

## Multilateral cooperation revisited - establishing the way forward by reassessing the realities

*Ida Manton and Raymond Saner*  
*Diplomacy Dialogue, CSEND*  
*Geneva*

As our world is globalizing by the day, so are the threats to our security. The methodology for mutual cooperation suggested in the Helsinki Final Act is no longer enough and does not bring many of the existing conflicts to an end. The good faith of Helsinki that expected the countries to "...equally endeavour, in developing their cooperation, to improve the well-being of peoples and contribute to the fulfilment of their aspirations through, inter alia, the benefits resulting from increased mutual knowledge and from progress and achievement in the economic, scientific, technological, social, cultural and humanitarian fields"<sup>1</sup> needs to take into consideration the challenges when countries do not fulfil these expectations. This paper will try to look into the reasons for such behaviours and offer ideas for possibilities to change these practices.

### **Reassessing realities**

The first premise of this article is that all of the protracted conflicts are in or around countries that are not adhering to the OSCE commitments. The regimes that are involved in these protracted conflicts have little interest in reforming themselves or resolving the conflict. Having a government (or in lack of legitimate status, a leadership) that does not intend to engage in true reforms is a good indication that they have no interest in resolving the conflict either. Regimes that are authoritarian at home often use the existence of a protracted conflict to suppress dissent and maintain their authoritarian control thereby ignoring OSCE commitments. Even if such rulers have been elected through relatively free and fair elections does not mean that they would responsibly use the legitimacy vested in the power given to them by the citizens in order to resolve the conflicts.

Considering the realities have been changing, it is very important to add that the core OSCE documents were negotiated in a setting very much affected by the Cold war. We live in a world today where information travels fast, where the threat of nuclear weapons exists in more than two capitals and in a world where most of the population has witnessed the horrors of war and terror in their countries or in a country nearby. The new international landscape is defined by the Arab spring and the migrant crisis which are huge upheavals that started from groups within societies where authoritarian regimes did not allow for collective and democratic decision-making.

This wide-spread, non-border-bound threat is due to the fact that transnational flow of people, criminal activities and terrorism have become important factors that shape contemporary reality. The dangerous state of affairs could potentially become a cohesive element and make all OSCE participating states look into possibilities for renewed and increased cooperation in order to overcome the current global crises. As this is a new phenomenon, we need a new toolbox to avoid further escalation of these processes. Such a new toolbox needs to be carefully crafted and guided by a group of multiparty, but well-coordinated actors. The OSCE could play a crucial role because it is a rare institutional grouping of actors united around the aim of building security based on shared values and common principles.

---

<sup>1</sup> Conference on Security and Co-operation in Europe, Final Act, Helsinki 1975, p.7

Being neither a military alliance nor an economic union, but a voluntary association of states, accompanied by partner states willing to engage in co-operation in the Mediterranean and Asia, makes it less powerful, but it's coordination role is strong and could attract all of the other actors who have what the OSCE lacks.

In analysing the four protracted conflicts in which the OSCE plays a mediation role it is very important to examine whether there is a lack of opportunities offered to all parties and whether there were options, but the escalation was not "ripe enough" for negotiating a better outcome. Are some of those opportunities still an option or has the mutually hurting stalemate (MHS) not been transformed into mutually enticing opportunities (MEO) yet?<sup>2</sup> This kind of analyses and answers to similar questions can be provided by negotiation and mediation experts who should work closely with the OSCE staff in various settings from conferences, to coaching and training.

It was never the current leaders of the seceding states that signed up for the OSCE commitments and values, it was not even the 'metropolitan' states. It was the Soviet Union for most part. The main documents from Helsinki, through Paris, Copenhagen and Moscow were signed under different circumstances, albeit in the name of the inhabitants of, among the others, Transdnistria, Abhazia, South Ossetia and Nagorno-Karabakh, as they were part of the USSR then. That is partially one of the reasons why the current leaders feel no obligation to adhere to these commitments. They should, nevertheless, be given a chance to prove that they concur with the body of agreed, negotiated pledges, which should be part of any settlement negotiations that would be mediated by the OSCE with its partners.

Furthermore, the political party-based systems do not allow for many independent candidates or smaller groups to compete for power and the privileges attached to it. It is difficult to have principled, human-rights based negotiations with such leaders who operate on such opportunistic and manipulative realpolitik methods.

Before moving to the section that will look into what kind of multilateral intervention could enable viable modes of engagement with both sides of each conflict, in order to help improve the security and welfare of the affected populations, it might help to pose the following questions: Why has the winner-takes-it-all approach remained so strong despite the OSCE being in the region for 15 years? Why do the politicians still feel the need to fight to maintain their power at all costs despite the fact that the OSCE's accepted model of Good Governance and Rule of Law should give them enough security that they would (or should) not feel desperate and resort to authoritarian actions?

The probable answer is that these authoritarian leaders do not trust the system enough to prevent their successor's revenge. Transparency and accountability are not part of this kind of governing. Reporting does not involve the people or the civil society. A binary dynamic is in place and public spheres are treated as private property, so requests for transparency regarding expenditures, budget distribution, provision and plans for services delivery are seen as a direct attack on these authoritarian leaders. Structures sometimes seem to be in place, but there is very little democracy in a governance system where the 'demos' is used only for providing ballots on the Election Day. This is a contagious, mutated version of democracy where the citizenry feels like they are a décor and not the guiding force in their own society.

---

<sup>2</sup> For more on *Mutually Hurting Stalemate* and *Mutually Enticing Opportunities* see William Zartman's chapter *Ripeness: The Hurting Stalemate and Beyond* in "International Conflict Resolution After the Cold War", p. 225-250.

### **Multilateral cooperation revisited**

In order for this scenario to be changed international standards in governing have to enter the debate, as well as internal and international fora that will allow for the dialogue between the people and their representatives. Also, the International Inter-Governmental Organizations will have to take their job more seriously and provide constructive and continued advice and follow-up on reforms and permanent monitoring.

These tools should not be implemented only in crisis situation, they are even more important in prevention than in restoring peace and implementing peace settlements. The monitoring role of the OSCE in particular has to adopt its most proactive features and identify violations of its core commitments, especially those concerning participation in public life, democratization, human rights and fundamental freedoms, integration policies to ensure that minority rights will be respected, as well as threats to security and prosperity, both internal and external.

Tensions between participating States are part of the OSCE and are to be expected. The CSCE project was launched precisely as a forum where differences could be shared and not intensified, and where dialogue could be enhanced despite divergence. The OSCE in its 40 years of interstate interactions has been developing methodology in early warning, conflict prevention, crisis management and post-conflict rehabilitation.

Preventing a conflict from happening is a relatively recent invention and we still have not been successful in most of our attempts. This concept has developed as countries realized that their prosperity is threatened by permanent cycles of conflict which often culminate into war. The investment in the future, building of prosperous societal structures became too precious to put at risk by irrational conflict behaviour. Preventing a conflict means breaking the vicious cycle of violence and involves receiving information on an emerging dispute, learning where the grievances come from, developing an early warning mechanism and a toolbox with remedies that will be applied and accepted by all parties involved. This precludes that there is a well-prepared international system with structures that contain experts who are who are experienced, effective and knowledgeable.

A new trend is regular monitoring and early warning mechanisms. The problem with these is that they are not standardized and the access to some countries is not granted, as it is seen as interfering with the internal affairs of the state. There are criticisms that OSCE has no legitimacy due to a lack of equal cooperation and hence there is no sense of shared ownership, which is challenging if some countries are perceived as 'mentors' and others as 'pupils'. OSCE's track record of convincing its members in its commitments that they all agreed upon, negotiated and pledged to implement has not been impressive so far. Therefore the doubts are high that there can be a new push for even increased and enhanced cooperation cannot be simply dismissed.

In a coherently coordinated multiparty international setting, the OSCE has to reinvent itself. In order to be in position to provide support for democratic deficit calls by various groups from within societies affected by the protracted conflicts it will have to use public diplomacy techniques to promote the OSCE commitments by which it will undermine the spoilers, i.e. the government of the metropolitan states and/or the separatist leaders. In that sense the work of the OSCE can be seen as subversive because it undermines authoritarian regimes by promoting Good Governance and Rule of Law. The danger is that it can be removed from the equation, as was the case in Azerbaijan.

The aim of this article is to discuss viable modes of engagement of both sides of each conflict, in order to help improve the security and welfare of the affected populations in the four protracted conflicts. Before that, it is important to establish who benefits from the weakened systems of monitoring and whose responsibility is it to establish structures that will address the people's needs.

In all four of the protracted conflicts (Karabakh, South Ossetia, Abkhazia and Transdniestria) that are in the focus of this project, there is a combination of elements that are stated as the cause of the escalation of the animosity. The international community, a fairly varied multi-actor group representing different multilateral fora, should not only concern itself with these conflicts, but is the only forum that can construct possible outcomes and alternatives to negotiated agreements in lack of such impetus from the local actors.

In order for the discussion to be credible and accepted by the actors of a conflict, it is necessary to allow for preliminary reassessment of the conflict and the phases of its escalation. Viable modes of engagement can be discussed in order to restore the balance or rearrange the items and actors. This analytical phase should focus on reframing the underlying problems and putting them under the light of the newly created security threat context and the issues that change our threat perceptions from post-cold war to where we are today with the migrant crisis. There can be no solution to the four protracted conflicts in the OSCE area without changing the Cold war modus operandi and the ambitions to either prevail or regain power over the lost territories.

The OSCE since its conception, and even more from the Belgrade Follow-up meeting onwards, fought its internal pressures to become the organization that will vigorously fight against violations of the Helsinki Final Act and the core values stipulated in it. Where we have protracted conflicts, we have serious violations of The Final Act and especially of the Paris and Copenhagen documents.

Maybe it is politically difficult for the OSCE to impose sanctions on participating states or take away that status when they do not follow the agreed rules of the game, which many liberals would argue should not be the case, but it should definitely not be sacrificing its commitments and core values in the name of security and stability in its area. Stability should be seen through the lenses of the OSCE documents and any violation should be reprimanded, as otherwise the strongmen keep the OSCE and all the other international clubs as hostage under the threat that they can make things much worse than they are right now.

Overcoming protracted conflicts has to include the will of one or both sides to disrupt the status quo. In the course of that process many issues/topics have to be identified and those should potentially enter an integrative grid, assuming the actors have realized that the distributive bargaining approach is no longer viable and they have to abandon that behaviour and provide constructive input.

This process will have to identify the possible origins of the deadlocks and move beyond positional bargaining. The four separatist territories are isolated in international affairs, face a multitude of internal problems and external threats, which produces and supports behaviour characterized by animosity, rage, armament and military capacity building. Such behaviour creates leaders with the same attributes and presupposes revenge and resistance when attempts are made for compromises and concessions.

They are trapped in a cycle of downward dragging incidents. They“...escalate their commitment to a previously chosen, though failing, course of action to justify or recover previous investments. Entrapment happens beyond the will of the entrapped, and as such is difficult to see in its early stages of development. Unfortunately, by the time it has begun to become apparent, it is often too late to escape from it.”<sup>3</sup>

---

<sup>3</sup> Paul Meerts, “*Entrapment in International Negotiations*”, in: Escalation and negotiation in international conflicts, Chapter 5, Edited by William Zartman and Guy Olivier Faure. Cambridge University Press, 2005

## **The way forward**

The question that needs to be answered, having this entrapped position in mind, by those who are given the task to provide assessment, assistance, or to mediate between the conflicting parties is how to attempt to solve the conflict when there are actors who are themselves spoilers?

When we are turning a blind eye to the behavior of actors that are believed to be necessary to be included for resolving the conflict, we should accept that they have no intention of truly resolving the conflict because they feel they are considered indispensable. If they are no longer seen as a solution to the conflict they can easily lose the support and be prosecuted for multiple criminal offences they have committed on the way of establishing their augmented authority and indisputable power.

Taking no notice only encourages this type of behaviour to be embedded in the respective society. Stability at the expense of justice never works on a long run. This repeated mistake of believing that supporting those who are considered the only solution to a difficult conflict, continuously backfires and leads to a culture of impunity that permeates over time deep into the psyche of the society.

It is especially disturbing when all of this happens with the acquiescence of the International Community (IC) of which OSCE is a member. The contradiction of having OSCE Missions promote Rule of Law and Good Governance, while at the same time supporting leaders with authoritarian tendencies undermines the potential that the OSCE has.

Expecting internal oversight and mechanisms for preventing crime and corruption without depending on this kind of assistance from outside is unrealistic. There should be space for other types of actors to enter the political/governing model in order to assure that politically educated and progressive minds will be allowed to participate in their countries' public life, as "these organizations, groups and individuals must be involved in an appropriate way in the activities and new structures of the CSCE in order to fulfil their important tasks".<sup>4</sup>

These additional, newly-introduced stakeholders, who are not so invested in maintaining the conflict, might be able to divert the internationally mediated negotiations from positional bargaining to agreement on the underlying topics. These people would be the proponents of upholding the OSCE commitments. Since the pro conflict is not to their benefit they would not be so dependent on it in order to maintain their control.

Furthermore, if the democratic governance and the system are based on Rule of Law, these rulers would not feel so insecure about allowing themselves to lose some power. Their insecurity and lack of institutional assurances for shared responsibility in the pluralist society makes them demand to have all the power and not implement sharing models, disregarding the commitments from Copenhagen where the participating States expressed their conviction that "full respect for human rights and fundamental freedoms and the development of societies based on pluralistic democracy and the rule of law are prerequisites for progress in setting up the lasting order of peace, security, justice and co-operation that they seek to establish in Europe".<sup>5</sup>

If the parties involved in the protracted conflict have accepted the status quo, which has no potential to turn into violence without specific triggers, any change of the status quo might transform the

---

<sup>4</sup> CSCE, Charter of Paris for New Europe, Paris 1990, p. 12

<sup>5</sup> Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990, p.18

stable security into unpredictable insecurity. Is the stalemate hurting one of the sides that much that action should be taken and should that action come from outside?

The International community has to have a very strong commitment to resolving the protracted conflicts and providing a better future to the populations living there if it is to change that status quo, knowing that it is unlikely that such a process would take place without an armed conflict as there can be no solution without one party or the other compromising, and eventually losing face.

A dialogue has to be opened and everything possible done to avoid an armed conflict and loss of human life. In this dialogue all options have to be considered and most importantly those that are the preferred outcomes of the parties. Just because Georgia considers South Ossetia and Abkhazia to be part of its territories, their secession should not be ignored, but rather be a starting point for developing a joint model of governance that would allow the people to have a more prosperous life.

If Transnistria does not see Chisinau as its capital, instead of looking for ways to convince their leaders and the population to change their perspective, maybe it is more practical to offer them the option to go. Just because they were part of Moldova within the USSR does not mean they have to stay part of Moldova no matter what. It is a bit hypocritical if we accept the disillusion of one entity, but consecutive secessions are not considered an option.

The OSCE has to build its structures and make them fit for more serious involvement. The Organization has to find better ways to use its institutional memory and the staff it has created in its work as a structured organization with field missions. This OSCE human-capital is a real treasure that should not be lost together with the individual extensive experience these people carry. We knew this better in Paris when we agreed that "The human dimension mechanism has proved its usefulness, and we are consequently determined to expand it to include new procedures involving, inter alia, the services of experts or a roster of eminent persons experienced in human rights issues which could be raised under the mechanism".<sup>6</sup>

Somehow after years of political compromises made by people with insufficient vigour and frail spirit, who have assumed high positions, political decisions were taken based on risk-avoiding strategies. The new OSCE has to be equipped with people believing in the commitments who cannot be compromised since that is the foundation of the New Europe we created. What is needed are a lot of trainings and internal debates that will produce internal strength and substantial public diplomacy and outreach.

---

<sup>6</sup> CSCE, Charter of Paris for New Europe, Paris 1990, p. 7.

## **Conclusion**

Globalisation is challenging the governance of states. Their ability to manage the internal affairs independently is put under question as they are undermined by so many external factors like international law, rising power of the civil society and the otherwise not included 'demos', as well as the economic interdependence.

While in the OSCE it is widely believed that sticking to the human dimension commitments, primarily those from Copenhagen and the practice of the review mechanism, will bring about national leadership that is more responsible and will try to prevent and resolve possible conflicts, that decision actually is in the hands of the people who vote for their leaders. It is with democratic elections that governing powers were given to leaders like Orban, increased the popularity of Hofer and brought Trump in the White House.

The prime task of the OSCE is no longer uniquely to act as a forum for dialogue between two opposing military alliances. The sooner it realizes how to reshape its methodology devised for a seemingly bipolar system into a system with multifaceted threats, the more use it can provide in the changed environment that requires unity and trust among its participating states in order to be able to coordinate its approach and actions.

Our system of multilateral cooperation is an umbrella, our wedding vows, but we still have to find ways how to overcome the hiccups and maintain the marriage in practice. Getting married is easy, maintaining a relationship based on respect, wellbeing, prosperity and positive peace is not easy. Countries have the same choices individuals do. If one of the partners wants to leave and does not see him/herself in the relationship, no coercion will change their mind and no conditioning will bring them back. We should not exclude the option of just letting them go.

Stirring the status quo is dangerous as it changes the balance of power and one of the parties will have to change its strategy to regain its losses. Entrapped parties will most likely resort to more radical measures, which might include waging a war. This development is the reason why countries should not maintain an instable, pre-conflict status quo and solutions should be sought for.

In simple wording, if we want to overcome the protracted conflicts, the OSCE should be allowed to do its job and to be more consistent in implementing its core values.