



# SPECIAL REPORT

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## The Future of the Conference on Security and Cooperation in Europe

*A United States Institute of Peace Roundtable*

### ABOUT THE REPORT

The end of the Cold War has brought an apparent decline in the importance of the Conference on Security and Cooperation in Europe (CSCE), a forum known primarily for its struggle against human rights violations in the countries of the former eastern bloc.

On September 26, 1994, the United States Institute of Peace convened a roundtable of CSCE practitioners and experts to discuss the forum's future role in post-Cold War Europe. This report contains the views of several of the forum's key participants. For more information, please contact Patricia Carley at (202) 429-3822.

### KEY POINTS

- **Conflict Resolution** is the most valuable new role the Conference on Security and Cooperation in Europe (CSCE) can play, and one for which it is uniquely suited among international institutions. Long-term solutions to the complex conflicts now facing Europe and parts of the former Soviet Union require the development of rule-of-law-based systems that protect individual human rights. The CSCE is especially well adapted to assist in this process and to carry out preventive diplomacy missions and related activities.
- **CSCE Values** From its inception, the primary purpose of the CSCE has been the promotion of human rights, the rule-of-law, and economic liberty, values embodied in the Helsinki Final Act. All of the CSCE's activities are designed to promote these values, which represent American values also. Though some may see the CSCE differently, this central purpose has not changed, since many new states of the former Soviet Union—in transition from totalitarianism to democracy—have yet to establish rule-of-law systems, and human rights violations frequently occur. The membership of these new states in the CSCE represents an opportunity to promote the values in the Helsinki Final Act.
- **Security** The CSCE's future role does not appear to lie in the field of security in the usual sense, although conflict resolution does have a security dimension. Government leaders are more likely to turn to the other institutions that manage security issues, including NATO, the European Union (EU), and the Commonwealth of Independent States (CIS). Nor should the CSCE necessarily be involved in peacekeeping, since the manner in which humanitarian and political intervention is being undertaken is shifting, perhaps toward "spheres-of-influence peacekeeping" rather than full international efforts.
- **CSCE Structure** The consensus decision making procedures of the CSCE, although they have been modified in certain instances, have been criticized for leading to inaction or to watering positions down to the lowest common denominator until they are essentially ineffectual. The central leadership of the CSCE is weak because of the part-time status of the chairman, whose primary job is foreign minister of his or her

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country. The secretary general position has no genuine leadership powers or authority and is not currently occupied by a widely recognized person. The dispersal of CSCE institutions—in Vienna, Warsaw, the Hague, and Prague—further weakens the organization. Unfortunately, there is opposition to locating all these bodies in one place.

- **The Russian Proposals** The proposals put forward by Russia to reform the CSCE contain some useful as well as problematic ideas. There may be a need for small sub-regional groupings within the CSCE to reinforce its particular roles, as well as for a strong secretary general. Consensus decision making, however, should not be abandoned. And Russia's proposal that the CSCE be strengthened contrasts with that country's attempts to thwart CSCE activities in Nagorno-Karabakh in favor of its own efforts.
- **The United States and the CSCE** The United States should play a greater leadership role in the CSCE, or it will gradually lose its potential for contributing to the management and resolution of problems in Europe. The lack of commitment of key countries, including the United States, has left the CSCE with no clear role (although it has the potential to assume one). Meanwhile, other institutions, particularly NATO, have been encouraged to develop programs and characteristics that resemble and possibly duplicate those of the CSCE.

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*The views expressed in this report do not necessarily reflect views of the United States Institute of Peace, which does not advocate particular policies.*

## The CSCE in the Post Cold-War World

The CSCE was formed in August 1975 upon the signing of the Helsinki Final Act in Helsinki, Finland. The Final Act, which came to be known as the Helsinki Accord, covered three areas, referred to as "baskets": security affairs, economic and environmental issues, and human rights. The membership of the CSCE made it an unusual organization from its inception; it included not only the countries of Eastern and Western Europe (with the exception of Albania) together with the United States and Canada, but also small European entities such as Monaco and the Holy See. Some Americans initially opposed U.S. membership in the CSCE, fearing that the existence of an organization containing eastern bloc countries might formally sanction the Soviet Union's dominion over those countries. However, not long after the establishment of the CSCE, the first two "baskets" yielded in prominence to the third, and the organization became—and has largely remained—a forum at which the West persistently reminded the eastern bloc countries of their failure to adhere to the human rights commitments delineated in the Helsinki agreements. Throughout this time, the CSCE was unique in that it had no headquarters or staff and was grounded only in a series of nonbinding agreements.

With the end of the Cold War, the status of the CSCE changed radically. There was some concern that the CSCE would be seen as a relic of the Cold War and would lose its relevance, but the opposite has proved to be true. New kinds of problems emerged to occupy the CSCE's agenda. At the Paris Summit of 1990, the CSCE's Charter for a New Europe was signed—a major effort to reshape the CSCE from a Cold War debating forum to an operational organization capable of sharing the responsibility for managing the evolving security situation in Europe. With the political changes in Eastern Europe and in many of the newly independent states of the former Soviet Union, traditional human rights violations were no longer the major concern. In their place came the need to deal with the eruption of deadly conflicts in such areas as former Yugoslavia, the Caucasus, and Central Asia. CSCE institutions were established to cope with these new problems, including the Office of Democratic Institutions and Human Rights in Warsaw, a Conflict Prevention Center in Vienna, and a High Commissioner for National Minorities, based in the Hague.

However, the CSCE's inability to deal with these brutal conflicts has raised a new set of concerns about its ultimate effectiveness in today's changed world. The forum is widely praised for its steadfast adherence to human rights principles (so much so that the phrase "Helsinki principles" is now synonymous with human rights), and its contribution to the end of the Cold War is unquestioned. However, the future of the forum remains in question. It has failed to resolve the conflicts in Bosnia and Nagorno-Karabakh, its membership has grown from 35 to 53 members (52 active members, as Yugoslavia, in the form of Serbia-Montenegro, is currently suspended), it operates under the constraints of its consensus rule, and it is ultimately unable to enforce its decisions. It seems that the CSCE has not been able to adjust fast enough. In addition, the CSCE's new institutions have been criticized for making a uniquely floating forum more bureaucratic. Despite its many mechanisms and devices, the CSCE has not always been a central player in efforts to resolve conflicts over the last few years.

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On the other hand, the CSCE has been quietly conducting and developing important preventive diplomacy initiatives in a number of areas, making it, by some accounts, the international organization best suited to this essential field. The enlarged membership—which includes all the newly independent states of the former Soviet Union as well as Albania and the states from former Yugoslavia—is seen by some not as a hindrance but as an opportunity to strengthen the relevance of the CSCE, the only organization that has attempted to engage all these new states in meaningful diplomatic processes.

Several countries, including Russia, have advanced proposals to reform the CSCE. To “strengthen” (the word used by Russian diplomats) the organization, the Russian proposals would reorganize it into an all-European security group that would have a coordinating role among other security organizations such as NATO and the Commonwealth of Independent States (CIS). To accomplish this, an executive council of ten countries would be created, five of which would be permanent members with veto powers, to oversee security decisions of NATO, the West European Union, and the CIS. Russia has also sought official CSCE support for its peacekeeping efforts in the CIS, especially and most immediately in the Nagorno-Karabakh conflict. The Russian plan also contains suggestions for changing the CSCE’s decision making process, including the policy of consensus. The Russian proposals have thus far been met with skepticism from many other CSCE (and especially NATO) members.

To examine the future of the CSCE in terms of conflict resolution and peacemaking in Europe, the United States Institute of Peace convened a roundtable discussion on September 26, 1994. The meeting was attended by “CSCE hands” from both the government and the private sector and chaired by Max Kampelman, vice chairman of the board of directors of the United States Institute of Peace and former U.S. ambassador to many CSCE meetings, including the Madrid Review Meeting (1985-88); the Meeting on the Rights of National Minorities, held in Geneva in 1990; and the Moscow Human Dimension Meeting (1991). Remarks on the CSCE’s future were offered by James Goodby, former U.S. ambassador to the CSCE negotiations on Confidence and Security Building Measures (CSBMs) in Stockholm (1988-89), and John J. Maresca, former U.S. ambassador to the CSBM negotiations and the CSCE (1989-92), and special U.S. negotiator on Nagorno-Karabakh (1992-94). Ambassador Goodby was recently a distinguished fellow and Ambassador Maresca was a guest scholar at the United States Institute of Peace.

This was considered a good time for public airing of the problems of the CSCE, the challenges it faces, and ideas for improving it. This special report seeks to inform the interested public of the issues and stimulate the thinking of Washington policymakers in the wake of the summit of CSCE leaders held in Budapest December 5-6, 1994.

Ambassador Kampelman noted at the outset that there is a general feeling of disappointment in the CSCE’s perceived inability to deal in the fundamental problems facing Europe today and in the apparent absence of U.S. leadership in the organization. The CSCE is not even close to being a household word in the United States, according to Kampelman, even among the press and branches of government. This situation is partly the result of skepticism about American participation in the forum from the very beginning.

## CSCE's Crucial Role: Conflict Resolution

Ambassadors Goodby and Maresca agreed that long-term conflict resolution and prevention should be the principal role for the CSCE in the future, a course that the organization is uniquely qualified to pursue. With the outbreak of numerous local conflicts following the end of the Cold War, it is apparent that the CSCE is especially well adapted to carry out preventive diplomacy missions and related activities. In fact, Maresca said, the CSCE has shown itself to be "the most creative organization in the world today in the field of preventive diplomacy." The CSCE's preventive diplomacy undertakings include activities of the High Commissioner for National Minorities (which Maresca believes should be expanded), as well as specialized missions in Nagorno-Karabakh, Latvia, Estonia, Macedonia, Kazakhstan, and other areas. A good example of the kind of long-term undertaking in which the CSCE works as a process is the small negotiating body, the Minsk Group, set up to negotiate a cease-fire and a peaceful settlement in the war over Nagorno-Karabakh. Unfortunately, Maresca pointed out, there is no easy way to determine whether preventive diplomacy efforts are successful because, if they are, little is heard about them.

The CSCE should strengthen its activities even more in the preventive diplomacy field, Maresca continued. Goodby strongly seconded this suggestion, noting that not enough attention or support has been given to this special role for the CSCE. The two speakers agreed that the office of the High Commissioner for National Minorities is an excellent example of the kind of mission in which the CSCE should be involved. According to Goodby, the current commissioner, Max van der Stoep, is carrying out precisely the kind of long-term problem-solving activities that the CSCE does best. Maresca added that it would be useful to have additional senior CSCE observers with broad mandates like that of the High Commissioner to look into how well the CSCE's principles are being respected. According to Maresca, the CSCE could also serve as a locus for coordinating the activities of non-governmental organizations, which play a useful, nonthreatening role in preventive diplomacy. The process of conflict resolution is long, thoughtful, and conducted behind-the-scenes; this is the sort of activity the CSCE does well.

## Core Values and CSCE Membership: New Opportunities

According to Maresca, there has been some concern that the current scope of the CSCE is too broad and its membership too large and, consequently, that the organization no longer incorporates countries of a "common culture." However, both speakers agreed that every activity of the CSCE refers back to its core values: human rights, rule-of-law, and economic liberty. The forum is, in Goodby's words, "a custodian of values," which are American values as well. The central purpose of the CSCE has remained the same; any new activities should be designed to advance this purpose.

The CSCE's mission as a custodian of values has not changed because many new states of the former Soviet Union, in transition from totalitarianism to

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democracy, have yet to establish rule-of-law systems, and human rights violations frequently occur there. The inclusion of these states means that the CSCE and the Helsinki principles now stretch as far as Central Asia. The organization remains a forum in which these values (in some cases, unfamiliar ones) can be advanced among—not imposed upon—the new members, who sign on to them when they join the CSCE. According to Maresca, this situation presents “an enormous opportunity” for the CSCE to expand its values to far-flung regions, especially since the CSCE is the only organization that is seriously attempting to bring these regions into a meaningful relationship with the Western world. Thus, the CSCE’s human rights role is not a thing of the past, and far from engendering concern, the current size of CSCE membership and the increasing scope of its concerns are important qualities, especially with respect to the advancement of human rights.

The CSCE should encourage new members, who may have relatively little contact with the outside world, to incorporate the Helsinki principles into the transition process from totalitarianism to the consolidation of their independence and sovereignty. Furthermore, Maresca suggested, the membership of the countries of the Caucasus and Central Asia in the CSCE presents the organization with an unusual opportunity to help in the process of bridging the gap between the Judeo-Christian West and the Muslim East. While this is not necessarily a direct aim of the CSCE, the issue is nevertheless “a major problem of our time,” in which the CSCE can potentially play a helpful role.

This task of bridge-building, according to Maresca, requires a “mental change” on the part of the veteran members of the CSCE, especially those from the western bloc. These members must believe that individuals in Uzbekistan and Kazakhstan today are as important as individuals in Czechoslovakia and Poland were during the Cold War. In the past, CSCE diplomats were familiar with the names of the many dissidents in the eastern bloc countries and regularly made pleas on behalf of political prisoners. Such pleas are not being made on behalf of political prisoners in some of the Central Asian countries, Maresca said—the mental change has not been made. Instead, most of those in the CSCE seem to want to believe that such activities are part of the past, ignoring the fact that human rights violations are occurring in some of the countries of the Caucasus and Central Asia. Maresca cited the Eurocentric attitude of many CSCE members as part of the problem. An even more dangerous reason for the indifference is the acceptance among many in the West of the Caucasus and Central Asia as part of Russia’s sphere of influence, about which there is little inclination to do anything.

One participant noted that pressing the Central Asian countries on human rights violations comes into direct conflict with the western aim of engaging those countries more fully in the CSCE process. What if strident criticism of violators in the region serves only to drive them out of the CSCE? The Helsinki principles may be intact, but the chance to further influence the withdrawing countries will have ended. However, failing to criticize egregious human rights violations seriously compromises the very principles on which the CSCE rests. This dilemma is reminiscent of the familiar polemic in the Cold War period of how best to influence a government that routinely violates the human rights of its citizens; if the criticism is so harsh that all

contact is cut off, then any further hope of influencing that government's behavior is lost. However, not criticizing enough gives the appearance of sanctioning the violations, or at the very least being indifferent to the plight of those suffering from the violations. It is a dilemma that was never resolved definitively throughout the years of the Cold War.

### **Methodology and Means**

The CSCE will remain relevant, Maresca said, because its particular methodology can be useful in other parts of the world. The CSCE approach is to include all states in the area it covers, regardless of their political systems, and the consensus basis for decisionmaking is nonthreatening to participants. The forum is based on an agreed upon set of principles applying to several "baskets" of issues, which provides for tradeoffs in negotiations on various issues. Finally, the CSCE is a *process* rather than a one-time event. These methods provide incentives for all participants. Such methods, even if they are not strictly embodied in other regional organizations based on the CSCE, can be useful elsewhere, as can other specific CSCE concepts, such as confidence-building measures.

Regarding the means available to the CSCE to carry out its work, Maresca said that the principal problem is a lack of leadership, including the absence of clear direction from the United States, which could give energy to the organization. There is a mechanical dimension to the problem as well: the secretary general of the CSCE has no leadership powers, as the post is essentially administrative. Unlike other international organizations, the leadership of the CSCE, vested in its "chairman in office," rotates each year, and is held by the foreign minister of one of the member states. Every foreign minister has a full-time job in his or her own capital, so there is no day-to-day senior-level leadership for the CSCE. Maresca asserted that combining the chairman and secretary general positions could give the CSCE could have a full-time leader of political stature, located in Vienna, where primary CSCE activities are conducted. In this way, the CSCE could have the continuing supervision and profile it needs for its major activities. Maresca also suggested consolidating all of the activities of the CSCE in Vienna. The High Commissioner for National Minorities, based in the Hague, and the Office for Democratic Institutions and Human Rights in Warsaw have related and even parallel responsibilities, but their physical separation inhibits mutual consultation.

In response to Maresca's suggestions on consolidating the CSCE's institutions, one participant expressed concern that the CSCE would become more bureaucratic. The aim should be to "let the CSCE be the CSCE," meaning an international organization unlike any other. Recognizing that it is not NATO or the EU, the CSCE should not be given structures and institutions to resemble those other organizations. New global problems simply are not going to be solved easily or quickly, and this is precisely why and how the CSCE can be particularly valuable. It should keep its own strengths—such as the consensus rule, for example—and not adopt the methods of other organizations by becoming more institutionalized.

Other participants agreed that the CSCE needs a strong leader, much stronger than the current post of secretary general, to rally support for its decisions. The head of the CSCE should be a well-known figure with consider-

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able political clout in the international arena so that he or she could capture media and public attention for the issue at hand and for the CSCE's attempts to resolve it. This position would be even more effective, some participants felt, if all CSCE institutions were consolidated in one location.

### **Security Affairs in the CSCE**

After declaring that the CSCE has a "brilliant future," Ambassador Goodby qualified this assessment by saying that this future will *not* be in the field of security or in the area of peacekeeping. When the Paris document was originally signed, Goodby said, he was among those who welcomed what looked like a major role for the CSCE in European security affairs. However, he now thinks the CSCE should return to its roots, which he defined as human rights and conflict resolution.

Goodby stated his original belief that, regarding security matters, the closer the headquarters-less CSCE is to the decisionmakers in each capital, the more effective the organization can be. Although he was initially opposed to the institutionalization of the CSCE—through the creation of a secretariat, for example—he was nevertheless hopeful that institutions such as the Committee of Senior Officials would provide the necessary link to political leaders in their capitals. However, this was not the case for two very specific reasons, neither of which implies that the institutions themselves were necessarily faulty.

First, there is the problem of "institution overload"—many other organizations deal with security issues. The CSCE, Goodby said, is policy makers' second, third, or fourth favorite institution for security matters; rarely, if ever, is it the first choice. NATO is a household word in the United States, which is one reason why American political leadership automatically turns to NATO rather than the CSCE when a security matter is at stake. In Europe, people turn to the EU or the West European Union, both of which have generally assumed a stronger role than the CSCE. Even the CIS is considered, by some in the security field, as potentially more efficacious than the CSCE in dealing with security issues. Goodby said that he did not expect this situation to change.

He stressed that the CSCE should not be involved in situations in which troops are going to be used to resolve a conflict. The CSCE has been asked to perform tasks that are not within its competence, tasks that it was not designed to do; the organization should not, Goodby said, be involved in peacekeeping. When Russian Defense Minister Pavel Grachev visited Brussels, he commented that the North Atlantic Cooperation Council (NACC) would have a major role in political-military affairs in Europe and the CSCE would have a predominant role in politico-diplomatic affairs. This is a good assessment, Goodby said, and a view that he shares.

Goodby said that it is necessary today to think of the CSCE as a "larger Council of Europe," whose role is essentially one of promoting conflict resolution, by which he means the *long-term* resolution of a conflict. This is not, he stressed, the same thing as imposing a settlement or negotiating a cease-fire—"conflict resolution" is not what is happening today in the former Yugoslavia. The CSCE's primary role should continue to be in the fields of human rights, minority affairs, and conflict resolution—not security matters in the traditional sense.

Maresca disagreed with Goodby's assertions on the CSCE's peacekeeping role. He said the CSCE should be able to field at least limited peacekeeping operations, partly because the UN is overwhelmed with such operations and desperately needs assistance. The conflict in Nagorno-Karabakh is a good example of a smaller, localized conflict in which CSCE-directed peacekeeping could play a role. Such intervention would be happening, Maresca said, were it not for Russia's systematically "blocking and undercutting" the CSCE's efforts.

Other participants also disputed Goodby's assessment of the future of the security brief within the CSCE. From the very first discussions that led to the establishment of the CSCE through 1990, it was asserted, the CSCE has contributed greatly to security matters, especially in providing a normative framework for the behavior of states. The signing of the Paris document added a very important institutional character to the CSCE, which now includes all of the states that are affected by the problems resulting from the end of the Cold War, problems that have come out of the "deep freeze" of totalitarianism. It is important to recognize this transition of the CSCE's role from providing norms to providing an institutional framework within which these post-Cold War questions are addressed.

The first challenge to the CSCE—the crisis in Yugoslavia—presented itself to an overextended institution, still very young in its institutional form. The CSCE's inability to resolve the conflict led to considerable disappointment in the organization and pessimism about its role in Europe. The expectations were simply too high; the Yugoslav situation was, after all, the first case to invoke the emergency mechanism. This experience should not dissuade the members from using the CSCE in the context of its still developing ability to address issues involving conflict and conflict prevention.

### **Regional Peacekeeping and the Russian Proposals**

Goodby suggested another reason that security issues will not be as prominent for the CSCE: "collective security" is no longer discussed. Instead, the reality seems to be spheres-of-influence peacekeeping, of which Haiti and the Central Asian countries are good examples. This does not mean, Goodby continued, that the CSCE has no role; rather, the CSCE simply will not be the primary instrument for determining the ground rules in the sphere-of-influence peacekeeping process.

Regarding the Russian proposals to change the CSCE, Goodby said that, in some respects, several of the ideas deserve a hearing. For example, there is a need for small, subregional groupings within the CSCE that could reinforce its particular roles. A strong secretary general is also needed. Goodby disagreed with the Russian proposal to move away from the consensus basis for decision making; however, he said, Russia should have a major voice in the affairs of Europe that bear on its security, just as the United States should have a voice in European affairs—and those of the CIS—that affect its security concerns.

Goodby referred to a Russian newspaper article that quoted Russian Foreign Minister Andrei Kozyrev on the role of the CSCE in the Nagorno-Karabakh dispute. "Today, a test-case for the CSCE's maturity is in renouncing the competition to become the 'chief broker' in the Karabakh conflict in

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favor of practical assistance to diplomatic efforts and, in the long term, to Russia's peacekeeping forces," Kozyrev said. This quote, Goodby noted, reflects the spheres-of-influence style of peacekeeping that is emerging in various parts of the world.

Maresca said that Russia's proposals for the Budapest Summit contained some useful and some problematic ideas. He applauded Moscow's initiative in putting forth any proposals at all. Regarding Russia's proposal that the CSCE be strengthened, however, he saw a "striking" difference between what the Russians said on this issue and what they are actually doing—in Nagorno-Karabakh, for example, where they are thwarting CSCE efforts.

A high-ranking U.S. official denied that the United States has fully accepted the concept of spheres-of-influence peacekeeping. Nor has the U.S. government accepted Russia's "free hand" in the former Soviet republics. What is understood in Washington, he said, is the limitations of the United States in the southern regions of the former Soviet Union and a "realistic acceptance" that Russia has greater influence there. This reality is precisely why the CSCE is so useful for the United States—to provide a way for the West to be active in regions such as Central Asia and the Caucasus on an agreed-upon basis and in a nonconfrontational manner.

### **The U.S. Role in the CSCE**

The participants agreed that unless the United States plays a greater leadership role in the CSCE, it will gradually lose the potential for contributing to the management and resolution of problems in Europe. Leadership is needed to identify the CSCE's specific role in European and CIS affairs and to strengthen its ability to work effectively. Maresca suggested that the lack of commitment of key countries, including the United States, means that the CSCE has been given no clear role and identity (although it has the potential to assume one), while other institutions, particularly NATO, have been encouraged to develop programs and characteristics that resemble and possibly duplicate those of the CSCE. The U.S. government should draw a clear distinction between NATO and the CSCE. Both institutions are useful, but they have different functions, and there should be no attempt to make one resemble the other.

It was agreed that although many of the proposals put forward by Russia for the Budapest Summit were unacceptable, at least Russia was making the effort to encourage debate on the organization's future. The United States should also be advancing ideas for CSCE meetings if it wants to continue being considered a leader in the organization.