members. These missions are active both in the military sphere and in the broad area of the human dimension (Zaagman, 1994a-b and Van Santen and Zaal, 1993).

An example of such a mission is the one that was sent to Kosovo, Vojvodina and Sandjak in former Yugoslavia, which attempted to encourage dialogue between the Belgrade government and non-Serbian communities; collect information on the human rights situation and establish points of contact. Another long-term mission was dispatched to Macedonia in order to monitor its border with Serbia. Long-term missions were also sent to the Baltic states to improve relations between their governments and the

Russian communities; to Moldova, with the objective to establish a framework for a durable political solution of the conflict with Russian communities and formulate proposals for this; to Tadjikistan to establish dialogue between conflicting parties, verify their respect for OSCE commitments, assess the military situation and assist in the formation of legal and democratic structures; and to Georgia-South Ossetia, with the objective to identify and eliminate sources of tension, establish contact with the local population and government, support and control a cease-fire and help in the development of legal and democratic institutions (Höyнк, 1994 and Gorissen and Scheltema).

#### *Office for Democratic Institutions and Human Rights*

One final institution that is of relevance to early warning operations is the Office for Democratic Institutions and Human Rights (ODIHR) in Warsaw. This is the central OSCE institution in the human dimension area. Operating under the authority of the Senior Council, it facilitates the organization of OSCE verification meetings with regard to human rights. It also collects and provides information on human rights situations; organizes meetings to review implementation of OSCE human dimension commitments in years that general summit conferences do not take place; and participates and undertakes missions to member states (Helsinki Decisions, ch. VI).

An American initiative to give ODIHR a specific early warning function failed to materialize (Zaagman, 1994a). However, in so far as it collects and processes information on potential sources of conflict, it does perform a function with regard to early warning (Höyнк, 1994). Furthermore, its role was strengthened by the Budapest summit. It is now expected to participate, in a consultative capacity, in meetings of the Senior Council and its Permanent Council and must be consulted when missions are sent to countries. It will also have a special role in the monitoring of elections (Budapest Decisions, ch. VIII).

### **3.5 Evaluations**

#### *3.5.1 The Concepts*

The OSCE has many arrangements that are relevant for conflict prevention, yet one overall concept is lacking (Zaagman, 1994a). On the whole, early warning and conflict prevention have not been clearly defined and are used in a rather loose sense. Sometimes these concepts are articulated in such a general way that they merely seem fashionable parlour, that serves as a synonym for things that were already there, such as instruments for the management of *existing* disputes.

Nevertheless, it is clear that the OSCE desires to become involved at a very early stage and also aims at preventing the eruption of (violent) disputes. Most of its mechanisms and institutions and, indeed, its very nature as an organization representing a process of continuous consultations, are geared towards early activation. Moreover, it is with regard to problems surrounding ethnic minorities that the concept of early warning has received its most concrete institutional and procedural manifestation, as well as a working definition.

#### *3.5.2 The Signals*

Although the OSCE attributes considerable importance to inter-ethnic problems, the range of developments and phenomena that are treated as signals of potential conflict is quite comprehensive. Yet, while the OSCE pays lip-service to the importance of helping East European countries manage the process of economic liberalization and its social repercussions, tensions that may arise from this process do not receive much attention. Although one can hardly under-estimate the dangers that inter-ethnic problems pose to European security, one may question whether the focus on ethnic minorities does not, to some

extent, side-track from some of the sources of potential conflict. In this respect it is significant that the High Commissioner on National Minorities has observed that “the economic dimension is virtually lacking from the range of CSCE conflict prevention tools” (Van der Stoel, 1994d). He has frequently argued that factors such as economic decline must, indeed, be taken into account, if the OSCE wishes to forestall conflict in the longer-term (Van der Stoel, 1994b-d; also Van Santen and Zaagman, 1993 and Zaagman, 1994a).

### *3.5.3 The Processing of Signals*

#### *General Effectiveness*

The effectiveness of the OSCE response to possible conflicts is, in general, restricted because of the nature of its decision-making. With few exceptions, decisions can only be taken with the consent of all member states. While consensus is necessary to obtain political support for a response to signals of (impending) conflict, it hinders timely and effective decision-making (Zaagman, 1994a). Thus, a procedure as the Berlin mechanism is not very effective as the decisions taken by the Senior Council in the final stages of this procedure have to be based on consensus (Bloed, 1993b). The same is true for the mechanism on unusual troop movements, whose application may also end in convening OSCE organs (Greco, 1994).

The Vienna and Moscow mechanisms in the human dimension area may also involve meetings of the Senior Council. However, the Moscow mechanism is more intrusive in the sense that the Council can dispatch a mission - in case of massive and gross human rights violations - against the will of the state concerned, if it is supported by ten states. Both mechanisms are buttressed by a rule that enables the taking of decisions without a state's consent, in case of massive and gross violations of human rights (“consensus minus one”). Yet, its relevance is limited by the nature of the steps that can be taken. This involves the adoption of political declarations or, as happened with Serbia-Montenegro, a state's exclusion from OSCE fora (Bloed, 1993b).

What the need for consensus in OSCE procedures can do in practice may be gauged from the ineffective responses of the OSCE towards the conflicts in former Yugoslavia and Nagorno-Karabakh and its powerlessness before the unfolding of events in Chechnya.<sup>1</sup> With the general absence of sanctions against culprit states the defence of OSCE commitments depends heavily on the political will of the participant countries. In this respect it must be borne in mind that the European configuration of power does not make it easy to generate leadership, most notably in the context of conflicts or in crises involving an important member state like Russia.

#### *The High Commissioner, Long-Term Missions and ODIHR*

In general it is difficult to assess the actual functioning of OSCE institutions like the High Commissioner and long-term missions. Judging from the literature little research has been done on the internal workings of these organs. What exactly goes on inside them cannot be answered with any certainty, at least not in the scope of this report.<sup>2</sup>

Most authors do not clarify the criteria with which they judge the performance of the High Commissioner and long-term missions. However, most contend that the Commissioner constitutes a relatively successful instrument of early warning in the OSCE. His work in the Baltic countries is often cited as an

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1 See Gorissen and Scheltema, 1994; OSCE Newsletter, 1995, No. 3, p. 4; and Statement of the Chairman in Office, first meeting, Senior Council, Prague, 30 March 1995, pp. 3-4 ff.

2 Some further clues as to the practical performance of these institutions are provided in some recent publications: Carlsson (1994); Conflict Management Group (1994); Huber (1994); Terstal, Huber and Kamp (1994); and Zaagman (1994c and 1995).

example (see f.i. Zaagman, 1993 and 1994a and Chigas, 1994b). Some of the long-term missions are also deemed as successful initiatives in preventing and maintaining conflict (Höyink, 1994).

Nevertheless, the Commissioner's work is seriously hampered by limited resources and the small size of his staff. The same is true for OSCE missions, which never exceed more than a dozen functionaries despite the demanding nature of their mandate (Gorissen and Scheltema, 1994). Complaints about a gross lack of resources have also been articulated with regard to ODIHR's role in the monitoring of elections.<sup>3</sup> Some authors contend that the results in conflict prevention have therefore been rather modest (Van Santen and Zaal, 1993 and Hurlburt and Shorr, 1994). Thus, it might be necessary and advisable to engage NGO's, such as human rights organizations, to buttress the OSCE's intelligence work.

Apart from being underfunded and grossly understaffed, there is the proliferation of missions and other initiatives in preventive diplomacy. According to Bloed this necessitates proper co-ordination (1993c). The High Commissioner's mandate also suffers from a lack of institutionalized follow-up. While ethnic conflicts are usually not resolved with a first visit, the Commissioner's regulations do not provide for permanent and longer-term attention. Yet, his task is not to *resolve* but *mitigate* conflict (Chigas, 1994b). His is therefore a short-term job. In the longer-term, one requires post-conflict measures; measures to improve social and economic conditions; activities to create confidence between governments and populations; and measures to develop viable democratic institutions (Van der Stoel, 1994b and Zaagman, 1994b).

### *Concluding Remarks*

In view of the restricted scope of the OSCE's most important instruments in terms of personnel and resources, one may safely conclude that their significance for early warning lies more in the realm of symbolism and what is potentially possible, than in their concrete contribution to enhancing European security. Moreover, it does not embody a genuine collective security structure. A more general reflection is that, according to Van der Stoel, early warning activities can only be as effective as the political response of member states (1994a). In this respect he questions whether lack of information really constitutes the problem. It is what happens to the processing of the signals that forms the central question. The High Commissioner explicitly states the following (Van der Stoel, 1994d):

In spite of this clear need for early responses, I cannot escape the impression that individual States or the CSCE community as a whole is rather slow in their reactions. I do not for one moment doubt that in the Foreign ministries the necessary information is available ...

Other authors likewise contend that actual interest in preventive diplomacy is lower than what might be expected on the basis of the OSCE's verbal and institutional concern with early warning. There is a lot of information on conflicts and many countries emit worrying signals, yet in many cases there is no response or it is slow in coming. Turkey, Uzbekistan, Tajikistan and Kosovo are mentioned as examples.

They conclude that European states have not sorted out the relationship between national interests and an expanded conception of interest in the development of stable, democratic societies (Hurlburt and Shorr, 1994). In this respect one may infer from remarks made by the High Commissioner that member states (sometimes) consider activation of OSCE mechanisms as an unfriendly act vis-à-vis other countries. This may lead to reticence to use procedural facilities (Van der Stoel, 1994c and Zaagman, 1994a).

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3 See Statement by the Chairman in Office, first meeting, Senior Council, Prague, 30 March 1995, p. 8.



## 4 The United Nations

### 4.1 Introduction

It may be argued that various provisions in the UN Charter contain an implicit early warning, or at least a conflict preventive, component. The Secretary-General, for example, is entitled to bring to the attention of the Security Council any matter that *may threaten* the maintenance of international peace and security. In other words, the chief UN official may respond to, and the Security Council become seized with, situations in which violent conflict has not (yet) erupted. The General Assembly may call the attention of the Security Council to such situations as well (see articles 11.3, 34 and 99 UN Charter; also Drüke, 1994).

Thus, during the 1950s the then Secretary-General Hammarskjöld introduced the concept of UN preventive diplomacy: with the help of “UN presences” and the dispatch of personal representatives he attempted to forestall the eruption of violent conflict in areas that were at the periphery of the Cold War or at least to prevent their escalation by insulating them from superpower rivalry. The UN observer group sent to Lebanon in 1958, as well as the ONUC force sent to the Congo in 1960, can be seen in this light (Claude, 1965).

However, as already became clear in the course of the Congolese conflict superpower rivalry inhibited the proper evolution of the UN’s mandate in preventing or containing disputes and its role in the maintenance of international peace and security generally (also Drüke, 1994). Conversely, since the end of the Cold War it attempts, and is often expected, to fill the vacuum that has been left by the withdrawal of superpower interference in various zones of conflict. While this usually entails activities that fall in the categories of conflict management (*i.e.* containment or reduction of conflict levels) and conflict resolution, the UN has also undertaken efforts that are relevant in the area of early warning and conflict prevention. This chapter will present an overview of the concepts and institutions which are in that respect pertinent. Some remarks are also made on the actual practice of the world body’s new focus in this area. Conclusions can, however, only be tentative, as there is a relative dearth of published sources.

### 4.2 The Search for Greater Effectiveness in Handling Conflict

Already before the end of the Cold War, during the 1980s, principal UN organs began searching for opportunities to enhance the effectiveness of the world body in handling the various dimensions of disputes and crisis situations. One aspect of this was conflict prevention.

In less politically sensitive areas various UN organs had already developed concepts and procedures that were relevant in terms of preventive action. Thus, the United Nations Statistical Office and the Department of International Economic and Social Affairs developed databases for economic forecasting and identifying social and environmental indicators. During the 1970s the UN Environmental Programme founded Earthwatch and the FAO established the Global Information and Early Warning System (GIEWS) in their respective field of competence (Drüke, 1994).

When Pérez de Cuéllar became Secretary-General he declared his intention to work towards the revitalization of the Security Council. With regard to his own role, he announced that “[in] order to carry

out effectively the preventive role foreseen for the Secretary-General under Article 99, I intend to develop a wider and more systematic capacity for fact-finding in potential conflict areas” (cited in Ramcharan, 1991; also Leurdijk, 1990 and Drüke, 1994).

In 1982 the Security Council began discussions on the possibilities to improve its own relevance in the area of conflicts. These informal consultations, which involved successive rounds until November 1986, considered among others the Secretariat’s capabilities in the gathering of information and its accessibility to the members of the Council. The Security Council also discussed the possibility to strengthen the means for dispatching fact-finding or inquiry missions (see below); periodic sessions of the Council; its meeting away from headquarters; and the reinforcement of UN peace-keeping operations (Ramcharan, 1991).

These developments were explicitly encouraged by the General Assembly. In 1988 it adopted a “Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field”. The Declaration contained various suggestions to strengthen the Council’s role in the management, resolution and prevention of conflicts. Thus, it argued that the Security Council should consider, at an early stage, the dispatch of fact-finding or good offices missions and the establishment of a UN presence in conflict areas -such as observer and peace-keeping forces - so as to prevent deterioration of disputes. Prevention or resolution of conflicts could also be enhanced by encouraging states to take recourse to organizations active in the region where the dispute occurred or could possibly erupt. The Council was also asked to consider the utility for conflict prevention of advisory opinions by the International Court of Justice on relevant legal questions (Ramcharan, 1991).

#### **4.3 The Growing Importance of Fact-Finding**

The above shows that the aspect of information on (potential) conflicts was given special emphasis. Such fact-finding has always taken place on an ad hoc, decentralized basis.<sup>1</sup> The General Assembly and the Security Council have both established, at one time or another, various fact-finding bodies, while fact-finding missions have also been conducted under the authority of the Secretary-General himself.

Attempts to streamline, centralize and institutionalize this multifarious process always came to naught. Thus, a Dutch initiative in 1962 to establish an impartial fact-finding mechanism by way of a permanent UN organ received little support from other countries. It was even doubted whether the proposal had any relevance as most member states considered methods of fact-finding of secondary significance. Again, when during the 1980s the Security Council discussed the possibilities to enhance its own role in the handling of conflict, it became clear that the great powers were not interested in establishing a central body for fact-finding. It was feared that this might constrain their options much more than if parties to a conflict would search for their own “facts”.

Nevertheless, in the course of the discussions on the possible reforms of the UN’s handling of conflict the utility of fact-finding was increasingly emphasized. The gradual disappearance of tension between East and West was crucial here. The report of the Palme commission on disarmament argued for implementation of a collective security concept for Third World conflicts with the purpose to prevent their settlement by violent means. The first phase of UN action in this regard should be the formation of a fact-finding mission to advise the Secretary-General on the situation. Another proposal, launched in 1984, argued for the possibility of Security Council sessions solely for the purpose of ascertaining the facts of a crisis.

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1 This paragraph is based on Leurdijk, 1990.

At the end of the decade both some West and East European countries submitted suggestions for a reinforcement of UN fact-finding capacity, with the former favouring a stronger role in this respect for the Secretary-General and the latter giving priority to the Security Council. The Western proposal called on the Secretary-General to prepare and update lists of experts in certain technical fields for possible fact-finding missions. Such missions should have clear terms of reference, perform their duties in a strictly impartial way and be granted all freedoms and facilities to fulfil their mandate. In order to survey developments regarding peace and security more regularly the Secretary-General should reinforce the information-gathering capabilities of the Secretariat. The East European initiative mentioned several fact-finding methods, such as the dispatch of civilian, military and mixed missions and special envoys and the appointment of ad hoc subsidiary bodies, all with the consent of the government involved.

All these proposals and initiatives received their culmination in 1991, when the UN adopted the Declaration on Fact-Finding by the United Nations in the Field of the Maintenance of International Peace and Security. This outlines the purpose, criteria, procedures and prerogatives involved in UN fact-finding activity (Drüke, 1994). The result was that, by 1993, the UN Secretary-General could observe that in the preceding year more fact-finding missions had taken place than in any previous period (Boutros-Ghali, 1993).

#### **4.4 The Establishment of ORCI**

Thus, by the late 1980s more use began to be made of fact-finding missions, something that was increasingly seen in relation to a possible role for the UN in conflict prevention. Although its centralization and institutionalization were still out of the question (Leurdijk, 1990), fact-finding was streamlined to a limited extent by the establishment, in 1987, of the Office for Research and the Collection of Information (ORCI). It was made up of several sections, including two small geographical units manned by six professional staff (Evans, 1993).

The establishment of this office, as part of the UN Secretariat, was the result both of the growth in refugee emergencies and the financial crisis facing the world body. Because of this, the General Assembly appointed the so-called Group of Eighteen to study the UN's efficiency. It issued recommendations for streamlining and cutting duplication of work inside the Secretariat. Meanwhile another body, the Group of Governmental Experts to Avert New Refugee Flows, asked the Secretary-General "to ensure timely and fuller information on potential refugee situations" (Drüke, 1994).

ORCI was therefore intended to centralize information gathering services, scattered across various UN organs, for purposes of economy and enhanced effectiveness. In a report of the Secretary-General its mandate was explicitly related to the responsibilities of the chief UN official, under article 99 of the Charter, in the maintenance of international peace and security. It argued that, in order to carry out these tasks, "a key instrument [was] the regular and effective provision, analysis and dissemination of relevant information". This would allow the Secretary-General to monitor "actual and potential" threats to peace and provide the Security Council and General Assembly with "a sound and timely basis" for their deliberations.

ORCI's mandate therefore clearly pointed to an early warning function with regard to the management of conflicts that had already broken out ("actual threats"), as well as the prevention of new ones ("potential threats"). It referred in this respect to information activities "in the political area".<sup>2</sup> However,

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2 A/C.5/42/2/Rev.1: Implementation of General Assembly Resolution 41/213: Programmatic and Budgetary Aspects - Update of the Progress Report of the Secretary-General (A/42/234): Report of the Secretary-General, 23 September 1987 (hereinafter as Report of the Secretary-General, 1987).

its mandate also involved the monitoring of, and provision of early warning about, possible flows of refugees and displaced persons (Dedring, 1994 and Drüke, 1994).

Thus, ORCI was made responsible for collecting and disseminating current information; developing and co-ordinating research of global trends in the various political departments of the UN Secretariat; and undertaking ad hoc research for the immediate needs of the Secretary-General. It would also use information from the media and other UN organs. In this way, it would bring together functions that were previously distributed among the Executive Office of the Secretary-General; the Office for Field Operational and External Support Activities; the Department of Political Affairs, Trusteeship and Decolonization; the Department of Political and Security Council Affairs; and the Department of Public Information (Report of the Secretary-General, 1987).

#### **4.5 Boutros-Ghali's Ideas on Conflict Prevention**

While the Office for Research and the Collection of Information constituted an official early warning facility for the United Nations (Drüke, 1994), it was only with the investiture of Boutros-Ghali as Secretary-General that conflict prevention came to occupy, at least ostensibly, a central place in the UN's approach to conflicts. In 1992 he published a report, entitled *An Agenda for Peace*, in which he outlined his ideas on a new strategy to conflict management.

He observed that, with the end of the Cold War, the United Nations could potentially become more active because of the decline in the use that the permanent members of the Security Council made of their veto power. Simultaneously, the demands that were being made on the world body in the area of peace and security had considerably increased. However, rather than becoming active once conflicts had reached a violent stage the UN should lay emphasis on the identification, "at the earliest possible stage", of situations that could produce conflict. It should then try and remove the sources of tension *before* violence would erupt. This he called "preventive diplomacy", which actually is not diplomacy in the usual sense of the term (Siekman, 1993) but involves a range of concrete measures. It is defined by the Secretary-General as action to prevent disputes from arising; to prevent existing disputes from escalating; and to limit the spreading of conflicts once they occur. Its rationale involves the consideration that such action constitutes the most efficient employment of diplomacy (Boutros-Ghali, 1992a).

Preventive diplomacy could be undertaken by the Secretary-General; other senior officials; the Security Council; the General Assembly; UN Specialized Agencies; or regional organizations in co-operation with the United Nations. The measures involved could range from confidence-building measures, fact-finding and early warning to preventive troop deployment and the establishment of demilitarized zones (Boutros-Ghali, 1992a).

With regard to confidence-building measures the report lists the systematic exchange of military missions; the formation of regional or subregional risk reduction centres; arrangements to encourage the free flow of information; and the monitoring of regional arms agreements. OSCE practices may have inspired the ideas of the Secretary-General in this area. Thus, in the report he specifically pleads with regional organizations to inform the United Nations of their ideas on the possible extension of confidence-building measures (Boutros-Ghali, 1992a).

Because preventive steps should be based on "timely and accurate knowledge of facts" fact-finding would have to occupy a central position in the UN's new approach to conflicts. Here the Secretary-General's report explicitly mentions economic and social factors as roots of many (potential) conflicts. Information-gathering would therefore have to encompass "economic and social trends", besides "political developments". The report observes that in recent years the UN has already developed early warning systems on environmental threats, nuclear accidents, natural disasters, mass movements of

people and the threat of famine and the spreading of disease. It argues for the need to synthesize this information with “political indicators” to assess whether there is a possibility that a violent conflict may occur and what kind of action the UN might take to prevent this. The concept of early warning is, however, not specifically defined (Boutros-Ghali, 1992a).

In situations of impending crisis preventive diplomacy could, with the consent of all the parties involved, lead to the deployment of troops. Such deployment could take place both with regard to domestic conflicts and inter-state disputes. In inter-state conflicts it could take place in either both countries or in only one, depending on the circumstances (also Siekman, 1993). Deployment in domestic crisis situations could involve humanitarian assistance and support in the maintenance of security. It would prevent the loss of life and contribute towards conditions of safety in which negotiations could be held. The establishment of demilitarized zones might be seen as an aspect of this (Boutros-Ghali, 1992a).

Finally, apart from pleas for greater use of regional organizations in addressing crisis situations, the report introduces a new concept that has some relevance to conflict prevention. Boutros argues that, in order for peace-keeping and -making to be successful, there is a need to identify and assist structures which can *consolidate* peace and contribute towards a sense of confidence and security among the people who are involved in a conflict. Such “post-conflict peace-building” appears to be principally directed at domestic crises. Thus, the report argues that agreements ending “civil strife” may include rules on the disarming of warring parties; the custody and destruction of weaponry, including of landmines; the repatriation of refugees; training for security personnel; election monitoring; reinforcement of human rights protection; the strengthening of governmental institutions; and the encouragement of political participation. With regard to inter-state disputes the concept could involve common projects for the development of agriculture, transport and the utilization of natural resources such as water and electricity (Boutros-Ghali, 1992a and 1995).

While Boutros sees the concept of post-conflict peace-building as the counterpart of preventive diplomacy, in a sense its principal relevance lies in the area of conflict *prevention*. The argument is that sustained action dealing with the underlying economic, social, cultural and humanitarian problems involved will guarantee durable peace and, thus, prevent a recurrence of violence (Boutros-Ghali, 1992a and 1993).

#### **4.6 Integrated Early Warning**

Although *An Agenda for Peace* strongly emphasizes a preventive approach to conflicts, various aspects of it are left unclear. The concept of early warning is explicitly mentioned, yet it is not defined. Signals of potential conflicts encompass a very broad range of phenomena that are only vaguely referred to as “political developments”, “social and economic trends” and “political indicators”. The time at which these have to be brought before UN organs is not explicated either, although this should be done “at the earliest possible stage” and the whole idea underlying the report is that it should be done before the eruption of violence.

Political practice has, however, proved very intractable as regards the UN’s preventive strategy to conflicts. In 1990 the UN Joint Inspection Unit concluded that in the area of impending humanitarian disasters, such as flows of refugees, the main problem was not the lack of information but the difficulty of channelling this information through to the relevant decision-making bodies. Thus, the UN needed a focal point to deal with the issue of potential flows of refugees and should, to this purpose, establish a working group of ORCI, UNHCR, the Centre for Human Rights, UNDRO, FAO, UNDP, WFP and some others to develop an effective early warning system in this field. This was taken up by the UN Administrative Co-ordinating Committee (ACC), which established a Working Group of the ACC on Early Warning of New Flows of Refugees and Displaced Persons (Drüke, 1994).

However, one of the central institutions for the implementation of an early warning approach - the Office for Research and the Collection of Information - did not become a participant, as ORCI was abolished in March 1992. The reason for its demise is not clear. Drüke mentions that ORCI had not been able to fulfil its mandate, while sources at International Alert claim that the problem had been that it did not properly communicate the results of its research to other UN organs.<sup>3</sup> In view of what is said in the evaluations of this chapter it cannot, however, be said with certainty whether this is true.

In any case, its various components were distributed over several institutions, principally the newly established Department of Political Affairs and the Department of Humanitarian Affairs. Its news-gathering section, which monitored some fifteen to twenty news sources and summarized developments for the Office of the Secretary-General, was brought under his Spokesman in the Department for Public Information. Staff that had been responsible for analysis of data were split into geographical units dealing with the different continents. News-gathering and analysis were thus separated, although according to Drüke it was still the intention to continue the conception of the early warning system and the establishment of a computerized database (Drüke, 1994).

Yet, these developments made an integrated approach to the prevention of conflicts and various sorts of crises impossible, something that was already implied in the formation of the ACC Working Group on Early Warning of New Flows of Refugees and Displaced Persons. The processing of signals of impending conflicts in general was now to take place in the Department of Political Affairs. Its early warning function was explicitly mentioned by the Secretary-General in a recent supplement to *An Agenda for Peace* (Boutros-Ghali, 1995). Signals of potential flows of refugees and humanitarian disasters generally are to be monitored and processed by the Department of Humanitarian Affairs and related UN institutions.

Drüke submits that the Secretary-General may have wished to use more traditional manners of organizing research and analysis for diplomatic decision-making (Drüke, 1994). It is in this respect interesting that Boutros-Ghali has argued that

the greatest obstacle to success [in conflict preventive action] is not, as is widely supposed, lack of information, analytical capacity or ideas for United Nations initiatives. Success is often blocked at the outset by the reluctance of one or other of the parties to accept United Nations help (Boutros-Ghali, 1995).

Thus, already in 1990 the Secretariat ignored an advice to set up a group of senior officials from its political organs for the analysis of information on potential political, humanitarian or military crises (Dedring, 1994).

Nevertheless, after publication of *An Agenda for Peace* a group of UN officials convened to look at the possibilities for an inter-departmental database and information system with the objective to prevent the eruption of conflicts. It concluded that the Departments of Political Affairs, Humanitarian Affairs and Peace-keeping Operations should perform the analytical functions required for this purpose. The Department of Peace-Keeping Operations is already developing a system for collecting information "according to early warning indicators relevant to its mandate". Moreover, desk officers and area experts are all involved in the collection and interpretation of signals of impending crises and Under-Secretaries-General advice the chief UN official on such issues. However, the latter would need *consolidated* advice on signals and options for preventive action. An inter-departmental working group made up of focal points in each department would therefore have to prepare such advice. Composed of senior officials it would meet at regular intervals (Dedring, 1994).

Such a group convened in 1993 and repeated the suggestion of designating focal points. Since April 1994 the Departments of Humanitarian Affairs, Peace-Keeping Operations and Political Affairs have in

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3 Drüke, 1994 and personal communication by Drs. L. van de Goor.

this respect developed a flow chart of actions for the co-ordination of their activities. This mechanism, entitled “Framework for co-ordination”, provides for monitoring of situations from the initial stages of a (potential) conflict to the provision of early warning signals, assessments of policy options with regard to preventive action, fact-finding and other field operations and, finally, retrospective judgement of UN activity (“lessons-learned” assessment). In this mechanism signals from a variety of sources would be brought together at joint consultations of desk officers and “early warning focal points (where appointed)” from the three departments and other UN agencies and organs to formulate preventive measures.<sup>4</sup>

According to one UN report this mechanism is in the early stages of implementation. While it does not give further information, it notes that the technical approaches to early warning vary a great deal among the various departments concerned. The informal approach in the Department of Peace-keeping Operations is contrasted with that in the Department of Humanitarian Affairs (see paragraph 4.7). Moreover, the report observes that there is no person or unit assigned with the overall leadership and co-ordination of this process (Report of Office of Internal Oversight Services).

The conclusions that Dedring presented in his 1994 article on early warning in the United Nations may in this respect be relevant. He notes that at the senior levels of the Secretariat one encounters a lot of resistance and ignorance with regard to the implementation of an integrated early warning system. This is fuelled by mistrust of the machinery that it would involve and by a preference to rely on practical experience rather than theory (Dedring, 1994, pp. 98 and 104).

#### **4.7 Early Warning in Specific Areas**

The practice of the UN’s approach to conflicts contrasts to some extent with its functioning in more specialist fields. With the demise of ORCI the Department of Humanitarian Affairs was made the focal point of the ACC’s early warning group on refugees. Monthly consultations are held that bring together a host of UN Specialized Agencies and attempt to identify potential trouble spots from where new flows of refugees may originate. According to Dedring it may even be expected that the participants will, over time, agree to the use of common indicators, ranking criteria and other theoretical questions (Dedring, 1994).

Moreover, in 1992 the Japanese government financed a computer project to implement the early warning component of the Department of Humanitarian Affairs (Dedring, 1994). The aim is to compile information from UN agencies, member states, NGO’s and mass media for the purpose of identifying potential crises with humanitarian implications. According to one UN report a prototype based on time-series data from five countries has been completed. By April 1995 another fifty countries would have been added. A news service and other data bases are on line. When completed, the system should produce weekly reports about the situation in specific countries; give an early warning signal to monitor and identify situations warranting higher levels of concern; provide follow-up reports incorporating data from field offices and changes in system indicators; and give country profiles consisting of a full set of indicators, assessments and trends. These outputs are intended to support decision-making for preventive forms of action in the humanitarian field. They are also to be shared with the Department of Political Affairs and the Department of Peace-Keeping Operations (Report of Office of Internal Oversight Services).

The above-mentioned United Nations report does not give further information on the practical functioning of this emerging early warning mechanism. However, Dedring observes in this respect some

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4 Final Report on the In-Depth Evaluation of Peace-keeping Operations: Start-Up Phase: Report of the Office of Internal Oversight Services, 17 March 1995 (hereinafter as Report of Office of Internal Oversight Services).

specific problems, namely that of “connectivity”, overlap and duplication with other data systems. Those include the data systems of FAO (*i.e.* the food-related early warning system GIEWS); UNHCR (which has an experimental Refugee Emergency Alert System; Drüke, 1994); and UNDP. This last body is attempting to devise an early warning approach based on its global network of field representatives. It has suggested the holding of periodic consultations, along the lines of the early warning consultations on refugees, among representatives of UNDP and other relevant organs (Dedring, 1994).

#### 4.8 Evaluations

Early warning as approached in academic circles would require co-ordinated and standardized collection, analysis and processing of signals of impending conflict. In contrast, United Nations practice points to piecemeal efforts to implement the ideas underlying this concept. As is argued by Dedring (1994), incomplete designs, half measures and lack of conceptual rigour characterize UN practice. Still, in the general area of conflict management some streamlining of activity is currently under way with the specific objective to formulate preventive measures. Moreover, fact-finding, which is a crucial dimension of conflict prevention, has considerably grown in importance. In view of its capabilities in this area the United Nations will continue to perform a vital role in tackling (potential) conflicts. This is especially true for specific regions such as Africa, where UN fact-finding capabilities contrast sharply with available local resources.

Yet an integrated effort at collecting and processing data and the institutional structures that this requires do not appear to have much support among Secretariat staff or (principal) member states. The latter have often feared the constraints on national policy inherent in any central mechanism. Thus, various Specialized Agencies are involved in elaborating their own databases and related early warning mechanisms in their specific area of competence. While this results in some duplication and overlap, this disintegrated approach to early warning seems to some extent unavoidable in view of the comprehensive scope of the United Nations mandate.

More generally, it appears that in the actual practice of conflicts and relevant UN activity the preventive approach to crises enjoys less priority than might be inferred from changes in the internal working procedures of the Secretariat or from *An Agenda for Peace*. Boutros-Ghali himself has noted that some of the ideas in his celebrated report have not been taken up and that preventive diplomacy remains “an elusive topic” (Boutros-Ghali, 1994 and 1995).

His 1993 article in *Orbis* does mention the deployment of the United Nations Protection Force in the Former Yugoslav Republic of Macedonia. He also discusses the establishment of “UN Interim Offices” in some Central Asian republics as an invaluable resource for preventive diplomacy (Boutros-Ghali, 1993). Yet his recent supplement to *An Agenda for Peace* devotes considerable attention to peace-keeping operations (Boutros-Ghali, 1995). This may reflect the observation by Sahnoun that there is “a tendency today on the part of the secretary-general to rely too much on peace-keeping forces and not on prevention as suggested by the *Agenda for Peace*” (Sahnoun, 1994).

It must nevertheless be conceded that the UN has undertaken some concrete operations that are relevant in terms of conflict prevention. One of these is the deployment of contingents in Macedonia, even though the absence of violence there cannot *ipso facto* be related to UN troop deployment. Similarly, the massive exercise in, what Boutros-Ghali would call, post-conflict peace-building in Cambodia and Mozambique is pertinent as well, even if its success in the Cambodian case is less than obvious.

These are, however, isolated examples. The UN’s response towards Somalia seems to have been more typical of the actual trend. In a damning analysis of its debacle in the Horn of Africa the admittedly frustrated Sahnoun argues that the world body missed numerous opportunities to mediate in the early stages of the Somali conflict. The first time it could have acted was in 1988, when an uprising in the north

of the country, centring on the city of Hargeisa, was brutally put down. This was, incidentally, in the same year that the General Assembly adopted its solemn declaration on prevention of conflicts as mentioned in paragraph 4.2. The second opportunity was the appeal by Somali political leaders, in May 1990, to hold a national conference. It did not lead to any serious mediation attempt on the part of the UN or, for that matter, any inter-African organization. Perhaps most significantly, the appeal by the government of Djibouti for UN assistance in organizing a reconciliation conference was turned down without explanation, save that the issue was too complicated (Sahnoun, 1994).

UN policy was initially characterized by a contrary trend, namely *withdrawal*. It began pulling out personnel as early as 1988. In 1991 American forces landed in Somalia only to evacuate foreign nationals (Sahnoun, 1994). There is a striking parallel here with American policy and action towards Liberia during the 1980s and the early stages of the civil war in that country (Volman, 1993 and Gershoni, 1993). United Nations action in Rwanda was similarly marked by lack of interest and withdrawal symptoms. The pulling out of troops shortly before the genocide of the spring of 1994 is too well known to warrant further exposition. Moreover, it has been argued in the past that, had the Security Council given more solid backing to the Arusha accord hammered out by Tanzania and the OAU, this escalation could perhaps have been averted.

Even when the world body finally turned its attention to the Somali conflict, food deliveries were slow in coming, certainly as compared to the work done in this area by the International Committee of the Red Cross. Resultant food shortages only helped to fuel the intensity of the conflict. The deployment of Pakistani contingents, after agreement among Somali faction leaders on this point, also suffered considerable delays (Sahnoun, 1994). This has also been emphasized in other sources (see f.i. Urquhart, 1993). The result was that, when intervention came, it was too late and the conflict had reached unimaginable proportions. Several of these events and developments occurred well after Boutros-Ghali had taken over the Secretariat and given off his preventive salvo in *An Agenda for Peace*.

Preoccupation with other issues and the resultant low priority attributed to the Somali conflict are the principle causes. The poor showing of the United Nations had little to do with a lack of information or even a failure of UN structures to channel the danger signals through to the proper levels of decision-making. As Sahnoun (1994) argues, “[the] UN Secretariat was alerted to all these problems long ago”. The study by Evans (1993, pp. 70-71) includes in this respect the interesting allegation of some that

eleven separate warning messages about the deteriorating situation in Somalia were sent during 1991 by the then Office of Research and Collection of Information (ORCI) to the most senior levels of the Secretariat, but these were not responded to because of a combination of under-staffing and preoccupation with other crises.

It is true that media visualization of the incredible human misery involved, and its related moral implications, spurred on belated attempts to make up for lost time and opportunities. However, the vicissitudes of UNOSOM I and II also show that this did not really compensate for the absence of political will. These operations were therefore marked by numerous blunders and lack of decisive action (see also Michaelson, 1993 and Schraeder, 1993).

Thus, it remains to be seen whether and to what extent the streamlining of Secretariat activity with regard to signalling potential conflicts and formulating preventive measures can make more than a marginal difference. As this work began in the course of the deteriorating Somali conflict and in the period of the Rwanda genocide at least the awareness of the need for a swifter response, or of the consequences in case it is not forthcoming, may have improved.



## 5 The OAS

### 5.1 Introduction

One can argue that, when the Organization of American States (OAS) was established in 1948, it was intended as a collective security system for the Western hemisphere (Byron, 1984 and Vandevanter, 1970). In the Cold War era the United States gave considerable priority to averting challenges to its position in the America's that emanated, or were supposed to emanate, from outside the two continents. This preoccupation with extra-continental, *i.e.* Eastern bloc, threats was to some extent shared by the Latin American members of the OAS. For the most part consisting of authoritarian, conservative regimes, the spread of communist doctrine and forms of government was seen by them as a dangerous development that ought to be prevented (De Lima, 1971 and Byron, 1984).

Yet in practice Latin American states were much more concerned about the possibilities of intervention in their internal affairs by the United States. The US had a long tradition of intervening in Latin American countries, by force of arms or other means, on behalf of its nationals or in defence of wider American interests. The formulation of the Monroe doctrine in the early nineteenth century not only aimed at discouraging European interference in the Western hemisphere, but also had the effect of turning that region into the exclusive preserve of the United States. As European intervention was replaced by American interference the doctrine did not really help Latin American countries, for whose protection it had supposedly been intended. It entailed a self-appointed role for the United States to police the Western hemisphere, something that was explicitly defended in the so-called Roosevelt Corollary and remained a fundamental feature of hemispheric politics - despite formal acceptance by all the states of the region of the principle of non-intervention in 1936 (De Lima, 1971; also Grossman, 1980).

Thus, when the OAS was established it was not only intended to cope with external threats but also to focus on intra-continental relations. Its constitutive document alludes to the collective security idea when it states explicitly that aggression against one American country will be considered as aggression against them all. However, the Charter also lays down the principle of non-intervention by one member state in the affairs of another (art. 3.f, 15 and 18-20 OAS Charter).

This means that the security concept of the OAS was dualist in nature. The functioning of the organization was, for long, characterized by a built-in tension: any action aimed at countering (extra-continental) aggression against a member state could clash with the non-intervention norm, since it usually implied United States opposition to certain political and social developments *inside* Latin American states on charges (trumped up or not) of Eastern bloc involvement. Such American interference was facilitated by the fact that, in practice, the distinction between inter-state and domestic disputes was usually blurred. Thus, despite the fact that the constitutive documents of the OAS only allow it to play a role in the settlement of inter-state disputes, in practice US intervention in Latin American affairs was made possible under the heading of countering external aggression, notwithstanding the non-intervention norm.

This built-in tension has hampered the performance of the OAS in the management of conflicts, both domestic and inter-state ones. This chapter analyses the role of the organization in this issue area and will evaluate it from the perspective of its relevance to conflict preventive strategies. It will first present an outline of some of the normative provisions, institutions, procedures and mechanisms that are important in this field. Then it discusses some aspects of the practice of OAS dispute settlement until the mid-1980s. It concludes with some of the developments in the organization that took place during the later 1980s and

early 1990s. These have mainly centred on the extension of the security concept of the OAS to include a commitment to parliamentary democracy and collective action against those regimes that deviate from this commitment.

In the sense that democratic forms of government may contribute to less conflictual or non-violent socio-political relations this new emphasis has relevance in terms of conflict prevention. However, there appears to be little thinking or concrete action with regard to more direct approaches to the prevention of conflicts, whether inter-state or domestic ones. Thus, none of the sources cited in this chapter makes even passing reference to the concept of early warning.

## **5.2 Normative Dimensions of OAS Conflict Management**

The OAS Charter gives the organization a clear role in the field of conflicts, both with regard to their settlement and possible prevention. Thus, article 2 stipulates as OAS objective the strengthening of the peace and security of the America's; the prevention of "possible causes of difficulties" and the "peaceful settlement of disputes that may arise among the Member States" and of wider political, economic or legal problems between them; and the provision of common action in the event of (external) aggression (Van Dijk and Grossman, 1980).

The implementation of these goals is elaborated further in chapters V and VI of the Charter, as well as the American Treaty on Pacific Settlement, or "Pact of Bogota" (1948), and the Inter-American Treaty of Reciprocal Assistance, or "Treaty of Rio" (1947). The Pact of Bogota argues that conflicts should preferably be settled by way of regional institutions before referring them to the United Nations Security Council. To this effect it lists various traditional procedures for the settlement of inter-state disputes, such as mediation, conciliation, fact-finding, judicial settlement and arbitration. However, little use has been made of the Pact because of its laborious and juridical procedures, although some of its methods have been applied on several occasions without activating the mechanisms of the Pact as such (Van Dijk and Grossman, 1980; Byron, 1984; and Coronado, 1985). More on this is said in the next paragraphs.

The Rio Treaty also encourages regional settlement of inter-state disputes and to this effect imposes a consultative mechanism. In practice it has filled some of the gaps left by the non-use of the Pact of Bogota (De Lima, 1971). Representing the OAS treaty on collective security, it is also considered as the military component of the OAS system (Salkin, 1992).

The treaty involves a commitment on the part of the contracting parties (in practice nearly all OAS members) to assist an American state that comes under (armed) attack. The victim state has the right to seek the assistance of the other contracting parties. To this purpose it may request the Permanent Council of the OAS to convene a Meeting of Consultation of Ministers of Foreign Affairs (see paragraph 5.3). However, each state may determine for itself in what way it will provide such assistance (Van Dijk and Grossman, 1980).

The treaty distinguishes between armed and non-armed aggression. Armed aggression may involve "unprovoked armed attack by a state against the territory, the people or the land, sea or air forces of another state" or "invasion by the armed forces of a state, of the territory of an American state, through trespassing of boundaries" or "invasion affecting a region which is under the effective jurisdiction of another state". The treaty also mentions non-armed aggression, namely "aggression that is not an armed attack". In all these cases the above-mentioned organ may be convened to decide on possible counter-measures, including in situations involving "extra-continental or intra-continental conflict" or "any other fact or situation that might endanger the peace of America". In case of either armed or non-armed aggression its decisions need the approval of two-thirds of the signatory states. If coercive counter-measures do not involve armed force they are, if adopted, also binding for those that did not vote for them. Here one should think of the rupture of diplomatic relations and the imposition of economic and

communications sanctions. If they do involve armed force they cannot be held against those that did not agree to them (Van Dijk and Grossman, 1980).

According to article 22 of the OAS Charter the above-mentioned measures or those taken in the context of the United Nations Security Council are not in contravention of the non-intervention norm (Van Dijk and Grossman, 1980 and Scheman, 1988). However, the Rio treaty has been regularly criticized by Latin American countries for its coercive and interventionist provisions. Moreover, the legality of the Rio provisions on the use of force has been disputed in view of the monopoly on enforcement action of the UN Security Council as stipulated in art. 53 of the UN Charter (De Lima, 1971 and Byron, 1984; also Levin, 1979).

In 1975 the Rio treaty was therefore amended by way of a protocol which states that the prerogatives of the Security Council are not impaired by the treaty, nor the rights of the contracting parties to take recourse to the UN in preference to the OAS. The definition of non-armed aggression was curtailed and thereby the ability to take hemispheric action. Reassuring statements were added arguing the sanctity of the non-intervention norm and the right of member states to choose their own forms of political, social and economic organization (Van Dijk and Grossman, 1980 and Byron, 1984).

Thus, the protocol points to the major problem of the OAS system, namely its domination by the United States and the related built-in tension between the US and Latin American countries. The latter have therefore at times preferred to discuss their disputes in UN fora because of the different configurations of power in the world body.

### **5.3 Institutional Dimensions of OAS Conflict Management**

The OAS Charter itself provides for a Meeting of Consultation of Ministers of Foreign Affairs. Such meetings may be held when a member state makes a request to that effect to the Permanent Council (see below), which decides on this by simple majority. The Meeting of Consultation may be held to consider any problems of an urgent nature and of common interest to the American states or to tackle developments as foreseen in the Rio treaty. In that case, the meeting is held without delay and the foreign ministers may decide on the coercive measures discussed in the previous paragraph. The meeting may also decide on a course of non-coercive action, for example by offering mediation services to member states involved in a dispute (Fischlowitz, 1969 and Van Dijk and Grossman, 1980).

In practice the Permanent Council has often constituted itself as a Provisional Organ of Consultation, leaving only the more serious cases to the ministerial meeting as such (De Lima, 1971 and Scheman, 1988). Composed of member state representatives with the rank of ambassador, the Council acts as the executive organ of the OAS and meets twice a month at the headquarters of the organization in Washington (Fischlowitz, 1969; Van Dijk and Grossman, 1980; and Salkin, 1992). Its most important task involves the maintenance of peaceful relations between member states and aiding them in finding a peaceful settlement to their disputes. To this purpose it is assisted by an Inter-American Committee on Peaceful Settlement, made up of representatives of five countries elected on the basis of partial annual rotation. In offering their mediatory services and good offices both Committee and Council are dependent on the consent of the parties to the dispute (Van Dijk and Grossman, 1980 and Coronado, 1985).

In tackling conflict the OAS may, theoretically, make use of the services of an Advisory Defence Committee or of an external planning agency associated with the organization, the Inter-American Defence Board. However, the relevance of both bodies has always been extremely limited. The Committee has rarely been asked for advice, while the Board has no capacities or procedures for multilateral military operations in either inter-state or domestic conflicts (MacFarlane and Weiss, 1994).<sup>1</sup>

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1 See, however, on its role in clearing land mines in Central America Munoz, 1994.

At one time proposals to create a stronger and permanent military component in the OAS were rejected for fear of the possible transformation of the organization “into a military alliance” (Vandevanter, 1970). There was concern that this military wing might, if need be, turn against certain governments in the region. United States proposals for a permanent peace-keeping force - which were launched after the crisis in the Dominican Republic (see next paragraph) - were also explicitly rejected (Vandevanter, 1970; Byron, 1984; also Salkin, 1992).

#### **5.4 The Practice of OAS Conflict Management until the Mid-1980s**

During the 1950s and early 1960s the OAS displayed considerable activity in the management of conflicts. Thus, from 1947 to 1982 OAS mechanisms were activated on thirty-three occasions, of which twenty-seven before 1970 (Fortmann and Thérien, 1994). The Inter-American Committee on Peaceful Settlement (at the time not yet a formal, integral part of the OAS) performed an important role in this area, offering its good offices to states engaged in a dispute, embarking on fact-finding missions and, in the more serious crises, threatening the imposition of diplomatic and economic sanctions. However, no state was condemned as an aggressor and every culprit was allowed to return to the status quo ante. When the Committee’s role diminished in importance member states began to take recourse to ad hoc committees that were charged by the Permanent Council with similar duties (Byron, 1984 and Fortmann and Thérien), 1994).

This period has been described as the “golden age of inter-American co-operation” (Fortmann and Thérien, 1994). However, the conflicts in which the OAS played a role were largely confined to Central American and Caribbean states, in other words, the regions where United States influence was traditionally very strong. The OAS did not become engaged in the settlement of disputes involving larger Latin American countries, which generally resorted to other means (Byron, 1984 and Scheman, 1988).

With the onset of détente, the rules of superpower competition began to shift and confrontation by way of proxies began to grow significantly. From the early or mid-1960s there were also growing pressures for internal structural change in Latin American countries and, thus, a rise in the incidence of the more intractable domestic conflicts. This was accompanied by sharp ideological cleavages, increasing political heterogeneity within the OAS, widening divergence in security concerns and subversion between member states. United States manipulation of OAS instruments resulted in more militarized forms of (supposed) multilateral operations and often involved the imposition of sanctions under the Rio treaty.

The Cuban crisis of the early 1960s and the crisis in the Dominican Republic in 1965 marked this important change. In 1962 the OAS decided to expel Castro’s government from the organization as being “incompatible with the Inter-American system”. Its alignment with the Eastern bloc was deemed to break “the unity and solidarity of the hemisphere” (Byron, 1984). In actual fact, it was United States manipulation of OAS provisions that ruptured inter-American consensus (see Munoz, 1990 and Kurth, 1990). Several Latin American countries showed their hostility to the decision, with six of them voting against the respective resolution. The OAS decision also meant that the organization was incapable of preventing superpower rivalry in the hemisphere (Byron, 1984 and Salkin, 1992).

Inter-American consensus was definitively broken in the course of United States action in the Dominican Republic. Washington dispatched twenty thousand marines to the island state and successfully prevented a victory of local political forces that it did not favour. Being confronted with a fait-accompli, the organization decided to assume collective responsibility for the operation. It sent a fact-finding mission and the US intervention force was transformed into an OAS peace-keeping operation by the addition of a few token contingents from other member states. The decision was taken in the course of a heated debate and amidst strong anti-American sentiments. It was supported by barely two-thirds of the membership, with countries like Mexico, Peru and Chili voting against (Vandevanter, 1970 and Byron, 1984).

While it was justified with the argument that the OAS would have some moderating influence on developments, it had the effect of legitimizing the enforcement of US hegemony in the region. It also showed that the OAS was incapable of preventing American interference in the internal affairs of member states and exposed the widening gap between Latin American and United States approaches to collective security (Byron, 1984; also Salkin, 1992).

Support for, and confidence in, OAS mechanisms subsided. During the 1970s disputes were increasingly referred to the United Nations (Byron, 1984 and Fortmann and Thérien, 1994). The OAS response to the crisis in Nicaragua in 1979 was in this respect an exception. With the wavering of the Carter administration certain Latin American countries, especially from the so-called Andes group, could take their own initiative in reaching a solution to this conflict. The OAS issued a human rights report that discredited the Somoza regime. The organization even demanded that Somoza step down. This delinked the crisis from the East-West conflict. The OAS opposed a US proposal to dispatch a multilateral peace-keeping force to the country on the grounds of the non-intervention norm. Individual countries began to break diplomatic ties with the Somoza regime and recognized the new government after Somoza had been toppled (Byron, 1984 and Salkin, 1992).

However, with the new Reagan administration US policy vis-à-vis domestic conflicts in Central America became more aggressive (Byron, 1984). OAS paralysis was the result. Thus, the American invasion of Grenada was legitimized not by the OAS, but the Organization of East Caribbean States. It was also powerless towards the American invasion of Panama in 1989. Moreover, the Falklands war put the gap that existed between the United States and most Latin American countries with regard to hemispheric security in sharper relief (Gamba, 1987). American support for the British reconquest did not improve relations inside the OAS. It played a minimal role in the settlement of the conflict, with negotiations taking place principally in the cadre of the UN. Thus, Fortmann and Thérien observe that, by the late 1980s, the various mechanisms for the resolution of conflict had fallen into desuetude (Byron, 1984 and Fortmann and Thérien, 1994).

## **5.5 Renewed Activity in Conflict Management**

Although OAS paralysis was to some extent met by a growth in mediation efforts at the sub-regional level, such as by the Contadora Group<sup>2</sup> and the Amazon Pact countries, from the mid-1980s new initiatives were launched to enhance the relevance of the OAS in the management of conflicts, if not their prevention.

At its summit in Cartagena in Colombia (1985) the OAS amended its Charter in order to give its Secretary-General the formal right of political initiative. From now on the chief OAS official could draw the attention of the Permanent Council to any question that, in his mind, posed a threat to the peace and security of the hemisphere. The OAS also supported the Central American peace efforts of the Contadora Group, which mediated between the United States and its allies and the government of Nicaragua, Cuba and Salvadorian guerrilla's (Rico, 1990). Moreover, the Secretary-General himself did, indeed, become more active in the settlement of disputes as well. Thus, he participated in the cease-fire accord reached

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2 This important group was formed by Colombia, Mexico, Panama and Venezuela.

with the contras in 1988; assisted in establishing a dialogue between the political forces of El Salvador; and together with the UN helped in monitoring the electoral process in Nicaragua (Salkin, 1992).

These developments were all part of agreements reached between Central American governments and their armed adversaries between 1987 and 1990. In the course of these events the UN fielded the United Nations Observer Group in Central America (ONUCA), which had to verify certain security aspects of the above-mentioned peace accords. After it had finished its task the OAS established, as part of the accords, the International Commission of Support and Verification (CIAV/OEA). Paid for by the United States, this commission had to discourage a resumption of military activity by the contras in Nicaragua and assist in their demobilization (Fortmann and Thérien, 1994 and MacFarlane and Weiss, 1994).

## **5.6 Towards a Comprehensive Security Concept**

### *5.6.1 Introduction*

The Central American peace accords pointed towards a broadening of the security concept as used in the Western hemisphere. They involved agreements on free elections, confidence-building measures, disarmament and international monitoring of these steps. By this they moved away from the old regime-oriented approach to security to include the values of democratization and human rights so as to create viable regional peace settlements. In the process, these agreements also emphasized the link between military security and the state of domestic socio-political configurations in the region (MacFarlane and Weiss, 1994).

Whether the example of the OSCE formed a source of inspiration is not sure. The reference to “confidence-building measures” might possibly suggest this, although the sources make no explicit mention of OSCE practice. However, one can with certainty point to specific historical roots in the America’s themselves, when attempting to explain the evolution towards a more comprehensive concept of security.

Thus, the OAS Charter itself already contains references to the importance of human rights and “representative democracy”, as well as to an Inter-American Commission on Human Rights (art. 3-d and 3-j). Later on this was elaborated in a convention for the protection of human rights and fundamental liberties (Espíell, 1982). Yet, the system of human rights protection is rather weak. The Commission only has powers of recommendation, the Court’s competence is mainly consultative and several countries, among them the United States, refuse to ratify the convention (Fortmann and Thérien, 1994).

Nevertheless, with the transition towards civilian democratic systems and the end of the Cold War the context of this human rights system changed. The struggle against communism could no longer be used to excuse human rights violations. Moreover, with the emergence of civilian governments came closer convergence among Latin American elites on the importance of democratic values and human rights. As shown below, the result was that the OAS became more interventionist in this field, tying these issues to its concept of security. However, the sources do not explicitly link the stronger emphasis on human rights and democracy to conflict prevention as such, even if the role of the OAS in organizing and/or monitoring multi-party elections in countries like Nicaragua, Haiti, Surinam and Peru at least implies such a connection.

### *5.6.2 The Santiago Mechanism*

In itself the link between hemispheric security and democracy was nothing new. In the late 1950s, for example, the Meeting of Consultation adopted a document that attempted to harmonize the principle of

non-intervention with the concern for democratic values. It even aired its disapproval of dictatorships. Yet, at the time most countries still had military governments, so the declaration remained a dead letter (De Lima, 1971).

However, during its meeting in Santiago in 1991 the OAS adopted a resolution which obliges the organization to call an emergency meeting of foreign ministers within ten days in the event of “any sudden or irregular interruption of the democratic institutional process” inside a member state. One year later this received formal ratification in an amendment of the OAS Charter. This so-called Washington Protocol authorizes the automatic suspension of governments that have taken power by force of arms (Munoz, 1994). In June 1993 the organization adopted the so-called Declaration of Managua, in which it reaffirmed its commitment to democracy (Bloomfield, 1994 and Fortmann and Thérien, 1994). According to Salkin (1992) the American invasion of Panama in 1989 and the coup d'état in Surinam in 1990 had spurred the OAS on to take these new steps.

The emergency meeting of foreign ministers that must be called in the event of a coup d'état decides on the possible course of action. This means that, apart from the immediate suspension of the culprit regime, the new mechanism does not involve the automatic imposition of economic sanctions (Bloomfield, 1994). Furthermore, what has become known as the Santiago mechanism does not explicitly link its procedures to the resolution, let alone prevention, of conflict. Still, as a coup d'état usually involves, *ipso facto*, a domestic crisis and practice has shown that, in such events, the OAS tries to negotiate with the culprit regime and mediate between it and its domestic opponents, one may argue that the mechanism is part of the organization's instruments for the settlement of internal disputes.

### *5.6.3 Democracy as Part of Security and Conflict Resolution: OAS Practice*

Recent years point to an ambivalent record as far as the new OAS commitment to the maintenance of democratic governments is concerned. OAS pressure on the usurpers of power in Guatemala helped domestic forces in that country to withstand the army, with the result that the latter's coup attempt collapsed in a matter of days. Yet, developments in Peru and Haiti did not lead to an equally forceful stand by the OAS (Bloomfield, 1994).

Thus, when President Fujimori of Peru arrogated considerable powers to himself, the OAS did not attempt to get back to the status quo ante. Admittedly, it called on members to cut aid to Peru, threatened the imposition of other sanctions and conferred with Fujimori. Yet in the end it asked him to achieve his objective by way of constitutional reform that should be approved in OAS-monitored elections. Although the constituent congress formed for this purpose was boycotted by the largest opposition parties and the subsequent approval of Fujimori's reforms by way of a plebiscite hardly amounted to respect for the democratic process, the OAS restored Peru to its former status in the organization. United States concern for Peru's stability and its support for American anti-drugs efforts were crucial here (Munoz, 1994; Bloomfield, 1994 and Fortmann and Thérien, 1994).

Similarly, the OAS was unable to force the Haitian military to give back power to President Aristide. It is true that the OAS quickly condemned the coup of General Cédras, instituted a trade embargo and began consultations with the Haitian leader. However, both the Bush administration and several Latin American countries opposed stronger moves when it became clear that Cédras would not be moved. A majority of Latin American states also refused to refer the matter to the UN Security Council on the grounds that the situation in Haiti did not constitute a threat to international peace and security (Bloomfield, 1994 and Fortmann and Thérien, 1994). In the end, of course, the Clinton administration stepped in to remove the Haitian military, with a subsequent role for the UN but very little to do for the OAS.

According to Bloomfield (1994) one should not over-estimate the commitment of certain Latin American countries, or of the United States for that matter, to a compulsory defence of democratic

standards through the OAS. The idea for the Santiago mechanism was cherished by the United States, Venezuela and Chile and got the backing of Argentina and some Caribbean and other member states. However, others, such as Mexico, Brazil and Colombia, were opposed to it.

The problem is that, judging from US action against Panama's Noriega, American intervention is still a living reality, as is the desire of many Latin American countries to avoid such eventuality. Brazil, for example, is deeply concerned about the possibility that issues like human rights, democracy and especially the environment can serve as justifications and channels for outside intervention. Mexico's less than truly democratic government also has an interest in thwarting a strong OAS regime on democratic standards, while Colombia fears US intervention under the heading of the war against drugs trafficking. Thus, there are now several opportunities for American manipulation of OAS procedures, as well as norms and values legitimizing such action. Several Latin American countries therefore now feel more vulnerable to external interference than during the Cold War (Bloomfield, 1994).

In this respect it should be realized that the Santiago commitment and the non-intervention norm in the OAS Charter have not been brought into line with each other. Admittedly, countries like Canada, Venezuela, Argentina and, to a lesser extent, Chile favour a strong OAS regime on democratic values. Some of these have suffered dearly under (American-backed) military governments. Yet Bloomfield (1994) warns against efforts to shore up the OAS regime on democracy, as it would probably break the fragile consensus on this issue among member states (also Munoz, 1994). It may be true that coup attempts now involve higher diplomatic costs. After all, in case of unconstitutional take-overs at least the principle of economic sanctions and the suspension of aid from international financial institutions has now been accepted by the majority of OAS members. It should, however, not be forgotten that several states still resist the idea of the monitoring of democratic standards as such. Some have even tried to curb the investigative powers of the Inter-American Commission on Human Rights.

## 5.7 Evaluations

In the OAS there appears to be no direct and explicit strategy aimed at the prevention of conflicts, whether inter-state or domestic ones. Intensive search of the sources has not yielded a single reference to early warning.

Nevertheless, recent reforms in the organization point to the desire to boost OAS activity with regard to conflict management, as well as improve its reactive capacity in certain crisis situations. The existence of a Permanent Council - which convenes regularly and as Provisional Organ of Consultation can be easily called into extraordinary session - in itself allows for a speedy response to conflicts. Moreover, in case of developments as foreseen in the Rio treaty the Meeting of Consultation must be held without delay. This is also the case with emergency meetings of the foreign ministers called under the Santiago mechanism, which must be held within ten days of a coup d'état.

In so far as such meetings are held in response to conflicts *that have already broken out*, these provisions cannot be considered as examples of early warning. However, the emphasis on relatively swift response at least points in the same direction. Furthermore, the evolution towards a more comprehensive concept of hemispheric security, that includes reference to human rights and respect for parliamentary democracy, might contribute to less conflictual or non-violent domestic socio-political relations. In this sense the new OAS concept of security has indirect relevance for the prevention of conflicts, at least internal ones.

However, to some extent the Santiago anti-coup mechanism seems to have taken the place of the previous anti-communist stance to which OAS member states committed themselves, in part because of US pressure. The (ostensible) American desire to defend and shore up democratic standards has been partly responsible for a forceful OAS stand on this issue, as was the case with its posture towards

communism. The fact that the potential contradiction between the Santiago commitment and the non-intervention norm has not been addressed may in this respect be a source of Latin American concern.

Moreover, even if this point would have been handled it would probably not, in view of past experiences, have allayed all of their fears. Here one should recall the American-sponsored Declaration of Solidarity for the Preservation of Political Integrity of the American States Against the Intervention of International Communism, adopted by the OAS in 1954. In order to get Latin American approval for this document a paragraph was added stating that the declaration did not impair “the inalienable right of each American State freely to choose its own form of government and economic system and to choose its own social life” (De Lima, 1971). This did not, however, prevent subsequent US interventions in the affairs of certain Latin American states.

Thus, the end of the Cold War and the reforms of 1985 and 1991-1992 have not removed the basic obstacle that inhibits the evolution of an OAS role in the management of conflicts. It is true that American dominance of the Western hemisphere provides the ability to introduce strong measures necessary to enhance the effectiveness of the OAS in this field. Yet it is equally true that several Latin American countries fear that these measures might possibly be issued against themselves, at the encouragement of the United States. This possibility severely diminishes the likelihood that the OAS will ever be allowed to reinforce its role. If this is true for the settlement of existing disputes, by definition it is even more the case with any possible prevention of conflicts.

This built-in tension has not disappeared, especially as American interference in Latin American affairs remains a living reality. In the words of Fortmann and Thérien (1994), the OAS continues to be handicapped “par les relents d’un impérialisme qui ne veut pas mourir”. Intervention can now be justified by numerous arguments, ranging from the defence of human rights and democracy to environmental concerns and the imperatives of the crusade on drugs.

OAS practice thus shows that security is not a neutral concept. If any attempt to institutionalize the defence of security is to be successful, it should be made explicitly clear for whose security an institution would cater. In view of the fundamental cleavages that separate OAS member states and divide the various domestic forces inside (especially Latin American) countries, it is unlikely that the OAS could come up with a form of security that would satisfy all major political forces of the hemisphere. As Kurth (1990) has argued, the inter-American collective security system “has never been based upon an identity of interests between the United States and Latin America”.

In order to realize more effective means with which to settle, or possibly even prevent, conflicts one should probably take recourse to sub-regional organizations. Here there may be more consensus among participating states. The Contadora peace initiative vis-à-vis the crisis in Central America is in this respect instructive (Bloomfield, 1990 and Rico, 1990). Recent initiatives in sub-regional economic integration (Kourliandsky, 1992 and Hurrell, 1994), which have led to the formation of numerous organizations, may also be of relevance.



## 6 Africa

### 6.1 Introduction

Until now the concept of early warning has not conquered a place in the set of instruments and mechanisms that African international organizations have at their disposal for the management of disputes.

It is only in the more technical areas of international co-operation, especially food and agricultural policy, that the concept has become more or less firmly established. Thus, various African countries are aiming at the operation of early warning systems that provide advance notice of impending crop failure, food shortages, drought and (potential) famine.<sup>1</sup> An important inter-African example of this is the work done by the Inter-Governmental Authority for Drought and Development (IGADD). This organization was established in 1986 by six (North-)East African countries and since 1989 has been working in co-operation with FAO on a regional early warning system.<sup>2</sup>

What is perhaps more interesting from the perspective of this report is that in 1993 IGADD widened its mandate to concern itself with the management, if not prevention, of conflicts. It has thus mediated in disputes between Ethiopia and Somalia and in the Somali and Sudanese civil wars. With regard to the latter conflict it was able, in the course of 1995, to realize a temporary cease-fire between the warring parties. However, while IGADD enjoys the financial and political support of certain Western countries, especially the United States and the Netherlands, it suffers at present from the tense relations between Sudan on the one hand and Eritrea and Uganda on the other. Moreover, the commitment of the Sudanese regime to the organization is not very strong.<sup>3</sup>

Nevertheless, in recent years African states have generally begun to look for new ways and strategies to improve the effectiveness of their response to conflicts. This has been most significant in the case of the Organization of African Unity (OAU), the Economic Community of West African States (ECOWAS) and the Southern African Development Community (SADC). Their approaches vary, as each of them is faced with its own peculiar problems, constraints and possibilities for action. At least in the case of the OAU this has led to concrete reforms (1993), whose rationale points in a direction that has some relevance in terms of the early warning concept analysed in this report.

Apart from the OAU, this chapter will focus on ECOWAS and SADC. While there exist many more inter-African institutions than these (including organizations involved in dispute settlement) the above-mentioned institutions are of principal importance. The OAU's membership encompasses, with one exception, all the states of the African continent and the organization is therefore usually considered to be Africa's most prominent organization in the area of political co-operation. ECOWAS stands out for the far-reaching form of military intervention it has undertaken in a domestic conflict, namely the civil war in Liberia. SADC has tried, since the late 1970s, to achieve and implement some sort of security concept for the Southern African region.

This chapter will therefore analyse these three organizations in the light of their relevance to strategies of conflict prevention. Focusing on African institutions, it excludes the role of the UN from discussion.

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1 See f.i. Hesse, 1987; Snijders, 1988; Davies, Buchanan-Smith and Lambert, 1991; and Atwood, 1991.

2 Hubbard *et alii*, 1992.

3 The data on IGADD are in part based on internal records of the Netherlands foreign ministry. The above does not, of course, necessarily reflect governmental opinion. See also Wauthier, 1994.

However, passing reference will be made to the world body, in so far as it relates to the functioning of these African organizations.

## **6.2 The OAU<sup>4</sup>**

### *6.2.1 Introduction*

This paragraph first presents a general outline of the ways in which the Organization of African Unity engages in dispute settlement. Some of the relevant institutional dimensions are sketched and mention is made of some of the norms that are part of the OAU's strategy to conflict management.

While many of the OAU's institutional provisions, procedures and approaches are also utilized, and provide insight, in the management of conflicts inside member states, one should nevertheless distinguish between purely inter-state disputes and domestic ones. With regard to the latter the OAU's position was, for long, complicated by the obstacles created by the principle of non-interference in internal affairs, as enunciated in article 3.2 of its Charter.

Thus, the outline of relevant institutional and normative provisions is followed by a short assessment of the OAU's record in the settlement of inter-state disputes and its approach, until 1990, to conflicts taking place inside its member states. This is essential for understanding the rationale behind the reforms that were introduced in 1993. These are discussed and their contents will be assessed in the light of the early warning concept.

### *6.2.2 Institutional Dimensions of OAU Conflict Management*

From its establishment in 1963 the OAU has been involved in the settlement and management of conflicts. However, the organ that was officially intended to play a central role in this area - the Commission of Mediation, Conciliation and Arbitration (CMCA) - was never seized with any disputes. African states preferred to settle their conflicts through other channels, as these do not - contrary to the CMCA - emphasize formal, legalistic procedures in the settlement of conflicts.

OAU institutions that actually concern themselves with, or are relevant in, dispute settlement are the General Secretariat; the Council of Ministers; and the Assembly of Heads of State and Government and its chairman.

#### *The Secretariat*

Even before the 1993 reforms officials of the General Secretariat were engaged in the monitoring of conflicts. To this purpose they drafted reports to the Secretary-General and formulated recommendations to him whether or not to launch mediation initiatives. This work has always been of a subordinate nature in OAU conflict management, as Secretariat functionaries have only limited autonomous powers: their task is restricted to advice and persuasion. Moreover, the functioning of the OAU and its staff has always been considerably affected by the constraints inherent in the organization's parsimonious budget (annually c. 30 million dollars). The gathering and analysis of information has therefore been hampered by insufficient research facilities and limited funds for travel.

However, in an effort to improve the effectiveness of OAU conflict management the Secretariat was reinforced, in 1992, by the formal establishment of a Division on Conflict Management inside its Political

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4 This paragraph is based on K. van Walraven, *Dreams of Power: The Role of the Organization of African Unity in the Politics of Africa 1963-1993* (Avebury Publishers: London, forthcoming). See for other references the list of literature attached to this report.

Department. Although the OAU's financial basis remains precarious, the new Division must engage in the monitoring, gathering and analysis of information. This monitoring work should enable the Secretary-General and other OAU institutions to improve the effectiveness of OAU conflict management. One report of the Secretary-General speaks in this regard of the desire to establish an "early warning system" with which not only to manage, but also *prevent* conflicts. This is not explicated further and seems to point more to the future than the present.

At least up to 1993 the Secretary-General's role was also rather limited as far as conflict management was concerned. When the OAU was founded in 1963 African states made it crystal clear that they were opposed to a Secretary-General having prerogatives in the political sphere. This, it was held, would endanger their cherished sovereignty. While incumbent Secretaries nevertheless tried, to a greater or lesser extent, to develop a political role for themselves, in the area of dispute settlement their influence was constricted by the OAU's limited resources; the lack of formal prerogatives; the various cleavages marking inter-African relations; the clear preference of member states for mediation by political figures; and, later on, the growing political importance of the Assembly chairman.

### *The General Policy Organs*

The OAU's Charter obliges member states to settle their conflicts peacefully. Yet, they are free to do this through other channels than the OAU. Moreover, there are no legal provisions stipulating sanctions in case a member state violates OAU obligations in this field.

Nevertheless, this does not mean that the Council of Ministers and the Assembly of Heads of State and Government would not have the right to discuss and mediate in inter-state disputes. These general policy organs have, in fact, been central in OAU dispute settlement. As possibilities to exert influence in inter-African relations are relatively restricted (see below) and means of communications are rather underdeveloped, their sessions provide an important opportunity for behind the scenes negotiations and mediation initiatives.

Mediators or groups of mediators are always selected (or self-appointed) on ad hoc basis, with unilateral member state initiatives usually given the blessing of the Council or Assembly as a whole. In view of the concentration of domestic presidential power disputants have always exhibited a strong preference for mediation by fellow heads of state. It is their prestige and influence, rather than the professional qualities of lower rank diplomats, that constitute important conditions for successful mediation. As the president who is the current chairman of the Assembly usually enjoys added prestige, this head of state often has a particularly important role in dispute settlement.

### *6.2.3 Normative Aspects in OAU Conflict Management*

In the course of its existence the OAU has introduced several norms with which it tries to manage Africa's continental order. They are usually cast in the form of resolutions that are legally not binding and enforceable. However, as they are adopted at the highest (Assembly) or second highest (Council) level of Africa's political leadership they do, at times, possess considerable political weight. The best example of this is the principle confirming the sanctity of colonial boundaries, which is adhered to by practically all member states. The significance of the non-intervention norm is discussed in paragraph 6.2.5. Other norms, however, are less effective or not at all, such as the prohibition to engage in subversive activities vis-à-vis neighbouring states.

More generally, after the mid-1970s many of the OAU's norms came under increasing pressure as a result of a considerable intensification of (domestic and inter-state) conflicts, which occurred in the wake of deteriorating economic conditions, increasing rivalry among the superpowers and a massive growth in armaments.

In terms of the OAU's rationale the most important norm is the prescription that member states must first try and settle their inter-state disputes in an African cadre. The OAU has in this regard always claimed a right of initial (not exclusive) jurisdiction. Thus, with the backing of the United Nations and the help of its UN African Group - the OAU-serviced African ambassadors group in New York - it tries to discourage or prevent recourse to UN cadres for the settlement of inter-African conflicts. Although member state reticence to take such disputes to the UN may have diminished with the subsidence of the Cold War, the OAU has been quite successful in keeping such conflicts away from UN scrutiny. The recent dispute between Nigeria and Cameroon is a case in point.

#### *6.2.4 The Record of Mediation in Inter-State Disputes*

The OAU's claim to initial jurisdiction does not imply that it is itself able to achieve satisfactory settlement of (inter-state) conflicts. In view of the intensification, after the mid- 1970s, of many conflicts and a concomitant decrease in the OAU's effectiveness with regard to their settlement, the enthusiasm of member states to involve the OAU's cadres declined. Recourse to foreign (especially non-African) intervention went up, while member states also looked to other institutions, such as ECOWAS, for the management of crisis situations. Many of these cases involved domestic conflicts, in which any claim to initial jurisdiction was hampered by the non-intervention norm.

Before its approach to domestic disputes is discussed a short assessment must be given of its record in inter-state dispute settlement. The OAU's strategy has always focused on reducing conflict levels (i.e. conflict *management*), rather than on affecting genuine solutions on the merits of the case concerned (conflict *settlement*). With the eruption of violence the OAU would press the disputants to agree to a cease-fire. Then the temporal dimension would be manipulated to cool tempers down and reduce the conflict to such proportions that it would not pose a threat anymore to the inter-African status quo.

This minimal approach has much to do with the relatively even distribution of power in inter-African relations. No state is by itself powerful enough to provide the necessary leadership in so large a cadre as the OAU and persuade and force the other members to abide by its rules. The opportunities for the exertion of influence in the patterns of inter-African politics are relatively restricted. The result is that the OAU has always had to rely on persuasion rather than forceful posturing.

Still, quantitative assessments for the OAU's first twenty years point to an average success record in mediation as compared to other international organizations. After the 1970s it goes into decline as a result of the above-mentioned deterioration in security. Its diminishing effectiveness is, however, more pronounced in, and caused by, the category of domestic conflicts.

#### *6.2.5 The OAU's Approach to Domestic Conflicts before 1990*

The way in which African states for long interpreted the principle of non-interference in internal affairs stands in sharp contrast to established United Nations practice. Until 1990 the OAU was not only not entitled to mediate in internal conflicts, but it could not even *discuss* such events or pass resolutions on them against the will of the member state concerned.

However, a strictly legal perspective on this question misses some major points. In practice, the OAU *did* at times get involved in domestic conflict management, notwithstanding the prohibitions of article 3.2 of its Charter. An analysis of the historical record shows that conflicts that were marked by (the risk of) substantial non-African involvement or otherwise carried important inter-African implications could trigger some reaction. Conversely, conflicts in which these features were by and large absent, failed to elicit a response.

Thus, the organization openly interfered in the political upheavals in the Congo during 1964 and 1965. The OAU also managed to claim a more emphatic role for itself in the Nigerian civil war than what the

federal government had at first been willing to condone. It managed to make the conflict the subject of Pan-African discussion and, at one stage, entice the Nigerian government to agree to talks with the Biafran side on humanitarian issues. Similarly, the organization intervened to a considerable extent in the civil war in Chad (1982). With an almost total break-down of order it had considerable room for manoeuvre and it could act in ways that clashed with the wishes of the nominal government. That it failed to achieve settlements in these cases does not contradict the fact that it was prepared to intervene in these conflicts in the first place.

In contrast, internal conflicts and issues that did not involve substantial non-African intervention or other inter-African implications were systematically ignored. Thus, separatist movements such as in Sudan and Eritrea were cold-shouldered; the humanitarian aspects of massive flows of refugees received less attention than their potentially destabilizing effects on inter-African relations; and violations of human rights by member state governments met with deafening silence.

In terms of OAU concern with extra-African intervention there was a cold logic in its disregard of these issues. However, one other reason why the organization responded to certain signals of internal conflict and not to others lay in its one-sided role in the domestic structures of Africa's socio-political relations: at least up to the early 1990s the OAU was required to articulate the narrow interests of state elites, to the exclusion and detriment of the interests of the mass of Africa's peoples.

#### *6.2.6 The Reforms of the Early 1990s*

##### *The Need for Reform*

Although the OAU's diminishing effectiveness in the settlement of disputes was principally related to the increase in domestic crisis situations, by the early 1990s its overall strategy to conflict management was in need of reform. Thus, the decentralized approach to disputes entailed problems of co-ordination in regard to multiple attempts at mediation, as well as problems of continuity of effort.

More importantly, it detracted from the OAU's promptitude. Opportunities for third party intervention depended to some extent on meetings of the policy organs, which are difficult to convene at short notice. Reliance on presidential mediation also diminished swift responses, as it makes intervention dependent on the political will of individual heads of state, their agenda and member state resources. Moreover, low reactive capacity was to some extent built in the OAU's minimal approach to conflicts, which, among others, involved recourse to dilatory tactics.

In view of the organization's restricted leverage the rationality of this approach could not be denied. Yet it was shown that it could lead to disastrous consequences if the OAU was faced with high intensity disputes like the Ogaden war (1977-1979) or conflicts marked by large-scale human suffering, such as the Senegalese-Mauritanian dispute of 1989-1990. Moreover, by the late 1980s it was especially worsening domestic security contexts that began to interfere with the OAU's management of the continental order. As their disregard helped, by then, very little, it was clear that the old approach to domestic strife was in need of reform as well.

Since the late 1970s member states had discussed the need for a change in strategy. However, by the early 1990s reform proposals stood a better chance of acceptance, as the domestic and international position of African governments had weakened considerably. In addition to the continuous deterioration in domestic security contexts and the dilapidating effects of economic decline they were confronted with the emergence of multi-party politics, calls for democratization and the withdrawal of vital superpower support. With a new and dynamic Secretary-General, the Tanzanian Salim Ahmed Salim, steps were taken that in terms of OAU history were remarkable. They were meant to tackle both the problem of slow response to inter-state disputes and the lack of any response with regard to many domestic crises.

##### *Responding to New Signals*

Thus, in 1990 the Assembly formally arrogated domestic conflicts to its area of competence. However, while restricting the interpretation of the non-interference norm, this did not give the OAU a blanket right of intervention in internal conflicts. It still needs the consent or co-operation of the member state concerned when it wishes to mediate, dispatch military observers or send civilian envoys to monitor, for example, national constitutional conferences or multi-party elections.

The fact, however, that these issue areas have become subject to OAU scrutiny - even if they do not have obvious repercussions for the state of inter-African relations - constitutes an important break with the past. Similarly, judging from the OAU's sharp response to the attempted coup in Burundi in October 1993 there is greater room for verbal delegitimation of member state behaviour. Moreover, the 1993 summit in Cairo also agreed that the organization *does* have the right to intervene in situations marked by a total break-down in order and severe human suffering, whether or not these are accompanied by extra-African involvement or other inter-African repercussions. Humanitarian concerns as such may also be sufficient grounds for some kind of OAU response.

Its activity vis-à-vis the conflicts in Rwanda (in 1992-1993), Burundi and Liberia bear witness of this and points to a collective preparedness to respond to a whole new category of conflicts. While there is as yet no clarity on which (kind of) domestic crisis situations are given priority and why, practice seems to point to a preference for concern with domestic conflicts of *relatively* more limited proportions. Thus, the Secretary-General's activity concerning Rwanda (*before* the genocide of the spring of 1994) and Burundi was matched by silence on, and relative passivity towards, the Somali catastrophe.

This has much to do with the impediments ingrained in the structures of inter-African relations, which impair dynamic decision-making, especially at the Pan-African level. This exerts negative effects on the organization's resources and the influence it can exercise in conflicts. The Secretariat is therefore acutely aware of the OAU's extremely limited financial capabilities, while the debacle of the organization's peace-keeping force in Chad (1981-1982) has for long exerted a restraining effect on new forms of military intervention.

While research has still to be undertaken in this area no specific signals seem to be singled out for greater attention, beyond a priority to the smaller-scale conflicts. The Secretary-General has nevertheless formulated clear views on the importance of democratic change in member states, the transition to more participatory forms of governance and a potential role in this process for the OAU. Yet, much of this lies in the realm of the future as it is dependent on the vicissitudes of democratization and multi-party politics.

Furthermore, the new mechanism to respond to conflicts introduced in 1993 (see next section) does not, despite its name, reflect the desire of the Secretary-General to establish a comprehensive system of conflict management. Salim originally aimed at a system that should be part of a whole process of prevention, management and resolution of conflicts involving political, judicial and military dimensions. Sometimes he uses language - such as "management of change" - that may in this respect reflect inspiration by OSCE-like approaches to conflict.

However, the new mechanism does not (yet) involve judicial means, while its military dimensions are, as shown below, of rather limited scope. Moreover, while the principal goal of the new mechanism is to prevent hostilities as this may avoid expensive and demanding peace-keeping activities, it still appears that, in practice, the organization is only activated *once violence has erupted*. In view of the continent's innumerable tensions and disputes, its large potential for conflict and the OAU's limited resources, it is hard to see that it could be otherwise. Thus, the minimal approach centring on conflict-reduction and avoidance of worst case scenario's still seems by and large intact.

### *The New Mechanism*

While the OAU now responds to new forms of conflict, its reactive capacity has to some extent been addressed as well. The 1993 Cairo summit approved the introduction of the so-called African Mechanism Apparatus for Preventing, Managing and Resolving African Crises. This aims at improving co-operation

between two OAU organs: the Secretariat, headed by the Secretary-General and the Bureau of the Assembly of Heads of State and Government.

The Secretary-General has now been given the formal right of diplomatic initiative. This entitles him to undertake or send mediation and fact-finding missions or dispatch special envoys. In practice the Secretary-General has already used this prerogative on several occasions, most recently in June 1995 when he headed another mediation mission to Burundi.<sup>5</sup>

Continuous signals in that country, that conflict might again develop into large-scale violence, seem to have played a role in this undertaking. In this sense the OAU's new responses to conflict contain aspects that are more or less comparable to the early warning approach.

The Secretary-General must exercise his new role under the authority of the Bureau of the Assembly and in consultation with its chairman. The new Bureau is composed of the Assembly chairman and his eight vice-chairmen, in addition to its outgoing and future presidents. These are all member state representatives. The Bureau now convenes once a month at ambassadorial level, usually in Addis Ababa; twice a year at the level of foreign ministers; and once at that of heads of state. It may also be convened at short notice, in extraordinary session, at the request of the Assembly chairman, the Secretary-General or any member state.

The Bureau has overall political responsibility and supervision and must report to the Assembly. It also takes decisions on the more far-reaching aspects of mediation initiatives, such as deployment of civilian or military observer missions. As the Secretary-General has, besides executive tasks with regard to Bureau decisions, his own political prerogatives, the Bureau and Secretary-General must co-operate closely.

The essence of the new mechanism is improvement of the OAU's reactive capacity. The basic idea is that the Secretary-General launches a mediation initiative, on the basis of the Secretariat's monitoring work. Then he informs the Bureau of its outcome and the Bureau may be convened. The role of the Secretary-General is meant to provide the necessary speedy response, while the Bureau gives vital political backing and guidance. However, with regard to inter-state disputes the Bureau should still be able to mandate individual heads of state or the Assembly chairman to engage in mediation. Ad hoc committees might be appointed for the duration of a conflict. While copying established practice, the Bureau's involvement should provide these procedures with greater co-ordination and continuity.

The new mechanism is more than a paper reform. Apart from the efforts that the Secretary-General has already taken with regard to mediation in conflicts, the Bureau has been convened at different times as well. Its ability to respond swiftly was borne out when it met in October 1993 on the same day of the coup attempt in Burundi. Besides reactive capacity the mechanism could, in principle, also improve upon the limited dynamics of OAU decision-making. Because of the large number of member states decision-making in the Council of Ministers and the Assembly is by definition slow and laborious. The Bureau's limited membership, which annually rotates among the member states, should speed things up.

However, one crucial bottle-neck remains, which means that the OAU's capacity in handling high intensity conflict is still deficient. With regard to peace-keeping, the new mechanism only allows military observer missions of restricted scope and duration. If conflicts deteriorate to such an extent that more wide-ranging intervention becomes necessary, the mechanism's constitutive document orders the OAU to take recourse to the United Nations for financial, logistical and military assistance. It is true that the OAU has instituted a new fund for peace-keeping activities, fed by the regular budget and voluntary contributions from member states. New budgeting procedures were introduced for this purpose. However, amounting at best to a few million dollars the OAU's financial clout is extremely limited. The mechanism therefore allows the Secretary-General, subject to the Bureau's permission, to accept grants from non-African countries.

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5 See f.i. *West Africa*, 24-30/4/95.

Thus, the dispatch of the OAU's Neutral Military Observer Group (NMOG) to Rwanda (1992-1993) was flown in with the logistical support of the UN and some Western countries. It was financed by the OAU and individual Western and African countries on a roughly two-thirds (OAU) - one third (others) basis. The larger contingents sent to Liberia after the 1993 Cairo summit (made up of some fifteen hundred to two thousand Ugandan and Tanzanian soldiers) were mainly financed by Western contributions to a UN fund for Liberia, among others from the United States and the Netherlands.

### *6.2.7 Conclusions*

Since 1990 the OAU's response to conflict has undergone radical change. It is now allowed, and actually does, respond to signals of domestic conflict even if these do not carry inter-African implications. Thus, humanitarian concerns may be sufficient ground for activation of the OAU's new mechanism. This constitutes a remarkable break with the past.

Moreover, it has, on the whole, become more active in the management of conflicts, especially domestic ones. This also extends to the military dimensions of dispute settlement. Its recent military operations, though of a restricted nature, are also marked by more realism and proper institutional control than was the case in Chad.

Overall reactive capacity has improved. Yet, the OAU's capabilities to handle high intensity conflict are still grossly deficient. Considering the strictures inherent in inter-African relations non-African powers and organizations must be prepared to provide support to the OAU, if it wishes a greater role for the organization in managing conflicts. Both its monitoring work and its role in actual peace-keeping require financial assistance.

Monitoring work could perhaps also be strengthened by certain respected NGO's and other organizations furnishing information on signals of impending conflict. The International Committee of the Red Cross and, arguably, some human rights NGO's that liaise with the OAU's human rights commission, might be candidates for this. However, a recent Anglo-French proposal concerning rapid reaction forces backed by Western countries may transgress the limits of what is politically acceptable. As earlier, more or less similar, proposals launched in 1978 and 1994, it encourages fears of undue Western interference in the continent's affairs.

As the OAU still by and large responds to disputes only when they have entered a violent phase, its new approach to conflict cannot be considered as an example of early warning. Nevertheless, the focus on swift response at least points in the same direction and constitutes a significant improvement upon past performance.

However, even if the non-interference norm is now interpreted in more restricted fashion, it is doubtful whether member states would at present be willing to accept further limits on their sovereignty. The extent to which the OSCE is allowed to go in Europe is probably wholly unacceptable (see also Ferdowski, 1992). Moreover, in terms of the conflictual structures marking domestic socio-political configurations ideas on OSCE lines also seem unrealistic. In many cases the adherence to formal notions of sovereignty is a vital - and sometimes one of the few remaining - means with which state elites hope to preserve their position vis-à-vis the rest of the population.

## **6.3 ECOWAS**

### *6.3.1 Introduction*

This paragraph will first discuss the contents of relevant provisions on which ECOWAS can base its concern with inter-state and domestic disputes. Then it analyses, in broad outline, the nature of ECOWAS intervention in the Liberian civil war.

It should be realized that this occurred in response to a conflict which had already been raging for some time. ECOWAS intervention can therefore hardly be seen as a form of early warning or conflict prevention. This is not surprising, in view of the fact that its official mandate is only marginally related to dispute settlement. It therefore lacks a comprehensive strategy of conflict management, perhaps even more than is the case with the OAU. However, recent developments with regard to neighbouring Sierra Leone may be seen as having some relevance to the early warning approach, something that will be discussed in the conclusions of this paragraph.

### *6.3.2 ECOWAS Provisions for the Management of Conflict*

In 1978 the organization's supreme organ, the Authority, adopted a Protocol on Non-Aggression. Its goal was to contribute towards a friendly atmosphere between West African countries, discourage armed attack or aggression between member states and express and confirm recognition of their mutual boundaries (Okolo, 1983).

This was followed in 1981 by a Protocol on Mutual Assistance on Defence. In case of aggression by a non-member state, this Protocol stipulates that the Authority will meet at the request of a member country and decide on the expediency of military action (articles 6 and 16). The Authority shall also meet urgently when it is faced with conflicts *between* member states. In that case it will consider mediation or deployment of a peace-keeping force (article 17; Okolo, 1983).

Finally, it may decide on military action in case of a domestic conflict that is engineered or supported "from outside" and is likely to endanger peace and security in the whole ECOWAS region (article 19). The Authority shall then "appreciate and decide on this situation in full collaboration with the authority of the member state or states concerned" (quoted in N'Diaye, 1993). The Authority may meet in extraordinary session, decide on the expediency of military action and entrust its execution to the commander of the Allied Armed Forces of the Community (AAFC). In that case decisions of the Authority are "immediately enforceable on member states" (article 6.4; N'Diaye, 1993).

The above-mentioned Protocols aimed at the establishment of a collective security mechanism that would, in principle, cover the whole West African region. However, when the Defence Protocol was adopted Mali, Cape Verde and Guinea-Bissau refused to sign it (Okolo, 1983). Moreover, the instruments for its operation, such as the AAFC, a Force Commander, a Defence Council made up of foreign and defence ministers and a Defence Commission composed of national chiefs of staff, were not put in place (Okolo, 1983 and Yoroms, 1993). This left the significance of the Protocol hanging in the air.

### *6.3.3 The Intervention in Liberia*

#### *Background*

This did not, however, prevent a far-reaching form of military intervention being undertaken in the framework of ECOWAS. In 1989 the National Patriotic Front of Liberia (NPFL), led by Charles Taylor, started a guerrilla campaign against Samuel Doe, the president of an oppressive regime that had come to power in the wake of a bloody coup d'état ten years earlier. With Doe's forces digging in, the war intensified and centred on the capital, in the process trapping thousands of citizens of other ECOWAS countries (Gershoni, 1993; also Ellis, 1995).

The Nigerian government was willing to take action and in the spring of 1990 it launched a proposal for a multilateral mediation effort in the cadre of ECOWAS (Vogt, 1991). That it did not embark on this initiative through the OAU had much to do with the fact that it would be able to exert more influence in a

smaller framework like ECOWAS. In this cadre, with only sixteen members, it would be better able to steer the operation as it saw fit. In contrast, the Pan-African membership of the OAU would to some extent attenuate Nigeria's influence, something that was clearly shown in its contribution to the OAU's peace-keeping operation in Chad (Van Walraven, forthcoming).

#### *The West African Context*

Nigeria's reasons for intervention *as such* appear to have been related - apart from official concerns about the intensity of the conflict, the flow of refugees and the threat to its citizens - to ties of personal friendship between President Babangida and Samuel Doe. Moreover, it conformed to Nigerian policy to try and assume a leadership role in the region. In the course of this Nigeria wished to check Libyan designs in what it considered as its own "back-yard" (Tarr, 1993 and Gershoni, 1993).

Although opposed to Doe's regime, Sierra Leone was also hostile to the NPFL and feared that the war might spread across its borders. It therefore backed another guerrilla faction opposed to Taylor and, like Guinea and Ghana, was to follow the Nigerian lead in the Liberian operation (Tarr, 1993).

Conversely, Taylor's NPFL received support from Burkina Faso, which introduced Taylor to Libya and served as a conduit for arms transfers from Libya, via Ivory Coast, to Liberia. Libya also provided recruiting and training centres. Ivory Coast served as the main base for infiltration by the NPFL and some sources say that the Ivorian army also provided the NPFL with arms. Ivorian resistance to Nigerian influence, apart from personal animosity between Doe and the Ivorian leader, played a role in this. Senegal's role in the conflict seems to have been more detached (Vogt, 1991; Tarr, 1993; and Yoroms, 1993).

Like Ivory Coast, France has always resisted Nigerian efforts to assume a leadership role in the region. Its recognition of Biafra and complex manoeuvring vis-à-vis the OAU's intervention in Chad were in this respect illustrative (Van Walraven, forthcoming). French (parastatal) firms therefore established contacts with the NPFL at an early stage in the conflict (Tarr, 1993). American policy was characterized, especially after 1988, by declining interest and inaction, something that facilitated regional competition and efforts to fill the Liberian void (Tarr, 1993; Gershoni, 1993; and Volman, 1993).

#### *ECOMOG*

This meant that the intervention in Liberia was, from the beginning, hampered by regional power struggles and that its impartiality was called into question. Upon the initiative of Nigeria the ECOWAS summit of May 1990 established a Standing Mediation Committee. Consisting of Ghana, Togo, Mali, Gambia and Nigeria, it attempted to formulate a peace plan. Despite its rejection by the NPFL, the Committee adopted a formula calling for a cease-fire and the installation of an interim administration to which none of the leaders of the warring parties would be eligible. The cease-fire would be supervised by an ECOWAS Monitoring Group (ECOMOG). It would comprise the members of the Standing Committee plus Sierra Leone and Guinea, thus excluding Burkina Faso and Ivory Coast because of their support to the NPFL (Gershoni, 1993 and Conteh-Morgan, 1993).

Taylor was strongly opposed to the deployment of ECOMOG, which he regarded as an instrument for the protection of a president who had, to all intents and purposes, been defeated. Burkina Faso also severely criticized the ECOMOG plan and Ivory Coast attempted to nullify the initiative by vainly calling for an extraordinary ECOWAS summit. Togo withdrew an earlier promise to participate in ECOMOG, while Mali initially refused to contribute troops in order not to strain relations with Libya (Akinrinade, 1992; N'Diaye, 1993; and Gershoni, 1993).

Moreover, the legal basis of ECOMOG was open to doubt and its institutional context was far from clear, if not outright deficient. Thus, one Nigerian specialist in international law argued that the dispatch of a peace-keeping force required the consent of all the combatants. Without their agreement it constituted interference "in the internal affairs" of a member state (quoted in Akinrinade, 1992). Furthermore, the

Standing Mediation Committee based its proposition for ECOMOG on article 6.4 of the Defence Protocol, which states that decisions taken by the Authority are immediately enforceable on member states. This refers to the execution of military action - as decided by the ECOWAS Authority - by the Force Commander of the Allied Armed Forces of the Community (AAFC), which, however, do *not* exist (Yoroms, 1993).

The countries of the Standing Mediation Committee nevertheless persisted in their plan to send in the ECOMOG force. In the face of opposition by several ECOWAS members, support by the OAU and the UN was helpful in pushing through the ECOMOG plan. The OAU was still in the process of reform and incapable of an effective response. The United Nations argued that it could not interfere in a country's internal affairs without a formal invitation by a regional organization. With Iraq's invasion of Kuwait its preoccupations lay elsewhere (Yoroms, 1993 and Gershoni, 1993).

In the absence of the organs foreseen in the Defence Protocol ECOMOG was established on an ad hoc basis and without proper multilateral control in terms of ECOWAS institutions (Akinrinade, 1992; N'Diaye, 1993; and Yoroms, 1993). In fact, it was not really an ECOWAS effort but almost wholly a Nigerian undertaking. Although the Standing Mediation Committee had called for voluntary contributions by ECOWAS member states, ECOMOG was mainly financed by Nigeria (Akinrinade, 1992; Gershoni, 1993; and Yoroms, 1993).

With its logistics also by and large secured by the Nigerian armed forces deployment presented few difficulties. At the time it landed in Liberia (August 1990) ECOMOG seems to have been intended as a peace-keeping operation. One author has argued that, at first, it was principally a naval operation intended to evacuate ECOWAS citizens. It would not really have been conceived as an intervention force (Vogt, 1991). In accordance with the terms of the Defence Protocol, the nominal head of state, Samuel Doe, had political authority over the ECOMOG contingents. In view of the unpopularity of the defeated dictator this further detracted from its perceived impartiality. Many Liberians saw it as an occupation force for Doe's benefit (N'Diaye, 1993).

The vicissitudes of ECOMOG's operation fall outside the scope of this report. It is, however, important to note that the moment it landed it ran into difficulties. It became the target of guerrilla attacks by Taylor's NPFL, while Samuel Doe was abducted from the ECOMOG headquarters and murdered by the leader of a break-away faction. After this, the whole mission was redefined (also Adeleke, 1995). ECOMOG's new mandate amounted to enforcing a cease-fire, establishing peace in the capital and maintaining a buffer zone. Moreover, all belligerent forces in Liberia would have to be separated, confined and disarmed (Vogt, 1991; Akinrinade, 1992; and N'Diaye, 1993).

Yet, while ECOMOG managed to maintain a zone of peace in and around Monrovia, it failed to accomplish much else. Worse still, it more or less developed into a party to the conflict intent on eliminating the NPFL. It nevertheless failed to defeat Taylor's forces. As the conflict dragged on, more and more factions appeared on the scene. In order to guarantee ECOMOG's disputed neutrality the United Nations had to send some military observers (UNOMIL) and the OAU dispatched troops, that were attached to the ECOMOG forces. In the autumn of 1995 a new ECOWAS-mediated peace agreement finally seemed to herald an end to the civil war.

#### *6.3.4 Evaluations*

With the benefit of a powerful, regional leader ECOWAS is, in principle, able to engage in military operations on its own. The ECOMOG operation shows that, if need be, financial and logistical requirements are more easily fulfilled than in the OAU. ECOWAS does, indeed, experience logistical and financial difficulties in regard to the Liberian operation, but these are minor as compared to what the

OAU must usually face. However, peace-keeping in smaller organizations is also more susceptible to regional power struggles. Nigeria's ambitions could never have evolved that far, and ECOMOG's operation have degenerated to the extent it did, had intervention been attempted in the cadre of the OAU (Van Walraven, forthcoming).

Yet, the vicissitudes of ECOMOG also show that the extent of influence that African states can, in general, exert over warring factions in a domestic conflict like Liberia is more limited than what is often assumed. Various studies point in this respect to the complex, dialectical character of patron-client ties, which imposes constraints on the influence of patron states (Lemarchand, 1988 and Van Walraven, forthcoming).

Thus, ECOMOG kept the peace in and around the capital but failed to restore peaceful conditions in the rest of Liberia. Moreover, it also failed to prevent the conflict from spreading into Sierra Leone. The guerrilla war unleashed by the Revolutionary United Front (RUF) against the government in Freetown is to some extent tied to the civil war in Liberia. Contingents from Nigeria and some other ECOMOG countries assisted the Sierra Leonean government in halting the RUF's march towards the capital (see also *West Africa*, 30/1-5/2/95).

In so far as this move was meant to prevent a repetition of the military scenario that engulfed Monrovia it had certain conflict preventive dimensions. With the atrocities the RUF has committed against civilians, its unclear political motives and its refusal to respond to mediation efforts by ECOMOG, the OAU, the Commonwealth and the UN<sup>6</sup>, it gives off signals that are interpreted by ECOMOG countries in a way that has some relevance to the early warning approach. A West African response at an early stage was justified, theoretically, by the limited influence that African governments effectively exercise over the warring factions in domestic conflicts.

However, the ECOWAS response to events in either Liberia or Sierra Leone cannot be seen as examples of early warning in the real sense of the term. As in the OAU, action was only taken once the conflicts had entered a violent phase. Despite its Defence Protocol ECOWAS has, in practice, no comprehensive security concept, either geographically or in terms of the different dimensions of security.

Yet, in view of the financial and logistical capabilities of some of its members and the limited clout of the OAU in this respect, ECOWAS continues to be one of Africa's most important potential instruments for the management of conflict. If it is able to contain the regional power struggle, to which it has been subjected, and it can improve upon its impartiality, it may also play a positive role in West African conflict management as such. This necessitates, first of all, proper institutional controls and respect for ECOWAS procedures. This, in turn, makes an improvement in the political relations between West African states a *sine qua non*.

## **6.4 SADC**

### *6.4.1 Introduction*

The Southern African Development Community, which in 1992 succeeded the Southern African Development Co-ordination Conference (SADCC), is an organization that engages mainly in functional co-operation. However, article 21 (g) of the treaty that transformed SADCC into the above-mentioned Community added co-operation in the area of "politics, diplomacy, international relations, peace and security" to SADC's mandate (cited in Tostensen, 1993). Moreover, while the management of conflict was, during its period as SADCC, not an official part of the agenda, political co-operation has nevertheless always been an essential aspect of the organization's character (Green and Thompson, 1986).

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6 *Africa Research Bulletin* (Political, Social and Cultural Series; hereinafter as PSC), 1995, pp. 11739-11740.

SADC(C) represents an outgrowth of the co-operation between the so-called Frontline states, which during the 1970s worked towards the downfall of the white Rhodesian regime (El-Khawas, 1977; Jaster, 1985; Sesay, 1985; and Van Walraven, forthcoming).

Although it was very successful in this, the South African apartheid regime remained relatively untouched by the transition to majority rule in Zimbabwe. It was (and is) the dominant economic power of Southern Africa and from the early 1980s embarked on a “total strategy”, which involved a total war against the enemies of apartheid, both within its borders and beyond. Its armed forces attacked bases of SWAPO and the ANC in the Frontline states and backed client guerrilla forces (UNITA, RENAMO) in their struggle against the governments of Angola and Mozambique. The apartheid regime also conceived a policy to destabilize the economies of the Frontline states, especially that of Mozambique, by limiting access to migrant workers, closing borders and destroying key transport links (Johnson and Martin, 1986 and Ohlson, 1991).

When SADCC was founded in 1979-1980 its principal aim was therefore to reduce the economic dependence of Southern African countries on South Africa and forge links to create genuine regional integration (Van Walraven, 1991). The goal of economic integration received new impetus with its transformation into SADC in 1992 and South Africa's accession to membership in 1994. With Pretoria having joined the organization the objective of reducing dependence on South Africa is, in principle, to be refashioned into one for positive integration encompassing the entire region. It is hoped that South Africa will function as the motor of economic growth.<sup>7</sup>

#### *6.4.2 Towards a Mechanism for Security and Conflict Management*

As it was originally directed against the apartheid regime and its economic and military aggression, the organization always had a clear, if indirect, security dimension. Its objective of reducing dependence on Pretoria and, especially, its emphasis on regional transport policy were explicitly linked to the region's security predicaments (also Green and Thompson, 1986).

Moreover, the political group of Frontline states inside SADCC (Tanzania, Zambia, Botswana, Angola, Mozambique, Zimbabwe and, from 1990, Namibia) was always directly concerned with the region's security questions. Thus, during the 1980s Zimbabwean forces began to assist the Mozambiquan government in the protection of vital infrastructural facilities against attack by South African-backed RENAMO guerrilla's. Tanzania agreed to train Mozambiquan soldiers for security duties in the north of the country (Martin and Johnson, 1986; see also Fair, 1989 and Gwaradzimba, 1993).

This concern with the domestic security predicaments of its member states did not end with the ANC's election victory in South Africa (1994) and the subsequent changes in the political relations of the region. In fact, the security dimension of SADC's mandate widened to encompass the field of conflict management as a whole. Thus, South African help played a role in persuading RENAMO to participate in UN supervised multi-party elections that had to bring an end to the war in Mozambique. South Africa became also involved, together with Botswana and Zimbabwe, in efforts to ease political tensions in Lesotho and restore democratic government in that country (Booth and Vale, 1995 and *Africa Research Bulletin* (ES), 1994, p. 11813).

The events in Lesotho encouraged discussion in SADC to contemplate some sort of security structure for the Southern African region. After a conference between Southern African countries and officers of the South African Defence Force and the ANC's Umkhonto we Sizwe in June 1993, the OAU established a “security panel” for the region. This should be a step towards forming a “regional task force” to be used

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7 *Africa Research Bulletin* (Economic Series; hereinafter as ES), 1994, pp. 11812-11813.

for peace-keeping missions. Proposals began to circulate that called for measures to curb the proliferation of arms and the mediation of inter-state and domestic disputes. Aided by its own intelligence structure and communications network, a SADC security committee should process information on military matters and security threats. One source lists, in this respect, various terms that are part of the current parlour of dispute settlement: "early warning and crisis prevention systems, conflict management and the elaboration of security cooperation". Inside the security committee experts should share information on issues like demobilization problems, civil-military relations, police forces and training in peace-keeping. The committee should also draft conventions for disarmament, the settlement of frontier disputes, intelligence gathering and measures to prevent the proliferation of small arms (*Africa Research Bulletin* (PSC), 1994, p. 11285).

The articulation of these ideas was followed, in August 1994, by an announcement of the Frontline states that their alliance would be transformed into the security and political wing of SADC. Its objective would be to "handle mediation and conflict resolution among member states" (*ibid.*, p. 11535). However, information on these new developments is still relatively scarce. No reference is made, for example, to the new SADC Tribunal, which has the right to adjudicate disputes by binding consensus decisions (Tostensen, 1993). At the time of writing implementation of the above-mentioned plans still seemed, for the most part, to lie in the realm of the future.

#### 6.4.3 SADC's Role in Southern African Security: Prospects

Despite the use of words like early warning and conflict prevention SADC's concern with conflict tended and tends to focus principally on conflicts that have already broken out. Yet a future approach towards activation of SADC structures in the early stages of a conflict might be possible. South African intervention to save the UN supervised elections in Mozambique is in this respect indicative. Moreover, the region enjoys a long tradition of intensive consultations, while there is considerable experience in intervention in conflict situations, both through regional and bilateral cadres. There are therefore possibilities for co-operation in the area of security and conflict management. In several SADC countries the state of socio-political configurations is not the worst of the African world anyway. Botswana and Namibia are obvious examples. This circumscribes the principal source of conflicts on the continent.

Yet, there are several factors complicating SADC's goal to improve the region's security. The havoc created in Angola and Mozambique has generated enormous socio-economic and political tensions that will not go away easily. The region still possesses vast stocks of arms and there are pressures for continued arms sales emanating from South Africa's well developed armaments industry. Threats of drought and general economic insecurity further compound the region's search for stability (Booth and Vale, 1995).

It must also be borne in mind that the principal reason for banding together, *i.e.* the common enemy of apartheid, has gone. This may have a negative effect on collective plans for security and conflict management. Southern African countries still harbour suspicions about South Africa's potential leadership role. While the ANC favours regional disarmament and a renunciation of South Africa's hegemonic ambitions, part of the (white) politico-military establishment has misgivings about this and other moves, such as the write-off of Namibia's debts in a bid to improve relations with this neighbour. There are also fears about uncontrolled immigration from other SADC states. This has led to mass repatriation of illegal immigrants, continued intensive patrols of South Africa's borders and, concomitantly, tensions between SADC member states (Booth and Vale, 1995).

More generally, regional economic integration usually leads to uneven distribution of costs and benefits, something that generates political tensions. As stated explicitly by regional leaders more equitable economic relations are therefore vital to Southern Africa's stability. (Van Walraven, 1991;

Gwaradzimba, 1993; and Tostensen, 1993). Moreover, with South Africa having acceded to membership, aid flows from the West may decrease, thus deepening the effects of dependence on South Africa.

The academic community has meanwhile launched various new ideas for improving the management of the region's conflicts and security predicaments. Some argue for a concept of security that goes beyond purely military dimensions and encompasses respect for human rights. As the violation of human rights, such as those of migrant workers, frequently generates inter-state tension SADC's security concept should take these into account. Other authors suggest the introduction of various confidence and security building measures, like the exchange of military information as already discussed in SADC circles. Some have also pleaded for the establishment of OSCE-type structures, something that has received verbal support from W.F. de Klerk, as well as the speaker of Namibia's parliament (Spanger and Vale, 1993 and Booth and Vale, 1995).

## 6.5 Conclusions

On the whole Africa is still a long way off from realizing systems of conflict prevention. At times concepts like early warning circulate in the documents of its major international organizations, but this seems to be no more than lip-service to fashionable parlour in the field of dispute settlement. Considering the innumerable problems and conflicts that beset the continent it is difficult to see how African international organizations could get involved in the prevention, rather than management or resolution, of conflicts. Viewed on a continental scale there is a high frequency in the eruption of conflicts, something that continually confronts those organizations with situations in which violence has already occurred.

Security concepts are thus far from comprehensive, although the OAU now also responds to domestic conflicts on the grounds of humanitarian justifications. ECOWAS lacks a comprehensive security concept, both geographically and in terms of the different dimensions of security. For SADC the evidence on this is still inconclusive.

Nevertheless, there is a trend, both in terms of ambition and fact, towards swifter response to conflicts. A recent Egyptian initiative to establish a conflict prevention centre in Cairo and to strive towards an early warning system for Africa fits in with this development (*Africa Research Bulletin* (PSC), 1995, p. 11707). In the actual practice of *existing* organizations improvement in reactive capacity is most remarkable in the case of the OAU. However, the structural impediments inherent in Pan-African relations restrict its capabilities in handling conflicts, especially those marked by a high intensity. While it has become much more active in conflict management, for peace-keeping the OAU still requires external logistical and financial assistance.

Thus, Africa's regional organizations will also remain crucial in conflict management. Even if it still needs some external funding, ECOWAS has in this respect shown greater capacity to furnish the resources necessary for peace-keeping. However, its ECOMOG operation also points to the dangers of power struggles that beset regional institutions more than the OAU. To become a more impartial instrument of conflict management ECOWAS needs an improvement in institutional and procedural standards. A revision of the ECOWAS treaty accepted in 1993 may be seen as a step in the right direction, although it mainly concerns improved border management and other aspects of inter-state relations.<sup>8</sup> ECOMOG has shown what SADC should avoid. The latter certainly has the potential to evolve into an

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8 See *West Africa*, 9-15/10/95. The 1993 Cotonou summit also decided that decisions of the Authority of Heads of State and Government would become binding on the member states and ECOWAS organs without the need for further ratification. The significance of this decision and the prospects for its actual implementation are as yet unclear. See also Adeleke, 1995.

instrument that may contribute towards a regional security system, although one should guard against over-optimistic assessments.

It is unlikely that an OSCE type of structure would ever find acceptance among Africa's state elites. Operating preventive or early warning mechanisms in the area of food and agriculture may, indeed, enjoy considerable support among African governments, yet any extension to the field of "high" politics would certainly generate controversy. Moreover, peace-keeping and international involvement with conflict management as such can only be of limited value in view of the extremely complex ethnic, cultural, political and socio-economic features that mark Africa's domestic configurations.

## **7 Early Warning, Preventive Diplomacy and Conflict Prevention in South-East Asia: The Role of ASEAN**

### **7.1 Introduction**

Security in South-east Asia is a complicated matter. Different colonial experiences, ethnic, religious and ideological tensions throughout history, violent great-power rivalries during the Cold War and unprecedented economic dynamism in the present time, have resulted in an intricate regional security environment. Notwithstanding these facts, the Association of South-east Asian Nations (ASEAN) has until now been able to produce security, stability and a sub-regional order. ASEAN has even developed a political role as a forum for preventing, managing and resolving conflicts among its members, “a record possibly unmatched in the contemporary experience of the Third World” (Sopiee, 1986). Especially its role in ending the Cambodian conflict, and its cooperation with the United Nations, were interpreted as a model for the kind of cooperative relationship between the UN and regional organisations as envisaged in Boutros Ghali’s *An Agenda for Peace*. However, with the end of the Cold War, ASEAN is confronted with new threats. Territorial disputes which had been successfully managed during the Cold War now pose challenges to the security of the region. The outcome of the Cambodia conflict, in spite of its success, also raised some concerns about ASEAN’s continued relevance and effectiveness. As a result of these uncertainties as well as about a possible power vacuum after the Cold War, ASEAN changed its policy of neutrality and self-reliance into one of constructive engagement. The Paris agreements on Cambodia of 1991 thus contain the elements of a new political order in South-east Asia: a security role for ASEAN, great power involvement in regional security, co-operation between regional organizations and the UN and the need for unorthodox pre- and post-conflict peace arrangements.

ASEAN responded to these developments and concerns by expanding the scope of its multilateral agenda to cover security problems and exploring new ideas and initiatives to deal with them. Crucial in this regard are establishment of the post summit annual meeting of ASEAN foreign Ministers (AMM), the ASEAN post-ministerial conferences (ASEAN-PMC, involving ASEAN-members and its dialogue partners) and the ASEAN Regional Forum (ARF).

This chapter describes and analyses ASEAN’s role in regional security. As will be shown, conflict management has played a major part in its political practice. Some of the key historical events in ASEAN’s history will be recalled to illustrate the development of security concepts and instruments. I will also draw special attention to what has been called the “ASEAN way” of reducing risks and avoiding conflicts. ASEAN’s approach has the characteristics of preventive diplomacy, but without the institutional arrangements that are usually connected with it. Informality and consensus are key-words to describe the “ASEAN way”. Attention will also be drawn to recent political initiatives which are aimed at increased institutionalization of preventive diplomacy and, to a lesser extent, early warning.

### **7.2 ASEAN’s Foundation**

The five states which in 1967 formed the Association of South-east Asian Nations (ASEAN) were Indonesia, Malaysia, the Philippines, Singapore and Thailand. Brunei joined in 1984, after gaining independence, while Vietnam was admitted in 1995. ASEAN's declared goals were to promote economic growth, social progress and cultural development through regional co-operation. Security was not mentioned explicitly as an issue. It was, however, prominent in the minds of the founding governments. The ASEAN states did not perceive an external regional threat. They were mainly concerned with threats from within their national borders -although the effects of Sino-Soviet and US-Soviet rivalry were always tangible. Problems of massive poverty and underdevelopment resulted in a permanent threat of radical internal political change - communist insurgency in particular. The ASEAN states wanted to prevent the kind of radical internal change that had engulfed neighbouring Indochina and the external interventions that resulted from it (Acharya, 1993). Further problems familiar to almost all ASEAN states concern the trouble with separatist movements and unresolved territorial disputes. These issues have always been a contentious factor in intra-regional bilateral relations because of their alleged cross boundary links.

The actual establishment of ASEAN can be directly linked to these issues. After three years of "konfrontasi" politics by the Indonesian Sukarno regime against the newly established Federation of Malaysia (1963 - 1966) the dispute was settled. Both countries agreed, however, that their settlement would stand a better chance if buttressed by a wider structure of regional co-operation. Thailand assisted to work out the appropriate structure, which resulted in the inaugural meeting of ASEAN in August 1967, which was hosted by Thailand (Leifer, 1989). ASEAN's establishment can thus be regarded as an exercise in peace building "avant la lettre".

### *7.2.1 The Bangkok Declaration*

The Bangkok Declaration was adopted in 1967 by the founding members, and contains the general policy goals. It can be regarded as ASEAN's "constitution". It should, however, be noted that the Declaration is not a treaty, establishing institutions and attributing supranational competences. Nor does it restrict the sovereignty of its member states or does it have the intention to lead to political integration. National sovereignty was and still is the heart of ASEAN.

This can also be concluded from ASEAN's approach to counter the threats of regional instability, which is mainly focused on resolving problems on the national level. The idea was that national resilience - through ensuring domestic stability - would enhance regional resilience. This concept was promoted by the Suharto regime "based on the proposition that national security lies not in military alliances ... but in self-reliance deriving from domestic factors such as economic and social development, political stability and a sense of nationalism" (Irvine, 1982). By creating rapid economic growth internal sources of social and political discontent would be diffused. To reach this goal, however, a climate of political stability was essential. ASEAN thus was meant to provide a forum in which contentious issues could be discussed and resolved, in order to minimize the possibility for inter-member conflict. ASEAN's approach to conflict resolution hence rests on an assumed ability to manage disputes within its membership without resorting to formal, multilateral measures. Direct bilateral negotiations are at the heart of ASEAN's mode of conflict management.

Acharya (1993) points out that on the one hand ASEAN's general aversion to formal institutions may be seen as a weak point in regionalism. On the other hand, however, its success shows the effectiveness of the "ASEAN way" in maintaining intra-regional peace.

### *7.2.2 ASEAN's Management*

From the outset, the Association has been managed by an annual meeting of the foreign ministers to be convened in member states on a rotating basis. Decisions are taken by consensus and laid down in declarations of the ministerial meetings. The host will chair both the meeting itself and ASEAN's preparatory Standing Committee, comprising the Ambassadors or High Commissioners of the other member states. To support the Standing Committee, all Foreign Ministries have a national ASEAN secretariat. Besides that, an ASEAN secretariat was established in Jakarta in 1976, headed by a Secretary-General. Its responsibilities relate to economic and technical co-operation and public information. In 1992, the Secretary-General was given higher status by promoting him to become ASEAN's Secretary-General (not just the secretariat's chief) enjoying ministerial status. The secretariat's approx. 24 staff, who used to be assigned by the member states, were now appointed on the principle of open recruitment. At the same time, ASEAN agreed to have a summit meeting of heads of government every two or three years. These adjustments, however, have not changed the basic structure of ASEAN as an association of states which cherish their national sovereignty.

### **7.3 Treaty of Amity and Co-operation**

Although ASEAN was never meant to be a military alliance, the management of security, both internal as well as external, has turned out to be a major aspect of its evolution. A number of initiatives, such as the 1971 call for a Zone of Peace, Freedom and Neutrality (ZOPFAN) in South-east Asia, the 1976 Treaty of Amity and Co-operation and the Declaration of ASEAN Concord of that same year, had major implications for regional security. But until the later part of the 1980s, the regional order in South-east Asia remained more closely linked to the dynamics of Sino-Soviet and US-Soviet rivalry than to ASEAN's own concept of peace through neutrality.

The Treaty of Amity and Co-operation (TAC) in 1976, adopted at a time that Indochina had come under communist rule, was an important step towards institutionalizing ASEAN's role in conflict resolution. Its purpose: "...to promote perpetual peace, everlasting amity and co-operation among their peoples which would contribute to their strength, solidarity and closer relationship" (art. 1). Six principles would guide the intra-state relations of the contracting parties: mutual respect for the independence, sovereignty, equality, territorial integrity and national identity of all nations; the right of every state to lead its national existence free from national interference, subversion or coercion; non-interference in the internal affairs of one another; settlement of differences or disputes by peaceful means; renunciation of the threat or use of force; and effective co-operation among themselves. The treaty is of particular significance, since it has served as a normative framework committing the ASEAN members to a "code of conduct" in their inter-state relations (Acharya, 1994). The treaty also provides a legal basis for the peaceful settlement of conflicts through the establishment of a "High Council": "To settle disputes through regional processes, the High Contracting Parties shall constitute, as a continuing body, a High Council comprising a representative at ministerial level from each of the High Contracting Parties to take cognizance of the existence of disputes or situations likely to disturb regional peace and harmony" (art. 14). The procedure provides for good offices, mediation, inquiry, conciliation and recommendations by the High Council (art. 15).

In fact, this is the most specific reference to an official mechanism for conflict management in ASEAN. By adopting the Treaty of Amity and Co-operation, ASEAN seemed to abandon the idea of regional security conceived as regional resilience, and in fact developed into an informal security community, defined by Karl Deutsch as a group of states whose members share "dependable expectations of peaceful change" in their mutual relations. However, the High Council has never been established despite the existence of numerous conflicts. As Acharya (1994) adds: "ASEAN policy-makers offer no apologies [for not establishing the High Council], since it testifies to the effect of ASEAN in reducing intra-mural conflicts to such an extent that formal measures are deemed unnecessary. In this respect the

treaty is more credible as an instrument of preventive diplomacy than of conflict resolution in the conventional sense.”

Accession to the Treaty has long been restricted to South-east Asian countries: ASEAN, the three Indochinese states and Burma. There were, and still are, concerns that foreign powers would become too strongly involved in regional security matters. In 1987 however, ASEAN decided in the Manila protocol to allow also accession by states “contiguous” to South-east Asia; Papua New Guinea was then accepted as a signatory. The Treaty was given extra status when in 1992 the UN General Assembly endorsed its purposes and principles (Res. 47/53B).

#### **7.4 The ASEAN Regional Forum: The Concept of a Wider Regional Security Dialogue after the Cold War**

The end of the bipolar system not only changed the balance of power in South-east Asia, it also confronted the ASEAN states with new challenges. Firstly, with the decline of communist insurgencies, the “common enemy” of ASEAN states, intra-ASEAN cohesion will be harder to maintain. Secondly, also with the decline of communist insurgency, the border security arrangements have lost much of their relevance and have to be redirected towards problems of smuggling, drug trafficking and the management of boundary disputes. Thirdly, the Cambodia settlement raised concerns about ASEAN’s continued relevance and effectiveness as well as the desirability of external involvement. In this regard, the UN Transitional Authority in Cambodia set a precedent for direct external involvement in the internal affairs of a country, as well as in promoting human rights as an issue in the region.

Against this uncertain post-Cold War setting, ASEAN is trying to assume a new role in regional security. On the one hand, ASEAN’s long-time adherence to a neutralist policy and sub-regional orientation seems to have lost its urgency. On the other, its advocates are even more convinced that giving up this principle and broaden the horizon beyond the subregional focus would invite outside powers to mingle in South-east Asian affairs. Not only Russia, China and the United States would be able to influence the regional balance, but also regional powers like Japan and maybe India.

Concerns about outside interference in the region’s affairs have, however, not hindered the discussion on widening the scope of the regional security dialogue. The main impetus to hold security dialogues at a wider regional level (ASEAN and Asia-Pacific region) came from Japan, which suggested in July 1991 that regional security could be discussed within an enlarged ASEAN Post-Ministerial Conference (ASEAN-PMC). The ASEAN-PMC would directly follow the annual ASEAN foreign ministers meeting (AMM) and concern the regular meeting between the ASEAN members and their official dialogue partners: Japan, the USA, Canada, the EU, Australia, New Zealand and South Korea. In its Singapore Declaration of 1992, the ASEAN summit stipulated that it “could ... promote external security dialogues on enhancing security in the region as well as intra-ASEAN dialogues on ASEAN security co-operation.” In 1993, ASEAN announced the creation of a new forum: the ASEAN Regional Forum (ARF).

The establishment of the ASEAN Regional Forum (ARF) in 1994 is the manifestation of the new policy to deal with security problems of the Asia-Pacific region. In fact, the ARF concerns an enhanced PMC, comprising 19 countries: the seven ASEAN members, their seven dialogue partners, two consultative partners (Russia and China) and three countries with observer status in ASEAN (Papua New Guinea, Laos and Cambodia). The ARF has the advantage of bringing together regional actors which might have different and perhaps conflicting perspectives on regional security issues, with the ASEAN-states as the core participants. By inviting the other players to their table, ASEAN kept the initiative and tried to limit external interference in the region. The ARF formula provides engagement and ASEAN’s own way at the same time. However, ASEAN’s role in conflict management in the past was facilitated by the common vulnerability of its member governments to communist insurgency and the political polarisation of South-east Asia during the Cold War period. The conditions of security co-operation in the

wider Asia-Pacific region, with its immense economic, political and strategic diversity, are hardly akin to the ASEAN experience (Acharya, 1993).

The ARF meetings are prepared by Senior Officials Meetings. Both are chaired on a rotating basis by ASEAN's acting chairman. Subjects on the agenda are regional political and security matters, which has resulted in ARF policy statements on the South China Sea, Cambodia, Korea and nuclear testing (Chairman's Statement, 1/8/1995). Although originally established as a forum for consultations, the ARF soon adopted a work program for inter-governmental support groups on confidence building, security perceptions and defence policy papers, as well as special meetings on co-operation in peace keeping and search and rescue operations. Confidence building measures already adopted refer to the voluntary publication of annual statements on countries' defence policies, exchanges of military personnel and encouragement of participation in the UN conventional arms register.

On balance, the ARF can be described as a "good compromise between those who advocated a brand new multilateral security institution and those who rejected the very notion of multilateralism" (Acharya, 1995). The ARF cannot be considered to be an introduction of some CSCE-like (now OSCE) model, as had been suggested during the Cold War by the then Soviet Union and the West. The OSCE is, first of all, viewed as a "non-performing" model because of its inability to deal with the Bosnian conflict. Secondly, the OSCE is considered a product of political and strategic conditions largely unique to Europe during the Cold War and as such totally different from the situation in South-east Asia: it is not divided in two opposing blocs; political pressure for arms control is - or was at least up until recently - absent.

## **7.5 Second Track**

Special attention should be paid to the so-called Second Track activities under ASEAN and the ARF. The ASEAN institutes for strategic and international studies of the five founding members (ASEAN-ISIS) co-operate closely in organising political and economic conferences for scholars and government officials in their personal capacity. These conferences produce recommendations for ASEAN's decision-makers. Much of the preparatory work of ASEAN is channelled through this semi-official level of co-operation. Besides ASEAN-ISIS, workshops have been convened on ASEAN-UN co-operation for peace and preventive diplomacy in Bangkok and Singapore, and on the South China Sea in Jakarta. In 1989 only three or four multilateral channels devoted to Asia-Pacific political and security matters were identified. Five years later their number had grown to 50, according to Canadian specialist Paul Evans (*Asian Wall Street Journal*, 30/12/94). Institutes for strategic and international studies have also organised bilateral meetings between countries before diplomatic relations were established or when relations were strained (between ASEAN countries and Vietnam over the Cambodia issue). Over the years, these "mixed" processes have proved useful in providing an alternative channel of communication (Jawhar, 1993).

The workshops on ASEAN-UN co-operation for peace and preventive diplomacy have produced interesting recommendations (Pfennig, 1993). They are based on identification of post-Cold War threats: religious and ethnic chauvinism which were suppressed during the Cold War; resurging (ethno-)nationalism; potential sources of conflict as Cambodia, South China Sea / South-east Asian Sea; competing territorial claims, but also (labour) migration, refugees, drug trafficking, gun-running, piracy, smuggling, international crime syndicates and the pace of arms purchases in the region. Among the proposals discussed are a centre for regional security studies, a regional peace-keeping centre, transparency in military arrangements (publication of unclassified documents) and co-operation with the UN Register of Conventional Arms Transfers.

Of special interest for the concept of regional preventive diplomacy is an idea to establish a conflict management secretariat. According to the proposal regional states are: to submit a list of 3-5 experts who could be called upon to conduct impartial fact-finding and good offices-missions; to facilitate dialogue

among parties concerned; to provide conciliation services with regard to early warning; to engage in conflict prevention or conflict resolution efforts, et cetera. A small number of experts could be from extra-regional countries. Expert panels would comprise three or five individuals, only one of them from the extra-regional list. Panel reports would be confidential. The institutional structure could be strengthened by setting up databases on environmental issues and labour migration, as well as regional teams facilitating UN-fact finding missions.

Clearly, these proposals are still in the “research domain”, where consensus is not required. It remains to be seen if and when they will be endorsed by the government level. In recent years, the Second Track has received increased recognition (reflected in increased funding) from governments. The larger ARF also established its Second Track body, the Council for Security Co-operation in the Asia Pacific (CSCAP), linking up research institutes in five ASEAN states and Australia, Canada, Japan, South Korea and the United States. CSCAP is open to research institutes from all ARF members.

## **7.6 Preventive Diplomacy and Early Warning**

Concepts and ideas which were recently introduced in the South-east Asian security debate also include preventive diplomacy and early warning. Regional circumstances give them a specific scope, adapted to the security environment and the nature of multilateral co-operation in South-east Asia. Security applies to a wide range of issues. Military threats and force comparisons in a traditional sense are not the primary concern for ASEAN. The current military build-up by ASEAN members, however, seems to continue with the risk of escalating towards a regional arms race. Malaysia has warned for the risk of a potential arms race, and has called for measures - a regional code to distinguish between defensive and provocative military capabilities - to prevent such a development.

Bilateral problems such as boundaries and questions of sovereignty are unlikely to trigger military conflict but can, according to Acharya, be linked to the military modernization programmes of ASEAN states (1993). As noted above, these issues are swept under the carpet or shelved and paved the way for ASEAN’s development into a security community. It should nevertheless be noted that these issues also undermine ASEAN’s credibility as such a community.

Generally, security within ASEAN is conceived as comprehensive security, encompassing issues such as environmental degradation, illegal immigration and natural resources. ASEAN’s response is the concept of co-operative security, meaning that bilateral and multilateral approaches to these problems are favoured. The mushrooming of international fora provides ample opportunity for tackling security issues “the ASEAN way”, *i.e.* by informal talks and small steps. Thus, the need for procedures and institutions seems limited. Nevertheless, one of the areas where a certain degree of formality is deemed necessary, is the environment. Triggered by a haze that covered much of Malaysia, Singapore, Brunei and Indonesia during the summer of 1994, a Haze Technical Committee was set up by ASEAN. The Committee will implement an action plan containing rules and procedures for the prevention and management of transboundary air pollution, hazardous waste transport and maritime pollution. The plan also involves the formation of a team to monitor, control and combat fires in the region. This early warning mechanism should prevent trans-boundary pollution from fuelling tensions between ASEAN states, as was the case in 1994 when the haze was attributed to forest fires in Sumatra and Kalimantan.

The “ASEAN way” of dealing with conflicts imposes constraints as well. Crisis-time measures for preventive diplomacy, as distinctive from peace-time measures, are dependent on the willingness of states to permit others to infringe their sovereignty. The principles of non-intervention and respect for other states’ integrity are not compatible with measures limiting the sovereignty of the state. In the foreseeable future therefore the development and application of rather non-committal preventive diplomacy measures seem the most likely. Examples are confidence-building, consultations, Second Track activities, military

co-operation, and specific early warning mechanisms. Matters relating to human rights and minorities, especially fact-finding and preventive deployment in relation to these issues, are unlikely to be opened to preventive diplomacy activities.

### **7.7 Military Dimensions**

Military ties between ASEAN members and other countries, as well as among ASEAN countries, are regarded as bilateral, non-ASEAN matters. But the great number of bilateral exercises (45 from 1972 to 1979, as recorded in *Asian Security 1981*, Tokyo) is seen as a confidence-building measure in itself and influences the regional security situation in a positive way. Regular exercises among ASEAN members and under the Five Powers Defence Agreement (UK, Australia, New Zealand, Singapore, Malaysia) are now complemented by joint military exercises initiated by Australia with other ASEAN members. This marks a turning point, especially in relations between Australia and Indonesia. As recent as 1986, Australia described Indonesia as having “neither the motive nor the capability to threaten Australia with substantial military assault”. But it added: “The archipelago to our north is the area [from or] through which a military threat to Australia could most easily be posed” (the word “from” was omitted only after an Indonesian protest). Australia’s 1994 Defence White Paper declares the defence relationship with Indonesia as “our most important in the region and a key element in Australia’s approach to regional defence engagement.” Diplomatic confidence-building is thus complemented by military confidence building. Australia distributed the Defence White Paper to its ARF partners prior to the official publication.

In this respect, it must be noted that in some ASEAN countries the armed forces are in influential positions. While Malaysia and Singapore have a long record of civil government, this is not the case in Thailand, Indonesia and the Philippines where the military has a say in politics. Professional secrecy will not easily be set aside here.

### **7.8 Evaluation**

Conflict management in South-east Asia is, generally speaking, left to individual states: bilateral disputes are handled bilaterally. Much of ASEAN’s role in conflict prevention and resolution has thus been informal in nature and rests on an assumed ability to manage disputes within its membership without resorting to formal, multilateral measures. Indeed, direct bilateral negotiations have been the preferred mode of conflict management in the major inter-state disputes.<sup>1</sup> Strict adherence to intra-ASEAN norms such as non-interference by one member in the internal affairs of another, non-use of force in inter-state relations, as well as the time-honoured practice of consultations and accommodation, have enabled ASEAN members to virtually eliminate the possibility of any serious military escalation of disputes (Acharya, 1993). On the one hand ASEAN’s general aversion to formal institutions may be seen as a weak point in regionalism. On the other hand its success shows the effectiveness of the “ASEAN way” in maintaining intra-regional peace (Acharya, 1993). It is questionable whether it will remain successful in the future. The lack of a more tangible role in conflict resolution undermines ASEAN’s claim to be a regional “security community”. Conflict-resolution processes within ASEAN need to be strengthened in order to be able to maintain intra-regional peace, as well as to provide a useful model for other states in the wider Asia-Pacific region.

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1 The Sabah dispute provides a rare example of successful third-party mediation (by Indonesia in May 1969). See the annex to this chapter.

It can however be concluded from the above that ASEAN as an institution is increasingly involved in various forms of conflict management, not only within the South-east Asian sub-region, but also beyond. Its record in the field of conflict resolution is best known and has resulted in the Paris Agreements to settle the Cambodia issue. Other examples, including the adoption of the Treaty of Amity and Co-operation as a code of conduct, are part of a gradually developing role for ASEAN as regional security community. This has culminated in the recent establishment of the ARF, which combines a new role for ASEAN as a middleman in Asia's strategic balance and a multilateral forum where a security debate can be broadened and deepened.

The ARF also provides a structure to elaborate the concept of preventive diplomacy and early warning. However, the pace and the scope of such measures will have to compete with long standing traditions of non-interference and a sacrosanct national sovereignty. It remains to be seen whether states will open their doors when internal conflicts still have a considerable nuisance potential. Efforts to implement preventive diplomacy or early warning measures stand a better chance when no vital interests are at stake (as with confidence-building measures or the established Haze Technical Committee), or in the eventuality of safeguarding vital interests versus a major power like China (see below).

ASEAN countries have made clear that progress in ARF is determined by China. Efforts by the West to speed up the ARF and make substantial progress, are defeated by a slow pace favoured by China. In this respect, Vietnam's entry into ASEAN is regarded very important. China and Vietnam are long-time ideological rivals and have clashed more than once. Until recently, Vietnam was not expected to join ASEAN before the year 2000. With its economy not yet up to ASEAN standards, Vietnam's entry must be seen as a political step to strengthen regional cohesion. From ASEAN's perspective, the admission of Vietnam is a reversal of history. After all, the establishment of ASEAN was meant to be a counterweight against Vietnamese communism. The antagonism lasted until the settlement of the Cambodia conflict, only a few years ago. Unexpected things do happen.

## **Annex: Conflicts, Disputes, Issues and Security Co-operation within ASEAN in Brief**

ASEAN has in the past served as the framework for the management of communist insurgency, which until the end of the Cold War was, indeed, a strong motive for regional co-operation. A network of bilateral agreements between the member states resulted in bilateral, but ASEAN-wide, intelligence exchanges and even in joint border operations between Malaysia and both Thailand and Indonesia. Security co-operation in the early days of ASEAN did, however, not extend beyond the shared problem of communist insurgency.

Trouble with separatist movements did not result in close ASEAN co-operation either. Because of their alleged cross boundary links, these movements have always been a contentious factor in intra-ASEAN bilateral relations. Thailand, Indonesia and the Philippines suspect Malaysia (or rather: groups in Malaysia) of supporting muslim separatists in Southern Thailand, Aceh and Mindanao respectively. This is clearly not an atmosphere favourable to ASEAN anti-separatist co-operation.

On balance, it can even be said that avoiding conflict in ASEAN is quite an achievement in view of the many unresolved territorial disputes, most of which are between Malaysia and each of the other members (Malaysia is also the only country in ASEAN which shares borders with all the others):

Malaysia - Philippines (Sabah dispute);

Malaysia - Singapore (ownership of Pulau Batu Putih, an island off Johor);

Malaysia - Indonesia (competing claims to Sipadan, Sebatik and Ligitan islands in the Celebes sea);

Malaysia - Brunei (dispute over the Limbang territory);

Malaysia - Thailand (border dispute connected with muslim separatists in Southern Thailand).

Vietnam's recent entry into ASEAN brings two more off-shore demarcation disputes within the association, with Indonesia and Malaysia respectively. All these bilateral disputes are still pending issues. They have not been settled, but military escalation is very unlikely. Countries have adopted an Asian approach to them: don't rock the boat. The issues are shelved (Sabah), referred to joint committees (Malaysia's disputes with Indonesia and Thailand), or silenced (Singapore is still waiting for a reply to its proposal for arbitration by the International Court of Justice regarding its dispute with Malaysia). Three disputes will be reviewed in outline.

### *1. The Sabah Dispute*

Of the many bilateral disputes between ASEAN members, the Philippine claim on the Malaysian state of Sabah turned out to be the first test to the cohesion of ASEAN. Sabah was part of British North Borneo before independence in 1957, but had historical ties with the Philippines as well. The Philippine government, pressurized by the Senate, has never given up claims to Sabah. By 1961, the conflict had already blown up the Association of South-east Asia (ASA, an early form of regional co-operation between the Philippines, Malaysia and Thailand). Only a few years later the same issue threatened to dissolve ASEAN. When in March 1968 the Manilla press published reports about a secret Philippine army being trained on the island of Corregador to invade Sabah, the future of the six month old ASEAN was at stake. At first, other ASEAN members refused to take any position regarding the dispute. They hoped to keep the Sabah issue out of ASEAN, fearing it would seriously damage the organization. Individually, Thailand and Indonesia offered their good offices in urging the two sides to reach a settlement, but the two governments refused to mediate directly in the dispute. Various ASEAN-ad hoc and standing committees provided crucial channels of direct communication between the two states when none other existed. But after Philippine delegates questioned the competence of their Malaysian counterparts to represent Sabah during one of these committee meetings, Malaysia refused to take part in any further meetings where the Philippines might raise the issue. Then ASEAN could no longer avoid involvement. In two meetings in

1968 (August, Jakarta and December, Bangkok), ASEAN foreign ministers persuaded the two sides to minimize their public pronouncements on the dispute and accept a “cooling off period”. In March 1969, Manila agreed not to raise the issue at future ASEAN meetings. Two months later, high ranking officials from Malaysia and the Philippines came together for the first time in eight months.

At an ASEAN foreign ministers meeting in December 1969, the two countries agreed to resume diplomatic relations, thereby effectively shelving the issue. ASEAN’s members thus prevented further escalation of the crisis. Neither did they solve the issue, nor did they mediate between the parties. But through pressure, diplomacy, communication and trade-offs, they presented a classic example of preventive diplomacy. And while ASEAN was not involved as a legal framework, it did provide the political structure as well as the political motive to de-escalate the dispute.

## *2. The Cambodia Conflict*

The Christmas invasion of Cambodia by Vietnamese troops in 1978 had a mixed impact on the ASEAN states. Of course it dealt a severe blow to the regional order, where communist Indochina and non-communist ASEAN were antagonists. Thailand, being a neighbour of Cambodia, experienced the most serious problems. The country was shocked and feared for its survival. Thailand and Vietnam - the latter having the third standing army in the world at the time of the invasion - were all time enemies. At the other end of the spectrum was Indonesia, which, being an archipelago, was not directly threatened. Far from being pro-communist, Indonesia regarded Vietnam as a more or less welcome obstacle to the expansion of the other communist power in Asia, China. These differences never obstructed ASEAN’s political consensus in public. Two weeks after the invasion, an emergency meeting of ASEAN’s foreign ministers “strongly deplored the armed intervention”. This stand was restrained by the wish of some of its members, especially Indonesia, to keep open lines of communication to Hanoi. But Vietnam’s invasion was seen in the first place as a blatant violation of national sovereignty, one of the principles of ASEAN’s code of conduct adopted only two years earlier in the Treaty of Amity and Co-operation. During the following years, ASEAN constantly challenged the legitimacy of the Vietnamese-installed government in Phnom Penh, thus keeping the occupation on the international agenda. This policy also succeeded in the UN, where an ASEAN sponsored resolution to accept the ousted Pol Pot government as the legitimate representative of the Cambodian people was adopted every year, although ASEAN was by no means supportive of the behaviour of the Khmer Rouge. As a consequence, the Vietnamese-backed government in Phnom Penh failed to gain legitimacy.

Although Vietnam retained the capacity to cause military trouble, especially on the Thai-Cambodian border, ASEAN neutralized and isolated Vietnam without involving itself in an arms race with its aggressive neighbour, or moving too close to China, the occasional anti-Vietnam ally. Equally important was ASEAN’s work in preparing the ground for an international solution. ASEAN’s “mixed” policy of cracking the (Thai) whip at one time, while speaking in a comforting (Indonesian) manner the next, paved the way for the Vietnamese withdrawal. ASEAN’s unity and its diplomatic approach of the occupation of Cambodia have been crucial for the survival of the Association which, during the first ten years of its existence, failed to develop necessary cohesion.

Although in the end the leverage of external powers (China, Soviet Union) was decisive, the terms for the Paris Agreements were set at an early stage by ASEAN. The Association’s involvement in the Vietnam-Cambodia conflict marked ASEAN’s coming of age in security matters and gave it a future as a political entity.

## *3. The Spratley Issue*

The main flash-point in South-east Asia today is the South China Sea, where the Spratley Islands, or parts of them, are contested by China, Taiwan and four of the ASEAN members: Vietnam, the Philippines, Malaysia and Brunei. The Spratleys are a group of 33 islets and 200 reefs, shoals and sandbanks, believed

to be rich in gas, oil and minerals (oil reserves are estimated at \$1 trillion). They also contain fishing grounds. The Spratleys are situated near the world's busiest sea lanes, half-way Vietnam and the Philippines. All except Brunei have stationed troops on some of the islands. China, Vietnam and Taiwan base their claims (to the entire chain) on historical rights, while the Philippines, Malaysia and Brunei justify theirs by referring to the continental shelf as defined in the law of the sea-treaty.

From time to time, China has applied military force to pursue its claims. In 1974 and 1988 it took the Paracel islands and some Spratley positions from ideological rival Vietnam, advancing in a southward direction. At the time, it had not documented its claim to parts of the South China Sea. When it did so in 1990, the Chinese historical claim appeared to reach almost the Malaysian coasts of Sabah and Sarawak, more than 1500 km distant from the Chinese mainland. Most analysts agree that this claim is absurd, but for China the sovereignty question is not negotiable. It also refuses to take part in any multilateral scheme that could deal with the Spratley issue. Since 1991, however, China does take part in so called South China Sea workshops, a Second Track activity organised by Indonesia. ASEAN and all South China Sea countries participate in the annual workshops, which are funded by the Canadian International Development Agency. As with all Second Track activities, the participants in the workshops act and speak in their personal capacities. They have established working groups to deal with technical issues, like resource assessment, ecology and marine scientific research. The sensitive issue of sovereignty was laid to rest. The Workshop has agreed, however, on principles like the renunciation of force and the exercise of self-restraint in order not to complicate the situation, thus preparing the ground for an important breakthrough: ASEAN governments have adopted these principles as guidelines in their Manilla Declaration on the South China Sea of 1992.

China was hardly impressed. Although it subscribed to the Manilla Declaration, it licensed American oil company Crestone to explore an area between Brunei and the southern end of Vietnam, thus confirming its assertive policy. In early 1995, the Chinese occupation of the Mischief Reef some 200 km off the Philippine island of Palawan once more provoked uncertainty in and outside the region, in particular because this time an ASEAN member was directly involved in the island-hopping adventure. During a meeting in Hangzhou (China), senior ASEAN officials, speaking on behalf of the Association, raised the issue in "unusually forceful terms" (Philippine Foreign Affairs Undersecretary Rodolfo Severino in the *Asian Wall Street Journal*).

While it remains uncertain whether and how China will respond to the increasing outside pressure on its South China Sea policy, the August 1995 meeting of the ASEAN Regional Forum (including China) took up the issue. The ARF "expressed concern on overlapping security claims in the region. [Ministers] encouraged all claimants to reaffirm their commitment to the principles contained in relevant international laws and conventions, and the ASEAN's 1992 Declaration on the South China Sea". According to separate statements, China would be willing to recognize international laws, including the 1982 UN Convention on the Law of the Sea, as a basis for negotiating differences. China was also prepared to discuss differences in the South China Sea with all seven members of ASEAN. Yet, the actual situation regarding the Spratley claims remains unclear. Prospects for a peaceful settlement have increased only slightly since the adoption by China of ASEAN's South China Sea Declaration.

## **8 Conflict Prevention and Early Warning in Practice: Conclusions**

### **8.1 The Concepts of Early Warning and Conflict Prevention**

There appear to be two forms of early warning: one in theory and one in practice. The first one can be found, carefully constructed and defined, in scholarly treatises and was outlined in chapter II. The concept of early warning as used in political practice hardly bears any relation or similarity to this theoretical construct. It is rarely defined or conceptually distinguished from other terminology. This is even true for the UN and OSCE, although in the latter case a working definition was provided by the High Commissioner on National Minorities.

Thus, while theory carefully distinguishes between conflict prevention and early warning, in practice the two terms are used almost interchangeably. Moreover, in political practice the concept of early warning is frequently used in a vague, inarticulate way, as a kind of magic code word that conforms to a fashionable trend in academic parlour.

In this context both conflict prevention and early warning often serve as synonyms for different things. For example, in the OSCE they are sometimes used to refer to instruments for the settlement of existing disputes, while in the OAU the concept of early warning was articulated in the context of attempts to improve reactive capacity. Boutros-Ghali's *An Agenda for Peace* is another (and extreme) example of the fluidity and confusion that reigns in diplomatic practice with regard to the usage of concepts that academic writers take great pains to define and distinguish (also Siekman, 1993).

### **8.2 International Organizations in Action**

While international organizations frequently articulate an interest in conflict prevention, in practice they are almost solely concerned with the settlement or management of *existing* disputes. The operation of academic modelled early warning systems is almost wholly absent as well.

In the United Nations there are some early warning systems functioning in more specific, technical issue areas, such as the prevention of food shortages and the signalling of refugee flows and related humanitarian disasters. Even some of these are, however, still in the stage of implementation. Early warning efforts in the field of high politics and conflicts are piecemeal and poorly integrated. They are characterized by incomplete designs, half measures and lack of conceptual rigour. Admittedly, some streamlining is taking place with regard to the processing of information in relation to decision-making. Yet any assessment would be premature, as this still appears to be in the process of development and execution. Moreover, both Secretariat staff and various member states do not seem over-enthusiastic about a fully-fledged early warning structure.

Nevertheless, the UN's increased activity in fact-finding may have relevance to any potential conflict preventive strategies or efforts to generate swift responses, especially in regions where resources for the collection and processing of information are limited. Africa is an obvious example.

In so far as the OSCE can be said to have an early warning system it is principally embodied by the High Commissioner on National Minorities. While a successful initiative, the practical importance of this institution is limited by parsimonious resources and the narrow focus on inter-ethnic relations as potential sources of conflict. With regard to the resource-base of long-term missions the same observation can be

made, if one considers the usually comprehensive and demanding nature of their mandate. The OAS does not have any system that can be considered as an early warning structure. Africa's political international organizations are not operating such systems either. While ASEAN does have a mechanism for the prevention of environmental problems, such as forest-fires and air pollution, its emphasis on national sovereignty and non-intervention make an extension to the area of conflicts very difficult.

Apart from the near complete absence of functioning early warning systems, international organizations can boast very little concrete action with regard to the prevention of conflict. It seldom happens that they are activated *before* the outbreak of violent conflict, as was the case with the preventive deployment of troops in Macedonia.

With its elaborate system of consultations and other instruments the OSCE comes closest to realizing a conflict preventive strategy. However, even if it manages to clear up misunderstandings and contain disputes or prevent the eruption of violence, practice points at numerous conflicts in which the OSCE was unable to prevent large-scale hostilities or did not come up with a quick response, or any (adequate) response at all. The conflicts in former Yugoslavia, Nagorno-Karabakh and Chechnya illustrate its inability to prevent violence, while the situation in Kosovo, several central Asian republics and the Kurdish region of Turkey bears witness of the absence of any (swift and adequate) response.

The civil wars in Croatia and Bosnia were first handled by European institutions. As it was only after the situation had deteriorated that the UN was called in, one cannot really blame the world body for responding only once violence had spread. Moreover, the UN can boast the preventive deployment of troops in Macedonia. Its intensive efforts to realize peace settlements in Mozambique and Cambodia are other cases that, to a greater or lesser extent, represent exercises in the prevention of future violent conflict. However, these examples are the exception rather than the rule. The UN's approach towards the unfolding events in Somalia (1988-1992) and Rwanda (1992-1994) is more typical of actual trends: responses that involved too little and came too late.

In recent years the OAS has been active in ways that are indirectly relevant in terms of conflict prevention. The emphasis was and is put on activation as such and increased reactive capacity. The same is true for African international organizations. In view of their poor performance in the past these developments constitute improvements, which at least point in the same direction as conflict preventive strategies. However, they cannot be considered as exercises in conflict prevention, as all these organizations only respond once conflicts have reached a violent stage. By and large this seems to be the case with ASEAN as well.

### **8.3 Signals of Conflict and Concepts of Security**

In so far as the above-mentioned organizations have developed ideas on conflict preventive strategies they tend to have divergent views on what kind of events or developments are signals of potential conflict.

The OSCE regards a broad range of developments as possible roots or causes of conflict. They can be roughly divided in signals emanating from the military sphere and signals in the so-called human dimension. Those from the military sphere usually pertain to potential inter-state disputes, while those in the human dimension are often considered as possible causes of domestic strife. In this latter category inter-ethnic tension is seen as a particularly important signal. Problems related to economic transition and development are understated as signals of potential conflict.

In the United Nations the list of signals is equally broad, though less well distinguished and explicated. Boutros-Ghali's *An Agenda for Peace* vaguely speaks of political developments, social and economic trends and political indicators. However, it is likely that some of the UN's early warning projects have adopted more refined models of signals and variables.

In the OAS considerable emphasis is put on coups d'état, although these are interpreted as threats to hemispheric security rather than as signals of future potential conflict. There is hardly any emphasis on tensions emanating from economic difficulties.

The OAU does not seem to distinguish in, or to emphasize particular, events or developments as signals of potential conflicts, whether inter-state or domestic ones. However, there appears to be a preference for concern with (existing) conflicts of relatively limited proportions. As ECOWAS has so far focused exclusively on the conflicts in Liberia and Sierra Leone not much can be said about its listing of signals, if there is any. Evidence on SADC and IGADD is also inconclusive. With minorities and human rights issues excluded from ASEAN's brief, its perception of signals relates predominantly to the military sphere and the area of inter-state conflict. However, ASEAN is also concerned with environmental problems as a source of potential inter-state tensions.

The related concepts of security tend to vary as well. The one employed in the OSCE is very broad indeed and encompasses just about any aspect of domestic political and socio-economic conditions, as well as the various dimensions of inter-state relations. The security concept of the United Nations has traditionally focused on threats to *international* peace and security, although since the end of the Cold War it has increasingly shifted to include developments in domestic contexts. The example of UN intervention in Somalia is pertinent here. Moreover, the world body is active in various dimensions of human life, something that contributes to a broad view on security.

The security concept of the OAS has also steadily widened. Although it is not as comprehensive as the one employed in the OSCE, it nevertheless includes the values of democratic government and human rights.

The security concept of the OAU has also broadened as a result of its inclusion, since the early 1990s, of domestic conflicts. Thus, the organization may now be activated on the grounds of humanitarian justifications. Moreover, the Secretary-General is arguing a case for democratic change in member states and a potential role of the OAU in such processes of transition. However, while the organization has been involved in the monitoring of elections and national constitutional conferences, in the practice of dispute settlement its concept of security is still far from comprehensive as it tends to focus on conflicts of relatively limited proportions.

Similarly, the security concept of ECOWAS is limited both geographically and in terms of the potential dimensions of security. Since its Defence Protocol was not signed by certain member states and the instruments for its operation were never put in place, ECOWAS cannot (yet) be said to cater for the security needs of the entire West African region. Its focus on developments in Liberia and Sierra Leone is too narrow to allow for a security concept that encompasses more than just military dimensions. The concept of security that is at present emerging inside SADC is still unclear, although it does involve both domestic and inter-state developments. Evidence for IGADD is insufficient to draw any firm conclusions. Finally, while ASEAN is not supposed to deal with human rights and minorities issues, its security concept is nevertheless rather broad. It covers not only military aspects, but also environmental degradation, illegal immigration and natural resources. Moreover, through the ASEAN Regional Forum the geographical scope of its security concept has expanded considerably.

Thus, each institution appears to have its own approach in terms of signals and security concepts. It seems that these concepts and signals, as well as the priority attributed to them, are for the most part determined by the specific features and peculiarities of the regions concerned.

There are, of course, similarities. These are the result of the global developments of the post-Cold War era that to a greater or lesser extent confront every region or continent. The end of interference by the superpowers in zones of conflict; the new mandates for international organizations to fill the vacuum they left behind; the economic marginalization of certain regions - especially Africa - and the need to retain access to foreign aid, have all led to greater demands being made on, and conditions being set for, internationally acceptable behaviour of governments. International organizations must in this context

focus on new signals and employ new security concepts that take account of the nature and quality of domestic politics.

The example of the OSCE may have inspired some of the ideas on the management or prevention of conflicts that circulate in other organizations, as well as some of the measures that have in this respect been formulated. Yet, evidence for this is inconclusive and remains limited to references to “confidence-building measures” or organization-controlled “management of change”.

## **8.4 Institutional Approaches to Conflict**

### *8.4.1 Existing Arrangements*

Thus, one can observe different ways in which the above-mentioned organizations attempt to process and respond to signals of conflicts, whether potential or existing ones. In the OSCE emphasis is in this respect put on the role of member states themselves activating certain mechanisms. The consultation procedures stipulated by the Berlin, Valletta and Vienna mechanisms, as well as the ones on unusual military activities, are pertinent here. The institution of a High Commissioner on National Minorities is similarly without comparison. More generally, some of the OSCE’s procedures stand out for their intrusive nature as far as state sovereignty is concerned. The Moscow mechanism is a typical example. Some of the (consent-based) tasks of long-term missions are, however, comparable to Boutros-Ghali’s ideas on post-conflict peace-building, which have been put in practice in the context of UN-sponsored peace settlements in Cambodia and Mozambique.

ASEAN also focuses on the role of member states themselves in dealing with signals of impending conflict. However, its preference for bilateral, informal co-operation and the importance attributed to national sovereignty and non-interference preclude intrusive consultation procedures.

In the UN, OAS and OAU there is more emphasis on the role of the Secretary-General, usually in co-operation with a semi-permanent organ made up of member states, whether plenary or limited in composition. During the 1980s and early 1990s the mandates of the chief officials of the OAS and OAU were formally upgraded to allow them a role in dispute settlement that the Secretary-General of the United Nations already enjoyed. Yet, in so far as one can speak of a preventive approach to conflicts in the UN, its institutional manifestation should be sought principally in the efforts that are made - in terms of resources, procedures and organs - in collecting, analysing and processing information on tensions and conflicts. This work is without comparison in other organizations, perhaps with the exception of the OSCE.

The UN’s Security Council and its tasks in maintaining peace and security find a limited parallel in the roles of the OAS Meeting of Consultation and Permanent Council under the OAS Charter, the Rio treaty and the Santiago mechanism. The OAU’s new semi-permanent Assembly Bureau performs comparable duties in emergency situations. As the structures of ECOWAS, SADC and IGADD are still too deficient or in an embryonic stage comparison with other organizations is difficult.

It is, nevertheless, obvious that the above-mentioned parallels in institutional approaches to (potential and actual) conflicts are limited. For example, the Santiago mechanism of the OAS bears all the hallmarks of the *couleur locale* of Latin American politics. The institutional reforms in the OAS and OAU were mainly aimed at generating quick responses, or any response at all. This had less priority in the United Nations, where procedural arrangements enable the organization, in principle, to react swiftly to emergencies. Finally, the performance of ECOWAS and SADC in managing conflicts has its own peculiarities. In so far as there are institutional manifestations, these stand more or less on their own. This is also true for ASEAN, which favours bilateral interaction to the detriment of formal, multilateral institutions.

#### 8.4.2 Reform: Need and Possibilities

Having observed that international organizations are, on the whole, hardly concerned with the prevention of conflicts, one may ask the question whether anything can be done about this in terms of procedural and institutional reform. Thus, OSCE practice has shown that cleverly devised procedures and arrangements can help in generating some kind of collective response to conflicts.

Yet, the history of the OSCE's concern with disputes also shows that efforts put in elaborating consultation procedures and other institutions involves a lot of tinkering at the edges of what is politically possible.

In most cases successful implementation of OSCE procedures depends on the consensus of all the member states. Even if procedures can be activated without the consent of the member state concerned, the effects are often restricted by the marginal nature of the measures involved. For instance, the significance of the consensus-minus-one rule is limited by the fact that the measures to which it can give rise are the adoption of political declarations or the exclusion from OSCE fora of culprit states. The organization does not have at its disposal the kind of sanctions provisions that exist in the OAS or United Nations. Practice also shows that institutions equipped with more intrusive powers, such as the High Commissioner on National Minorities, really require the co-operation of the member state concerned if they want to be successful. More generally, application of OSCE procedures and mechanisms is hindered by the tendency of member states to regard it as an unfriendly act vis-à-vis other governments.

The combined effect of this state of affairs does not make it difficult to explain the complete powerlessness of the OSCE in the face of violent catastrophes as in the former Yugoslavia. Yet, formulating stronger measures is perhaps not the panacea for the OSCE's problems. For at a deeper level the successful implementation of collective measures depends on the configuration of power in which the organization operates. In the OSCE this configuration is characterized, with regard to Yugoslavia, by serious divisions among its most important member states. In such a context it needs to tread carefully. Chechnya presented another difficult problem, in the sense that one of its most powerful members was able to resist an OSCE-sponsored peaceful settlement and end the secession by force of arms.

Such divisions and absence of leadership are hard to overcome by way of institutional reform. This is even more the case in the context of the OAU, which suffers a more systematic lack of leadership. In combination with different patterns of extra-African dependence and the conflictual structures of domestic socio-political configurations this seriously hampers a forceful posture with regard to conflicts. Thus, OAU decision-making is marked by a strong current of egalitarianism and laborious procedures.

It is nevertheless true that the reforms of the early 1990s have allowed for an improvement in the OAU's reactive capacity. Delegation of tasks by the general policy organs to the Assembly Bureau entailed the reduction of the number of actors in the process of decision-making - on a rotation basis - so as to enhance its effectiveness. Yet, more forceful measures, such as the OSCE's Moscow mechanism, would require a degree of collective will that is probably impossible to realize in the face of defensive state elites and the structural absence of continental leadership.

Even in the continent's regional organizations such measures seem unlikely, although SADC's long-standing traditions of intensive political consultations provide opportunities for the adoption of less intrusive mechanisms. More generally, actor reduction tactics by delegation of OAU responsibilities to some of Africa's regional fora is one way to enhance the effectiveness of African management, if not prevention, of conflicts. This remains important, for the OAU's capabilities in handling high intensity conflict are still wholly insufficient.

Moreover, recourse by the OAU to ECOWAS and SADC also helps in alleviating another problem related to the structural lack of leadership, namely the deficiency in financial and logistical capabilities needed for peace-keeping operations. ECOWAS could begin to play a more effective role in the management of the region's conflicts if it were able to rid itself from the debilitating effects of West

Africa's power struggles. Reform and extension of its normative and institutional framework are therefore necessary. In view of its past history, emergent security structures and recent mediation initiatives, SADC should be able to develop an approach to conflicts that is geared at early, or at least swift, activation. Compared to both ECOWAS and SADC the Inter-Governmental Authority for Drought and Development is institutionally rather weak. Both external donor countries and the member states of IGADD have articulated a commitment to "revitalize" this organization. If this were successful IGADD could, indeed, fill an institutional void with regard to conflict management in Africa's North-eastern region.

However, in general extra-African assistance remains necessary for peace-keeping operations, especially if they are undertaken in the context of the OAU. In the context of the structural impediments of Africa's international relations, as well as economic marginalization and impoverishment, it is doubtful whether African states will be able to come up with the requisite funds and logistics themselves. Any ostensible commitment on the part of the Western world to enhancing African capabilities in this area should therefore be translated in financial terms.

Thus, more effective African conflict management cannot be seen in isolation from a role for the United Nations. The world body should in any case respond more positively to relevant African initiatives than it did in the course of the OAU's intervention in Chad. It is in this respect ironic, if not alarming, that Boutros-Ghali's *An Agenda for Peace* contains a plea for a greater role in peace-keeping by regional organizations, while the OAU's new mechanism for conflict management explicitly orders the organization to take recourse to the UN if the OAU is confronted with conflicts of high intensity.

Paradoxically, if the structural lack of leadership is the most fundamental problem facing the OAU and, to a lesser extent, the OSCE, the practice of the OAS shows that too much leadership can be a problem too. Admittedly, the OAS has since the mid-1980s become more active in the area of dispute settlement. Yet, the structural imbalance that characterizes the inter-American configuration of power makes it very hard to strengthen the role that the OAS has in the hemispheric management of conflicts. While US dominance allows for the ability to take stern measures with which to enhance the effectiveness of the OAS, this dominance also diminishes the likelihood of their adoption.

Many of the organization's Latin American members would fear manipulation of such measures by the United States and the intervention that this could lead to. Such concerns would probably also exist in case of any *preventive* OAS approach to conflict. However, in so far as the United States is by itself capable of performing conflict prevention and early warning functions hemispheric crisis management does not depend exclusively on the functioning and possible reform of the OAS.

Still, as in the African context some delegation of responsibilities to smaller regional organizations could improve the management of conflicts in the America's. The Contadora group has provided instructive examples of this. In contrast, copying OSCE consultation procedures would probably be as difficult in the America's as it would be in Africa. Apart from Latin American resistance to the forms of intervention that the more intrusive measures would involve, one would face the problem of persuading the United States to subject itself to the same scrutiny and treatment. The American refusal to ratify the human rights convention of the OAS does in this regard not stem optimistic and, in a way, finds a parallel in Russia's determination to force a violent solution to the Chechnya crisis.

In ASEAN far-reaching institutional reform seems unlikely, as there is such a strong preference for informal, bilateral consultation with respect for the principles of national sovereignty and non-interference.

Finally, it remains debatable whether any reforms would improve upon the preventive approach to conflicts, as formally professed by the United Nations. The vicissitudes of its various early warning projects, but especially the practice of peace-keeping operations, point to a more deep-seated problem discussed in the final paragraph. However, its early warning projects have relevance to fact-finding, which is a crucial component of any conflict preventive strategy. Perhaps certain NGO's may in this

respect also assist international organizations in the collection of data on (impending) conflicts, especially in Africa and possibly in the European context as well.

## **8.5 Concluding Remarks**

### *8.5.1 Political Will*

Political practice shows that neither the lack of information nor the ability to channel information through to the proper levels of decision-making constitutes the real obstacle in the way of conflict prevention. Academic treatises on early warning argue the central importance of selection, analysis and transmission of information to decision-makers. However, practice like that of ORCI and its warnings on the impending conflagration in Somalia show that it is the presence or absence of political will that determines, more than anything, whether signals of potential conflict will be responded to and, if so, adequately and in time. Numerous other examples, such as the crisis in Liberia and the genocide in Rwanda, point to the same conclusion.

Thus, conflict prevention has hardly come off the ground, in spite of the profession of faith by governments and international organizations to that effect. The numerous words and energy that are devoted to, and invested in, formulating conflict preventive strategies cannot make up for the lack of decisive action in situations of imminent crisis. The key factors in international concern with conflicts are not early warning and preventive action but political will and commitment.

### *8.5.2 The Fundamental Roles of International Organizations*

The argument of the proponents of early warning, that action by international organizations is more effective if it takes place *before* a conflict reaches a violent phase, ignores the question whether there should be any increased role for such institutions in the first place. It should be realized that their growing importance in conflict management is related not so much to a rational consideration of their capabilities and the requirements posed by a crisis situation, as to the effects of the end of the Cold War and resultant withdrawal of superpower concern with zones of conflict.

Thus, international organizations - especially the UN but to a greater or lesser extent all the other above-mentioned institutions too - are given a task that was partly performed by the superpowers in the course of the defence of their national interests. Naturally, their "solutions" to conflicts often had the opposite effect of increasing their intensity and only rarely led to a settlement as a result of superpower consensus, most notably during the last six years.

Yet, the diminishing interest of the (former) superpowers in some of the world's trouble spots - as exemplified especially by conflicts on the African continent - is not being matched by their replacement with actors of comparable stature. Filling up the void left by Russia and the United States the tasks of international organizations have increased so substantially that they cannot cope. Moreover, in all good reason one cannot *expect* that they will - even if United Nations capabilities in peace-keeping have undergone considerable improvement. With the withdrawal of superpower concern and the facile expectation that international institutions can prevent a vacuum, the post-Cold War era seems to have given rise to an imbalance between the international political context (international organizations) and developments at, especially, the sub-state level of politics. Thus, without arguing a dichotomy between international and national contexts one ought to reassess the fundamental role of international organizations, as well as of concepts like international community and indivisibility of peace.

In the present context international organizations cannot fully make up for the lack of priority attributed by states, in terms of their own interests, to solving, abating or preventing conflicts between or

in other countries. Forceful action by international organizations therefore alternates with hesitation or withdrawal. If the subsequent moral implications generated by media visualization of human misery force them back, this does not necessarily compensate for the lack of political will among their member states. Somalia was a case in point.

There is one other aspect of the role of international organizations which, in the context of conflicts, warrants closer scrutiny. Too often the analysis of the performance of international institutions is marred by confusion between factual and normative judgements, especially in the context of peace-keeping. Their functioning should in this regard not be analysed exclusively in terms of the normative considerations that form the official justification for such operations.

For example, even if one can easily justify ECOMOG's intervention in Liberia as a badly needed humanitarian operation for the benefit of the people of Monrovia, its activity should not primarily be regarded as an intervention by an international organization. At least initially ECOMOG amounted to the imposition of an inter-West African power struggle on the Liberian civil war. Alternative motives of *real politik*, such as the need for smoke-screens, the reassurance of public opinion or the redemption of (legitimate or unjustified) guilt, could inform the analysis of other contexts of "peace-keeping". The example of Bosnia would be pertinent.

### 8.5.3 Conflict and the Preoccupation with Conflict

Security is not a neutral, value-free concept. One should always ask whose security is at stake when the term is being used (also Booth and Vale, 1995). Thus, the history of the OAS shows that the security of some states, or of particular groups inside states, does not necessarily equate with the security of others. The OAU's concern with security, especially before the early 1990s, is another case in point. More generally, in studying conflicts and conflict prevention it should be realized that conflicts expose the dialectics of interests that are at stake. In it itself this is a good thing, even if many conflicts are "dysfunctional".<sup>1</sup>

Conflict *prevention* can therefore quickly turn into a struggle against symptoms rather than causes. In spite of the lip-service that the OSCE and United Nations pay to the importance of economic development and post-conflict peace-building, the preoccupation with the settlement or prevention of conflict can easily lead to a focus on the status quo. For example, the task of the High Commissioner on National Minorities of the OSCE is not to solve but abate inter-ethnic conflict.

Thus, if early warning and conflict prevention are ever to be effective means with which to approach human conflict it is imperative that studies of these subjects take greater notice of background conditions. The dimension of sustainable development should be part of this.

Moreover, while information on conflicts is in itself not the most crucial factor in determining whether conflict prevention or containment gets off the ground, there is as yet no clear and full understanding of the causation of conflicts as such. This means that, provided there is sufficient political commitment to engage in conflict preventive action, insight in the origins of conflicts, if only partial, is an essential aspect of any conflict preventive strategy.

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1 This refers to situations in which the course of violent events is actually much worse than the original causes of the conflict. See Zartman, 1991.

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