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Federal Republic of Germany Policies on the OSCE

One of the reasons Germany became unified is attributable to the CSCE. Thus one could say the new Federal Republic of Germany has a debt to the OSCE. However, German policy-makers have not fulfilled this debt; in fact, they are no longer even aware of it. This is the hypothesis developed in the following article in which first the change in German policies and policy-making on the OSCE is described, secondly the Federal Republic is presented as an actor within the framework of the OSCE, thirdly future options for the renewal of a German pan-European policy are sketched and finally conclusions are drawn.

Love Grown Cold

German OSCE policies have changed in that neither do they do justice to the expectations awakened by them nor to those placed in them. Of course, the relationship of other countries to the OSCE has also changed. This occurred in the course of a shift in European multilateralism. After all, structural crises and the reform efforts that are reactions to these are emerging in the traditional multilateralism, in which Germany is also involved.

German commitment to the OSCE became relatively weaker after 1992. There are three factors responsible for this: first, the changes in the environment surrounding the Federal Republic - East-Central Europe's change in focus towards NATO and Russia's change to a position of intransigence; second, the conclusion of the German unification process - the CSCE had served its purpose; and third, the personal preferences of those responsible for foreign policy. In general, for psychological and cognitive reasons, heads of department are giving more attention to bilateral rather than multilateral relations anyway; of course, the CSCE/OSCE shares this destiny with other large organizations.

Hans-Dietrich Genscher's Term of Office: The CSCE as a Factor in Unification

From the beginnings of the CSCE, the Federal Republic of Germany has been committed to the development of the norm catalogue in the Helsinki Final Act. It has even adopted normative CSCE wording in bilateral agreements with Poland and Czechoslovakia.

In view of changing East-West relations and the prospects for German unification, which also became more favourable due to the CSCE, the Federal Re-

public of Germany, represented by the then Foreign Minister Hans-Dietrich Genscher, made a special commitment to the CSCE during the period between negotiations on the 1989 Vienna CSCE Document and those on the 1992 Helsinki Document. Germany supported the extension and the strengthening of the principles of the Helsinki Final Act, which Genscher deemed the "Magna Charta of European Stability". They were to be reaffirmed "in a binding manner", which expressed the desire to create a legal foundation. The federal government wished to create CSCE "pan-European institutions" and to continue and co-ordinate - which was later called "harmonize" - the CFE and CSBM negotiations and turn them into co-operative structures.¹

For the reasons mentioned above, the Federal Republic, more than any other state, had already under the influence of the 1990 "*Wende*"² pronounced itself in favour of institutionalizing the CSCE, especially for regular meetings of foreign ministers, a European centre for early recognition and political settlement of conflicts and a European environmental agency.

Foreign Minister Hans-Dietrich Genscher was the first Chairman-in-Office of the CSCE; at his insistence the Charter of Paris came into being creating the prerequisites for the institutionalization of the CSCE. Under his leadership, the so-called Berlin Mechanism and the "consensus minus one" procedure were introduced. The latter was applied on one occasion leading to the suspension of Yugoslavia from the then CSCE, which was only reversed at the end of the year 2000.

In 1989, the Federal Republic of Germany invited participants to the first and up to now only CSCE Conference on Economic Co-operation. It took place in Bonn during the spring of 1990 and was the first international conference after the *Wende* attended by the new post-socialist governments of Eastern Europe.³ The Document of the Bonn Conference was a manifesto for the social and economic transformation of the former CMEA countries and is even today the basis for the economic and environmental dimension of OSCE security policy.

Primarily in two respects, the CSCE offered a framework that supported the course of the European *Wende* and thus in the end German unification. This found expression in the 1989 Vienna Document, the 1990 Bonn Document as well as the 1990 Charter of Paris "for a New Europe". The retrospective reference to the 1975 CSCE Helsinki Final Act including the right to choose one's alliances (first principle) and the prospective reference to the ability to expand the CSCE process created the basis for the unification of the two German states. In a detailed memorandum to the CSCE States on 23 Febru-

1 Cf. Auswärtiges Amt [German Foreign Office] (Ed.), *Deutsche Außenpolitik 1990/91. Auf dem Weg zu einer europäischen Friedensordnung. Eine Dokumentation* [German Foreign Policy 1990/91. On the Road to a European Peace Order. A Documentation], Munich 1991, p. 77.

2 Translator's note: "*Wende*" designates the significant political and social change attributed to the collapse of the Soviet Union and the fall of the Berlin Wall.

3 Cf. Hans-Dietrich Genscher, *Erinnerungen* [Memories], Berlin 1995, pp. 757ff.

ary 1990, the GDR Ministry for Foreign Affairs, which was at the time already going in this direction, described the "embedding of the unification of both German states in the pan-European unification process" and simultaneously made detailed recommendations for the extension of the CSCE.⁴ Similar recommendations were made in a speech by the West German Foreign Minister only a few weeks later. These included, *inter alia*, a pan-European institution for the protection of human rights, a centre for the creation of a European legal space with the goal of aligning its various legal systems, a (pan-)European environmental agency, a centre for the development of a European telecommunication structure, a European transportation infrastructure and European transportation policy.⁵ And the last GDR Prime Minister, Lothar de Maizière, stated in June 1990 that the goal of his government was to make the CSCE process a "pan-European security and peace union".⁶ This phrasing was surpassed only by the proposal made by French diplomats to develop the CSCE into "confederative structures for all of Europe",⁷ a formulation that Hans-Dietrich Genscher assumed in October 1990.

It was only consistent with the harmony between East and West Germany during 1990 that the German Chancellor declared at the CSCE Summit Meeting in Paris on 20 November 1990: "Not least, also in the future, unified Germany declares its belief in the CSCE as the motor for a pan-European peace policy."⁸

The Federal Republic gave special emphasis to its CSCE involvement, *inter alia* to make it possible for the USSR to accept NATO membership of a unified Germany.⁹ In fact, it met Soviet Union demands for CSCE institutionalization as compensation for the new Federal Republic being a part of NATO. "Changes in the surrounding areas were to facilitate progress in the core areas."¹⁰ The extension, reinforcement and the institutionalization of the CSCE process were continually pledged at the 2+4 Talks.

Hans-Dietrich Genscher, a visionary "for all of Europe", declared in Davos in February 1991 that the institutions created in the interim carried the "seeds of greatness" in them: "The structures of a unified Europe in the 21st century are beginning to emerge on the horizon. The present EC community of twelve will be enlarged to include the Northern European and Central and Eastern European states and thus become an important building block for the greater confederation".¹¹

In the summer of 1991, at the first meeting of the CSCE Council of Foreign Ministers, the then Federal Chancellor Helmut Kohl, austere and in more

4 Deutsche Außenpolitik 1990/91, cited above (Note 1), p. 84. All quotations from German sources are author's translations.

5 Cf. *ibid.*, pp. 104, 109f.

6 *Ibid.*, p. 126.

7 *Ibid.*, p. 228.

8 *Ibid.*, p. 263.

9 Cf. Genscher, cited above (Note 3), pp. 687, 717, 749.

10 *Ibid.*, p. 760.

11 Deutsche Außenpolitik 1990/91, cited above (Note 1), p. 335.

concrete terms, described the place of the CSCE in "European architecture" as being next to the Council of Europe, the European Union and the North Atlantic Alliance: The CSCE was to promote political consultations and extend existing institutions dealing with problem management and crisis prevention as well as creating new mechanisms for conflict management and dispute settlement.¹²

In fact, the federal government's statements were not just empty rhetoric. It made an appeal for the creation of an effective Secretariat headed by a Secretary General, who would also represent the Chairman-in-Office. The Secretariat and the office of the Secretary General were created in 1992, although admittedly the latter was limited to purely administrative tasks. The federal government then took rigorous action and in the end was successful by achieving the appointment of a German diplomat to the newly created post of the Secretary General: Ambassador Wilhelm Höynck assumed this office.

In preparation for the 1992 CSCE Helsinki Summit, the German Foreign Minister on 24 April 1992 - still Genscher, although he had already decided to resign - in conjunction with his French and Polish colleagues drew up a common statement on the further strengthening of CSCE structures and institutions. This statement dealt with the creation of a European Court of Conciliation and Arbitration, with CSCE interventions in Yugoslavia, in Nagorno-Karabakh and if necessary in other places, with a code of conduct for the CSCE States in the area of security, "which, should the occasion arise, could be further developed into a CSCE Security Treaty", as well as making the CSCE a regional arrangement in the sense of Chapter VIII of the Charter of the United Nations.¹³ In this declaration of intent, at least on the part of Germany, the policy, which became the core of the pan-European policy of Genscher's successor, was already recognizable: "CSCE first", namely regarding the United Nations.

Klaus Kinkel's Term of Office: The OSCE as a European UNO

At first, Klaus Kinkel - the successor to the long-serving German Foreign Minister, Genscher - continued the CSCE policy of his predecessor in that he pursued CSCE institutionalization. This was successful as is reflected in the 1992 Helsinki Document. Through a German-Dutch initiative, these endeavours were to be continued at the following Summit Meeting in Budapest in 1994. The intention was, *inter alia*, to strengthen the position of the Secretary General and the Office for Democratic Institutions and Human Rights (ODIHR), which was, moreover, to be moved from Warsaw to Vienna to the seat of the Permanent Committee (today: Permanent Council). In addition, a

12 Former Federal Chancellor Helmut Kohl in: Auswärtiges Amt [German Foreign Office] (Ed.), *Deutsche Außenpolitik nach der Einheit 1990-1993. Eine Dokumentation* [German Foreign Policy after Unification 1990-1993. A Documentation], Meckenheim 1994, p. 73.

13 Cf. *ibid.*, p. 149.

politico-military code of conduct and a harmonized arms control regime were to be developed.¹⁴

Of all places, at the General Assembly of the UN in September 1992, Klaus Kinkel set a new accent for German foreign policy when he stated the United Nations should not be overtaxed: "Primarily, it is the business of Europeans to tidy up their own common home." They fulfilled this responsibility, in particular, in Helsinki by declaring the CSCE a regional arrangement in the sense of Chapter VIII of the UN Charter. "It now has to get into this role".¹⁵ He expressed this more concretely in December 1993 by saying that the CSCE could and should attempt - as a regional Chapter VIII arrangement of the UN - "to solve CSCE conflicts in its area peacefully, by initially taking responsibility on its own. This would include (...) sending its own peace missions. It could then bring in organizations like NATO or the WEU if necessary."¹⁶ Eventually, this approach led, *inter alia*, a few months later, to the above-mentioned "Common Agenda for Budapest", which Klaus Kinkel along with the Dutch Foreign Minister, Pieter Kooijmans, presented in May 1994 to the CSCE in preparation for the 1994 Budapest Summit. The central statements in this agenda were as follows: "In agreement with the goal of developing the potential of the CSCE as a regional arrangement (...) the participating States should commit themselves to 'endeavour to the best of their abilities to settle local conflicts peacefully' by utilizing the CSCE before they relinquish their task to the United Nations. Therefore, the goal should be 'CSCE first' (...) To be able to guarantee effective co-operation between the United Nations and the CSCE, the participating States should (...) come to an agreement (...) to decide, when necessary without the consent of the state/states directly involved in a crisis or a conflict situation, whether to appeal to the UN Security Council and on recommendations that could be conveyed through such an appeal (...)"¹⁷

This promising initiative - soon named after its initiators Kinkel and Kooijmans - failed because of the mistrust of smaller states, which did not want to have direct access to the Security Council blocked, and, in the background, due to other states who especially because of their permanent membership in the Security Council had more weight there than in the CSCE, whose structures ensure equal representation. Because Germany did not belong to either group, it could further this kind of strengthening of the CSCE/OSCE without losing face.

14 Cf. Eine gemeinsame Agenda für Budapest (Gemeinsame deutsch-niederländische Agenda/Kinkel-Kooijmans-Initiative) [A Common Agenda for Budapest (Common German-Dutch Agenda/Kinkel-Kooijmans Initiative)], in: Auswärtiges Amt [German Foreign Office] (Ed.), Von der CSCE zur OSCE. Grundlagen, Dokumente und Texte zum deutschen Beitrag 1993-1997 [From the CSCE to the OSCE. Basic Principles, Documents and Texts on the German Contribution 1993-1997], Bonn 1998, pp. 238-243, here: p. 242.

15 Deutsche Außenpolitik nach der Einheit 1990-1993, cited above (Note 12), p. 196.

16 *Ibid.*, p. 410.

17 Eine gemeinsame Agenda für Budapest, cited above (Note 14), p. 240.

Following the logic of strengthening the CSCE in relation to the UN, then of course, NATO could be granted a servicing function but not be made a "lead organization". Therefore NATO, as Kinkel stated in November 1993, should "as the security partner of the UN and the CSCE, put a stop to national power politics and violence (...) If the Alliance is to offer increased security in CSCE space, this strength should not be surrendered. Therefore NATO should not be precipitously overstretched, nor should it dig up new graves in the CSCE community."¹⁸

However, warnings of this kind backfired, because on the one hand, the Russian position was inflexible, which, on the other, let the former Warsaw Pact states apply for membership to NATO. The continuity of a fear of "the East" benefited NATO, especially when in 1993 President Boris Yeltsin ousted the Duma and began pursuing a destabilizing interventionist policy through operations in Georgia and other regions of the Transcaucasus. Thus during the Kinkel period - also with the active involvement of the Federal Republic, especially thanks to the Minister of Defence, Volker Rühle, likewise appointed in 1992, and the German NATO Secretary-General Manfred Wörner who was active until 1994 - the "new NATO" developed much more intensively than the "new CSCE". And finally, the logic of a German policy, which endeavoured to lessen the importance of the UN in Europe in favour of the CSCE/OSCE would not be compatible with the German intention to gain a permanent seat on the Security Council.

After Poland, Hungary and the Czech Republic joined NATO and due to the anticipatory policy of these states towards EU candidacy, the position of the Federal Republic towards the OSCE, which had remained unchanged after 1992, then changed not only on a geo-political basis, but also as a result of the change in attitude in neighbouring states towards the OSCE in relation to NATO and the EU.¹⁹

At the end of Klaus Kinkel's term of office, there was another German foreign policy initiative made up of further recommendations for strengthening the institution. It dealt with the establishment of an independent office for a Representative on Freedom of the Media. After considerable efforts made by German diplomats, a decision on this issue was adopted at the Ministerial Council in Copenhagen in 1997 despite resistant blockades by e.g. the Russian Federation. After it had been established, Freimut Duve, a former German Member of Parliament, was then appointed to this office.

18 Deutsche Außenpolitik nach der Einheit 1990-1993, cited above (Note 12), p. 373.

19 Cf. Jerzy M. Nowak, Poland and the OSCE: In Search of more Effective European Security, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (Ed.), OSCE Yearbook 1995/1996, Baden-Baden 1997, pp. 111-128; László Kovács, The Future Role of the OSCE in the European Security Architecture, in: *ibid.*, pp. 57-67; Jan Pecháček, The Czech Republic and the OSCE, in: *ibid.*, pp. 105-110.

Joschka Fischer's Term of Office: The OSCE - A Secondary Scene

The term of office of the third German Foreign Minister after the European *Wende* began with a declaration of intent by the coalition government parties stated in their coalition agreement of 1998; in particular, they expressed their intention to strengthen the OSCE.

The declared plan however was discarded when the US imposed its Kosovo policy, which through intensive German involvement first led to a considerable increase in OSCE recognition, then to its marginalization through the NATO intervention and finally its subordination to the UN.

Joschka Fischer justified this policy with a commitment to human rights, to which Germany, because of its past, felt particularly dedicated. In addition to this confrontational policy flanked with idealism, the federal government initiated and pursued a co-operation policy based on *realpolitik* with the South Eastern European states, which was reflected in the Stability Pact for South Eastern Europe placed under the auspices of the OSCE.

In their coalition agreement, the Social Democratic Party (SPD) and the Alliance 90/The Greens declared that the new federal government would take initiatives to reinforce the OSCE's legal basis. Moreover the peaceful settlement of disputes in OSCE space was to be enforced. The instruments and the capabilities of the OSCE were to be strengthened through more personnel and funding. Their performance capabilities in the field of crisis prevention and conflict management were to be improved.

Within the framework of peace-building, non-military international police operations were to be developed and utilized to create stability. The new federal government made a commitment to the construction of an infrastructure for crisis prevention and civilian conflict management. These German projects have, in the meantime, found a basis in the decisions of the 1999 Istanbul Summit.

During the preparations for the 1999 Istanbul Summit still under Klaus Kinkel, a joint German-Swiss approach was initiated, encouraging the OSCE to make a declaration it would improve the situation of minorities, allowing them to gain specific autonomous rights under certain conditions. However, this type of new norm came up against insurmountable opposition at the preliminary negotiations for the Istanbul Summit Document from a number of participating States, e.g. Bulgaria. In the end, only a highly watered-down version of the original draft was to be found in the Istanbul Document of November 1999.

Nevertheless, an "old" German wish was fulfilled, at least partially: The proponents of a new German initiative took a detour to achieve a political mandate for the Secretary General - since 1999, this has been the Slovak diplomat, Ján Kubiš - thus improving his status through also appointing him as the Personal Representative of the Chairman-in-Office for Central Asia.

As was also announced in the coalition agreement, the federal government has created a training institution for the preparation and deployment of personnel for tasks in the area of peace operations within the framework of OSCE (or also UN) missions.

In summary, it may be observed that the Federal Republic, apart from changing strategic considerations, has not given up fostering the strengthening of the OSCE. Their commitment is to an improvement of norms; the German government has also supported an increase in instrumental capabilities having an effect on an organizational as well as an operational level. However, after 1992, their involvement in this endeavour has had isolated but not conceptual character based on the idea of a pan-European peace order.

The Federal Republic as an Actor in Different Roles

The Federal Republic in its foreign policy on the OSCE takes on different roles. Germany may go on stage directly or indirectly, depending on whether it acts as a nation state, as a member of the EU association or as part of the OSCE collective. Moreover, also the EU association appears in varying forms, depending on the occasion and content of the matter at hand. That is, it can appear as intergovernmental Common Foreign and Security Policy, represented by the Presidency, on the one hand, or as integrated policies, represented by the Commission, on the other. And finally, above and beyond this, German foreign policy is bound multilaterally, particularly through NATO and ultimately through the United Nations whose policy has often determined the ability of the OSCE to have an effect.

From an OSCE perspective and with a view to its fields of activity, these multiple appearances by Germany are even duplicated due to the fact that the Federal Republic acts both as an internal as well as external actor: As a member of the European Union, for example, it endeavours, to on the one hand, implement EU policy within the bodies of the OSCE; on the other, it is active in various policy areas in the name of the EU (and in competition with the OSCE) and thus influences OSCE policies from the outside.

These types of constellations by no means originated from analytical models and abstract deliberations, but have appeared continuously since the OSCE (then the CSCE) became operational in 1990. To what extent this "foreign policy on multiple levels", or perhaps better-expressed; "foreign policy in multiple roles" is consistent conceptually and its parts can be harmonized in practice, depends on the circumstances, the implied target and the particular partners involved. Co-ordinating policies and therefore also setting priorities is the responsibility of the Political Director of the Foreign Office. It is difficult to imagine that German foreign policy could fulfil all three roles adequately and in an optimal manner continually or even simultaneously and will be able to do so in future.

Wearing the EPC/CFSP Mask

A series of initiatives and corresponding statements prove that the federal government has also endeavoured to promote the CSCE/OSCE as an institution through European Political Co-operation (EPC) and Common Foreign and Security Policy (CFSP). Of course, they were not able to defend their position as advantageously as they desired against the frequently differing opinions of other EC/EU members - especially those of the United Kingdom, an opponent of any kind of institutionalization. Hans-Dietrich Genscher made the following apodictic assertion in January 1990: "The European Community will bring their pan-European goals and concepts into the CSCE process, which for all participants has increasingly proved to be the basis and framework, the main guiding principle of the pan-European unification process."²⁰ And while the federal government introduced a whole series of proposals for new institutions in numerous reports, a process the Federal Chancellor repeated again in May 1990, the - British - Chair of the European Council in Dublin on April 1990 only came to the conclusion that an assessment should be made at the imminent CSCE Summit of the feasibility of the establishment of a small administrative secretariat.²¹

In fact, formally the Common Foreign and Security Policy has been more highly developed with respect to the OSCE than to other international organizations, e.g. the United Nations. The meetings of the Permanent Council, which take place at least once a week, are prepared jointly following which a joint statement is discussed and agreed upon. The Permanent Representatives of the EU member states, who are accredited to the OSCE in Vienna, have joint meetings headed by the Representative of the Presidency to prepare these statements. At the Council meetings, the Representative of the country holding the EU Presidency then always speaks for all the others and most often also for those countries associated with the EU. In general things remain at this joint-statement level and the German Ambassador can only silently envy the Representatives of Switzerland or Norway, who have the capability to distinguish themselves by emphasizing concepts in the name of their governments. Although the EU does not even have observer status at the OSCE (which because of OSCE legal status, they cannot have), the countries that are not EU members have accepted the conduct of the EU bloc. (In the meantime there is another example of this kind of permanent unified action, namely the so-called GUUAM group made up of Georgia, the Ukraine, Uzbekistan, Azerbaijan and Moldova.) Also in the other bodies, which are either a component of the OSCE, like the various committees, or that have a connection with it, like the Forum for Security Co-operation or the commission related to Article V of the Dayton Agreement, the EU countries take joint action.

20 Deutsche Außenpolitik 1990/91, cited above (Note 1), p. 65.

21 Cf. *ibid.*, p. 112.

This type of joint action by participating States, which under the leadership of the EU countries includes about half of the 55 OSCE States, does not fail to influence the other countries; they, of course, feel marginalized by the EU bloc, which alongside the US and the Russian Federation, makes up the third significant power factor. Those who belong to this bloc have the chance that their projects will be given more consideration than independent initiatives and that they will even be placed at the focal point. Thus, for example, the Irish delegation succeeded in launching a draft for a "European Platform for Co-operative Security" through the EU, which eventually found its way into the Istanbul Charter in 1999.

To what extent this type of concerted action by 15 states would be valuable, on the other hand, for decision-making within the OSCE in general or for implementing initiatives by single EU member states - like Germany - e.g. in the Permanent Council or whether this would put a stop to possible interesting initiatives of single participating States and thus evade an OSCE-wide debate is a question that the persons involved answer differently. Occasionally meetings were interrupted for long periods of time and decision-making was delayed because EU members first had to find a joint position towards questions that had suddenly surfaced thus eliciting the indignation of other delegations. This type of EU-internally forced compromise has also intermittently tended to water down initiatives by the German government. Probably the lack of enthusiasm towards reform by the Federal Republic of Germany in the OSCE in contrast to their conduct during earlier times in the CSCE is due to these concerted actions by the EU.

At times, a representative of an individual EU member state will submit a supplementary declaration with reference to the joint position. This has also occurred repeatedly through actions taken by the head of the German delegation. Manoeuvres of this kind can reveal political preferences and options which have not been considered, or at least not sufficiently, during joint consultation.

The Federal Republic has also made alliances with other participating States that do not belong to the EU to support their endeavours, like Switzerland, on the occasion of the joint consultations on the security charter in the above-mentioned initiative to strengthen the rights of minorities.

Occasionally - as for example at the opening of the Budapest Review Conference in 1994 - it has also come to pass that a representative of the European Commission has claimed the right to speak for the Union. This is not always looked upon favourably and there are often reservations from the country who holds the Presidency - in 1994, Germany. In addition, during the first half of 1999 when Germany took over the EU Presidency once again, the EU Commission exercised their prerogative with regard to status and influence in the OSCE Senior Council, which held its meeting in the guise of the Economic Forum in Prague at the time.

These cases prove how international organizations, even when they include the same states, develop a momentum of their own, which leads less to convergence and co-operation, but to divergence and rivalry. This occurs because the acting Secretariats pursue their own interests (which however considering the political weakness of the OSCE Secretariat is only marginally possible) or the member states judge their chances of implementing their policies within the various multi-lateral associations differently and therefore utilize them in differing manners.

This is not the place to go into the whole network of relations between the EU and the OSCE. However, without giving an answer, one should just simply pose the certainly only theoretical question of whether the foreign and security policy of the Federal Republic within the OSCE framework is compatible with its integration into the CFSP and the strengthening thereof through the WEU. In principle, this question is also directed towards NATO membership and to a certain extent even towards membership in the UN, which the example of Switzerland has shown, of course, under other circumstances. The OSCE is committed to the principles of co-operative security policy, which excludes in principle confrontational elements as can be found in the institutions of collective security policy.

The Federal Republic as a Component of the OSCE Collective

From an objective OSCE perspective, Germany must on the whole be regarded as a constructive and beneficial participating State. The Federal Republic won this reputation, as previously mentioned, particularly during the period between the adoption of the 1989 Vienna Document and the adoption of the 1994 Budapest Document when mutual interests came together: The CSCE was in the interests of the Federal Republic as a nation state and inversely the CSCE gained a participating State interested in its positive development thus actively involved. Therefore it was through the dedication of the Federal Republic that all the USSR successor states, in particular the then debatable Central Asian states, were admitted to the CSCE. Inversely, it was to the Federal Republic's merit, which has become rather dubious at least after the fact, that Yugoslavia was suspended from the CSCE/OSCE in 1992 from which it remained locked out until the end of the year 2000.

On the whole, publicly, the Federal Republic still has a positive basic attitude towards the OSCE. This has been strengthened by the fact that, apart from its diffuse strategic interests, its efforts to improve the norm catalogue, the strengthening of institutional structures and the availability of personnel and material resources for operational activities are apparent.

The Federal Republic has both weakened and strengthened the OSCE through the EU. The weakening lies in the fact that all EU countries, especially Germany - if one follows EU reasoning - have shown no interest in a vitalization of the economic dimension of security policy assigned to the

OSCE. The Federal Republic also supports the expansive pan-European policy of the European Commission in the fields of democracy, human rights and the rule of law, which if they are not under the auspices of the OSCE, then certainly they should be under the auspices of the Council of Europe. Thus the EU with German support has established the European Monitoring Centre on Racism and Xenophobia (EUMC) in, of all places, Vienna, the seat of the OSCE headquarters. It is headed by a German diplomat and has more personnel than most OSCE missions.

On the other hand, under the leadership and initiative of the Federal Republic, the Stability Pact for South Eastern Europe as a whole, which gives the EU responsibility for its economic implementation, was placed under the auspices of the OSCE.

Mutual Benefits

In general, the OSCE is still Pareto-optimal territory for the Federal Republic - independent of the particular role it takes on. And it could exert influence on this terrain in a manner comparatively more forceful than on that of other organizations. It can do this because the objective requirements exist and it should do this because it is in its very own interest. The OSCE is in the interests of the Federal Republic because of its pan-European membership, its security-policy reach and its political objectives. In view of its geo-political position and the numerous states neighbouring it, the OSCE was and is a necessary and irreplaceable organization for the Federal Republic. Furthermore, from the outset, the CSCE constituted an area in which the Federal Republic could play its own role. In contrast to the Federal Republic's relationship with NATO and the EEC/EC/EU, the CSCE was not meant to integrate the Federal Republic, which in this case did not appear in the guise of "junior partner" to the interests of France or the US.

A balance sheet of German foreign policy with respect to the CSCE/OSCE after 1990 shows however that the difference between debts and credits has increased continuously since the Genscher era. This is not due to exaggerated demands, which have more likely remained constant or become more diffuse due to a lack in concepts, but rather due to insufficient dedication. This reprehensible lack has led to the paradox that the US and - relatively speaking - also Norway and Switzerland are more actively involved in the OSCE than Germany.

Another paradox can be found in the context of German OSCE policy. While the executive powers in German foreign policy show a waning interest in the OSCE, Parliamentarians of all factions in the *Bundestag* who have shown an interest in the OSCE have jointly agreed throughout all legislative periods that the federal government should increasingly promote the OSCE. Now all parties in the *Bundestag* have almost identical standpoints on the OSCE.

During the preliminary stages of the 1999 OSCE Summit Meeting of the Heads of State or Government in Istanbul, the SPD, CDU/CSU, Alliance 90/The Greens and the F.D.P. factions even tabled a joint motion "to strengthen the OSCE's ability to take action". This was designed to give explicit support to the endeavours of the federal government.²² The PDS faction tabled their own motion for a "new European security architecture", which not only had a different tenor but was more detailed and contained many progressive proposals, for example, it included "regional peacekeeping" for the OSCE and the formation of an executive council.²³ The debate in the *Bundestag* was correspondingly uncontroversial and the speakers of the various factions again gave one another mutual assurances on how extensive their agreement was on the value of the OSCE.²⁴ A similar constellation had emerged during the previous 13th legislative period.²⁵ Of course, the parties differed in the extent of the attention they gave to the OSCE, as a comparison of their programmes for the *Bundestag* elections showed. Thus the F.D.P. surprisingly and Alliance 90/The Greens as was to be expected offered the most comprehensive proposals for a strengthening of the OSCE, while in the CDU/CSU programme it was not even mentioned; in contrast, SPD statements were mundane and remained within traditional frameworks.²⁶ The parties - with the exception of the PDS - have not conducted any foreign policy debates, which show whether and how they for example differ as to the question of what position the OSCE should take within the international community and how the future security architecture for the Federal Republic and the EU should develop.

An examination of the proposals put forward at the OSCE by the federal government shows that after 1992 important projects failed. Thus the strong institutionalization, even the achievement of a legal status, which had always been hoped for on the part of the Germans, did not come about. A consolidation of the Secretariat through concentrating all offices in Vienna did not take place. The formation of a kind of European security council within the OSCE - that is, the future maintenance and functional extension of the Contact Group for Yugoslavia - could not be implemented. Replacing the UN in Europe with the OSCE is not in sight; in Kosovo the opposite even occurred, the UN was placed above the OSCE. The form of co-operative security policy intended in the CSCE/OSCE framework and in particular strived for by

22 Cf. BT-Drs. [*Bundestag* printed stationery] 14/1959.

23 Cf. BT-Drs. 14/1771.

24 Cf. BT-Plenarprotokoll [*Bundestag* plenary minutes] 14/66 of 4 November 1999, pp. 5884D-5898C.

25 Cf. BT-Drs. 13/5622/5800/5888; BT-Plenarprotokoll 13/138 of 14 November 1996, pp. 12455C-12468D.

26 Cf. Dieter S. Lutz, *Sicherheit statt Risiko - eine Ampel rot, gelb, grün. Die außen- und sicherheitspolitischen Aspekte in den Wahlprogrammen der deutschen Parteien zur Bundestagswahl* [Security rather than Risk - Traffic Lights: Red, Yellow, Green. The Foreign and Security-Policy Aspects of the German Party Election Programmes for the Parliamentary Elections, September 1998, p. 7 (manuscript).

the Federal Republic during the Genscher period from 1989 to 1992 has been downgraded substantially through integration into the CFSP and the European Common Security and Defence Policy (CSDP) strived for by the 15-nation bloc.

"The OSCE is the one and only pan-European security organization. This makes it irreplaceable" - this is the beginning of the section devoted exclusively to the OSCE in the coalition agreement between the parties that have made up the federal government since 1998.²⁷ The focal point of this sentence can be found in many of the statements of previous federal governments. However this laconic observation of a known fact is rather meagre in comparison to what the CSCE/OSCE was destined to become at least from the 1990 perspective. Four years after he left office, the former Foreign Minister Hans-Dietrich Genscher complained that the inherent opportunities in the OSCE to create a pan-European stability policy continued to be neglected.²⁸ And on the occasion of the 25th anniversary of the signing of the Helsinki Final Act, he stated that an "understanding of the OSCE as a kind of service organization for the implementation of political decisions taken within other organizations" would lead to an "impoverishment of the OSCE". The participating States will have to face the question whether they would be prepared to "undertake a repoliticization of the OSCE".²⁹ In view of and because of the policies they announced at their inauguration, this question is also and in particular directed to the federal government now in office whose representatives scarcely devote more than the obligatory iota of interest to international OSCE policies in their speeches.

27 Aufbruch und Erneuerung - Deutschlands Weg ins 21. Jahrhundert. Koalitionsvereinbarung zwischen der Sozialdemokratische Partei Deutschlands und Bündnis 90/Die Grünen [Departure and Renewal - Germany's Course into the 21st Century. Coalition Agreement between the Social Democratic Party of Germany and the Alliance 90/The Greens], Bonn, 20 October 1998, p. 57.

28 Cf. Hans-Dietrich Genscher, Strengthening the OSCE - An Indispensable Condition for a Just and Lasting Peaceful Order from Vancouver to Vladivostok, in: OSCE Yearbook 1995/1996, cited above (Note 19), pp. 49-56, here p. 52.

29 Speech of Former German Federal Minister Hans-Dietrich Genscher at the Commemorative Ceremony Marking 25 Years of the Helsinki Final Act, Vienna, 19 July 2000, PC.DEL/407/00, 18 July 2000, p. 5.