

Settlement and Institutional Arrangements -- Basic Concepts" that set out commonly accepted meanings for various terms relevant to dispute settlement (e.g. negotiation, consultation, good offices, fact-finding and inquiry, mediation, conciliation, arbitration, adjudication). The meeting resulted in agreement on a procedure that would allow a party to a dispute to request the establishment of a mechanism consisting of a to-be-determined number of experts selected by common agreement of the parties. Provision was made for failure to agree and for the right of parties to reject nominees. The mechanism's work methods were extremely flexible and its "comment or advice" could relate to negotiation or to the adoption of other dispute settlement procedures, such as fact-finding, conciliation, mediation, good offices, arbitration or adjudication. An absence of agreement on the mechanism's comment or advice could be brought to the attention of the CSO.

At Valletta, states failed to agree on what body would serve as the "nominating institution," which would maintain a register of persons' names for use in the mechanism, select names if the parties did not reach agreement, reselect names in case of rejections and notify parties of the composition of the mechanism. Canada, Hungary, Austria, Italy, Denmark, Norway, Finland, the USSR and later the US believed that the CPC was the logical body to perform this function. Belgium, Czechoslovakia, France and Switzerland favoured the CSCE secretariat, arguing that conflict prevention and the peaceful settlement of disputes were quite different things and that the CPC's tasks should remain closely linked to cooperative measures agreed in the CSBM framework. Post-Valletta, the Netherlands advocated a third option, namely use of the International Bureau of the Permanent Court of Arbitration, on the grounds that the Bureau already possessed the requisite staff, facilities and international legal expertise.

It would be up to foreign ministers, at their meeting in Berlin on June 19-20, to determine the nominating institution and Canada intended to push strongly for the CPC. Far from being an arcane debate about institutional fief-building, the issue of the nominating institution was, in Canada's view, crucial to the CSCE's future conflict prevention and management role. Securing the mechanism in the CPC would legitimize the CPC's broader role in assisting the Council in conflict prevention and resolution, and would send a signal to Central and East European states -- the most likely users of the mechanism -- that the West was serious about addressing their security concerns through the CSCE. Canada believed that the long term effect of the move would far exceed the immediate benefits of the institutional arrangement.

### **CSO Emergency Meetings**

The Charter of Paris mandated the Council to examine the development of provisions for convening meetings of the CSO in emergency situations. In Canada's view, this was of utmost importance. It was difficult to imagine how the CSCE could deal effectively with conflict if there were no way for the political consultative process to address urgent questions as they arose. However, states differed on the procedure for calling such meetings.

The US argued that the CSCE consensus rule should be maintained for the convocation of emergency meetings, to prevent capricious use of the procedure, a concern shared by the USSR. Several West European countries argued that while consensus should be maintained within CSO deliberations, it should be possible to convene a meeting without