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The OSCE - A Danish View

1) At the beginning of the 1960s Western Europe and North America were flooded with admonitions being made by the East about the necessity of convening a European security conference and the merits resulting from the various proposals for such a conference offered by the Soviet Union and other Warsaw Pact countries.

These proposals were regarded with a fair amount of scepticism in the capitals of Western countries and by NATO as their purposes could have been manifold, not least to impair the political and military cohesion between NATO countries and to consolidate Soviet hegemony in Eastern Europe. At the same time the Western countries were very much aware that the Cold War was both a dangerous and expensive venture and that *détente* was therefore desirable if it could be achieved on acceptable terms and could be made to serve certain constructive purposes, not least to mitigate the political and human consequences of the unnatural division of Europe and, in the long term, to keep the possibility open that this division would come to an end.

After extensive consultations with Eastern and Western governments, the then Danish Foreign Minister, the late Per Haekkerup, proposed that the NATO countries should discuss the problems and possible advantages connected with convening a European security conference. NATO enthusiasm was at most modest, but in 1966 the NATO Council took up the matter and six years and a great deal of trouble later the East, the West and the Neutrals agreed that preparatory talks to a "Conference on Security and Co-operation in Europe" (CSCE) should be initiated in Helsinki in November 1972.

In accordance with its attitude in previous years, Denmark participated very actively in these talks, not least by introducing the original text to what was later to become known as "basket III" of the Helsinki Final Act. In the course of the CSCE itself and the follow-up meetings in Belgrade (1977-1978), Madrid (1980-1983) and Vienna (1986-1989) as well as at the Stockholm Conference on Confidence- and Security-Building Measures and Disarmament in Europe (referred to as CDE, 1984-1986), Denmark took a comparably active role. This was facilitated by the fact that from the beginning of the preparatory talks in Helsinki in 1972, Denmark had enjoyed the unique position of being the only Nordic member of both NATO and the European Community. For a small country like Denmark, this represented an unusually broad and versatile basis for its participation in the CSCE process and offered it possibilities which it would not normally have at its disposal - a temporary political indulgence, which for obvious reasons did not survive the end of the Cold War. And all that is now history.

2) In 1989, Europe was hit by a political landslide which left a completely new political landscape in its wake. The CSCE was also swept along in this landslide as the basic purposes for which it had been created had now been fulfilled. The question whether this had rendered the CSCE redundant never surfaced (but the leaders in Moscow were left to ponder why the original Soviet plans for a European security conference had produced such completely unintended results).

At the CSCE Summit Meeting in Paris in 1990, an optimism prevailed that was without precedent in the more recent history of Europe. It led the participants to proclaim "a new era of democracy, peace and unity in Europe" in the Charter of Paris. This vision was to guide them in the future activities of the CSCE.

But this vision was shattered as dark skies appeared on the European horizon shortly after the beginning of the 1990s: conflicts in various forms in and between the former communist countries, an unsteady course towards democracy and the full implementation of human rights in some of these countries and the ultimate disaster: the violent break-up of former Yugoslavia. Some of these items have weighed heavily on the agenda of the CSCE/OSCE ever since.

3) The original CSCE was characterized by a feeble structure, but a rich and coherent agenda. Tailored as it was to the overall problems and conflicts of the Cold War, it became the basis for a continuous debate and norm-setting activity in the CSCE centred around the differences and the resulting conflicting views of the two dominating political systems in Europe of that time. The Conference became an important factor in developments on the European continent soon after its establishment in 1975 and this continued until the end of the Cold War.

However, the old structure was manifestly insufficient to deal effectively with the problems and conflicts of the post-Cold War era. To preserve its credibility, the CSCE now had to be equipped to handle the various activities on the spot which developments in and between the participating States demanded. Therefore, the Summit Meeting in Helsinki in 1992 laid the groundwork for a traditional international organization based upon a comprehensive political and bureaucratic apparatus. Hence at the Summit Meeting in Budapest in 1994, the decision was passed to change the name of the "Conference" to "Organization" for Security and Co-operation in Europe, and during the 1990s the activities in the field in the participating States came to play an ever increasing role in the work of the OSCE.

That brings us up to the present and to the question: what now? What is the situation of the OSCE today as a result of the course of events since the beginning of the 1990s? What could be done in order to prepare the Organization in the best possible way to meet the challenges of the future? Denmark does not have a master plan which can provide a complete answer to that last question, there is no one who does. However, Denmark will continue to sup-

port and participate in the activities of the OSCE at the diplomatic level as well as in the field. In the following a Danish view is offered as to the most important and characteristic features of today's OSCE and the steps that could be taken in order to adjust or correct prevailing conditions where necessary.

4) For obvious reasons, the events of 1989-1990 brought the political debate and the need for norm-setting activity as they had been known by the old CSCE to an abrupt end. From then on there was still some political debate and there was still norm-setting activity. However, most of this was oriented in a rather static manner to Western ideas and standards which since the adoption of the Charter of Paris were in principle accepted - if not always observed - by all participating States. Therefore the sting had gone out of whatever was left of a political debate as well as out of the norm-setting activity, and basic political items were left alone.

The predictable clashes between the parties in serious and concrete conflicts, for example the disintegration of Yugoslavia or Nagorno-Karabakh, and the ensuing unrest and activity in the CSCE/OSCE, became as concrete as their topics and did not lead to any kind of a general discussion of the underlying basic problems. The same is more or less true for other important political achievements, namely the highly commendable activities of the various special institutions of the OSCE in the fields of democracy, human rights, minorities, and freedom of the media, and for the Parliamentary Assembly.

During the negotiations which preceded the adoption of the Charter for European Security by the Istanbul Summit in November 1999, there were ambitions in some quarters to make this document an innovative normative document laying down political guidelines for relations between states, between states and their citizens and between international organizations. But this effort failed. In the end the normative contents of the Charter were basically confined to preserving the *acquis* of the OSCE. Beyond this the Charter provided for a number of additional practical instruments which were designed to strengthen the capacity of the OSCE for crisis management. This was a good thing, but a totally different story.

The military dimension of the OSCE is a phenomenon of its own kind. It goes back to the Stockholm Conference from 1984-1986, and since then has been a very successful enterprise. In the course of the 1990s the Forum for Security Co-operation has been instrumental in the adoption of further confidence- and security-building measures (CSBMs) and various arms control agreements, and it appears to be continuing its work unabated. However, this work is not necessarily dependent upon the political umbrella of the OSCE and in this sense is an independent phenomenon.

5) Today, therefore, the image of the OSCE is closely connected with and dominated by its field activities as carried out through its missions, offices and other forms of presence which assist participating States in dealing with conflicts, crises, democracy-building etc. (classified together as "crisis management" in the following). The variety, importance and complexity of their

tasks is evident if we run through their locations: Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Estonia, Georgia, Kazakhstan, Kosovo (in Yugoslavia), Kyrgyzstan, Latvia, the Former Yugoslav Republic of Macedonia, Moldova, Russia (Chechnya), Tajikistan, Turkmenistan and Uzbekistan. The mandates of these OSCE missions and offices do, of course, differ from one case to the other, but their common denominator is to support political processes which are designed to prevent or solve conflicts at various levels.

The very number and the variety of the field activities mentioned above and the way in which tasks have been performed there are proof of the successful implementation of the intention to endow the OSCE with the capacity to exercise crisis management on the spot when conflicts or other serious problems occur. Thereby the OSCE lives up to one of the essential demands which must be met if it is to be perceived as a reliable caretaker of endeavours to handle the many different and complicated problems of the post-Cold War period in Europe. The fact that only few and limited solutions have been found to the problems which the OSCE field presences have been and are dealing with does not say much about the efficiency of these activities, but is rather a reflection of the complexity of the problems at hand. And in cases where efforts in search of solutions have been deadlocked for some time, e.g. Georgia, Moldova and Nagorno-Karabakh, a revitalized political dialogue could create a basis from which such efforts could be set into motion again.

As is well known, however, the OSCE does not have a monopoly in the field of crisis management in its area. Other international organizations also have an appropriate capacity in this regard and may wish, for purposes of their own, to demonstrate this in situations where intervention from the international community is called for. As far as the OSCE area is concerned these other international organizations are notably the UN, NATO and the EU and, considering developments over the last decade, it is necessary to face the question whether there is a natural delimitation of the responsibilities of these various organizations with respect to crisis management in the OSCE area.

6) The ultimate tool of crisis management is, of course, the military peacekeeping operation. In this area, the UN has had long and extensive experience, although it has to be admitted that in Europe, i.e. in the Balkans, UN military peacekeeping has only been a limited success. NATO has also had experience in this field and, evidently, the means to perform in a convincing manner. For the time being the EU does not possess these military means, but that situation is likely to change within the next few years. Since the Helsinki Decisions of 1992 military peacekeeping operations have been envisaged also within the framework of the CSCE/OSCE, but up to now, none have been deployed, and this is not very likely to happen in the foreseeable future. It follows that when a crisis management operation entails a military element, OSCE participation is only possible in co-operation with one or more other international organizations. The same applies to operations which are so large

that the OSCE cannot cope with them alone under the present administrative and financial circumstances. In these respects the actual operation in Kosovo is a case in point. There the OSCE, with a staff of over 600 international mission members, is responsible for institution- and democracy-building, rule of law and human rights, and together with the EU and the UNHCR is a part of the civilian component under the UN umbrella. The military component KFOR, however, is under NATO command whereby the two components work in close and successful co-operation.

Thus, for practical purposes crisis management conducted by the OSCE on its own means civilian activities on the spot in one or more participating States and with manageable dimensions - which does not necessarily mean small (for example, the Mission to Bosnia and Herzegovina has approximately 200 international staff at its disposal). As mentioned above, experience seems to indicate that the OSCE is well qualified for field work of this kind. But this might also be true of the other international organizations. Therefore, it is also necessary to examine the characteristics and relative qualifications of the various international organizations which are most relevant when it comes to dealing with civilian crisis management in Europe.

7) The United Nations is the oldest of the organizations in question and enjoys indisputable prestige in the international community. The financial resources of the UN are adequate and this combined with the UN's extensive experience in crisis management makes them a significant actor in this area.

However, the OSCE participating States all belong to the same geopolitical region and thus have close relations and possess unique mutual knowledge. Such relations and mutual knowledge do not and could not exist among UN member states in general because of the global character of the UN with respect to both membership and responsibilities, and because they are a minority within the UN, the OSCE participating States cannot be sure that their mutual knowledge will be put to optimal use by the UN if there is a case concerning Europe. This is not overly surprising considering the specificity of many European political problems and the lack of experience among the broad membership of the UN in dealing with those problems. There have actually been cases in which the handling of European problems by the UN has not led to a happy end, and generally speaking the UN has not been known to give high priority to European problems. With the UN in charge there is also a risk of unwanted influences from extraneous sources on the problem or problems at hand, a risk which can never be ruled out completely, but which could be considerably reduced if the OSCE were in charge.

8) NATO as well as the EU include only some of the OSCE participating States. In particular, neither the US nor Russia are members of the EU, and Russia does not belong to NATO. Furthermore, NATO is often perceived as a strictly military organization, still remembered as one of the main antagonists of the Cold War, a perception which - rightly or wrongly - was inevitably fortified by the NATO operation in connection with the Kosovo crisis.

However in today's Europe, NATO as well as the EU are capable of exercising great political influence, and neither this influence nor the active involvement of NATO and the EU stop at their Eastern borders. NATO has already admitted previous Warsaw Pact states as new members, and more are expected to join. The EU is preparing for a gradual and far-reaching enlargement towards the East, beginning perhaps already in 2002. And both NATO and the EU have stretched out their hands offering extensive co-operative arrangements to countries that are located even farther East than those which are currently categorized as potential members.

This policy may well create a political platform from which either of the two may assert themselves as *bona fide* agents of crisis management in a large part of the OSCE area if and when the need arises. But this should not conceal the fact that both NATO and the EU basically were established for other and very different purposes and that may well affect them in the exercise of crisis management.

9) The authority of the OSCE in the field of crisis management today has various sources: The participating States cover the entire European region and they have close relations among one another as well as unique mutual knowledge, the importance of which I have already emphasized. The OSCE participating States do not have to deal with a large variety of problems throughout the world, but can concentrate on problems of which they have first-hand and profound knowledge. In addition, OSCE decisions are based on consensus which gives them their political strength. And last, but certainly not least: For the OSCE, crisis management has not been a side show, but one of its main purposes after the demise of the old CSCE in the European upheaval around 1990, and the Secretariat and structure of the OSCE have in general been reasonably adapted to this end which is being further promoted by the development of REACT.

It seems clear that these observations constitute a strong case for the claim that the OSCE is not only well qualified, but also the obvious choice when it comes to selecting an agency to carry out civilian crisis management projects within its capacity in the OSCE area, either on its own or as the leader of such a project.

It also seems clear that when it comes to crisis management operations with a military component and/or exceeding a certain size, the Kosovo model has considerable merits. Here the UN and its agencies, the OSCE and the EU have proved that they have been able to carry out a joint operation in which the tasks are distributed according to the particular abilities of each of them and performed within the framework of all-round day-to-day co-operation which also includes NATO.

10) So much for the broad spectrum of qualities that singles out the OSCE as the natural primary choice as an agent for civilian crisis management in the OSCE area. One must, however, also take a look at the internal political conditions under which the OSCE is currently working and conducting activities

in crisis management. Have the participating States in general made a satisfactory commitment to the work of the OSCE? Is there a political continuity which allows opinions and differences to be discussed and which could produce normative innovations as well as overall guidelines for the activities in the field? Neither of these two questions can be answered with an unqualified yes.

With respect to the latter, the OSCE obviously offers an excellent basis for a meaningful discussion of even the most complex political problems, conceptual as well as concrete, in or between participating States. However, for the time being this potential is far from being fully utilized. At the beginning of the 1990s, the participating States envisaged that the new CSCE could assume the role of a kind of regional UN in questions concerning security policy, i.e. discuss such questions with a view to gradually creating a system of rules and norms generally accepted and sometimes, but not necessarily, expressed in resolutions. This idea was realized to a certain degree until the collapse of the first OSCE mission to Kosovo, but today political dialogue as well as norm-setting activity leave much to be desired. The fate of parts of the Charter for European Security is a case in point.

As to the former question it is relevant to recall that the OSCE has three political centres of gravity: Russia, the US and the EU. However, Russia appears to have lapsed back into a hesitant and suspicious attitude to co-operation within the OSCE since the NATO operation in connection with the Kosovo crisis in 1999, and it is at best only very slowly moving back towards mainstream participation in the work of the OSCE. The US seems for the moment to be undecided as to its European policy in general and correspondingly undecided as to how and how much it wants to use the OSCE or NATO in the exercise of its - legitimate and desirable - influence in the European region. And for some time to come the EU has so much to deal with, not least in connection with its enlargement, that there will be few resources and little time to spare for other purposes. The larger EU countries are at the moment apparently reluctant to have the EU too deeply involved in the activities of the OSCE (which does not prevent individual EU members from taking initiatives in the OSCE and co-ordinating them with their EU partners). So, for the time being the three heavyweights seem to be satisfied with having the OSCE performing mainly as a trouble-shooter if need be and this can be done without stirring up the political waters too much.

11) Thus the OSCE is faced with a double-barrelled challenge: to revitalize its political dialogue and norm-setting activities and to bring the great powers out of their self-imposed reluctance vis-à-vis the activities of the Organization. Otherwise there is a risk that the OSCE will be marginalized as an actor on the international scene. It will not be perceived as a political standard-bearer to be taken seriously and consequently its possibilities of exerting a significant influence on developments in and between the participating States will be slight and automatically reduced as time goes by. And in the particu-

lar field of crisis management the role of the OSCE may then be reduced to that of a service organization for victims of political "traffic accidents".

There are, however, no compelling reasons why such gloomy prospects should become true. In 1975, few would have believed that the CSCE would in the course of a few years begin to exert such a decisive influence on European developments to the point that it would become an essential factor in developments leading to the upheavals in the late 1980s and the early 1990s. The OSCE of today has a much larger and stronger political and organizational platform than the CSCE had in its infancy, and it is basically sound. Thus, if the actual or potential problems of the OSCE have been correctly identified in the foregoing presentation it is simply up to the participating States to get down to work on reducing and eventually eliminating them. Denmark, for one, is prepared to participate in an effort aimed at getting the work in the OSCE back on the main track.

12) Before I proceed to the question of what steps could be conducive to this end, I wish to deal with one reform idea which I do not consider useful. I refer to the proposals made to change the status of the OSCE from a political to a legal organization through the adoption of a treaty under international law or a kind of constitution for the OSCE. I see no reason for this. The OSCE has been functioning perfectly well without a constitution. Its institutions have up to now worked as smoothly and efficiently as could be expected; the scope of the political obligations has been agreed upon and these obligations have been fulfilled by participating States to the extent that one could realistically hope for. There is no reason to believe that changing them to legally binding obligations would improve the situation in this respect. On the contrary, discussions on the basis of legal texts would probably lead to splitting hairs thereby complicating procedures without improving anything in substance. For a starter, imagine the nightmare-like experience that might occur if one had to go through a negotiating process between 55 countries followed by a ratification procedure by each of them.

13) I now return to the real challenge which the OSCE is facing today. Efforts to overcome the present reserved attitude of the great powers vis-à-vis the OSCE will be logically connected with efforts to reintroduce the political dialogue. First, the revival of an overall political dialogue, e.g. within the framework of a recurrent general debate, would establish an internal working method likely to become productive. Second, it would also serve to strengthen the external influence of the OSCE by creating an interest in its activities, normative as well as executive, and thus could reinstate the OSCE in its rightful place in the international community.

In the endeavour to induce the great powers to change their present positions some patience is probably needed, but even an initial modest momentum would be helpful. It could well pave the way for a gradual and - why not? - accelerative restoration of the full commitment of those powers to the work of the OSCE. Russia has perhaps already begun a very slow move away from

its noncommittal attitude. Signs of more active and candid involvement by Russia in the day-to-day work of the OSCE would be a positive ingredient in internal NATO and EU discussions aimed at reactivating reluctant Western powers.

In support of a renewed great power commitment it could also be argued that the OSCE has something to offer which cannot be provided by any other international organization. It is, therefore, an additional instrument in international politics even for larger countries who already have various options to choose from when they want to prepare an operation on the international scene.

NATO has served the basic security needs of its members since 1949, and NATO remains a very important factor in the European security structure. Originally founded as the EC in order to prevent that a war should ever again erupt in our part of Europe, the EU has now in the course of more than four decades developed a unique form of co-operation among its member countries to the great benefit of them and their citizens.

However, neither NATO nor the EU can replace the OSCE. For one thing it bears repetition that the OSCE includes all European countries, our close cousins the US and Canada, and the former Soviet republics in Central Asia and the Caucasus and that its originator, the CSCE, was created for particular purposes of its own, first and foremost in an effort to mitigate the unfortunate political and human consequences of the unnatural division of Europe and to preserve the possibility that this division could come to an end.

The end of the Cold War resulted in a great step forward as that division and its symptoms evaporated. But history did not stop in 1990, and new problems appeared on the European agenda. The OSCE is there to help preserve and develop what has been achieved in the way of an undivided Europe by preventing conflicts or see to it that they are solved by peaceful means, and by promoting democracy and human rights. In the course of history, European countries have not always been devoted to such standards, and that is one more reason to preserve the OSCE as a vehicle for efforts aimed at their realization. Such efforts will no doubt be appreciated outside the OSCE, considering that Europe more than once has been the hotbed of wars which in turn have engulfed many countries outside our continent.

14) I assume that nobody is surprised that the arguments in favour of preserving the OSCE and using it to the full extent of its potentialities are as valid as ever. I believe that we shall see the OSCE continue its work, prosper and grow in importance and influence in years to come. Setbacks are unavoidable in any human endeavour. In the case of the OSCE they can be overcome provided that the participating States keep their eyes on the ultimate goal: an undivided Europe at peace with itself, devoted to democracy, human rights and comprehensive co-operation between all OSCE States and open towards the rest of the world.