The Vienna Ministerial Council Meeting and Its Aftermath: Coping with the Russian Malaise

The foreign ministers of the 55 OSCE participating States met in Vienna on 27 and 28 November to hold their eighth regular Meeting of the Ministerial Council. Although they adopted a number of routine and non-routine decisions, they failed dramatically to agree on a final "Ministerial Declaration" recording the OSCE achievements in 2000 and drawing up a road map for subsequent work. The direct reason of the deadlock can be put down to Russia who raised severe criticisms concerning the OSCE’s fundamental course of evolution and the functioning of its institutions - in particular the ODIHR and the Representative on Freedom of the Media. The seriousness of those complaints immediately led the OSCE to reflect on the possible means for refocusing its agenda and improving its working methods. The present analysis will address three basic issues: Moscow’s opposition strategy at the Vienna Ministerial Council Meeting, the sources of the Russian malaise within the OSCE and the ongoing debate continuing in 2001 on the "political relevance of the OSCE for its participating States".

Russia’s Opposition Strategy at the Vienna Ministerial Council Meeting

The draft of the Vienna Ministerial Declaration hammered out by the Austrian Chairmanship comprised four sets of provisions which were related to "ritual" statements of a general nature, regional conflicts, transnational challenges as well as institutional matters. The Russian delegation objected to practically all of these. The general statements in the Austrian draft expressed mere routine generalities recalling that the OSCE participating States shared common values, faced common security challenges and that they were ready to meet those challenges in a concerted manner. Russia refused to subscribe to such provisions on the ground that they depicted a false image of the real situation. According to Moscow, the OSCE was actually moving in "a wrong direction" and this meant two things. First, the Organization was focusing excessively on the human dimension component of its programme of comprehensive security and consequently neglecting the politico-military and economic dimensions. Second, the OSCE was arbitrarily limiting its interventions to the

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1 Cf. MC.GAL/1/00 of 10 November 2000, MC.GAL/1/00/Rev.1 of 17 November 2000, MC.GAL/1/00/Rev.2 of 21 November 2000, MC.GAL/1/00/Rev.3 of 24 November 2000, MC.GAL/1/00/Rev.4 of 26 November 2000 and MC.GAL/1/00/Rev.5 of 28 November 2000.
Balkans as well as to the geopolitical space of the former Soviet Union (Caucasus, Central Asia, Belarus) thus creating a *de facto* distinction between participating States as "objects" of and participating States as "subjects" of pan-European security and co-operation. Given their gravity, such charges provided enough justification for an overall rejection of the Austrian draft of the Ministerial Declaration. However, Moscow’s reasons for dissatisfaction were no less serious vis-à-vis the other and more specific elements of the text.

In addressing the issue of regional conflicts, the Austrian draft inevitably referred to those in which Russia was involved either as direct party (Chechnya) or as an indirect party (South Ossetia, Abkhazia, Trans-Dniestria and Nagorno-Karabakh). In doing so, recalling, at least implicitly, that at the Istanbul Summit President Boris Yeltsin had committed Moscow to facilitating the reestablishment in Grozny of the OSCE Assistance Group to Chechnya and also to the gradual withdrawal of Russian troops and armaments from Georgia by 2001 and from Moldova by 2002, could not be avoided. However, those commitments had barely been fulfilled when the Ministerial Council met in Vienna. Invoking "technical difficulties", Moscow was not able to fix a precise deadline for the Assistance Group’s return to Chechnya. In addition, the evacuation of some military bases in Georgia had been followed by the unilateral imposition (for alleged "humanitarian reasons") of a visa regime applicable to all Georgian citizens, except those of the breakaway regions of South Ossetia and Abkhazia. And last, no significant withdrawal of Russian troops from Moldova had taken place. In any event, Moscow challenged the Ministerial Council’s right to determine whether the commitments subscribed to by certain participating States at Istanbul had been honoured or not.

The Austrian draft also listed a number of transnational security challenges prevalent in the OSCE area. The list actually focused on challenges pertaining to the human dimension - namely trafficking in human beings, the rights of children involved in armed conflicts, aggressive nationalism, forced migrations, etc. While mentioning some politico-military challenges (terrorism, proliferation of small arms and light weapons), it completely omitted challenges linked to the economic and environmental dimension. Deeming the Austrian approach unacceptable, Moscow tabled a host of amendments. First, it demanded the inclusion of a number of additional human dimension challenges: threats linked to neo-nazism and related forms of political or religious extremism, ill-treatment of national minorities and side effects of the new information technologies. Second, arguing that many provisions of the Aus-

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3 Cf. MC.DEL/7/00 of 17 November 2000, MC.DEL/30/00 of 21 November 2000 (para. 39), MC.DEL/46/00 of 24 November 2000 (para. 38), MC.DEL/14/00 of 17 November 2000.
trian text were not bold enough, it offered full-fledged counter-proposals on trafficking in human beings, terrorism, forced migrations, the protection of journalists operating in crisis zones and, more particularly, on the rights of children seen from a perspective not limited to armed conflicts. Third, it called for the restructuring of the economic dimension - a pet idea it had advocated repeatedly since the mid-1990s. Fourth, it rejected the Austrian provisions on "human security" because they put more emphasis on the security of the individual than on the security of the state.

As to current institutional matters, Moscow did not reject all the Austrian proposals - basically however, it rejected recommending the renewal of the mandate of the OSCE Representative on Freedom of the Media (FOM), Freimut Duve, for another three years. Other participating States, which have been the target of the FOM (among others Belarus and Kazakhstan) also vetoed the renewal of his mandate. Notwithstanding the increasing official pressure on the media situation in Russia since the election of President Putin, Moscow took the step of proposing a Russian challenger to the incumbent Representative: the Executive Secretary of the Russian Union of Journalists. Although the foreign ministers were unable to agree on a common final Ministerial Declaration, they did adopt, on the basis of the Austrian draft, seven formal "Ministerial Council Decisions". Two of those Decisions dealt with substantive issues: namely, trafficking in human beings and police-related activities. The others concerned institutional or administrative matters related to the appointment of a new High Commissioner on National Minorities, the postponement (for a six-month period) of the extension of the Representative on Freedom of the Media's mandate, conferring the OSCE Chairmanship on Portugal in 2002, the continuation of negotiations on the scale of distribution for large OSCE missions and the venue of the next Ministerial Council (Bu-

4 Cf. on trafficking: MC.DEL/1/00/Rev.1 of 16 November 2000, MC.DEL/4/00 of 17 November 2000; on terrorism: MC.DEL/5/00 of 17 November 2000, MC.DEL/30/00 of 21 November 2000 (paras. 30-32) and MC.DEL/40/00 and MC.DEL/46/00 of 24 November 2000 (para. 38); on rights of children: MC.DEL/6/00 of 17 November 2000, MC.DEL/30/00 of 21 November 2000 (para. 35); on migration: MC.DEL/46/00 of 24 November 2000 (para. 34) and MC.DEL/54/00 of 26 November 2000; on extremism: MC.DEL/7/00 of 17 November 2000; on journalists: MC.DEL/8/00 of 17 November 2000, MC.DEL/30/00 of 21 November 2000 (para. 40) and MC.DEL/46/00 of 24 November 2000 (para. 39); on national minorities: MC.DEL/14/00 of 17 November 2000. Amendments on the overall topic of transnational challenges are to be found in: MC.DEL/30/00 of 21 November 2000 and MC.DEL/46/00 of 24 November 2000.

5 Cf. MC.DEL/38/00 of 23 November 2000.

6 In some of its proposed amendments, Moscow was careful to highlight the role of the state and to emphasize the necessary formal consent of the state; cf. MC.DEL/30/00 of 21 November 2000 (paras. 34 and 37) and MC.DEL/46/00 of 24 November 2000 (paras. 33 and 36).

7 On the Austrian proposal cf. MC.DD/2/00 of 13 November 2000 and on the Russian proposal PC.DEL/715/00 of 13 November 2000.
The Ministerial Council also adopted a "Vienna Declaration on the Role of the OSCE in South-Eastern Europe" and formally approved a "Document on Small Arms and Light Weapons". Summing up the inability of the Council to adopt a Ministerial Declaration, the Russian delegation stated that the difficulties encountered had been generated not from "a few individual regional problems but because of serious issues of principle" linked to a basic question: "What in fact is the OSCE in today's Europe and how do we see its future?" This view was challenged by the Austrian Chairperson who, in a closing statement summarizing the substance of the failed draft Ministerial Declaration, recalled that during the meeting "(d)epth concern was expressed that (...) some of the commitments to which participating States subscribed, including those made in Istanbul, had yet to be fulfilled". Although she did not accuse Russia of procrastination over the issue of the OSCE Assistance Group to Chechnya, she did point out that no progress had been made on the withdrawal of Russian troops from Moldova, that the reduction of Russian military equipment in Georgia was incomplete and that the introduction by Moscow of a unilateral visa regime vis-à-vis Georgia was a matter of concern for the OSCE.

The Russian delegate reacted with the observation that the Austrian proposals, conclusions and assessments did not "reflect the entire spectrum of opinions of OSCE participating States" and, consequently, were not based on the consensus principle. In an interpretative statement, he declared that "the Russian Federation considers itself in no way bound by any of the conclusions or recommendations contained in the statement" and also that it "does not consider it possible for the said conclusions and recommendations to be taken in the future work of the Organization and its bodies". In response, the American delegation issued a proper interpretative statement also recognizing that the remarks of the Chairperson-in-Office were not made on the basis of consensus; nevertheless, it clearly affirmed that "in so far as (those remarks) were a repetition of commitments or obligations previously undertaken under the OSCE or under the Final Act, or other aspects of the CFE Treaty, they remain commitments and obligations of us all".

9 MC.DEL/148/00 of 28 November 2000.
11 Cf. ibid., p. 483.
The semi-failure of the Vienna Ministerial Meeting brought the Russian malaise, which had been unfolding for quite some time within the OSCE, dramatically to the fore. Basically linked to the frustrating experience of the Security Model exercise (1995-1997) and the drafting of the Istanbul Charter for European Security (1998-1999), the malaise was exacerbated by the political trauma suffered by Moscow following NATO's military intervention in the Federal Republic of Yugoslavia (March-June 1999).

It is worth recalling that in March 1995, the participating States opened a wide debate on a "Common and Comprehensive Security Model for Europe for the 21st Century" basically aiming at assuaging Russian anxieties about NATO's Eastward enlargement. Russia's expectations were then particularly high. Moscow was seeking for a legally binding charter providing security guarantees for states remaining outside politico-military alliances and laying the foundations of a European security architecture free from geopolitical dividing lines. It also wanted the establishment of a web of regional security organizations working on the basis of an "appropriate" division of labour under the central aegis of the OSCE. With regard to the OSCE as such, the expectations were far from insignificant: Moscow hoped for radical reforms transforming the OSCE into a legal international organization, enabling it to conduct genuine peacekeeping operations (of a non-coercive nature), strengthening its three dimensions equally, overhauling its structures and introducing strict rules of procedures for all OSCE bodies and instruments, including its field missions.

With those objectives in mind, Russia tabled countless ideas and proposals. Most of them backfired because of their evident anti-NATO bias (division of labour between security organizations), their overly ambitious scope (strengthening of the economic dimension) or their perceived undesirable potential effects (the overhaul of the OSCE structures and the codification of the procedures governing the field missions advocated by the Russians aimed at allowing governments to exert a tighter control on the Organization in general and the ODIHR in particular). As a consequence, negotiating the Istanbul Charter was an extremely trying and frustrating exercise for Moscow. In any case, one must admit that the final text of the Charter did not substantially address fundamental Russian anxieties and demands. Thus, why did Russia swallowed the pill and sign the Charter? The answer is that Moscow got satisfaction at another level: the adaptation of the CFE Treaty. Furthermore, the Heads of States or Governments gathered in Istanbul carefully avoided

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14 For previous examples, see the Russian delegation's critical remarks on the lessons to be drawn from OSCE operational activities made at the 1999 Review Conference, RC.DEL/206/99 of 29 September 1999, as well as the memorandum entitled "OSCE 25 Years after Helsinki: New Prospects for Co-operation", SEC.DEL/294/00 of 31 October 2000.
blaming Russia for Chechnya and were extraordinarily understanding of Russian positions.

NATO's military intervention in Yugoslavia, which revealed to Moscow the full extent of its isolation and impotence within the OSCE, contributed to embittering Russian feelings to an unprecedented degree. Russia's defensive reflex was to re-endorse and reaffirm, with near obsession, the principles cherished by the Soviets, equal sovereignty of States, non-interference in internal affairs and non-use of force inconsistent with the goals and purposes of the United Nations. Russia has since then systematically refused to accept - as a high official of the Russian Foreign Ministry put it - any possibility of intervening in the domestic affairs of participating States with the help of any OSCE mechanism available. The Russian opposition strategy at the Vienna Ministerial Council has to be primarily understood against the background of that specific goal, as well as President Putin's undertakings to reassert the superpower status of his country, which he continues to believe in.

In sum, Russia is feeling more and more isolated in the institution which since the collapse of communism it had hitherto been praising rather highly. With the exception of Belarus, few if any delegations back its positions. This is no wonder: Moscow can for instance neither expect support from the (initial) GUAM countries (Georgia, Ukraine, Azerbaijan, Moldova), nor from those of the late Warsaw Treaty Organization. The former are angered by its ambiguous policy vis-à-vis the so-called "frozen conflicts" and the latter do not appreciate its continued opposition to NATO's enlargement - which actually amounts to a denial of the right of OSCE participating States to freely choose their own security arrangements.

The 2001 Debate on the "Political Relevance of the OSCE for its Participating States"

The Russian complaints about "unbalances" or "double standards" pervading OSCE activities were certainly not new within the Organization: They had been raised from time to time, in particular by the Central Asian States. The new element introduced by the Vienna Ministerial Council debates was that such complaints were publicly endorsed by a participating State of magnitude like Russia and, at the same time, backed in a loud voice by Belarus and, in a more moderate tone, by Kazakhstan.

In the aftermath of the Ministerial Council, in January 2001, the Romanian Chairmanship took the initiative of launching a reflective debate on the ways

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16 This group was joined by Uzbekistan and today carries the acronym GUUAM.
18 Cf. MC.DEL/145/00 of 28 November 2000 (Belarus) as well as MC.DEL/85/00 of 27 November 2000 (Kazakhstan).
and means to strengthen the OSCE and to increase its relevance for its participating States - that is to say, to give balanced attention to the preoccupations and demands of all the participating States. Taking advantage of this opportunity, a number of delegations followed the path opened by the Russians.

In a joint statement, Georgia, Ukraine, Uzbekistan and Azerbaijan as part of the GUUAM cluster deplored that "the attempts to ignore political and military aspects of security in the OSCE activities reflect a misperception of (the) emerging security situation in Europe". They stressed that "the OSCE area today is (an) unstable combination of regions with different levels of security" because the OSCE "has not succeeded in overcoming old lines of division and was not able to resist the creation of new ones" and also because "genuine equality in multidimensional relations has never been reached, double standards are often used by certain OSCE countries". With regard to frozen conflicts, the joint statement underscored the growing tendency of the OSCE "to tolerate the political and security consequences of (those) conflicts and treat (them) as faits accomplis, and consequently leave the responsibility for the failure to the parties (...) As for the humanitarian consequences of the conflicts affecting the lives and H(uman) R(ights) of millions of citizens of our countries, these have never been tackled within the human dimension in a serious and consistent way." In addition, Kazakhstan reaffirmed that the activities conducted by the OSCE in Central Asia did not reflect a real balance among the three dimensions and that there was also a need to redress a policy of double standards. Besides, Armenia deplored the constant deterioration of the consensus rule as well as the consolidation of new dividing lines - between the "chosen", the "aspiring" and the "forever excluded" for membership in the Euro-Atlantic institutions. Finally, the Federal Republic of Yugoslavia expressed the view that like Russia, it would not like "to see the OSCE being transformed into an organization where a group of States would teach another group what to do."

For its own part, Russia tabled several sets of proposals aimed at eliminating what it considered the "politico-structural, geographical and functional distortions" affecting OSCE activities. A first set suggested the inclusion on the OSCE agenda of practically all the items that Moscow had so far advocated fruitlessly: anti-missile defence, political extremism in all its forms, international terrorism, equal application to all participating States of OSCE norms on the conduct of democratic elections, information security, migration and statelessness, revitalization of the economic dimension, etc.

19 Cf. CIO.GAL/2/01 of 8 January 2001; cf. also CIO.GAL/22/01 of 31 May 2001.
24 Cf. PC.DEL/2/01 of 8 January 2001.
A second set of proposals consisted of ideas that had not yet been buried such as the regrouping of the OSCE structures into "principal organs" and "special institutions" with precise rules of procedure, subjecting field missions to a strict system of regular reports, the reinforcement of the Forum for Security Co-operation, attributing the OSCE with a legal personality as well as privileges and immunities or the introduction of more transparency in the financial management of the Organization - all aimed at imposing uniform procedures and regulating the powers and functions of all OSCE bodies, structures and institutions. A third set of proposals devoted to strengthening the economic dimension offered a compendium of all previous Russian ideas on the topic. Clearly, Russia was still seeking radical reforms at both the structural and functional level.

However, the Western states were obviously not on the same wavelength. The United States, for example, expressed its opposition to the introduction of more rules, regulations or bureaucratic procedures to the OSCE, while warning that any steps taken to enhance the work in the politico-military and economic dimensions would negatively affect the human dimension. As to the European Union, it has only been prepared to increase transparency and to reform working methods - for instance by means of factual concluding statements or, when appropriate, substantial declarations by the Permanent Council.

Still feeling its voice unheard, Moscow launched clear warning signals stressing that it could no longer accept seeing the OSCE being assigned "a kind of maidservant's role, carrying out the orders and implementing the decisions of others organizations". In other terms, the forthcoming Bucharest Ministerial Council should pass the decision to address the whole complex of problems affecting the OSCE frontally, by establishing a special negotiating process in order "to save the life of an OSCE labouring under so dangerous a disease": Indeed, without a "radical surgery intervention", one can argue that "the pan-European process will be doomed to extinction".

**Conclusion**

Moscow's outburst of anger at the Vienna Ministerial Meeting unleashed a series of complaints on two major points: the uneven performance of the three dimensions of comprehensive security and the use of double standards,

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which stems from the fact that the Western states do not submit to common rules.\textsuperscript{30}

However, the alleged excessive OSCE focus on the human dimension is not the real problem. Indeed, it is not simply that the human dimension is over-emphasized and the other two dimensions are neglected. The truth of the matter is that the latter are less developed than the former for objective reasons. The weakness of the military component of the politico-military dimension can be basically explained by the difficulties the Forum for Security Co-operation had in elaborating a substantive arms control agenda which went beyond the CFE Treaty as a direct item as well as fully integrating itself in the mainstream activities of the OSCE. As for the economic dimension, it has been condemned, at least for the time being, because of its lack of human resources, expertise, financial means and direct operational activities to remaining more symbolic than real. How can the OSCE cope with concrete environmental issues (by for instance organizing international assistance to countries affected by the Chernobyl disaster as suggested by Belarus at the Vienna Ministerial Council) without any operational assets? The overwhelming majority of participating States consider that the most significant role the OSCE can play in the field of the economic dimension is that of a political "catalyst" for the activities of more competent and specialized international organizations - as well as that of a "consumer" of the expertise and experience of such organizations (UNECE, OECD, EBRD, etc.).

The real problem is not that of competition between the dimensions but of a lack of synergy among them. Since the Budapest Review Conference (1994), serious efforts have been undertaken to increase the complementarity of the three OSCE security dimensions with the aim of achieving the fullest possible degree of synergy and integration between them. Thus, synergy between the first dimension and the third dimension is now developing fairly satisfactorily through the High Commissioner on National Minorities (who represents a functional bridge in this connection), the field missions (whose mandates generally include a human dimension ingredient), the implementation of the Code of Conduct or the development of "inter-dimension" themes such as the rights of children in armed conflicts or trafficking in human beings.

The OSCE participating States expressed their awareness of the synergy between the second dimension and the third dimension in the Istanbul Charter by recognizing that "(t)he OSCE's efforts within the human dimension have significant economic effects and vice versa, for example by mobilizing human resources and talents and by helping to build vibrant civil societies".\textsuperscript{31}

\textsuperscript{30} A third point, the emergence of new dividing lines, will not be addressed here: Whatever its reality, the emergence of new politico-military and economic cleavages has nothing to do with the OSCE as such, but with the internal dynamics of NATO and the European Union.

This kind of synergy is already developing within the framework of themes common to both dimensions, like the fight against corruption. It is nevertheless clear that synergy between the first dimension and the second dimension (integration of the economic, social and environmental aspects of security into conflict prevention and crisis management) has so far, regrettably, received only lip service - for the basic reason, as previously mentioned, that the economic dimension is congenitally weak.

The other second criticism made of the OSCE, i.e. the use of double standards, is certainly excessive but not totally unfounded. On the one hand, nobody can deny that the most numerous and serious human rights and democratization problems are presently concentrated in the former republics of the USSR, the former Eastern bloc and the Balkans - that is to say in countries where democracy never flourished before or had been lacking for decades. It is no wonder then that there is continually cause to focus on human dimension activities there. On the other hand, we have to admit that some of the problems occurring in the Western world have not been addressed within the OSCE. As mentioned by Belarus at the Vienna Ministerial Council, the Organization did not react to the visa restrictions introduced by the West, which was in contradiction with their pet principle of the free flow of people. Furthermore, the OSCE questioned the fairness of the 1999 elections in Belarus, but not of the American elections which took place in that same year: It could be argued that by doing so, the Organization applied different standards.  

Clearly, all OSCE countries should abide by the 1990 Copenhagen criteria on free and fair elections standards for different countries - although no one would deny that democracy is deeply ingrained in the US and remains rather symbolic in Belarus. At the Vienna Ministerial Council, Russia and Belarus tabled a formal joint proposal tasking the ODIHR with conducting a comparative review of electoral laws and regulations of all of the 55 participating States of the OSCE in order to assess their conformity with the criteria of the 1990 Document of the Copenhagen Meeting of the Conference on the Human Dimension.  

Because of its obvious political motivation, the proposal was rejected; however, in the end, it is perhaps regrettable that nothing came of it.

32 While giving the United States a patent on democracy, the written declaration recognized that in this case an important principle had not been respected: that is, that each individual vote has to be counted, cf. ODIHR.GAL/60/00 of 22 December 2000.

33 Cf. MC.DE/24/00 of 20 November 2000.