SUCCESSFUL PREVENTION
OF WAR AND CIVIL WAR IN 16 EXAMPLES

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THE REALIZATION OF THE PROMISE OF PREVENTION MUST NOT BE DEFERRED*

Kofi Annan

A Chinese proverb holds that it is difficult to find money for medicine, but easy to find it for a coffin. The last decade's intra-State and ethnic wars have made this proverb all too real for our time.

Have we not seen enough coffins - from Rwanda to Bosnia to Cambodia - to pay the price for prevention? Have we not learned the lesson too painfully and too often that we can, if we will, prevent deadly conflict? Have we not heard General [Romeo] Dallaire say that 5,000 peace-keepers could have saved 500,000 lives in Rwanda? Indeed, we have no excuses anymore. We have no excuses for inaction and no alibis for ignorance. Often we know even before the very victims of conflict that they will be victimized. We know because our world now is one - in pain and in prosperity. No longer must the promise of prevention be a promise deferred. Too much is at stake, too much is possible, too much is needed.

The founders of the United Nations drew up our Charter with a sober view of human nature. They had witnessed the ability of humanity to wage a war of unparalleled brutality and unprecedented cruelty. They had witnessed, above all, the failure of prevention, when prevention was still possible and every signal pointed to war.

At the dawn of a new century, we must restore new promise to our founders' fervent belief that prevention is indeed possible and that humanity can learn from its past.

Indeed, my vision of this great Organization is a United Nations that places prevention at the service of universal security. The achievement of human security in all its aspects - economic, political and social - will be the achievement of effective prevention.

It will be the testament to succeeding generations that ours had the will to save them from the scourge of war.

Quoted from: Addressing ‚The Challenge of Conflict Prevention', The United Nations, Secretary-General, Statements and Messages, Press Release SG/SM/6535, 23 April 1998. Headline by the editor.

PREFACE

Reiner Steinweg and Frieder Schöbel
Linz/Danube and Berlin, February 2020

In public debates successful prevention of war has low priority. As a rule inter- and intra-national tensions and crises are dealt with as long as their outcome is uncertain and the "writing of war is on the wall". If, on the other hand, a war has been averted successfully, the case is no longer of interest to the general public and the media. Nevertheless, the statement by Lothar Brock, on 20 September 2015, "Prevention is the Alpha and Omega", still stands. Lothar Brock, Prof. em. at Frankfurt Goethe University and former Director of a Research Group of the Peace Research Institute in Frankfurt, made this statement at the Biberach Symposium on the occasion of Dieter Senghaas's 75th anniversary. Dieter Senghaas is one of the founding fathers of German peace and conflict research.

Not only the result, but also a cause of the lack of public interest in successful prevention, is that those cases are rarely known. If people engaged in, or at least influencing politics *know* that prevention is feasible in every single case with some endeavour and tenacity, if applied in time, this knowledge will become a prevention factor in itself. This can be concluded, conversely, from the cases in which war fatalism led to political decision making as is proven for World War I.

Prevention here means

1. prevention of war, civil war or early stages of these (violent conflicts between large communities), and

2. practices for the time after war which have prevented resurgence of conflict for at least 10 years. This does not mean that in the coexistence of the affected ethnic and / or social groups all problems and tensions need to have been resolved.

The following 16 case studies give concise and comprehensible descriptions of events. Only the most important and essential aspects are reported in Encyclopaedia style to facilitate ease in reading for even the busiest of diplomats and politicians. Reference to selected literature for further reading for each case offers the reader opportunities for supplementary information and more detail on other aspects.

In this collection the favourable particular conditions of the process, which mostly also contribute to the successful prevention of war, are sometimes not especially emphasized, as such special conditions do almost always exist. With regard to success it is not conclusive whether and which favourable conditions existed, but rather whether the opportunities presented were *seized* in time and energetically and whether they were supported widely. The here presented third edition of this collection has been enlarged by a 16th example: the resolution of the long-term conflict between Peru and Ecuador. There are further examples that could be analyzed:

• Cameroun - Nigeria 2006
• India: The integration of the Naxalites by Nehru
• Liberia 1999-2003: The part of the "Women in White" played in the prevention of the resurgence of the Civil War
• Malaysia - China
• The Philippines: Prevention of a civil war after the ending of the Marcos dictatorship in 1986 by the so-called EDSA Revolution

We kindly ask readers for suggestions and/or proposals of additional cases, even from more distant epochs of mankind's history, and of experts who we could ask for well-founded contributions (E-mails to schoebel@friedenszentrum.info).

THE ÅLAND ISLANDS 1918
THE CONFLICT BETWEEN FINLAND AND SWEDEN

Saskia Thorbecke, Reiner Steinweg

The Åland Islands are situated between Finland and Sweden, between the Gulf of Bothnia and the Baltic Sea. Their strategic position justifies a significant interest in the Åland Islands by Sweden and Finland as well as by Russia. The history of Åland is therefore closely linked to the disputes between Sweden and Czarist Russia, and to the emergence of the Finnish State.

During the Great Nordic War between Greater Sweden and Russia the latter had occupied most of Finland and the Åland Islands in 1714. The Treaty of Nystad in 1721 ended this occupation. As a result of the Nordic War, the influence of Sweden faded in the Baltic Sea and Finland, which till then had been integrated into the Swedish imperial administration. The attempt of Sweden to regain its status of a great power failed. Again Åland and Finland came under Russian occupation from 1741-1743. In the Third Napoleonic War, the Russian Czarist Empire and Sweden were opponents again. In 1808 Russia started a war of twelve months with Sweden for supremacy in the Baltic. With the Peace of Frederikshavn in 1809 Sweden lost its influence on the Åland Islands and Finland once and for all. The archipelago became part of the autonomous Grand Duchy of Finland within the Russian Tsar Empire. In the Crimean War, the Åland Islands were occupied by the French Navy in 1854. The Paris Peace Treaty ended the Crimean War in 1856 and provided the demilitarisation of the Åland Islands for the first time.

In 1917 the Russian February Revolution made possible farreaching changes for the Grand Duchies. On 22 August 1917, in a meeting of their representatives in the Åland Islands, the desire for reconnection to Sweden was articulated. However, with the subsequent independence of Finland, the Åland Islands, as a former part of the Russian Grand Duchy of Finland, had to join Finland. The Ålanders then pleaded for the principle of Selfdetermination of Peoples. They petitioned the Swedish King asking for reintegration into the Swedish Kingdom. Finland rejected the breaking away of the Åland Islands, but the Finnish Parliament adopted an Autonomy Act for Åland in 1920. Since that did not eliminate the conflict, the League of Nations, on a proposal by England, was asked to find a solution.

The Council of the League of Nations attributed sovereignty over the Åland Islands to Finland in 1921. The Ålanders were offered autonomy, the Swedish language, and the preservation of their culture and customs were guaranteed. Finland accepted the obligation to respect their autonomy and the guarantees for internal rule mentioned, by adopting the Åland Agreement as a special law. On 9 June 1922, the elected Åland Parliament under Julius Sundblom met for the first time. A prerequisite for the adoption of the decision of the Council by Sweden was strict demilitarisation and neutrality of the Åland Islands. Today's visible signs of Åland's autonomy are flag, anthem, national holiday, car registration number, stamp, internet domain and Swedish as an official language. In a study published in 2014 Egbert Jahn summarized the result of prevention efforts in the conflict over the Åland Islands as follows:

„On the basis of Section 120 of the Finnish Constitution and a Law on Selfgovernment Åland has legislative powers for internal administration, the economy, social welfare and maintenance of internal order. International treaties which affect Åland, need the consent of its Parliament. The President of Finland can only veto laws that exceed the competences of autonomy or violate the security of Finland. Finland owes the responsibility for foreign and defence policy, for most of the civil and criminal law, for the organization of the courts and for the customs and taxes legislation. Åland receives 0.45% of the State tax revenue, a proportion that can be increased if the islands are economically successful. The islands generate a higher gross national product than the mainland in agriculture, fisheries and particularly in the tax- and dutyfree shipping between Finland, Åland and Sweden as well as in tourism.

The Åland Islands have a party system of their own […]. In this representation of the people (Lagting) 30 MPs from six parties sit today. The government (Landskapsstyrelse) under the leadership of a Lantråd consists of 5-7 people. The Åland Islands appoint a member to the Finnish Parliament (200 deputies). That member always joins the faction of the Swedish People's Party, which represents the mainland Swedes.

Since 1970 the Åland Islands, in the same way as the Faroe Islands and Greenland, beside the five independent northern European states, are equal members of the Nordic Council which exists since 1952. The Autonomy Law had been conceived in 1951 and was renewed in a more detailed manner in 1991. Competences of autonomy were extended. Apart from their Finnish nationality Ålanders now have their own right of abode (hembygdsrätt / kotiseutuoikeus), which is a prerequisite for participating in elections for their parliament. They are exempt from military service in the Finnish armed forces. The right of abode in Åland can only be acquired by Finnish nationals who have resided in Åland for at least five years continuously and know the Swedish language." (S. 14 f.)

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ARGENTINA – CHILE 1978-1984
A CENTURY OF CONFLICT OVER THE BEAGLE CHANNEL

Markus Weingardt

Background

At the beginning of the 19th century the South American neighbours, Argentina and Chile, became independent of Spain. Gradually both countries spread down to the southern tip of the continent. That area is so inhospitable that it had been shunned by the colonial administration. Therefore, at that time, the actual frontier between the two countries in this region had never been precisely determined, and so soon Chilean and Argentina interests clashed. Through US-American mediation, the two countries signed an agreement in 1881 which regulated the border demarcation. Only one detail remained undefined: Who owns the Beagle Channel or where is the boundary there? The waterway runs from the Pacific Ocean in the west across the Tierra del Fuego to the astern Atlantic estuary. The western part clearly runs through Chilean territory, in the east, however, the channel separates the Argentinian Tierra del Fuego from southern Chilean territory. But where exactly is the boundary? On the North or South Shore? In the middle of the channel – but at low tide or high tide? Or, at the lowest point of the channel? And so – depending on the boundary line – who do the three small and uninhabited channel islands of Picton, Lennox and Nueva (PLN) belong to?

The Importance of the Channel

Under international maritime law sovereignty over shipping and economic use of the surrounding waters belong to the owner of a coast or island. Both countries were interested in industrial fishing and the exploittation of the supposed raw materials in the Beagle Channel, such as oil and natural gas. Also considerations of security played a role. So it was no surprise that unrest and occasional military skirmishes happened again and again. After some time, the clashes gained an ominous momentum. The provocations from both sides fanned passions. More and more the possession of the territories was being linked to national pride, and more and more insistence on the claims became a question of honor. Politicians who pleaded for compromise were denounced as cowards and traitors against national interests. Over the decades, various mediators had been trying to resolve the simmering conflict. However, they all failed. Finally, in 1978 the military Junta ruling in Argentina left the negotiations and resorted to violence. On 22 December 1978, the Argentinian military was ordered to invade the Chilean PLN

Islands. At the eleventh hour, international diplomats and religious leaders turned to Pope John Paul II with a request to intervene. He sent Cardinal Antonio Samoré, an excellent connoisseur of South America, to the parties with an offer of mediation.

Papal Mediation

Chile accepted the offer immediately. The Argentinian Government could not reject the papal mediation initiative either. Too great was the reputation of the Vatican in the Catholic population of 90 percent. Failure to seize this opportunity for peace would also have exposed them as inhuman warmongers and would have harmed their reputation in domestic and foreign policy enormously. Therefore, the Junta in Buenos Aires had no choice but to announce their readiness for the mediation by Cardinal Samoré.

The first phase of mediation began on 23 December 1978 and took less than a month. During that time, Cardinal Samoré conducted intensive shuttle diplomacy between the governments. He always kept to strictest neutrality and balance. In January 1979, both sides finally signed the "Act of Montevideo", in which they officially asked the Vatican for mediation and undertook to refrain from provocations and violence. Thus, they gave the official starting signal for the ensuing second phase, which was characterized by classical methods of mediation. These took place in safety in Rome, far from the field of conflict. Seldom it came to confrontations. Instead Samoré would try to explore the exact positions, opinions, interests and fears of the individual talks. He realized that Chile's main interest was in officially possessing the PLN Islands – as a sign of selfassertion – and less in the maritime rights associated with them. By contrast, Argentina saw its southern tip threatened militarily amid Chilean territory. By free navigation in the channel a sense of security would be created. In addition, Argentina was interested in the commercial use of the water body. Already at that time Samoré had an idea that later turned out to be crucial: Why not just decouple the maritime rights from ownership? In this way Chile could have the islands, but share the right over the waters with Argentina. This way both governments would meet their interests and save face in front of their own people. But for that proposal it was still too early, the lines were still too hardened. In December 1980, the negotiations came to a standstill, neither side willing to compromise. Finally, the Pope himself proposed

a solution and threatened to cancel the mediation if no convergence happened. Chile was willing to accept the proposal, but Argentina's military Junta was playing for time. It was not really interested in a compromise and secretly hoped that the negotiations would break down because of poor prospects of success. After that they could – with a renewed plan for a military "solution". Renewed tensions and provocations intensified the conflict.

So, in the coming years, mediators channelled all their energy into officially assuring that open dialogue continued. In this third phase of negotiations from the beginning of 1981 until the end of 1983 all their efforts were focussed on the prevention of the escalation of violence until political conditions in the countries had changed and substantial progress in the negotiations would be possible.

With the Falklands War lost in 1982 and the democratic election of a new president in Argentina (1983: Raul Alfonsin) the hopedfor change happened, and the negotiations began again. After the death of Samoré in February 1983 his two former colleagues, Archbishop Gabriel Montalvo and Faustino Sainz, took over the mediation. Based on the earlier papal proposal both parties now negotiated directly with one another and worked out concrete implementation measures. In this fourth phase the mediators played only companion and facilitator roles. The final agreement showed a familiar trademark: The PLN Islands fell to Chile and the rights of using the waters were shared equally. In autumn 1984, the official reconciliation took place: The presidents of the two countries signed a "Treaty of Peace and Friendship".

Summary

The mediation was characterized by extreme fluctuations in the relations between the states and high risks of escalation. Much depended on the domestic balance of power. The success of this constructive intervention was due to the skill, to the perseverance and adaptability of the mediators. As personal envoys of the Pope, they enjoyed high confidence, prestige, authority and credibility. Political or material pressure was not available to them, neither was it necessary. Particularly in the population of both countries no one doubted that a proposal of the Pope – their "Holy Father" – would benefit all people. Not through forceful means but by listening, asking more questions, and perseverance a war of incalculable proportions was thus averted and reconciliation made possible between Chile and Argentina.

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BOSNIA AND HERZEGOVINA 1995
THE PROVISIONS OF THE DAYTON AGREEMENT

Saskia Thorbecke, Reiner Steinweg

After the 2nd World War Bosnia and Herzegovina had been the third largest state of the Socialist Federal Republic of Yugoslavia. The result of a referendum in March 1992 reflected the wish of the majority of the population to achieve independence. However, the Serb part of the population boycotted the referendum, and favoured joining Serbia, and the Croatian part of the population preferred joining Croatia. Nevertheless on 5 March 1992, the Bosnian Herzegovinian Parliament declared its independence from Yugoslavia and Bosnia and Herzegovina was internationally recognized as a state on 17 April 1992. In the subsequent three and a half years of civil war between Serbs (mostly Serb Orthodox), Croats (mainly Catholic) and Bosniaks (Muslim majority) there occurred massive ethnic cleansing with brutal massacres (including Srebrenica 1995). The result was a high degree of ethnic segregation of the population, the homogenization of the settlement structure and deep mistrust of the other ethnic groups.

The Bosnian war ended in 1995 with the Dayton Agreement, which had been mediated by the United States, Bill Clinton, and the EU, and was signed in Paris on 14 December. Under the agreement, Bosnia and Herzegovina obtained their sovereignty within the borders proclaimed in 1992. In addition, about 2.2 million displaced persons were granted the right to return. Bosnia and Herzegovina was designed as a democratic federal state. The two entities are the Croat-Bosniak Federation of Bosnia and Herzegovina and the Serb determined Republika Srpska. The entities each include local selfgoverning bodies and form a total of 10 cantons with their own constitutional powers and legislative rights. In the preamble of the Constitution, Bosniaks, Croats and Serbs are identified as the statesupporting nations. By a judgment of the Bosnian Constitutional Court the two entities recognize the three nations as supportive of the state. Bosnia and Herzegovina is therefore a multinational state. The protection of national minorities is not explicitly enshrined in the Constitution.

A law on the protection of National Minorities, not adopted until April of 2003, includes the national minorities that do not belong to the three statesupporting nations: Albanians, Czechs, Italians, Jews, Roma, Romanians and others. Since 2002, in both entities, the languages of the three stateforming ethnic groups have official status. The languages, however, differ only slightly. For minorities it is possible to officially use their own language. In the Republika Srpska primary education of a minority group consisting of more than 15 students, has to be held in their own language.

The minorities also have the right of selforganization. Since 2001, there exists the elected Roma Council, and since 2003 the Democratic Party of Roma as well as the umbrella organization, the Alliance of National Minorities of the Republika Srpska. The entities have autonomous legislation and institutions which are not controlled by the national state. The entities have their own army, manage the entity's citizenship and can organize agreements under international law. The selfdetermination of the entities is also reflected in the form of political representation. Two thirds of the House of Representatives consist of representatives of the Federation and 1/3 of representatives of the Republic. The House of Peoples is composed equally of five Bosniaks, Croats and Serbs, who may impose a suspensive veto.

The de facto separation of the three main ethnic groups and the extremely high administrative burden associated with this separation, brings about a persistent economic weakness with high unemployment and loss of perspective, in particular of young people. In so far as the Dayton Agreement is concerned, in the sense of the definition (at least ten years of no collective military conflicts), it implies a successful preventative solution, which however remains extremely fragile, the longer one adheres to it without major fundamental reforms.

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DENMARK – GERMANY 1920-1955
HOW TO PACIFY A MINORITY CONFLICT

Jørgen Kühl

In the German-Danish border region, there is a positive example for a sustainable solution to a minority group conflict. Here live recognized national minorities on both sides of the border, who feel part of the neighbouring country linguistically and culturally. Currently, the Danish minority in the north of Schleswig-Holstein has about 50,000 people, while 12-20,000 belong to the German minority in southern Jutland. Today the coexistence of Germans and Danes is generally regarded as exemplary – in spite of temporary setbacks and shortterm crises.

The Situation from 1920 to 1945

Due to the division of Schleswig in 1920 two national minorities, in the modern sense, were created. In South Schleswig lived more than 10,000 "Danish-minded" people, in Northern Schleswig 30,000 "German-minded" (about 18% of the total population). Both minorities organized themselves in their own associations, political parties and churches. Within the Danish state church for example, German-speaking pastors were delivering services. Minority groups were also entitled to attend private and public schools.

In the interwar period the German minority demanded a boundary revision. In 1933 Germany started to support Nazi propaganda in Northern Schleswig. From 1938 on the National-Socialist Workers Party of Northern Schleswig achieved undisputed political leadership. It radicalised its demands for a boundary shift and then demanded the reintegration of all Northern Schleswig into the Third Reich. There was little discernible resistance against the ideological 'Gleichschaltung' (enforced conformity) of the organizations of the minority groups. During German occupation from 9 April 1940 onwards, the minority group collaborated completely. There were different views, but they were not expressed openly until May 1945. The Hadersleben Circle, founded in 1943, was probably the most important forum for the secretly dissenting minority. With the takeover of the Nazi Party in 1933, the situation for the Danish minority in Germany became more and more difficult. Since 1933, avowedly only about 6,000 people belonged to it. They were subjected to heavy pressure until 1945.

"Legal Settlement", Declaration of Loyalty, and New Tensions after 1945

After the liberation by British troops on 4/5 May 1945, a so-called legal settlement with the German minority was implemen-

ted in Denmark. Approximately 3,500 adults were interned in Faarhuslager and in Sønderborg Castle. About 3,000 of them were sentenced by a court, 2,150 of whom for war service for Germany. They represented about 25% of the men of the minority group. The convicted were however mostly granted amnesty after serving part of their sentence. Immediately after the liberation of Denmark, the German minority declared their loyalty to Denmark and their recognition of the border. Consequently, the minority group was reorganized democratically. A union of German Northern Schleswig inhabitants and organizations for youth work and schooling were founded. The minority group could again be politically active. When the war ended those who openly identified themselves as part of the Danes minority in Schleswig-Holstein were an estimated 5,000 to 6,000 people maximum.

In the early post-war years, there was an almost explosive growth. Membership in Danish organizations grew multifold. In 1947/48 more than 120,000 people saw themselves as members of the Danish minority. The motives of that massive intake are manifold. The expectation of a boundary shift played a major role, which was being envisaged by powerbrokers in the minority group, even though it had already been rejected by the Danish Government shortly after the end of the war with the statement: "The borders are permanent."

In the following years, a comprehensive network of Danish schools, kindergartens and other institutions was established throughout South Schleswig. Politically, the Danish minority had been active in a cultural association since 1920, which was renamed 'Southern Schleswig Club' [Sydslesvigsk Forening (SSF)] in 1946. In 1948 an independent party, the 'Southern Schleswig Voters Federation' (SSW), was founded comprising the Frisians of Schleswig-Holstein, after the British occupational authorities had prohibited further political activities of the SSF.

The rights of the Danish minority were defined by the Schleswig-Holstein state government in September 1949 in the so-called Kiel Declaration. Those included, among others, that an identification with a minority group would be accepted without exception. The years 1950-54 were nonetheless characterized by increasing tensions between the minority group and the authorities, but the CDU-led state government resorted to skulduggery and harassment. Those included, for example, in 1951, the raising of the electoral threshold in state parliamentary elections from 5 to 7.5%, which was withdrawn in 1953 after a ruling by the National Constitutional Court. Nevertheless, the SSW was not exempt from the

5% electoral threshold at a state level, which had already been abolished at a national level in 1953 by the national electoral law. In the state election of 1954, the SSW received 42,000 votes, which, however, represented only 3.5% of the electorate. So those votes were lost in the Landtag (state parliament).

The Solution to the Conflict between Minorities: The Bonn-Copenhagen Declarations

The solution of the tensions in the political field, then being increasingly felt as a burden of coexistence in the border region, came about because of the prevailing international situation in the mid-1950s. In 1954 the Federal Republic of Germany asked for admission into NATO. At the Paris ministerial conference of NATO in October 1954, the Danish Prime Minister and Foreign Minister H. C. Hansen explicitly addressed the topic of South Schleswig. The attending German Chancellor Konrad Adenauer was immediately willing to seek a solution. That led to bilateral negotiations between the two governments in February and March 1955. In the end, the solution was found in the shape of the Bonn-Copenhagen Declarations of 29 March 1955.

When looked at closely, it deals with a package that consists partly of the official statements and partly of the transcript of the summary minutes of a hearing on 28 March. The transcript is a record of the proposals made by the governmental delegations to the actual problems: minority parties are exempted from the 5% threshold in state and federal elections. Danish schools and the establishment of exam schools are subsidized, the rights of the minority have to be respected. For the German minority in Denmark the right of exams to be sat in minority schools and respect for the rights of minority groups were also agreed upon. The Bonn-Copenhagen Declarations of 29 March 1955, however, are less specific and detailed in their assurances. Instead civic rights and duties, as well as political objectives of minority groups and principles were set out in them. As a whole, the two governmental statements nevertheless excel in that they describe far-reaching minority group rights despite the brevity of the text – perhaps not in detailed paragraphs but in morally and politically binding principles.

Basic Elements of a Sustainable Minority Group Model

While there are differences between the two minorities and the concrete policies of the two states, the following ele-

ments have been found to be sufficiently viable for the overall stress-free, peaceful relationship:

1. Historical and Structural Foundations

The drawing up of borders based on
- the outcome of the plebiscites of 1920 for self-determination;
- acceptance of the border despite temporary territorial disputes and separatism between 1920 and the 1950s.
- In those regions, there was no tradition of interethnic violence,
- no physical abuses nor expulsions, and
- no religious conflicts.

The legal settlement after 1945 worked as a ˝catharsis˝ and basis for the reintegration of the German minority into the Danish state.- Since 1949 both countries belong to the same Western community of values with open, constitutional civil societies.- They have common security interests since 1945.- They are connected by international and bilateral cooperation on many levels.

Principles

- Cultural and functional autonomy with separate organizations
- Belonging to a minority is defined as a private matter, which is recognized by the authorities, but not controlled (˝minority is he who wants it to be˝).
- Moderating influences on both sides have prevented an escalation of problems involving minorities.
- Both countries are rich and can therefore both afford to finance relatively expensive group minority rules.
- Private party participation in politics.
- Institutionalised dialogue between governments and minorities in liaison committees, panels, etc. Equality and synchronous, reciprocal minority schemes set up by the Bonn-Copenhagen Declarations of 1955.
- The special relationship of minorities with neighbouring states, contacts and exchanges between minority and ˝mother country˝ (Kin-State) is recognized.
- With regard to the treatment of minorities, there exist, in spite of everything, unilateralism, reciprocity and balance.
- These were expanded by voluntary unilateral regulations and, among others, through the ratification and implementation of international minority agreements of the Council of Europe in the 1990s.

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DENMARK – NORWAY 1931-1933
THE DISPUTE OVER GREENLAND FROM KIEL 1814 TO THE HAGUE

Thorkild Kjærgaard

On 27 June 1931 at five p.m., the Norwegian flag was raised in Danish East Greenland. Shortly after that the Norwegian government made known that the Greenland coast between Carlsberg Fjord (north latitude 71 degrees 30´) to Bessel Fjord (north latitude 75 degrees 40´) would from then on be called "Erik the Red's Land" (named after the Viking Erik Raude) and be part of the Kingdom of Norway. Furthermore, Oslo announced that the Norwegian navy was ready to defend the new Norwegian possessions. Two days later the Norwegian annexations in East Greenland were extended by the coastal areas from Lindenowsfjord (north latitude 60 degrees 30´) to Bernstorff Icefjord (north latitude 63 degrees 40´). Altogether, the Norwegian annexations comprised a coastal route of around 800 kilometers on the sparsely populated arctic island – which is about the distance from Hamburg to Munich. How many square kilometers that was, is more difficult to calculate, but ice-free areas were about 80,000, which is about the size of Bavaria.

The Norwegian occupation of Erik the Red's Land in June 1931 was the culmination of a protracted conflict, which had begun with the peace agreement of 14 January 1814 between Denmark, Sweden, Great Britain and Russia on the Buchwaldt estate on the Danish road in Kiel. With the Peace of Kiel at the end of the Napoleonic Wars, and with the consent of Prussia and Austria, Scandinavia was reorganized by the two great powers, Britain and Russia. The 400-year-old Danish-Norwegian Union – Denmark and Norway with the three additional countries inherited from the Viking Age: Iceland, the Faroe Islands and Greenland – was thus completed. Scandinavian Norway ("Mainland Norway") was united with Sweden as compensation for the 1809 annexation of Finland by Russia. But not only were Denmark and Norway separated after 400 years, they were also reorganized internally. Greenland, the Faroe Islands and Iceland, which had been part of Norway for almost a thousand years, were taken away and attributed to Denmark because of Britain`s demands, so as to ensure that newborn Sweden-Norway would not become too powerful.

For the new small Denmark – from then on Europe's smallest independent state – managing three North Atlantic areas was a difficult and unwanted task but gradually she got used to it. Denmark – hesitantly – became an arctic nation. For Norway the loss of the three North Atlantic possessions, especially Greenland, "the jewel of the Norwegian crown", was a real tragedy, especially as the union with Sweden lasted only until 1905, when Norway became independent after a long, tough

battle – but then without the old North Atlantic possessions, which had come under Danish sovereignty. Iceland was considered a lost cause because the Icelanders had wanted their own independence anyway (and acquired it in 1944). The Faroe Islands were seen as relatively uninteresting, but it was thought that Greenland had to be brought back to Norway totally or partially! That was a long time coming, there were many sidetracks and détournements, but the direction always remained the same, until at last, in June 1931, the Norwegian flag was raised again over Greenland. The enthusiasm in Norway was boundless. Greenland – or at least a part of Greenland – had been recovered!

The Norway of the Middle Ages had been resurrected from the ruins! From the Copenhagen point of view the case was different. The Danes knew, of course, Norwegian history and were well acquainted with the needs and the ambitions of the old sister nation. But it was the year 1931, not 1031, and Greenland had in the meantime been in Danish hands for more than a century. The Norwegian annexations – despite all due respect for the Norwegian cause – meant a declaration of war. The question was how Copenhagen should respond. There were three options:

1. One could tolerate the Norwegian aggression and accept a Danish loss of sovereignty in East Greenland.
2. One could take to military action and declare war on Norway.
3. One could appeal to international law.

The first possibility was ruled out despite all the good will and understanding for Norway. Copenhagen had continually given Norway economic and other benefits in Greenland – and it was probably willing to make further concessions. But handing over sovereignty was simply out of the question, also for international reasons. In this case, even only because, according to the Monroe Doctrine of 1823, the US would not tolerate any new powers within the American sphere. Greenland is part of the American hemisphere. Denmark could not open the door for Norway without losing international credibility, not to mention the foreseeable American anger. The second option – an armed conflict with the old sister nation – was not unthinkable, but very, very unwelcome. The Norwegian king, Haakon VII, was a brother of the Danish king, and the Danes were emotionally closely linked with the Norwegians. (The Danes have much deeper feelings for Norway than vice versa.) So that left only the third option: recourse to the international legal system represented by the International Court at the Peace Palace in The Hague since 1920.

In 1931 therefore the Danish Government wasted no time to sue Norway in The Hague, and with the aid of numerous diplomats, lawyers and other interested parties and experts a two long years' trial began. The Norwegians handled the matter very skilfully and although often incomprehensible when seen from the outside, remained optimistic. In short, ancient law was pitted against modern, clear and unequivocal international rules.

At the same time the historical right of Norway, although that was never openly expressed, had to be weighed up against today's political realities and facts, especially the American Monroe Doctrine, which clearly opposes a Norwegian presence in Greenland. The US, as everybody knows, was not present at The Hague, but the transatlantic superpower had already been casting long shadows of influence since the thirties of the 20th century. Under those circumstances it was almost unthinkable that the judgment could turn out in favour of Norway. On 5 April 1933, the court decision was announced: By 12 votes to 2, it was decided that the Norwegian occupation of June 1931 was illegal under international law. Disappointment in Norway was great and bitterness against Denmark deep, at least until the end of World War II; perhaps it still exists. But it must be added that the Norwegians – apart from a few incidents during the Second World War – have never spoken of a revision of The Hague judgment. The threat of war was averted both by the Court in The Hague and the willingness of both sides to accept the decision.

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ESTONIA AND LATVIA 1991-2001
THE CONFLICT WITH THE RUSSIAN MINORITIES

Hanne-Margret Birckenbach

Estonia and Latvia, otherwise also known as Livonia and Courland, and in modern times temporarily under Polish-Lithuanian or Swedish administration, had been under Russia since the end of the 18th century. Russia granted the German Balts a special position. Only after the end of World War I did the two states, with their respective national languages Estonian (and Latvian) and farreaching cultural protection of minorities, achieve independence as democracies, mediated by the League of Nations. That only lasted until the Soviet gradual but systematic invasion from October 1939 onwards on the basis of the Molotov-Ribbentrop Pact. During the German War on Russia from 1941 onwards, Estonia and Latvia were also occupied by German troops but in the autumn of 1944 they were recaptured by the Red Army. In 1945, both countries became part of the Soviet Union as Soviet republics. Nationalist Latvians and Estonians regarded themselves as being under permanent occupation in the period between 1945 and 1991. During this period, the proportion of Russian-speaking population grew to a total of about 40% in both Soviet republics, especially in the cities.

1. The Situation at the Beginning of the Post-Soviet Era

In 1991, the three Baltic states of Estonia, Latvia and Lithuania had regained their independence from the Soviet Union nonviolently in the socalled "singing revolution" Consequently the Estonian and Latvian governments decided to treat those people as foreigners, stateless persons or noncitizens. This also applied to their descendants. Bilingualism was abandoned in favour of the Estonian and Latvian languages. That decision affected 30-40 percent of the population and resulted in a triangular and continually escalating conflict configuration. This occurs when countries pursue a policy of nationalization, marginalize minorities and when, at the same time, there is the presence of an external protector state.

Several interrelated themes – especially citizenship, language and interpretation of history – were and are contentious among the three unequal core parties. From the perspective of Estonia and Latvia, the decision was made in the legitimate interest of national security, to defend themselves against Russia. From the perspective of the predominantly Russian-speaking and marginalized minority, that was a discriminatory interference in their way of life. From the Russian perspective, it meant a breach of a contractual agreement that had granted all residents the right to opt either for

the citizenship of the new Baltic state or to opt for Russian citizenship until 2001. Russia also criticized the violation of human rights of citizens whose national identity had become uncertain in the course of the boundary changes and assumed a protective role over them. Internationally, this development was seen as a threat to the stability of the new states, to their foreign relations with Russia and to the transition into a new European order. Countries responded with a broad sweep of preventive diplomacy. That was possible because the multilayered conflict arose at a time in Europe when international relations between East and West were relatively cooperative. Although Russia denounced the exclusion of the Russian-speaking population and linked the issue to the withdrawal of her troops, she behaved in a constructive way by calling on the OSCE to act. Although Estonia and Latvia saw this as potentially damaging their reputation, they did not refuse the involvement of international organizations, as both countries sought international support to consolidate their rule. Thanks to the support of a well organized exile population in the US, in Sweden and in Germany they were able to successfully lobby for their cause. At the same time neither the US nor other Western states had an interest in a confrontation with Russia in the Baltic region. All had an interest in the success of prevention efforts.

2. The Prevention Agencies

The range of organizations participating in the containment of conflict (conflict transformation), each with their own independent focus, included government as well as nongovernmental organizations and extended to the United Nations, the Organisation for Security and Cooperation in Europe (OSCE), the Council of Europe, the European Union, the European Bank for Reconstruction and Development, the Council of Baltic Sea States and to human rights groups such as Helsinki Watch, the Helsinki Group of the Council for Security and Cooperation in Europe (CSCE), minority rights groups, the Fédération Internationale des Droits de L`Homme and the Carter Center in Atlanta. The High Commissioner for Human Rights and the United Nations Development Program (UNDP) were active for the United Nations (UN) in particular. The Organization for Security and Cooperation in Europe (OSCE) sustained a long-term mission in Estonia and Latvia from 1993 to 2001. Furthermore, the Office for Democratic Institutions and Human Rights (ODIHR) was involved. The most dynamic person seemed Max van der Stoel, former

Foreign Minister of the Netherlands, as the OSCE High Commissioner on National Minorities (HCNM). He called for the support by the "Foundation on Inter-Ethnic Relations", a non-governmental organization (NGO) in The Hague, which he himself had founded. The Council of Europe and its Parliamentary Assembly brought to bear their expertise in the field of human and minority group rights. Also noteworthy is the commitment of the Commissioner of the Baltic Sea Council, the former Danish Minister of Justice, Ole Espersen.

3. Measures Implemented

All those actors pursued specific approaches for conflict prevention, but all were based on a wide range of soft power activities: fact finding, mirroring the findings to stakeholders, continuous contact with all sides through visits, letters, deployment of short- and long-term missions, conferences, Round Tables and integration projects. Sustained efforts were made to advise the players by means of information sharing, dialogues on assessments and evaluations to arrive at recommendations. So the OSCE convinced the Estonian government not to hinder a referendum on territorial autonomy in the Russian-speaking cities of Narva and Sillamäe in Northeast Estonia, which it had regarded as unlawful, but to have it supervised by international observers. The OSCE said the government should look that the recommended project be considered as an exercise to grant to people the opportunity to express their feelings and concerns nonviolently and to view the outcome of the vote just as an opinion poll. The European Union exercised pressure during the preparations for the accession negotiations by insisting that Estonia and Latvia accept at least some recommendations of the international organizations.

4. The Duration of the Prevention Efforts

The prevention efforts in the strict sense were drawn out over 10 years. The European Bank for Reconstruction and Development sent the first fact-finding mission in October 1991. The OSCE long-term missions to Riga and Tallin were withdrawn in 2001. However, the interethnic relations in both countries continue to be themes for discussion at the annual Ministerial Council of OSCE as well as the monitoring, which the European Council provides for its conventions. But in the West, with increasing integration into the NATO and EU structures, the interest in finding a balance among all parties

to the conflict through preventive diplomacy by international organizations came to an end. After the inclusion of Estonia and Latvia into NATO and the EU had been decided, both countries were keen to end international prevention activities in their countries. Estonia and Latvia signed the European Framework Convention for the Protection of Regional and National Minorities, but not the European Language Charter. NATO and EU, ignoring objections from Russia, deemed their combined growth to endow them with the necessary strength to control the persisting national conflicts with the Russian-speaking minority. Engagement in preventive diplomacy in the strict sense was cancelled. Still the original conflict themes are constant points of contention within the two countries. But they are now mostly carried out partly in national courts, and partly in the European Court of Human Rights and, as far as relations with Russia are concerned, in the EU and the OSCE.

5. What was Achieved?

Both cases are considered to be prime examples of the efficiency of preventive diplomacy in driving forth conflict transformation. The visible success consisted in defusing the conflict, not in solving it.
Conflict behaviour of all the actors could be kept below the threshold of direct violence. Feared deportations or even expulsions and violent reactions from the affected minorities and Russia could be avoided. As long as prevention efforts continued, the intensity of the conflict always remained below the threshold of violence. Even later, according to the criteria of the Heidelberg Conflict Barometer, it alternated between stages 1 and 2 (latent and manifest conflict). In Estonia in the post-conflict stage in 2007, however, the conflict escalated into stage 3 (violent crisis). Protests against the relocation of a war memorial from the Soviet era were crushed by Estonian police. More than 1,000 protesters were arrested, many people were injured, one protester was killed. In Moscow, a government-affiliated youth organization responded by a week's occupation of the Estonian Embassy, without the Russian government following its duty to protect. Furthermore, Estonian institutions, banks and TV stations were faced with massive disruption of their electronic communications. In 2008 Russia confirmed her intention to protect the interests of ethnic Russians abroad.
During the prevention phases all actors could be motivated to make compromises. Latvia and Estonia accepted on principle

that non-citizens must be given the opportunity to become citizens. Procedural issues, implementation provisions and exceptions remained controversial, as e.g. the documents required for naturalization, the knowledge of language and history, and the fundamental question whether there was any discrimination.

Direct influence was exercised by the Council of Europe and the OSCE on the Estonian Aliens Act and the Latvian Citizenship Act. The Presidents of the States refused to sign the laws previously adopted by the Parliaments, referring to the objections of international organizations. Thereby, they achieved reformulations in which the concerns were at least partially taken into account. Even non-citizens now have the right of residence, of travel options, and are entitled to work permits and social benefits. The path to naturalization has been opened, the demands concerning knowledge of language and history have been reduced for the elderly and disabled, and Russian-speaking inhabitants have the right to an interpreter in court. In one aspect, non-citizens are now even better off than Estonian, Latvian or Russian citizens. They enjoy visafree travel when going to either Russia or the European Union.

6. Favourable Factors

The activities for preventive diplomacy took place in favourable circumstances. International organizations had dealt with the independence movement and its military consequences, even before the conflict arose. For the first time, too, the view was uttered in their debates, that minorities should no longer be seen as a problem but as an opportunity.

A variety of civil society and international organizations were involved, whose staff cooperated closely, and formed a community of experts. In Estonia and Latvia on a societal level a culture of nonviolence could be relied on, overarching the ethnic differences which had developed during the independence movement that was known as the "singing revolution". At the same time international organizations were given a hitherto unknown appreciation and practical support of their policies. The Second Gulf War in 1991 on the one hand, and the escalation of violence in Yugoslavia on the other, strengthened the idea to understand conflict intervention as conflict containment. Advantage could be taken of the already existing and accepted institutions and methods, they could be expanded and they achieved successes. The fact that in 1992 the Swedish Foreign Minister Margaretha af Ugglas

took the chair of the CSCE Council and got the mandate to develop a strategy of preventive diplomacy, also contributed to success because of Swedish interests and competences in the Baltic Sea region.

Finally, the international organizations were able to make their engagement useful in some way for all actors involved. They helped Estonia and Latvia to defend themselves against Russian accusations, to adapt laws and institutions to international standards, and to raise financial resources to implement reforms. They supported Russia's domestic policy with their clear dictum that forced repatriation of non-citizens to Russia would be illegitimate. So they refuted rumors about expulsions or deportations. That dictum could also calm down non-citizens largely, especially as the compromises reached, as e.g. the right of residence, work permits and social care for the difficult everyday life in a post-communist society, were clearly felt to be much more important than practicing the right to vote and to be elected.

Some Western countries like Sweden, but also the Federal Republic of Germany, relieved the international organizations not only of domestic pressure, but also of the expectations from Estonia and Latvia to adopt their position towards Russia. All the actors, the states concerned as well as the emerging local and transnational NGOs, were provided with detailed and basically the same information through non-partisan reports. That has counteracted both asymmetries in access to information and the emergence of rumours that might have become political controversies. That mainly applied to OSCE and the Council of Europe.

7. Hindering Factors

European preventive diplomacy during the 1990s had an experimental character in many respects. It attracted interest among West European diplomats, some experts in international law and social scientists, but was not necessarily a subject for discussion in all European states. All direct actors in the conflict followed a statecentred understanding of politics, not being able to understand the concept of Preventive Diplomacy nor the liberal pluralistic view of the world that formed the basis of it. That was because especially in the East European societies there were no ideas about policies of peace apart from the regulations of international law. To the people in the young states of Estonia and Latvia the idea of mediation seemed hardly plausible, even menacing. They were confronted by the international organizations with re-

commendations for minorities, citizenship and foreign policy that made no sense in their view of the world nor did they find established West European countries orientated towards them when it came to assuring their own interests. Therefore, the endeavours to undertake preventive diplomacy suffered from a credibility gap.

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INDONESIA 2004
THE PEACE PROCESS IN ACEH PROVINCE

Saskia Thorbecke

The Indonesian province of Aceh lies northwest of the island of Sumatra and has large underground oil and gas reserves. Under the colonial influence of the British and the Dutch the Sultanate of Aceh preserved its autonomy for a long time. In 1874, however, Dutch troops captured the Sultan's residence and thus began the political restructuring of the province. Resistance to colonial rule continued in the following decades. The region could not be pacified. During World War II the Japanese army occupied the island of Sumatra from 1942 to 1945. With Indonesia's independence in 1949, Aceh hoped for regional autonomy. Yet instead, Indonesian troops occupied the province. Aceh became part of the province of North Sumatra.

In 1953 revolts ensued, and Aceh joined the Darul Islam-rebellion that spread mainly through West Java and South Sulawesi.

The aim of the rebellion was to gain autonomy, not separation. When the Darul rebellion ended in 1962, Aceh was promised more administrative autonomy. However, the promised changes never eventuated. The New Order of the Indonesian regime under President Suharto in 1966 continued the exploitation of Aceh and intensified centralization. On 4 December 1976, Hasan di Tiro, a leading Darul Islam activist, declared Aceh's independence from Indonesia. It laid the foundation for the conflict over separation from Indonesia, which lasted until 2005.

The quest for autonomy, however, was hardly one based in mere ideologies. The liberation movement of Gerakan Acheh Merdeka (GAM) aimed at establishing economic structures, challenging corruption and strengthening communal life. Their leading members, who came from middle and upper classes, were well educated. They ran small shops and were mainly traders. Hierarchies and organizational structures were linear and democratic. The number of lightly armed members of the GAM was very small compared with its unarmed supporters. Hence internationally GAM was not considered as a terrorist organization. Yet the Indonesian government with its repressive tactics destroyed GAM. In late 1979, the leaders were killed, imprisoned or had gone into exile. From 1985 onwards militarily oriented forces of GAM in Libya trained recruits in the use of arms.

In 1989 the armed guerrilla struggle in Aceh began with 1000 to 2000 people. However, the guerrillas were not able to grow in numbers. The new President Habibie withdrew the Indonesian forces in late 1998. The military arm of GAM was almost completely destroyed, but could recover rapidly

through massive support by the population. In 1999 violent struggle started again. In the late 1990s in addition to military actions, while living in exile in Sweden, di Tiro, with the support of the Swedish government started peace talks with Indonesia. So in the period between 2000 and 2004 up to 50,000 Indonesian soldiers were temporarily stationed in Aceh. In December 2002, the Cessation of Hostilities Agreement (COHA) was signed, which was sustained for just a few months. Between 2002 and 2004 GAM had lost half of its members through Indonesian offensives.

The destruction caused by the tsunami on 24 December 2004 changed the situation fundamentally. A few days after the disaster, GAM declared a unilateral ceasefire. Indonesia followed suit and opened the borders with Aceh, which had been closed since May 2003, to allow access for international media and humanitarian organizations. The tsunami did not only bring the natural disaster to the attention of the world media, but also the destruction caused by the conflict. Both parties accepted the invitation for peace talks offered shortly before the tsunami by the Finish non-governmental organization, the Crisis Management Initiative (CMI). After five rounds of talks under the mediation of former Finnish president, Martti Ahtisaari, the Indonesian government and GAM signed a Memorandum of Understanding on 15 August 2005. The peace agreement was an expression at the local level of the beginning of Indonesia's democratic development.

In the peace deal partial political autonomy was agreed upon. For Indonesia, the concession of local autonomy meant a change of its highly centralized administrative system. Thus, the agreement enabled the establishment of local parties and candidature for political office in Aceh. At the end of 2006, Irwandi Yusuf won the elections in Aceh, whose political basis was comprised of former GAM supporters. As a consequence of the Memorandum, the Aceh Monitoring Mission, led by the EU, supervised the successful disarmament of GAM.

In February 2007, the political assembly in Aceh decided to establish a truth commission to investigate human rights violations by both GAM and the Indonesian military. In its work not only compensation for affected families became important, but also mutual recognition and social reconciliation after the years of war was given attention. Several workshops on the workings of the International Criminal Court and on the general understanding of human rights were held in the capital of Aceh with the support of Canada and Norway as part of the Indonesian Plan of Action for

Human Rights.

With the establishment of the political party, Partai Aceh, in 2008, the transformation of GAM into a political player was completed. In the 2009 elections, the Partai Aceh won 33 of 69 seats in the regional parliament.

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MACEDONIA 2001
MINORITY RIGHTS FOR THE ALBANIAN POPULATION

Saskia Thorbecke, Reiner Steinweg

Since 1946 Macedonia had been the southernmost republic of the Socialist Federal Republic of Yugoslavia (SFRY). After the disintegration of Yugoslavia, Macedonians voted for independence in a referendum on 8 September 1991. The Republic of Macedonia was the only Yugoslav successor state that succeeded in achieving independence almost without violent clashes. In 1992, at the request of President Kiro Gligorov, UN peacekeepers were stationed in Macedonia to prevent an extension of the Yugoslav war into Macedonia and to deescalate border disputes with Greece. In addition, since the end of 1992, the OSCE undertook regular fact-finding missions to Macedonia and established the Spillover Monitor Mission to Skopje, in order to observe external and internal threats to the long-term stability of Macedonia and to investigate incidents.

Nevertheless, the national conflict between Slav Macedonians (64%) and the Albanian minority (25%) grew in intensity. It was ignited mainly due to the lack of political representation and the lack of educational opportunities held in the Albanian language. It came to violent clashes during the deemed illegal establishment of the "Albanian Tetovo University" and the raising of the Albanian flag on public buildings by the Democratic Party of Albanians.

In January 2001, clashes between Macedonian security forces and Albanian guerrillas almost reached the dimension of civil war. The Albanian Liberation Army in Macedonia (KLA) aimed at the forceful integration of Albanian settlements in Macedonia into Kosovo. The large international presence, the assumption of the role of coordination and/or the handling of mediation by the European Union, NATO and the United States, as well as OSCE reports from the affected areas of conflict, had a positive effect on the talks between the conflicting parties.

The violent conflict was settled in November 2001 with the Ohrid Framework Agreement. Relevant mediators of the Agreement were François Léotard and Javier Solana (EU), George Robertson (NATO), James W. Pardew (USA) and Jaime Gama (OSCE). It provided, among other things, the possibility for minority votes in parliament therefore allowing greater participation of the Albanian population in the decision-making process – even in changing the constitution. Furthermore, it assured legal right of use of the Albanian language in communication with regional and central authorities and an increase in the number of Albanians in the police forces and the army. From then on, the principle of double majority was introduced into the Macedonian Parliament, that is, in general elections both Slavs and Albanians determine their own parties representing them in Parliament by a majority.

In the following years the first not yet legally binding agreements to improve Albanian minority rights were implemented by Parliament. The Albanian population was recognized in the Preamble of the Macedonian Constitution as a state forming people. In 2003 a decree gave the Albanian State University of Tetovo legal status. The Albanian language was recognized as a working language in Parliament. In Albanian dominated districts it became the second official language. In addition, local government was strengthened and the proportion of Albanian Macedonians in state institutions and in administration was increased.

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NAMIBIA – SOUTH AFRICA 1989
THE APRIL CRISIS AND HOW THE TRANSITION PROCESS
IN NAMIBIA WAS RESCUED

Reinhart Kößler

History

The former German Southwest Africa, presentday Namibia, was turned over to South Africa in 1920 as a League of Nations C-mandate. After the establishment of the United Nations, South Africa did not recognise the trusteeship status and its occupation was subsequently declared illegal under international law. The UN claimed direct jurisdiction which however was not enforceable. Besides waging war against SWAPO, the leading organisation within the Namibian national liberation movement, South Africa followed a strategy of unilaterally declared independence to create a dependent, not internationally recognized regime in Namibia. Through the initiative of the Western Contact Group (US, UK, France, Canada and West Germany) the United Nations decided on a transition plan (Security Council Resolution no. 435) in the spring of 1978, which however, was not enforceable at that time.

The Delay and Implementation of UN Resolution 435

The South African delay tactics were aided by the Reagan adminis-tration's joint solution for the Namibian question and the presence of Cuban troops in Angola. In 1988 military setbacks in Angola and the actual uprising against apartheid in much of the country forced South Africa to give in. The military arm of the South West African People's Organisation (SWAPO) was heavily involved in the liberation struggle. Although recognized in the United Nations as the sole representative of the people of Namibia, the SWAPO was not included in the talks. A treaty negotiated with Angola and Cuba resulted in the withdrawal of the Cubans and the implementation of resolution 435. In the, till then, largest UN mission, the United Nations Transition Assistance Group (UNTAG), both German states participated with police contingents. The special representative of the UN heading the UNTAG, Martti Ahtisaari, was formally the highest authority during the transition phase and still is, even though South African administration persists today. A Tripartite Agreement to prepare for democratic elections regulates the presence of the armed forces on both sides (South Africa and the People's Liberation Army of Namibia – PLAN) in some respects, under the supervision of UNTAG. That agreement was based on the assumption – which differed from SWAPO's claims – that the PLAN forces were stationed almost exclusively in Angola.

The April Crisis

When surprisingly hundreds of heavily armed PLAN fighters appeared in the northern regions of Namibia, in order to participate in the upcoming demobilization process, the South African authorities considered this as a breach of the armistice. Since the envisaged strength of UNTAG had not as yet been reached, Ahtisaari gave in. He authorized the engagement of the South African Army which was already concentrated in its military bases. As a result, nine-day-long fighting started which massacred hundreds of PLAN fighters. For over a period of more than ten years afterwards mass graves were found in northern Namibia.

The April crisis seriously questioned the transition and peace process. However, this was resolved during intensive discussions especially between officers of the different forces in a remote but luxurious guest facility at Mount Etjo in the stunning mountains of the Erongo. There formal negotiations were placed in the background: instead informal, even casual conversations and contacts took pride of place. The groundwork had already been laid and well rehearsed under the direction of the U.S. in the tripartite negotiations between Cuba, Angola and South Africa.

The Result of the Talks and its Prerequisites

Finally, the following arrangements were agreed upon: the parliamentary majority and the assumption of government were conceded to SWAPO as the expected result of the imminent elections. At the same time, fundamental rights and in particular property rights, including employment in the public service, were to be protected by the Constitution. Yet that did not mean that after Mount Etjo all the problems had been overcome.

A prerequisite for the agreement was that a military confrontation in 1989 was not a viable option either for the Apartheid regime nor for SWAPO. The continuation of the transition process was unmistakably in the interest of the two relevant parties. Socioeconomic continuity signalled limited cooptation of black elites into the context of a continuing privileged society rooted in colonial structures, which is marked, up to the present, by the highest social inequality worldwide. That meant that the successful transition process which resulted in a Constitution widely acclaimed as exemplary, could also be seen as an arrest of social contradictions. A quarter of a century later, there is a real possibility for these

contradictions to erupt once more. This would call for a new dispensation.

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NORTHERN IRELAND 1976-2007
HOW THE CIVIL WAR WAS BROUGHT TO AN END

Angela Mickley, Frieder Schöbel, Reiner Steinweg

The Causes of the Conflict

The development of the conflict goes back to King Henry VIII. The creation of the Anglican Church with the king as head of government made Catholics potential enemies, as they did not recognize the ruler of Great Britain as a spiritual leader. That was the first line of conflict.

The second line resulted from the steady growth of reform-oriented Protestantism on the Continent. To it belonged in the main what are today's Presbyterians and Quakers, who were opposed to both the Catholic and the newly founded Anglican Church. During the course of the internal English conflict, their members were settled in British-controlled Ireland and were often given the land of the Catholic nobility. This policy, conceived as a stabilization of a troubled region, laid the foundations for intensified conflicts arising after the Acts of the Union of 1800.

Not until 1829 did Catholics gain active and passive suffrage. It was achieved through a campaign by the Irish lawyer Daniel O'Connell (1775-1847), who, by constitutional, i. e. legal and nonviolent methods, initiated and led a mass movement lasting almost 20 years. The aim was Catholic emancipation and, after the success of 1829, political independence of an Irish state from Great Britain.

During the constitutional mass movement, violence had almost completely disappeared from the political conflict. The Irish population declined from eight to five million because of crop failures due to potato rot, hunger, disease and emigration. At the end of the 19th century the British Parliament decided to release Ireland to independence. But that decision was not implemented by the executive. Repeated demands, several violent acts and even the Easter uprising in 1916 did not change anything. British soldiers returning from the First World War were used in a violent "pacification" campaign in order to prevent Irish independence, which was being increasingly demanded.

After the general elections in 1919, the majority of the Irish deputies assembled in Dublin instead of Westminster, again demanded independence. Northern Irish Protestants, who had been heavily armed since 1906, threatened to seize arms in the event of Irish independence being granted. A British commission divided the province of Ulster in Northern Ireland in a way that Protestant candidates could be guaranteed a two third majority. Shortly afterwards, the independence war began (1919-1921) and after that a one-year civil war in the whole of Ireland (June 1922 - April 1923) between supporters and opponents of the Anglo-Irish Treaty of 6 December 1921, which resulted in an Irish Free State. But only 26 of the 32 Irish counties joined it.

After almost 40 years of relative peace, at the end of the 1960s there again rose new and lasting unrest in Northern Ireland, which led to the British Army being deployed to Northern Ireland. Finally, in 1972 the parliament and the regional government of Northern Ireland, which was dominated by Protestant Unionists, were suspended, and Northern Ireland was placed directly under the control of the London government.

On 8 March 1973, in a referendum on the nationality of Northern Ireland a majority voted to remain in the United Kingdom. However, the great majority of Catholics had boycotted the vote. The conflict continued.

Steps towards Peace

In August 1976, a fleeing soldier of the Irish Republican Army (IRA) was killed by British soldiers. His car, then without a driver, ran into a group of walkers, killing three children of one family and their mother. Her sister Mairead Corrigan as well as Betty Williams, a witness of that 'accepted' hazardous accident, consciously restrained from blaming nor laying guilt on anybody in their speeches on the radio. Together with the journalist Ciaran McKeown they founded the "Community of Peace People". They organized a big demonstration of some 10,000 members of the two denominations demanding an end to violence.

A peace rally and peace demonstrations everywhere in Northern Ireland followed, organised by the two women, Mairead Corrian and Betty Williams. To those demonstrations were added interventions in situations of violence, preventive analyses of conflicts, and the establishment of local competences for deescalation, non-violent action, peace education and cultural changes (e.g. foundation of interconfessional schools). The two women travelled around half of the planet in order to campaign for their approach. In 1977 they were awarded the Nobel Peace Prize.

Members of the Peace Community came from Catholic, Protestant and mixed confessional communities, from the traditional peace movement, and of all generations. Even children and paramilitaries were among them. At the local level the majority of the women came from all walks of life and denominational classes. In addition, there were interested foreigners, mainly from the USA, who wanted to

support the nonviolent movement and contributed a lot to the methods.

Work consisted of dialogue forums and offensives for dialogue of different formats aimed at the more radical representatives of Northern Ireland politics, members of the British army and the northern Irish police (Royal Ulster Constabulary / RUC) as well as at the illegal (para-)military groups such as the Ulster Defence Association (UDA), the Ulster Volunteer Force (UVF), the Irish Republican Army (IRA) and the Provisional IRA.

There were activities on the micro-, meso- and macropolitic level with different objectives:

- The micro-level: Local peace groups got into contact with other confessional groups ("have a cup of tea together"), made peace work and excursions with children and adolescents, organized joint swimming lessons and / or founded a youth farm for mixed confessional work.

- The meso-level: Cross-denomination and cross-party groups for "peace-making in Northern Ireland" were founded; in schools, as well where teachers got involved.

- The macro level: They tried to win international sponsors for peace work, organized multiconfessional peace camps for youngsters and fixed the role of Irish-born Americans: no financial support for the armed struggle any longer, information on the use of the donated money.

Those actions were supplemented by attempts to limit paramilitary actions, by work with victims of violence, by teaching the historical background, and by encouragement of tolerance.

Preventive trainings in nonviolent struggle, in effective standing up for one's interests, and in the development of sustainable consensual ways of decisionmaking were offered. Those trainings took place at parties, in peace groups and for paramilitary groups. Concentrated courses lasting several weeks, attracted sponsorship from other countries.

The Good Friday Agreement and the Referendums in 1998

All these activities created the presuppositions for the Good Friday Agreement in 1998. Among other things, it provided the following regulations:

- The government of the Republic of Ireland renounces reunification with Northern Ireland.

- Paramilitary groups declare their willingness to disarm.

- The British Government announces the reduction of their troops in Northern Ireland.

- Political prisoners are released.

- A joint commission is formed which shall investigate the fate of the 'vanished', i. e. of people who were murdered in unknown places.

The treaty was accepted by two referendums, in the Republic of Ireland by 94%, in Northern Ireland by 71% of the votes cast.

The End of the Conflict

In July 2005 the IRA declared the end of the armed conflict. In January 2007 Sinn Fein recognized the Northern Irish Police. In May 2007, the protestant Ulster Volunteer Force announced to renounce their use of violence in the future. The Ulster Defence Association joined them in November of the same year. At the end of July 2007, after 36 years, the British Army ceased their engagement in Northern Ireland.

To date, smaller paramilitary groups maintain their readiness to fight. Not all problems have been solved, but since the Good Friday Agreement and the consequent assurances of the larger battle units, the prospects of resolution are good. So far, in the past decades, renewal of the civil war could be avoided.

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PERU – ECUADOR 1998
A CREATIVE PEACE TREATY FOR A CENTURIES-OLD CONFLICT

Therese Bachmann

Prehistory and Background of the War of 1995

The dispute over the border between Peru and Ecuador is not only the most protracted of its kind in Latin America, but it also contributed to the outbreak of several wars between the two nations. They were based mainly on disputed territorial claims. During the colonial period, the subdivisions into different administrative units were never clarified. After the independence from Spain and the split into today's nation states, that open problem triggered massive conflicts. Already in 1858 the first war between Peru and Ecuador was started. Even after the official end of the war in 1860, incidents still happened. These reached the next martial climax in 1941, which ended with a significant defeat of Ecuador. Overall, Peru could not only rely on stronger military, but also on much stronger economic power.

In contrast to the conflict with its southern neighbor Chile, Peru was able to enforce significantly more of its demands in the dispute with Ecuador. The disputed area itself is still sparsely populated and comparatively insignificant economically. However, the dispute is not just a territorial conflict. Questions of identity also play a role: both states see themselves as both Andean and Amazon states. A loss of access to the Amazon would be unacceptable to both countries. But that was exactly what was at stake for Ecuador. It meant that despite less capacities Quito started war against Peru several times.

Under regional mediation, diplomatic efforts had been made over and over again to bring about a peaceful settlement of the conflict. After war had been started again in 1941 and Ecuador was temporarily occupied, the United States, Brazil, Argentina and Chile joined together as mediators on the scene. As a result of the negotiations, the Rio Agreement was signed in 1942. They also played a key role in the implementation of this pact as guarantee powers. In addition, the treaty redefined the border lines and initiated steps to demarcate them. Nevertheless, the agreement was never fully implemented.

Ecuador's governments felt disadvantaged. They regularly called for the agreement to be annulled and blocked the implementation of the final demarcation. In contrast, Peru insisted vehemently that all agreements be enforced without restriction, although it turned out that the controversial Río Cenepa, which had previously been designated as a border river, runs much farther north than assumed initially. Quito felt they had been cheated, arguing that thereby Peru had

received an unfair advantage that needed to be compensated. Therefore, in spite of various contracts and declarations, stable peace never developed until 1995. After the discovery of Ecuadorian positions on Peru's reclaimed territory in the border region during a routine flight by the Peruvian Air Force, it came to the Cenepa War in 1995. The government in Lima ordered the destruction of the settlements. For that, in the beginning, only a small contingent of the army was put into action. However, full mobilization of the armed forces was initiated in both countries.

The Peace Agreement of 1998

The mobilization prompted the guarantee authorities of the Rio Pact mentioned above, to move both states to withdraw troops from the contested area. There followed a renewed round of negotiations.

Three years later, on 26 October 1998, the Presidents of the two countries, Jamil Mahuad (Ecuador) and Alberto Fujimori (Peru) signed the Brasília Act, ending the phase of the largest engagement of the US, Brazil, Argentina and Chile.

The peace treaty provided for compromises on all essential issues. So they agreed on the final demarcations in the Cordillera del Cóndor according to the proposals of the previously established Expert Commission. In addition a demilitarized, binational and jointly managed nature reserve on both sides of the border was established. Ecuador's government also got full access to Tiwintza, a small enclave on otherwise Peruvian territory. The latter includes the right to set up a memorial in memory of the soldiers who died in 1995.

Contrary to all expectations, there has been a considerable rapprochement between the two neighbors since then. After twenty years of stability without any further military incidents, it can be fully asserted today that the transformation of the conflict has succeeded. What substantial differences can be identified in comparison with previous efforts?

Factors that Played a Role in Ending the War and the Peace Negotiations

Several factors at different levels have been conducive to the sustainability of the 1998 Agreement:
• The end of the Cold War and increased awareness of global interdependencies in the wake of globalization; nationalism had become increasingly obsolete in that context.
• After large parts of South America had been ruled by partly

repressive military dictatorships in the 1970s and 1980s, the subsequent wave of democratization, which also affected Ecuador and Peru, promoted the emergence of new norms and preferences. This is also expressed in closer trans-national contacts at the community level, so that in both societies border conflicts were increasingly perceived as a relic of earlier times.

• This was accompanied by stronger support for a definitive peace agreement in civil society. The guarantor powers of the Rio Agreement also increased political pressure: facilitated by better regional cooperation, they coordinated their actions towards the governments in Lima and Quito. The overall greatly improved regional relations should not be thwarted by the conflict. For example, it was decided to send the first regional peacekeeping force into the disputed area. Brazil, in particular, as the coordinator of the group of guarantor powers, gained credibility in their forreign policy from that behavior.

Economic considerations also played a significant role: the border regions on both sides are among the best developed areas socioeconomically. In fact, significant economic relations had not existed before. As a result, increased cooperation at regional level fuelled hopes of stimulating growth through increased trade across borders. In addition, especially for Ecuador, a renewed war would have aggravated the already huge financial problems.

Johan Galtung's Role

At first glance, therefore, the still stable peace treaty of Brasília appears to be the result of purely diplomatic efforts. However, a person outside the diplomatic corps played a special role in the conclusion of the peace treaty: The Norwegian Johan Galtung, founder of the first peace research institute in Europe in 1959 (Peace Research Institute Oslo). He had been invited as an informal mediator. A detailed analysis of the conflict provided the basis for his subsequent proposals for compromise. Galtung therefore first sought the dialogue with all the parties involved. This resulted in the innovative idea of founding a Nature and Peace Park on both sides of the border. The proposal appears retrospectively simple and yet it contributed significantly to the transformation of the conflict. The mountain range of the Cordillera del Cóndor, located in the border region between Ecuador and Peru, is not only a weak region on both sides socioeconomically, but also home to several indigenous peoples and an enormous biological

diversity. The establishment of the first nature reserves, which are part of the agreement, has enabled much stronger bilateral cooperation and integration between the two states. Several bi-national technical commissions were formed under the umbrella of the Ecuadorian-Peruvian Neighborhood Commission. Those deal with the planning and elaboration of plans for other nature reserves as well as with the joint administration and monitoring of existing ones. The common task of preserving biodiversity in the border region thus connects both countries and has contributed to closer contacts, which have had a positive effect on the consolidation of peace. Of course, there is also controversy in this field, but in Johan Galtung's words „no state makes war for some trees".

Not only does the Cordillera del Cóndor ecosystem benefit from those efforts. Constant economic growth and trade flows that have multiplied since 1995 allow the inhabitants of the border regions to profit directly from the peace agreement. Social contacts have also become significantly stronger in the last 20 years, which further reduces the likelihood of another war.

Finally, it is the combination of various factors - political, economic and social - that make a war extremely unlikely today. This is also confirmed by the conflict over a border wall along a canal near Zarumilla on the Pacific coast, whose construction was begun by Ecuador in mid-2017 to prevent illegal activities such as smuggling between the two countries. It triggered a serious diplomatic crisis. Direct negotiations, however, led to success and eased the situation.

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ROMANIA - HUNGARY 1990-2007
APPROPRIATE TREATMENT OF MINORITIES

Helmolt Rademacher

In Romania, Hungarians represent 7.1% of the population, the largest ethnic minority. Their presence is particularly great in the region of Transsylvania – also called Siebenbuergen. Over the centuries frequent violent clashes flared up. In between, however, there were also periods of peaceful coexistence.

Transsylvania is a region where different ethnic groups have been living together for centuries: apart from Romanians and Hungarians also Germans, i.e. Transsylvanian Saxons and Jews. Until the 17th century Transsylvania was part of the Hungarian state. After that it became an autonomous province in the Austro-Hungarian Empire. In 1920 Hungary had to cede Transsylvania to Romania in the Treaty of Trianon. Since then both Romanians and Hungarians have held the view that that region had originally been populated by them and it therefore belonged to them.

Initially, after World War II, a very tolerant minority policy was pursued. The situation worsened in the fifties, when more and more rights were taken from the minorities. After the end of the communist era in 1989, conflicts were fuelled on the Romanian side by groups such as Union Vatra Românească, and on the Hungarian side, by the first Prime Minister József Antall (1932-1993), in which the latter exerted direct influence on the Hungarian minority in Romania.

The Bones of Contention

The Hungarian minority saw their cultural identity suppressed and complained that their minority rights were not respected. They demanded more administrative and cultural autonomy in regions mainly inhabited by Hungarians, especially with regard to educational issues.

The Romanians accused the Hungarians of wanting to secede from Romania, thereby making Transsylvania part of Hungary. They emphasized the unity of the country and expected a clear signal to distance themselves from any secession of those territories.

In the early to mid-90s, the mood in the region was determined by primitive nationalism (Kostecki 2002, p. 22). Ethnic tensions between Romanians and Hungarians reached their peak in April 1990 in the town of Tirgu Mures when the nationalist Romanian Union Vatra Românească raided the office of the Hungarian minority party UDMR (English abbreviation DAHR = Democratic Alliance of Hungarians in Romania). There were violent clashes with fatal casualties.

After the premature death of József Antall in 1993 peaceful ways were found, which defused the conflict significantly and led to a relatively stable situation. This was achieved by regular communication between the representatives of ethnic groups and from 1996 onwards by including the UDMR into the national government in Bucharest.

Success Factors

What are the success factors explaining why after the extreme violence of 1990 and the quite tense situation until the mid-1990s, led to a relatively stable solution being found? What are the "lessons learned"?

An essential factor was Romania's interest in integrating with Western alliances, i.e. the EU (membership since 2007) and NATO (since 2004). In particular, the Council of Europe demands human rights standards including appropriate treatment of minorities.

In 1993 Romania became a full member of the Council of Europe, although not all requirements had been fulfilled. In this context, a control mechanism was established to verify progress in the implementation of the European Convention. In 1995 the Government of Romania signed the Convention for the Protection of National Minorities.

From the mid-90s onwards, more moderate political forces prevailed. The parliamentary elections in 1996 were won by the liberal opposition parties. They allowed the Hungarian minority party UDMR to enter government. Thereby the UDMR occupied important positions in institutions for the implementation of minority rights. In 1997 the Department for National Minorities was established whose director became a permanent Cabinet Member. Another measure of 1998 was the establishment of an Interministerial Committee for Ethnic Minorities. Laws were revised with regard to the strengthening of minority rights, inter alia, by allowing local self-government. The language of the Hungarian minority was declared as the official language in Transsylvania (Siebenbuergen) as well as allowing bilingual road signs in mixed ethnic communities. Education of minority groups was improved, inter alia, by bilingual schools and the establishment of a Hungarian department at the University of Cluj.

Stabilization

As of 1996, a process of administrative decentralization was started, which allowed more regional autonomy.

The relationship between the states of Hungary and Romania – mainly due to the common goal of EU membership – be-

came progressively more stable because Hungary no longer tried to actively influence minority issues in Romania.

In the 90s, there was a progressive and steady move towards a civil society which was interested in maintaining a balance between ethnic groups. It was also supported by external conflict mediators who empowered peaceful conflict resolution.

Also the common identity of the Transsylvanians played a role which pushed ethnic tensions into the background. The importance of the active involvement of a Hungarian pastor, who initiated demonstrations against the Ceaușescu regime in July and December of 1989, which marked the beginning of the end of that much despised regime, cannot be underestimated.

Firstly, as a political player, the UDMR was and still is the sole representative of the Hungarian minority with a high degree of organization. Secondly pragmatic representatives and those seeking a balanced position were in the majority. Even though the conflict turned in a positive direction, the fundamental risk of representatives trying to play the national card, can never be completely ruled out. It is therefore important that ethnic tensions are detected early and that people work towards a common solution.

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TUNESIA 2011 – 2014
A „QUARTET" PREVENTS A CIVIL WAR AND GETS THE NOBEL PEACE PRIZE

Werner Ruf

History

The popular uprising at the end of 2010 led to the flight of the abjectly corrupt presidential family on 14 January 2011. Zine el-Abidine Ben Ali had ruled the country autocratically for 23 years. A transitional government of old and new political forces was formed and a constituent national assembly was elected on 23 October 2011. In the elections, 81 parties participated, a large number of party alliances and independent candidates. Ennahdha (= the rebirth), who was close to the Muslimship, came out from these elections with 25% as the strongest faction. Under the dictatorship of Ben Ali, they had been subjected to brutal repression. Now they dreamed of a "6th Caliphate" (according to Hamadi Jebali on the eve of his election as prime minister). In order to reach parliamentary majority, they entered a government alliance with the smaller secular parties of Congrès pour la République/CPR (Social Liberals, 16%) and the Democratic Forum for Labor and Freedom/Ettakatol (Social Democrats, 8%).

But the new government did not solve the economic and social problems of the country. The drafting of a constitution drew out, and Ennahdha, with the help of its key ministries, in particular the Ministry of the Interior, militias closely related to the party, and generous support by the Gulf States, tried to enforce an Islamization of the country:

- In universities, rigorous separation of the sexes was to be implemented.
- Already in (private) kindergartens, the Koran was the only learning objective; four- and five-year-old girls had to wear the veil.
- Museums were burnt down by party alligned militias.
- Female and male artists were attacked and beaten up in streets.
- Trade unionists were attacked and an arson attempt was made on the Federation of Trade Unions (UGTT) headquarters in Tunis.
- Two prominent leftist politicians were shot dead consecutively while leaving their homes. In the second case, the warning by the local resident of the CIA of an impending attack was ignored by the Ministry of the Interior. The murders have not yet been clarified.

Tensions reached their peak in August 2013, a civil war seemed to be just around the corner.

The Formation of the Quartet

In that situation, four important Tunisian civil society organizations formed an unusual alliance: the powerful Federation of Trade Unions (UGTT), the Employers', Traders' and Craftsmen's Association UTICA (Union Tunisienne de l'Industrie, du Commerce et de l'Artisanat), The Tunisian Human Rights League (LTDH), and the Law Society (Ordre Nationale des Avocats de Tunisie). The latter had already played a prominent role before the insurrections in 2010/2011, as a persevering organization opposed to dictatorship.

In September 2013, this quartet launched a "national dialogue". (A similar attempt by the UGTT had failed a year before that against the opposition of the Islamic Ennahdha.) Under the threat of a general strike and of a blockade of all economic activities and the judiciary they succeeded to get both the three government parties and the opposing parties to agree to talks. The dialogue led to the drawing up of a road map already in October 2013 and the resignation of the three-party coalition in December. In January 2014, an "independent" government, chaired by the technocrat Mehdi Joma'a, was formed. One of the main objectives of the government was to carry out and prepare parliamentary elections.

The danger of Islamization of the country, which was characterized by a strong and educated middle class and a well developed civil society, was at least banned for the time being. The feared civil war between militant Islamists and secular groups was prevented.

A new democratic constitution was adopted on 26 January 2014. It secures the secular character of the state and is characterized by an almost exemplary balance of the powers in the state. On 26 October 2014 parliamentary and presidential elections took place, from which the secular party Nida'a Tounes emerged as the strongest force. The second strongest was Ennahdha.

The Nobel Peace Prize

In October 2015, the Tunisian "Quartet" got the Nobel Peace Prize. In its justification for awarding the prize, the Norwegian jury stated that the quartet had launched an "alternative peaceful process at a time when the country was on the brink of a civil war". The prize was intended to be "an inspiration for all those who want to promote peace and democracy in the Middle East, North Africa and the rest of the world". The award of the 2015 prize is to be understood as a tribute to a successful attempt at preventive conflict solution. It also recognizes the role civil society can play in peaceful conflict resolution.

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SOUTH TYROL 1919 - 2019
FROM ETHNIC CONFLICT TO PEACEFUL COEXISTENCE OF LANGUAGE GROUPS - THE STATUTE OF AUTONOMY OF 1948 AND 1972

Günther Pallaver

As a consequence of the 1st World War, South Tyrol, due to the Secret Treaty of London (1915), was annexed by Italy in 1920. With the seizure of power by the Fascists (1922) the Italianization of South Tyrol began. The repressive measures adopted intended to gradually assimilate the German-speaking population. That included the prohibition of the German language, mainly in schools and administration. Later massive immigration from northern Italy began in order to outvote the local population. With the Option Agreement between Hitler and Mussolini (1939) the trouble region of South Tyrol, which put a strain on the Rome-Berlin Axis, was to be got rid of. South Tyroleans were given the choice, either to emigrate to German Reich or to stay in their homes, but without any minority protection. Around 86 percent opted for emigration, only a small part actually emigrated. The option led to a deep rift between the socalled "Dableiber" (people who remained) and "Optanten" (people who pleaded for emigration). In 1945 the South Tyrolean People's Party (SVP) was founded, which the Germans and Ladins understand as a collective movement of their ethnic minority. First of all they demanded their reincorporation into Austria. The victorious allied powers refused. As a compromise, in 1946 the Treaty of Paris was signed, named after the signatories Gruber-De Gasperi Agreement (Austrian Foreign Minister and Prime Minister of Italy). The agreement gave the minority full equal rights with the Italian population in the context of specific measures to protect their character and their cultural and economic development. Austria was recognized as the protector of the German- and Ladin-speaking population of South Tyrol.

Based on that in 1948 with the Italian Constitution, a statute of autonomy for the region of Trentino-Alto Adige/South Tyrol was enforced. Due to the failure to implement autonomy in favour of South Tyrol there were protests (a mass rally before Sigmundskron Castle in November 1957) and terrorist attacks (peak in 1961). The ethnic conflict was made pending at the UN by Austria, the protector of South Tyrol, in 1960 and 1961. After long and difficult negotiations and the drafting of a "package" of measures in 1972, the second autonomy statute came into force. The region of Trentino-Alto Adige created in 1948 remained formally, but self-government was given to the two Autonomous Provinces of Bolzano (South Tyrol) and Trento. The implementation of autonomy again and again led to temporary tensions among language groups.

From the second autonomy statute to 2019

The dispute pending before the UN was settled in 1992 by the fulfilment of the "package" of proposed measures. South Tyrol today has broad legislative and governmental power and the necessary financial resources to manage those rights (The budget the Government of South Tyrol in 2014: EUR 5 billion). Austria is considered to be the international protecting power of the South Tyrolean minority. At its core, the regulation models itself on concordance in four points:
1. All three language groups (German, Italian, Ladin) are involved in the decision-making processes on all administrative levels (region, province, districts, municipalities);
2. In crucial matters of identity (primarily school and culture) the language groups decide autonomously;
3. The distribution of public jobs and resources is based on the strength of the language groups (ethnic proportion);
4. Each language group has the right of veto when its crucial rights are violated.
Thus the successful conflict resolution model that has defied all nationalist forces and tensions (up to 1988 there were still sporadic terrorist attacks) is based on a dissociative solution. That is, the three language groups live largely separately ("dissociated") though next to each other (for example, schools for Italian- or for German-speaking students instead of co-education).
That model gives priority to securing "negative" peace (i.e. the absence of terror and war). It is concretized by the marking of spheres of influence as well as by the spatial and social separation of the conflict parties. But since the peace declaration at the UN that model is in a process of transition towards associative conflict resolution. It aims at producing "positive" peace, understood as the fundamental absence also of structural violence. The aim is the integration of former conflict opponents. It should not be confused with the assimilation of one language group to the other, but on the contrary, it aims at cooperation in which ethnic or cultural differences are subordinate to common interests.
The autonomy that exists, currently means separation at the grassroots level and integration at the political top. Therefore, it gradually develops towards integration and cooperation also at grassroots level. In the 2011 census made about the languages in South Tyrol, 69.64% (1991: 67.99%) voted for German, 25.84% (1991: 27.65%) for Italian and 4.52% (1991: 4.36%) for Ladin. Nearly 9% of the population are foreigners. All three language groups have developed a positive attitude towards autonomy.

The Second Statute of Autonomy has thus led to peaceful coexistence among the language groups since 1972, to largely conflict-free coexistence (even if nationalist firestarters appear as troublemakers in between), but there are also a number of positive indications of cooperation among the language groups. This applies above all to the social, cultural and economic aspects. For example, all the associations that take care of the sick body work across language groups. This also applies to initiatives in favour of refugees, homeless people, anonymous alcoholics, etc. The economy is often organised inter-ethnically (e.g. the industrialists' association), while the area of schools and culture is only opening up slowly. Nevertheless, there are positive developments both on the school level (e.g. student exchanges between German and Italian schools) and on the cultural level (e.g. music scene, joint state library, numerous ethnically neutral associations). South Tyrol is currently moving from a dissociative to an associative conflict resolution model.

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USA – USSR 1962
THE CUBAN MISSILE CRISIS

Julia Semper

The Initial Situation

With the construction of the Berlin Wall in 1961, the Soviet Union ended the mass exodus from the GDR, thus stabilizing both their alliance with and their own power within Central Europe. At the same time Moscow won another ally near the southern coast of the USA. The regime of Fidel Castro was ready to support the Soviet Union just off the coast of the United States. After many US investors had been expropriated as a result of the Cuban revolution in 1959, US intelligence had tried in various ways to get rid of Fidel Castro. In response to the failed, CIA-backed landing attempt by armed Cuban exiles in the Bay of Pigs in 1961, the Havana government turned increasingly towards the Soviet Union. Cuba thus became Moscow's military base in the Caribbean. Since the Kremlin was greatly inferior to the USA in the field of intercontinental ballistic missiles, the leadership of the Soviet Union from 1961 onwards set about establishing missile sites in Cuba in order to be able to launch direct attacks from there on the most prominent cities in North America.

Threats of Escalation and Deescalation

When the US government gained information in 1962 about the extent of Soviet missile sites, Kennedy gave Khrushchev an ultimatum on 22 October 1962, wherein he demanded that the Soviet Union dismantle their sites and disarm their weapons on the Caribbean island. The US military deliberated over military action, ranging from bombing to an invasion of Cuba. This brought the world to the brink of a nuclear World War. Kennedy, however, limited his action to a naval blockade, and Khrushchev had the ships with nuclear arsenal turn back. If those ships had sailed on, Kennedy would have prepared for a nuclear strike. Thus, further escalation of the conflict was prevented. On 28 October 1962, Khrushchev ordered the withdrawal of Soviet missiles from Cuba. In return, Kennedy uninstalled 1,943 missiles stationed in Turkey aiming at the southern parts of the Soviet Union. Moscow and Washington both realized that communication had to be improved if similar conflicts were to be avoided in the future. Recognizing that, the US President endorsed the post Cuban Missile Crisis confidencebuilding measures, such as joint steps on arms control and limitation of nuclear tests. As a result, after that climax of the Cold War the situation again seemed to become somewhat more relaxed.

External Prevention Efforts

The role of the United Nations in this conflict was severely restricted. Stronger United Nations prevention efforts could be established only after the end of the Cold War in the 1990s. Earlier, the functioning of the United Nations and its institutions had largely been paralysed by the conflicting interests of East and West, especially the United States and the Soviet Union.

Particularly in the Cuban Missile Crisis, due to the participation of the two great powers in that conflict, it became clear that the United Nations and their main organ, the Security Council, were severely blocked. Both parties to the dispute were among the permanent members of the Security Council, who could put in a veto against any measure of the UN.

Consequently, the UN could only offer the two litigants a platform for negotiations and an exchange of information. The then UN Secretary-General Sithu U Thant called on the great powers involved among others to settle their dispute by asking both sides to negotiate and to adjourn their war preparations for two weeks. To that, however, the USA did not agree. Yet in the background U Thant tried with high commitment to deescalate the conflict. He mediated between the warring parties and was instrumental in the formulation of the conditions for an end to the crisis.

Informally, the engagement of the UN Secretary-General went very far. The US had already contacted the UN and asked whether the Secretary-General could make a statement with a bid to reduce the United States Jupiter missiles in Turkey in exchange for the withdrawal of Soviet missiles from Cuba. Kennedy would then have been able to agree to the UN proposal, rather than yielding to the demands of the Soviet Union directly. This would have allowed him to save face both domestically and in foreign policy. That proposal, however, was not implemented. Nevertheless the request by the United States shows the importance of the Secretary-General's Office in preventing wars, or in the words of the United Nations, 'the prevention of a threat to world peace'.

U Thant, in his role as Secretary-General of the United Nations, saw himself primarily as a moderator who actively engaged in prevention diplomacy. He was convinced that the concept of preventive diplomacy was much more effective and helpful than settling an already inflamed conflict. During his ongoing commitment he always remained true to his role as a mediator between the conflicting parties and always conducted himself with impartiality.

In addition to the United Nations the Vatican was also trying to defuse the crisis. Pope John XXIII, who himself had experienced the First World War on the battlefield, called on Kennedy and Khrushchev in a letter and in a public speech to maintain peace. It was broadcast on Vatican Radio and published on 26 October 1962 in the Soviet "Pravda".

Favourable and Hindering Factors in Resolving the Crisis

A favourable factor in settling the conflict was in particular that neither side actually sought a nuclear conflict. Negotiations between the parties were usually made directly and not on the floor of international organizations. However, not an insignificant part in conflict resolution was played in the background by international mediators and good services in the context of their diplomatic efforts and in the context of secret diplomacy. These efforts have, however, only been recognized in recent literature on the Cuban Missile Crisis. The previously widespread official account of the negotiations had been heavily influenced by the national pride of the two superpowers who were thus not open to accept any intermediaries from other states. The opposing power was at most offered suggestions for settling the dispute by their respective, subjective and internal intermediaries (intelligence services, journalists).
A negative effect on earlier crisis prevention was exacerbated by the domestic situation especially in the US but also in the Soviet Union, since both Kennedy and Khrushchev had to account for their 'crisis' conduct in domestic politics. Earlier concessions could have been interpreted as weaknesses.
Fidel Castro was disappointed by the conduct of the Soviet Union and their weapons' withdrawal. Cuba and its people suffered for a long time from the US trade embargo, which was then followed by many Western countries.

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USSR 1989-1993
THE PEACEFUL DISINTEGRATION

Dieter Segert

The Soviet Union used to be the largest country on the planet and had a population of 286 million in 1989. She was the successor to Tsarist Russia and had received her constitution as a result of the political revolution in 1917. When the attempt to reform Soviet socialism under Gorbachev failed, her disintegration started. On 25 December 1991, she ceased to exist. Today, 15 sovereign states have united in her stead, three of which are members of the Western Alliance. In addition, there now exist some further nonrecognized, territorial-political entities (Transnistria, South Ossetia, Abkhazia, Nagorno-Karabakh). How did this disintegration proceed so relatively peacefully compared with that of another socialist federation, i.e. Yugoslavia?

Disintegration and Attempt to Establish Cooperation between the Former Republics of the USSR Using New Foundation Criteria

During the final phase of the Soviet Union there were many ethnic-national conflicts, which were originally underestimated by the centralized leadership under Gorbachev. That became evident around the end of 1986 during the protests against the replacement of the Kazakhstan ethnic party secretary with an ethnic Russian. It was a departure from the traditional principle of cadre policy, i.e. the First Secretary would come from the titular nation of the Republic, and the Second Secretary would then be a Russian. Gorbachev first interpreted the protests as signs of resistance by conservative forces against his reform policy unaware that nuclei of new national states had been emerging for some time under the cover of ethno-federalism in the Soviet Union. The seeds that inspired those national states had initially been planted by regional party groups and bourgeois intellectual groups, formed in the wake of Soviet modernization policy (Simon/ Simon 1993). After the conflicts in Alma Ata similar conflicts happened in Georgia (April 1989) and Nagorno-Karabakh. In the latter, demonstrations had already taken place in 1988 calling for the independence of the territory from Azerbaijan. As late as September 1989, the central leadership of the Communist and Party Sector Union (CPSU) underestimated the explosive force of those nationalist conflicts. They actually believed that it would be possible to retain the Soviet Union through a revival of Leninist policy for national minorities (Mommsen 1996).

Another contributing factor was that in the beginning the independence movements in the Baltic republics, Ukraine and Moldova had assumed the form of a movement that supported perestroika. It gave the impression they were supporting Gorbachev's policy to restrain conservative forces. It was only when the political system was being rebuilt in 1989, which was understood by the representatives of the regional elites as an attempt to recentralize power, that Gorbachev's team began to think about a redefinition of Soviet federalism, and in particular made an attempt in 1990/1991 to negotiate a new union treaty. Whether this new contract could have been successful is controversial among scientists (see Simon/ Simon 1993 vs. Hale 1999 and Cohen 2004). It remains a fact that even after the failed military coup of 20 August 1991 negotiations continued.

It was not until 1 December 1991, when the overwhelming majority of the citizens of Ukraine voted for independence in a referendum, that the matter was decided. A week later the Soviet Union was dissolved by the three presidents of Russia, Ukraine and Belarus. At this meeting it was proposed that a Commonwealth of Independent States (CIS) should continue their close cooperation in economic and military matters. On 21 December 1991 the Central Asian republics as well as Moldova, Armenia and Azerbaijan joined the CIS. Only Georgia and the Baltic States remained outside. Georgia was a member of the CIS between 1993 and 2006. Ukraine suspended its membership in 2006. Today the CIS is an obsolete model, but in 1991, during a period of uncertainty about what the regional order would be like after the end of the Soviet Union, it seemed to provide a bridge to a post-Soviet world. That reduced potential tensions between the new national states.

What were the favourable conditions for such cooperation after the disintegration of the USSR? On the one hand, specialized close economic links had developed between the republics of the Soviet Union in the past decades which could not be replaced overnight.[1] On the other hand, the policy of overcoming ethnic differences in a homogeneous "Soviet people" had failed, yet there existed manifold personal and cultural ties across the borders of the national republics. They included Russian as the "lingua franca" of the region – widespread especially in the three "Eastern Slavic" republics, either as a first or as a second language. In many other republics, more than 50% spoke Russian frequently, either as their mother tongue or as a second language, e.g. the Kazakhs or the peoples of the Caucasus. Even two thirds of Latvians knew Russian as their second language in 1991 (Simon/Simon 1993, pp. 317-320). In addition, during the years of industrial buildup and modernization, extensive migration

processes had taken place resulting in mixed populations in all areas. The new industrial enterprises and cities attractted people from all over the Soviet Union. Thus, many marriages also crossed ethnic boundaries.

Even the disintegrating Communist Party was able to foster cooperation after 1991, because, not in all but in many cases, the new elites had emerged from regional party groups. Their protagonists were personally known in the other new states, or they had at least been socialized similarly. The Russian and Kazakh presidents, their colleagues in Uzbekistan and in Ukraine had been high officials of the Communist Party. After an intermediate phase of a nationalist leader, that then also followed in Georgia and Azerbaijan. Next in line to the elite of the new national states there were, of course, even more such people with similar socialization.

That the Soviet army consisted of people of different ethnicities can also be regarded as a favourable condition for cooperative relationships. There was no majority of Russians in the officers' corps. The army was subordinate to the political leadership and did not pursue independent political goals as in other political systems. They did not accept the coup by conservative forces at the end of August 1991 against the legitimacy of President Gorbachev. On the other hand, the decisions of the political leaders on the disintegration of the Soviet Union and the re-establishment of the CIS were adhered to. That had been and remained the tradition of the old political system in which the army leadership subordinated themselves to the political leadership – whether it was the leadership of the Communist Party, or the president.

The Stabilizing Influence of the Western Community

In the period up to 1989, the majority of Western politicians were convinced that the reform of the Soviet Union under Gorbachev would create favourable political conditions worldwide, so they wanted to support him. That changed only after the "fall of the Berlin Wall" in the autumn of 1989 and after the decision in favour of German unification in 1990. The weaknesses of the Soviet power structures became increasingly apparent, the political consequences of the economic decline were felt and Western observers tried to exploit that. At the beginning of 1991, Gorbachev had also realized that there would be no integration of the Baltic States and Georgia into the renewed Federation. The Western states recognized the independence of the Baltic States only after the failed coup in Moscow in August 1991. They also endeavoured to support the peaceful resolution of ethnic conflicts and were critical of the ethnic nationalism of, e.g. Georgian President Gamsachurdia. Later, the cohesion of the Russian Federation would be supported under President Yeltsin. The most important aim of Western policy during those years was to prevent the reestablishment of communist party rule. In addition, the European Union was opposed to ethnic discrimination against the Russian minority in the Baltic States, particularly in Latvia and Estonia. It attempted to reduce the nationalist exclusion of the Russianethnic population in those countries in the accession negotiations[2]. In this respect, unlike its conflictintensifying role in the disintegration process of Yugoslavia, the Western community played a conflict-reducing role in the breakup of the Soviet Union.

Ethnic Causes of the Violent Conflicts

The emphasis on the relatively peaceful disintegration of the Soviet Union and the ensuing nation-state formation must not minimise the violent ethnic conflicts especially in the Caucasus, nor conflicts concerning the borders of the new national states[3]. All in all, the borders of the republics were confirmed: the Soviet Union disintegrated essentially along the borders of the 15 federal republics. That is evidence of the fact that the decades long duration of Soviet federalism had created stable national identities that became the basis for new nation states. Except for Nagorno-Karabakh, Chechnya, South Ossetia, Abkhazia, and – to a certain extent – even Tatarstan and the Crimea, the internal Soviet borders were also regarded as the legitimate basis of the formation of new states after 1991.

However, in the cases mentioned certain autonomous areas within the new nation states had begun striving for independence. That was due to two facts. Either the new titular nation did not know how to integrate ethnic minorities, or those areas did not want to be integrated. The conflicts were partly rooted in Soviet history, as in the case of Chechnya, where in 1944, on the pretext that this ethnic group had betrayed Soviet interests, two-thirds of the people had been deported.

The effect of this historical heritage was also evident in the case of Transnistria. That area had formerly belonged to the Moldovian Soviet Republic. After Bessarabia had been added to Romania after the First World War, an Autonomous Moldovan Soviet Republic was established within the framework of Ukraine in the area of today's Transnistria. When, after the German-Soviet secret agreement of August 1939, Romanian Bessarabia became Soviet again, Stalin created the Moldavian Soviet Republic by joining the former Romanian territories with

the Autonomous Republic of Moldova and establishing it as one of the 15 federal republics of the Soviet Union. In addition to the ethnic Moldavians, there also lived Russians, Ukrainians and Gagauzes as major minorities. Romanian and Russian had been equally recognized state languages. In the disintegration process of the Soviet Union, as early as 1989 Russian was abolished as the official language. Russian-speaking Moldavians were discriminated against. When the victorious Moldovan nationalists also declared that they wanted to leave the Soviet Union and join Romania, the basis was laid for the rise of resistance in the ethnic-Russian and Gagauz population groups. The formation of Transnistria was the political result of that conflict.

In those disputes, which were essentially linked to the process of "nationalizing states" by the elites of the titular nations (Brubaker 2011, [see p. 36f]), partially violent attacks were started. In the final phase of the Soviet Union, the many attempts of the state to forcibly suppress attempts at independence led to casualties among the population. Examples were Tbilisi (Georgia) in April 1989, where 20 people died, or Vilnius when a failed putsch of forces which stood up against the independence of the country from the Soviet Union, caused 14 casualties. Gorbachev turned against the movements for independence. In the beginning, he even supported the putschists, but then withdrew from supplying further military assistance.

The number of victims, however, in the ethnic-national conflicts over Nagorno-Karabakh and Transnistria was larger. In the conflict over the segregation of Nagorno-Karabakh from Azerbaijan, the use of military violence, pogroms and ethnic cleansing resulted in the deaths of thousands and the expulsion of hundreds of thousands of people. In the military conflict between Moldova and Transnistria in 1992, which also involved the 14th Russian Army in Transnistria, some 1,000 people died. Those were the bloody precursors of the war that openly began in 1994 for the independence of Chechnya, which lasted until 2009 and caused exceptionally high numbers of casualties between 1994 and 1996 with several tens of thousands killed.

In summary, the question at the beginning of this text can be answered as follows:
On the one hand, in the process of the disintegration of the Soviet Union, there was an attempt to create a subsequent community of independent states. This initially meant that something like alternative regional cooperation was on the political agenda. On the other hand, in the final phase of the Soviet Union the Western community was relatively reserved with regard to supporting separatist efforts.

Moreover, the question of timing of the dissolution of a centralized state was certainly a contributing factor to nonviolence. Perhaps it can be said that the disintegration of the Soviet Union took place at the right time, namely in time before latent nationalist tendencies would swell to such an extent that violent uprisings against the Soviet central government and the Russian elites in the countries concerned could hardly have been avoided.

Ultimately, the image of a relatively peaceful division has to be somewhat relativized: there was violence, even military force, but it was relatively minor compared to the military disputes in a disintegrating Yugoslavia.

[1] *Later this close link was also a reason why production in the post-Soviet countries collapsed even more than elsewhere in Eastern Europe, when the economic processes were aligned to the world market. While in other parts of Eastern Europe production in the transformation recession fell by 20-25 percent compared to the level at the end of state socialism, it did so by about 40-50% in the post-Soviet states.*
[2] *See the article by Hanne-Margret Birckenbach in this volume p. 27 ff.*
[3] *This stabilizing legacy of state socialism can be discovered in all of Eastern Europe (see the more detailed Segert 2002).*

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