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Challenges for the OSCE – A Dutch Perspective¹

Introduction

On 1 January 2003, the Netherlands took over the Chairmanship of the Organization for Security and Co-operation in Europe (OSCE) from Portugal. However, preparations for this Chairmanship had already begun in 2001, even before the formal decision was made to grant the Chairmanship to the Netherlands. This contribution focuses on the Dutch preparations for the Chairmanship. We will use official documents – in particular documents from the Ministry of Foreign Affairs in The Hague and an advisory report of the Advisory Council on International Affairs – to examine Dutch perceptions of the OSCE. Special attention will be given to the (perceived) crisis in the OSCE and the challenges facing the Organization (and the Chairmanship in particular). The agenda for the Dutch Chairmanship was based on these challenges. Like all its predecessors, the Netherlands stresses, on the one hand, the continuity of the OSCE's activities regarding recurrent themes. On the other hand, however, every new Chairman – and the Netherlands is no exception in this respect – adds new themes to the activities of the Organization, which it deems important or necessary.

The Netherlands and the OSCE

Taking on the responsibility of the Chairmanship-in-Office is in line with the active participation of the Netherlands in the OSCE and its predecessor the CSCE. The Netherlands was closely involved in the Conference on Security and Co-operation in Europe (CSCE) from the very beginning and has always played a pioneering role in both the CSCE and the OSCE. Dutch attention has focused, in particular, on human rights issues and the human dimension.² During the Helsinki negotiations and subsequent follow-up meetings, the

1 This contribution is partly based on Edwin Bakker/Bert Bomert, *The OSCE and The Netherlands as Chairman-in-Office*, The Hague 2003.

2 See, for instance: Bert Bomert, *Nederland en Oost-Europa: meer woorden dan daden. Het Nederlands Oost-Europa beleid, geanalyseerd binnen het kader van het CVSE-proces (1971-1985)* [The Netherlands and Eastern Europe: More Words Than Deeds. Dutch East European Policy, Analysed within the Framework of the CSCE Process (1971-1985)], Amsterdam 1990; Johannes Reef, *Die Niederlande im internationalen System. Fallstudien zum Einfluß eines Kleinstaates* [The Netherlands in the International System. Case Studies on the Influence of a Small Country], Münster/Hamburg 1995; Floribert H. Baudet, "Het heeft onze aandacht". *Nederland en de rechten van de mens in Oost-Europa en Joegoslavië, 1972-1989* ["We Pay Attention to These Matters". The Netherlands and Human Rights in Eastern Europe and Yugoslavia, 1972-1989], Amsterdam 2001.

delegation from the Netherlands regularly denounced (alleged) violations of human rights in Eastern Europe. At the Vienna Follow-up Meeting (1986-1989), the Netherlands was one of the states at the birth of the Vienna Mechanism, a procedure whereby one or more states can call attention to violations of human rights in another country.³ Specific key topics regularly raised by the Netherlands are the full participation of groups and individuals in the CSCE process and freedom of religion. Consequently, at a CSCE conference held in Moscow, the Netherlands made a strong case for the formulation of a Code of Conduct for states of emergency proclaimed by CSCE participating States. This proposal took particular account of the interests of ordinary citizens. The Netherlands also made an active contribution to a number of special meetings in the framework of the Conference on the Human Dimension. During the second Meeting in Copenhagen, in 1990, the delegation from the Netherlands played an active role in the formulation of the rights of national minorities. This course was continued when, two years later in Prague, then Minister for Foreign Affairs, Hans van den Broek, successfully launched the proposal for the creation of the post of High Commissioner on National Minorities. Former Dutch Minister for Foreign Affairs, Max van der Stoel, was appointed the first High Commissioner. He was an experienced CSCE participant who had been directly involved in the negotiations on the Helsinki Final Act in the 1970s.⁴

In Budapest (1994) the Netherlands dedicated itself to the situation of the Roma and Sinti and, once again, to freedom of religion. During the last decade, the Netherlands has also regularly advocated the further reinforcement of the OSCE as an organization. Partly in consultation with its German neighbours, the Netherlands submitted tangible proposals for the achievement of this objective. During the Copenhagen Ministerial Council, in December 1997, the OSCE participating States adopted two proposals submitted by the Netherlands. The first focused on the enhancement of the Secretariat, in particular the Conflict Prevention Centre (CPC), which has duties such as the running of field operations. The second proposal concerned improving the OSCE's funding system. During the preparations for the OSCE Summit in Istanbul, held in November 1999, the Netherlands actively supported the creation of Rapid Expert Assistance and Co-operation Teams (REACT).⁵

3 Cf. Netherlands Ministry of Foreign Affairs, *Organisatie voor Veiligheid en Samenwerking in Europa (OVSE)*, Factsheet (April 2002), Nederlandse inbreng in de CVSE/OVSE [The Contribution of the Netherlands to the CSCE/OSCE], at: www.minbuza.nl/default.asp?cms_item=mbz45041#p93_22021.

4 Cf. Walter Kemp (ed.), *Quiet diplomacy in action: the OSCE High Commissioner on National Minorities*, The Hague 2001; Max van der Stoel, *Principles and Pragmatism: Twenty-Five Years with the Helsinki Process*, in: Institute for Peace Research and Security Policy at the University of Hamburg (ed.), *OSCE Yearbook 2000, Baden-Baden 2001*, pp. 25-33.

5 Cf. Netherlands Ministry of Foreign Affairs, cited above (Note 3).

The Netherlands has not only demonstrated that it is an active OSCE participating State in terms of formulating proposals, it has also often been in the forefront of the Organization's field operations. For example, the Netherlands was involved in one of the OSCE's largest missions, the international Election Observation Mission to Bosnia and Herzegovina, from the very beginning (1996). The Netherlands provided the Co-ordinator of the international Observation Mission, Ed van Thijn, who was specially appointed to this post by the OSCE. The largest field operation of the OSCE so far, the Mission in Kosovo, was headed by Ambassador Daan Everts during the period 2000-2001. In 1998, Everts also led the OSCE Presence in Albania.⁶

Organizational Preparations for the Dutch Chairmanship

One of the decisions taken during the Ninth OSCE Ministerial Council, held in Bucharest on 3 and 4 December 2001, was to assign the Chairmanship of the OSCE in 2003 to the Netherlands. Pursuant to this decision, the Netherlands became a member of the OSCE Troika on 1 January 2002, together with Romania and Portugal, who held the Chairmanship in 2001 and 2002, respectively.

From the start it was clear that the duties associated with the Chairmanship would impose a heavy burden on the Permanent Representation of the Netherlands in Vienna, the Ministry of Foreign Affairs in The Hague and, of course, on the Chairman-in-Office, the Minister for Foreign Affairs. The Minister would have to travel frequently on OSCE business; for example, eighty per cent of the foreign visits made by the Romanian Foreign Minister in 2001 were connected with his duties as OSCE Chairman-in-Office.⁷ In view of the upcoming Chairmanship, an OSCE Task Force was established at the Ministry of Foreign Affairs to ensure that the duties of the Chairman-in-Office would be performed correctly. This special Task Force is headed by an experienced diplomat in the person of Ambassador Everts. In addition, the Permanent Representation of the Netherlands at the OSCE in Vienna has been expanded for the period of the Chairmanship. The budget reserved by the Ministry of Foreign Affairs for activities within the framework of the OSCE Chairmanship amounts to 2.3 million euros in 2002, 9.1 million in

6 For details, see: Ed van Thijn, *The Moods of Sarajevo. Excerpts from the Diary of an Observer*, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), OSCE Yearbook 1997, Baden-Baden 1998, pp. 159-189; Daan Everts, *The OSCE Presence in Albania*, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), OSCE Yearbook 1999, Baden-Baden 2000, pp. 271-282; Daan W. Everts, *The OSCE Mission in Kosovo*, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), OSCE Yearbook 2001, Baden-Baden 2002, pp. 137-148.

7 Cf. Netherlands Helsinki Committee, *Een nieuwe internationale uitdaging voor Nederland: het Nederlands OVSE-voorzitterschap in 2003 [A New Challenge for the Netherlands: the Netherlands OSCE Chairmanship in 2003]*, The Hague 2002, p. 13.

2003, and 1.3 million in 2004.⁸ In addition, the Ministry of Defence has seconded two staff members for OSCE activities, who will be engaged solely in duties associated with the Chairmanship; one has joined the Permanent Representation in Vienna, the other the Task Force in The Hague. Both institutions will devote themselves to military and security-related OSCE issues, whereby special emphasis will be placed on CSBMs and disarmament issues within the scope of the OSCE.⁹

Given the previous active participation of the Dutch in the OSCE and the initiatives taken and the proposals made by the Netherlands in the past, expectations at the start of the Dutch Chairmanship were fairly high – in The Hague, in Vienna and in the headquarters of OSCE missions and other presences. The Netherlands is seen as a participating State that is potentially able to give a new impetus to the development and performance of the OSCE. In addition, the Netherlands has greater financial resources at its disposal than previous Chairmanships, which may help ensure the Chairmanship's success. Moreover, the Netherlands has, in the recent past, supplied the OSCE with a number of top officers, such as former High Commissioner on National Minorities Van der Stoep and Ambassador Everts. The Hague therefore possesses a considerable amount of "in-house" expertise that can be used to make the Chairmanship in 2003 a success.

Drawing up the Agenda for the Chairmanship

Although a formal decision on the Dutch Chairmanship was not taken until the Bucharest Meeting of the Ministerial Council (December 2001), the then Minister of Foreign Affairs, Joop van Aartsen, had already formulated a number of plans and measures for the anticipated Chairmanship. Consequently, the Netherlands' Advisory Council on International Affairs was already asked in April 2001 to write an advisory report on the strengths and weaknesses of the OSCE and, on the basis of the conclusions reached therein, to issue recommendations on how the Netherlands could best approach the forthcoming Chairmanship. The advisory report was published in May 2002 and has partly served as the basis for the Dutch agenda in 2003.¹⁰

The Advisory Council's report contains a large number of recommendations pertaining both to the performance of the OSCE in general, and to the Dutch Chairmanship in particular. It offers a catalogue of challenges that have to be met. For example, the Advisory Council notes that although over the course of the years the OSCE has assumed the responsibility for a wide

8 Cf. Letter to the President of the House of Representatives of the States General, re: Preliminary review of the Dutch chairmanship of the OSCE in 2003, November 2002, p. 11, at: www.OSCE.org/cio/netherlands/documents/files/letter_01-11-02.pdf.

9 Cf. *ibid.*

10 Cf. Advisory Council on International Affairs, The Netherlands and the Organisation for Security and Cooperation in Europe in 2003: Role and Direction, The Hague 2002.

variety of duties and operations, these nevertheless lack any obvious coherency. According to the report, it is not even clear why the OSCE still takes on these diverse tasks. During the Dutch Chairmanship, therefore, the Netherlands needs to specify explicit priorities, i.e. to provide an answer to the question: Which of these duties constitute the Organization's core business? The Advisory Council itself has come up with an answer to this question: The core business of the Organization should be "the themes of conflict prevention and post-conflict rehabilitation, based on the OSCE's expertise in relation to the security dimension, the economic and environmental dimension, and the humanitarian dimension. Designating conflict prevention and post-conflict rehabilitation as policy spearheads should also make it easier to set priorities for the OSCE's responsibilities and activities. The OSCE should undertake new activities only if they help to prevent conflicts or to further the cause of post-conflict rehabilitation."¹¹ Consequently, responsibilities and activities that don't directly contribute to these goals should be abandoned.

Missions and other field operations were, are and will be important to achieving these goals of the Organization. They are the OSCE's "eyes and ears" in the field, and therefore a prime instrument of early warning. More often than not, they are in direct contact with local leaders and the local population, and are therefore highly visible. This makes the missions and field operations unique instruments. Their effectiveness can and should be increased, however, by setting explicit time limits by which they must have achieved the objectives of their mandates.

According to the Advisory Council, the Dutch Chairmanship is more likely to be successful if a high standard of expertise is available, a sufficient number of staff are seconded and adequate financial resources are committed. Last but not least, the Minister of Foreign Affairs as Chairman-in-Office should display a high degree of political commitment. But even if these criteria are met, success or failure of the Dutch Chairmanship is to a great extent dependent on whether or not the OSCE, and in particular the Chairmanship, is able to meet the challenges that confront the Organization. Some of these challenges are known, since they have been on the political and diplomatic agenda for a long time. Given the experiences of previous Chairmen-in-Office, however, it cannot be ruled out that a sudden, unexpected international crisis will dominate the agenda and that there will therefore be no time, or opportunity, to tackle the challenges.

Challenges for the OSCE

In view of the challenges currently confronting the OSCE, it can safely be said that it is a difficult time to accept the Chairmanship. Already in March 2001, in preparation for the upcoming Dutch Chairmanship, the Minister of

11 Ibid., p. 40.

Foreign Affairs, Van Aartsen, characterized the OSCE as an organization exhibiting a certain degree of stagnation in a letter to the Dutch House of Representatives.¹² This feeling of stagnation was also a prominent theme in a letter from the German and Dutch OSCE Ambassadors to the Chairman of the Permanent Council of April 2001. In a joint paper – “Reviewing OSCE: food for thought and some possible steps forward” – they painted a rather negative picture. It refers to “minimal progress” in the resolution of conflicts. The OSCE is seen “less and less as one of the main forums for political dialogue”, is dominated by decision making that “suffers from a certain lack of transparency” and is seen as an organization with a “one-sided focus on problems”. In order to improve the functioning of the OSCE, “new momentum” should be created.¹³ The paper included various proposals for improvement, some of which found their way onto the agenda for the Dutch Chairmanship in 2003.

The Ministry of Foreign Affairs first sketched its ideas, plans and targets for the Dutch Chairmanship of the OSCE in letters to and debates in the House of Representatives during the autumn of 2001.¹⁴ These centred on recent developments within the OSCE and on the future of the Organization. With the terrorist attacks of 11 September 2001 on the United States of America still fresh in the memory, the then minister, Mr. Van Aartsen, stated that “the Netherlands will dedicate itself to indirect measures to counter terrorism concentrating on its traditional tasks: society building, the training of police forces, the development of impartial justice systems, the promotion of tolerance towards minorities, and the reintegration of former members of the armed forces in civilian life.”¹⁵ During the debate on the budget for the Ministry of Foreign Affairs for 2002, held in the Senate in March 2002, the Minister specifically stated his willingness to work in close co-operation with the Russian Federation in order to counter international terrorism.¹⁶

Good working relations with the Russian Federation would, according to the Minister, merit special attention. The relationship between the Russian Federation and “Europe” should be one of the *leitmotifs* of the upcoming

12 Cf. Tweede Kamer der Staten-Generaal, vergaderjaar 2000-2001, 26355, Ministeriële Raad OVSE, nr. 4, Brief van de minister van Buitenlandse Zaken [Letter from the Minister of Foreign Affairs to Parliament, re: Ministerial Council of the OSCE], 28 March 2001, p. 1.

13 Reviewing OSCE: food for thought and some possible steps forward, letter from Ambassadors Reinhard Bettzuege and Johannes C. Landman to Ambassador Liviu Bota, Chairman of the Permanent Council, 30 April 2001, PC.DEL/271/01, 3 May 2001.

14 Cf. Tweede Kamer der Staten-Generaal, vergaderjaar 2001-2002, 26355, Ministeriële Raad OVSE, nr. 5, Verslag van een algemeen overleg (3 oktober 2001), [Debate between the Minister of Foreign Affairs and Members of Parliament (3 October 2001), re: the OSCE], 26 October 2001.

15 Ibid. (authors' translation).

16 Cf. Handelingen van de Eerste Kamer der Staten-Generaal, vergaderjaar 2001-2002, Behandeling van het wetsvoorstel Vaststelling van de begroting van de uitgaven en de ontvangsten van het Ministerie van Buitenlandse Zaken (v) voor het jaar 2002 (exclusief onderdeel NAVO) (28000 v), 19de vergadering, [Debate on the Budget of the Ministry of Foreign Affairs], 5 March 2002.

Chairmanship. As the Netherlands will also serve as Chairman of the European Union and of the Council of Europe in the next few years, the relationship between the Russian Federation and European organizations should be a recurrent theme on the Dutch political and diplomatic agenda, according to the Ministry of Foreign Affairs. It would not be the sole *leitmotif*, though. Another common theme for the three successive chairmanships would be the promotion of good governance through good administration and the rule of law.¹⁷ This focus could build a bridge between, on the one hand, the achievements of the European Union, and, on the other, the needs of those countries which are not members of the European Union but which do participate in the OSCE and the Council of Europe. In addition to these themes, a third broad subject was brought up: illegal trafficking in small arms, drugs and human beings. Working closely with Norway, the Netherlands will explore possibilities regarding the formulation of proposals for binding agreements to improve controls on the proliferation of weapons.

Besides formulating these general themes, the Ministry of Foreign Affairs, and its representatives (including members of the OSCE Task Force) have also announced that the Netherlands intends to scrutinize the OSCE's broad agenda of activities and its organizational structure. Against this background, Ambassador Everts stated that the Chairmanship needs to find a middle course between ambition and reality.¹⁸ Coherence and consistency are values that are only weakly developed within the OSCE. According to Everts, the course adopted by the Organization and the deployment of its instruments are both largely in the hands of those who happen to be at the wheel – an arbitrary situation which is not compatible with the operations of a mature organization. Consequently, he advocated the formulation of a coherent overall strategy, more effective management and clear evaluation policies.¹⁹

The various themes and issues for the Chairmanship that were brought up in 2001 and 2002 found their way into the agenda that was made public on the eve of the Dutch Chairmanship. In the Explanatory Memorandum accompanying the Budget for 2003, the new Minister of Foreign Affairs, Jaap de Hoop Scheffer, paid special attention to the issue of the “frozen conflicts” in the Caucasus and the various problems in the Central Asian states.²⁰ The Memorandum also stresses once again the importance of co-operating with the Russian Federation in order to achieve breakthroughs and reach solutions. This requires an improvement in relations with Moscow – both bilateral and

17 Cf. *ibid.*

18 Cf. Verslag Ronde Tafelconferentie “De agenda voor het Nederlands Voorzitterschap van de OVSE” [Report of the Round Table Meeting “Agenda for the Netherlands OSCE Chairmanship”], 22 April 2002, at: www.nhc.nl/reportroundtable22042002.

19 Cf. *ibid.*

20 Cf. Tweede Kamer der Staten-Generaal, vergaderjaar 2002-2003, 28600-V, Vaststelling van de begrotingsstaat van het Ministerie van Buitenlandse Zaken (v) voor het jaar 2002, nr. 2, Memorie van Toelichting, [Budget of the Ministry of Foreign Affairs, Memorandum of Explanation], 17 September 2002, p. 8.

multilateral (via organizations such as the European Union, NATO, the OSCE, the United Nations, and the Council of Europe). It would also do justice to Russia's role as a major political player.

The Explanatory Memorandum also specifies the priorities and goals of the Dutch Chairmanship: first, to enhance the organizational-structural elements of the OSCE by means of a geographical redistribution and increased balance in the activities of the field missions; second, to improve the political management of the OSCE field missions; third, to improve operational and financial accountability in the implementation of the programmes; and, fourth, to better co-ordinate the activities of the various OSCE institutions, such as the HCNM and ODIHR.²¹ The second priority pertains to conflict prevention and crisis management, especially in the Caucasus and Central Asia. The targets that have been set are the active intervention in (and the termination of) long-term ("frozen") conflicts, the enhancement of the Dutch diplomatic presence in Central Asia and a reduction of the number of staff and duties of OSCE missions to Balkan countries – a measure in part intended to enable an increase of the OSCE's presence in the Caucasus and Central Asia. The third priority of the Chairmanship pertains to the achievement of an improved balance between the three components of the OSCE's policy, i.e. the politico-military, economic and human dimensions. Concrete targets include improving the balance between these dimensions, vigorously continuing the OSCE's activities in the area of democratization, and achieving sustainable improvements and consolidation of the democratic state based on the rule of law, public administration, freedom of the media, respect for human rights and civil society in general. A further aspect of this third priority is to adopt a decisive approach to trafficking problems, the central theme of successive chairmanships.

Finally, in November 2002, the definitive agenda for 2003, including priorities, scheduled activities and possible pitfalls, was drawn up and presented in Parliament.²² According to the current Minister of Foreign Affairs and Chairman of the OSCE, Jaap De Hoop Scheffer, the most important issues on the agenda are:

- geographical and thematic imbalances in the Organization's activities,
- the harmonization of the security dimension with other OSCE activities,
- the withdrawal of Russian troops, weapons and ammunition from Moldova, and the closure of the Russian military bases in Georgia,
- trafficking in small arms, drugs, and human beings,
- compliance with human rights,
- the promotion of the rule of law,
- frozen conflicts in the OSCE region,

21 Cf. *ibid.*, p. 59.

22 Cf. Preliminary review of the Dutch chairmanship of the OSCE in 2003, cited above (Note 8).

- the consolidation of democracy and the rule of law, the transparency of government, and the construction of the civil society in Central Asia and
- the internal organization and effectiveness of the OSCE.

In addition, in his letter to Parliament, the Minister stated that the Netherlands' three successive Chairmanships/Presidencies of the OSCE, the Council of Europe, and the European Union could be employed to emphasize shared themes such as human rights and common European values. The Minister also explained that the Netherlands intends to make appropriate use of the Troika. Against this background, the Chairmanship will hold regular discussions with Bulgaria on the way in which the latter can be involved in the work of the Netherlands Chairmanship.

Concluding Remarks

The Netherlands Chairmanship in effect started with an address by Minister De Hoop Scheffer to the OSCE's Permanent Council in Vienna on 13 January.²³ His speech stressed once again the most important points cited in the aforementioned documents. The new Chairman-in-Office emphasized the importance of the OSCE; he also drew attention to the Organization's achievements. He did indicate, however, that improvements are both desirable and necessary. In conclusion, he stated that the success of the Netherlands' Chairmanship depends on the full support of all participating States.

A successful Chairmanship, however, is based on many other factors as well, and many of these are beyond the control of the Chairman-in-Office. In particular, developments in the international arena and crises within the OSCE area will influence the course of the OSCE Chairmanship. A successful Chairmanship, therefore, could also be defined as one that is able to react quickly and effectively to these developments, abandoning, if necessary, plans and ideas that were formulated in advance. Nevertheless, given the range of outstanding challenges the OSCE needs to address, and the ambition of the Netherlands Chairmanship to address them, one can only hope this Chairmanship will not be confronted with crises of the magnitude of September 11 or "another Iraq".

23 Jaap De Hoop Scheffer, Address to the OSCE Permanent Council, Vienna, January 13, 2003, CIO.GAL/5/03.