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Whither the OSCE?¹

Forced to Adapt

At the dawn of the 21st century, the international order of states has been deeply shaken by the events of 11 September 2001 and the military campaigns in Afghanistan and Iraq. While political stocktaking will continue for some time, the international community needs to assess the consequences of these events for security-policy matters straight away. One aspect of this is the need for international organizations, in particular, to critically re-examine the range of activities they have carried out up to now.

Like the United Nations, NATO and the EU, the OSCE must face the new challenges emerging from these events. It, too, has made intensive efforts to adapt both the premises and the focus of its work to the changed situation. This is not the first time it has done this: More than ten years ago, the OSCE's basic self-understanding was dealt a severe blow by the collapse of the Soviet Union and the end of the East-West divide. Through a remarkable *tour de force*, it was able then to adapt its policies and instruments to a new set of challenges – contrary to the opinions of the sceptics who predicted it would fade into insignificance.

There is every reason to believe that the political vitality of the OSCE will again prove the doubters wrong. However, the Organization faces yet a further challenge: Following the enlargement of the EU and NATO, the OSCE feels highly exposed to the shift in the balance of power in favour of Brussels. All three actors' areas of engagement now increasingly overlap not only in the Balkans but also at the new eastern frontiers of the European Union and the North Atlantic Alliance. This has created new requirements for co-ordinating the formation of new policies and implementing them.

In the face of all these changes, will the OSCE be able to continue to contribute to political stability between Vancouver and Vladivostok in the manner expected of it? This question is not merely of academic interest. It also touches upon the general issue of just how much scope international organizations have to act under today's conditions of increasing global complexity.

1 This article reflects the personal opinion of the author.

The Comparative Advantages of the OSCE

The OSCE has occasionally been characterized as merely a “fair-weather organization” that suffers critically from a lack of instruments to physically implement its security policy. This reproach overlooks the difficulty of gauging the success of conflict prevention and post-conflict rehabilitation, confidence building and the implementation of good governance and human rights – precisely the focal points of OSCE activity. While it may be more spectacular to impose peace on a crisis region through military means than to carry out the laborious everyday work involved in building democratic institutions, the latter is by no means inferior to the former in terms of its stabilizing effect.

After September 11, in a world that has in many ways become more insecure, this aspect of the OSCE’s work is more relevant than ever. The OSCE also retains the frequently undervalued function of ensuring transparency in matters of security through a unique network of agreements on arms control, disarmament and military confidence building. The OSCE has tried to make use of the comparative advantages resulting from this in various ways:

It immediately made the fight against terrorism a central focus of its activities, seeking at the same time to harmonize its work with that of other international actors, above all the United Nations, the EU and NATO. A “Plan of Action” was adopted as early as the OSCE Ministerial Council in Bucharest on 3 and 4 December 2001 and subsequently refined at a major regional conference in Bishkek. In December 2002, the OSCE Ministerial Council in Porto produced two documents that again emphasized the priority of this topic. It is commensurate with the OSCE’s understanding of its own role that – besides reviewing the instruments it has available to aid the fight against terrorism (including those resulting from the commitments of participating States in the areas of disarmament, arms control and confidence building) – it also gives greater consideration than other actors to the need to respect human rights when dealing with this complex area.

The OSCE is converting its comprehensive concept of security into operational activities more consistently than ever. This is true of cross-functional tasks such as the fights against trafficking in human beings and intolerance, of new tasks in civilian border monitoring and police training, of efforts to tackle organized crime and weapon and drug trafficking and of the Organization’s long-established work in the areas of democracy building and promoting the rule of law. The OSCE’s approach brings together military issues and matters of economic and environmental policy alike. Examples of this include the Document on Small Arms and Light Weapons (SALW) and efforts to achieve agreement on the allocation of scarce water resources in the Central Asian states. As a result, the concept of “baskets” as introduced in the Helsinki Final Act has become increasingly irrelevant: New security challenges are impossible to confine to one “basket” or another. This is especially true of matters relating to the fight against terrorism.

The OSCE remains an indispensable instrument for ensuring that democracy, the rule of law and human rights are upheld in all participating States. It also has a vital role to play in institution building and promoting the development of civil society. If one admits that long-term international stability can only be guaranteed by states with firmly established democratic structures, one has pinpointed an area where the OSCE's political contribution is decisive. This is largely thanks to the successful work of three OSCE institutions: the Warsaw-based Office for Democratic Institutions and Human Rights (ODIHR), which has received worldwide recognition above all for its extensive activity in election monitoring, the High Commissioner on National Minorities (HCNM) and the Representative on Freedom of the Media (FOM). By organizing two major conferences in 2003, one on anti-Semitism and one on racism, xenophobia and discrimination, the OSCE has emphatically underlined its competence in these areas. In the field of minority issues, the question of Roma and Sinti rights continues to be an important topic. The FOM – a position held by Freimut Duve up to the end of 2003 – has been gaining increasing recognition. He has spoken up whenever the independence of the media has been threatened – whether in Belarus, Russia, Central Asia, Italy or even in the United States in connection with anti-terrorist laws passed in the wake of September 11.

The integrated range of instruments for conventional disarmament, arms control and military confidence building that has been built up over many years under the umbrella of the OSCE is of undiminished importance. It makes the Organization the guarantor of a high degree of transparency in all participating States. This is a historic achievement and one of the great legacies of the CSCE process; it now encompasses not only the Vienna Document and the CFE Treaty on conventional disarmament in Europe, but also the Open Skies Treaty, the implementation and monitoring of the arms control provisions of the Dayton Accords and, most recently, agreements on the control of small arms. Today, the OSCE's work in this area largely involves implementation, verification, updating and adaptation and the ever-tighter integration of such measures with security policy. The Porto Ministerial Council underlined the OSCE's irreversible commitment to this area, something which is also reflected in the increasingly close co-operation between the Organization's two main forums: the Permanent Council and the Forum for Security Co-operation (FSC). This process gained particularly in momentum during the German FSC chairmanship in mid-2003.

The OSCE's field missions – which are the heart of the Organization's operations and still account for almost 75 per cent of its budget – have also been expanded and strengthened. The OSCE's classical tasks in the areas of conflict resolution, conflict prevention and post-conflict rehabilitation cannot be achieved without them. However, this process has not been without its difficulties: The criticism of those who deplore the imbalance in the location of these missions – which are “exclusively east and southeast of Vienna” – has

become increasingly vociferous. Pressure has also been growing to allow host countries to have a greater say. And finally, the over-hasty closure of the OSCE Missions in the Baltic states of Estonia and Latvia has provided more ammunition for the view that the presence of the OSCE stigmatizes host countries, who are seen as implicitly admitting to unstable domestic conditions. Despite this unfavourable environment, the OSCE did succeed in re-opening its presence in Minsk at the beginning of 2003. In Chechnya, however, it experienced a setback when the government of the Russian Federation was not prepared to extend the mandate of the presence in the form in which it had existed up to then. Nevertheless, talks on an appropriate form for a renewed OSCE presence in Chechnya are still on the agenda. On the positive side, the mandate of the Mission to Georgia has been expanded, and the OSCE has been able to significantly consolidate its activity in the Central Asian countries.

The OSCE's political competence is indisputable and of growing importance in those states and regions that have so far remained outside the European Union or NATO and which have no realistic prospects of becoming members of these organizations in the short term. This applies to Belarus, Ukraine and Moldova and to the states of the South Caucasus and Central Asia. The OSCE played a major role in enabling these countries to undergo a phase of political reorientation following independence. However, even this was not achieved without some difficulties: Some of these countries felt that OSCE activities – in particular its commitments to democracy, the rule of law and human rights – were acts of interference in their internal affairs. In Belarus, this culminated in a fully fledged crisis that was only settled with great difficulty in the spring of 2003. The issue will remain a sensitive one for the OSCE.

The extent to which the OSCE's ability to act depends on co-operation between the OSCE Chairmanship and the OSCE Parliamentary Assembly (PA) should not be underestimated. Under its current President Bruce George, who has held the office since the summer of 2002, the Parliamentary Assembly has undertaken considerable efforts to improve this co-ordination, for example, by opening an OSCE PA Liaison Office in Vienna in November 2002. The Parliamentary Assembly with its high-profile, twice-yearly plenary sessions continues to be an indispensable instrument in enlisting the support of the national parliaments of the participating States for OSCE policies.

Ongoing Criticism

To this record of success, however, one must contrast the weaknesses that have repeatedly threatened the OSCE with internal disintegration. It is to the Organization's credit that these matters are discussed openly – something that

has often been pushed to the limit within the OSCE itself. The following points are particularly relevant:

One central topic of these discussions is, as we have already seen, the future of the OSCE's field missions. Whether they are seen as a stigma or as a vital asset, no one would seriously deny that field missions are one of the Organization's key instruments. Suitable presences in participating States will remain essential if the OSCE is to continue to carry out the tasks contained in its mandates on conflict prevention, conflict settlement and post-conflict rehabilitation, building democratic institutions and monitoring compliance with human rights commitments. In this connection, it is certainly legitimate to consider matters such as the form presences are to take, the duration of their mandates, their regional distribution, the extent of their reporting activities and the modalities of their close co-ordination with the host country. One proposal, made by the President of the OSCE Parliamentary Assembly, Bruce George, was that the OSCE should establish information offices in all participating States. At the Parliamentary Assembly Winter Meeting in 2003, where the primary focus was on trafficking in human beings, it was proposed that, to ensure comprehensive treatment of this issue, OSCE offices should be established in Western destination countries, for example, "in Amsterdam's red light district". One way or another, it is clear that the debate on possible reforms of the OSCE field missions called for by the OSCE Ministerial Council in Porto and confirmed by the Maastricht Ministerial in December 2003 is well underway. Now it is important to ensure that it is conducted with a sense of proportion and without damaging the Organization's substance.

The OSCE has not achieved any sweeping successes up to now in attempting to solve the so-called "frozen" conflicts in Moldova and Georgia, for which it has a mandate. However, a closer look reveals a mixed record here as well: The case can certainly be made that the OSCE is in no small part responsible for the fact that the antagonisms in these countries have not erupted into "hot" conflicts once again. In more than ten years of painstaking work, it has succeeded in establishing the outline of a political resolution in both the Transnistrian conflict in Moldova and the South Ossetian conflict in Georgia. With respect to the Abkhaz conflict, also in Georgia, the OSCE has energetically supported and accompanied the efforts of the United Nations. In the meantime, indications are that there is movement in the direction of a comprehensive political arrangement for Transnistria. There is also hope of making substantial progress in Georgia after the change of government there, provided all the conflict parties and mediators can muster the political will to find a solution. A stronger OSCE role in solving the Abkhaz conflict is by all means in the realm of the possible.

Of the OSCE's three dimensions, the one that concerns economic and environmental issues has so far been operationally the weakest. Nevertheless, this dimension is indispensable if the concept of the OSCE, which is founded

on good governance and the establishment of structures based on democracy and the rule of law, is to be successful. It is unfortunate that the OSCE has only very limited funding for project work in this area. It would therefore be highly advisable here for the Organization to co-operate with governmental and non-governmental actors who have the necessary financial means at their disposal: the European Union, international financial institutions such as the European Bank for Reconstruction and Development (EBRD) – which is primarily active in Eastern Europe – and non-governmental organizations. Of particular importance for the OSCE's work are those areas with a bearing on strengthening domestic security such as fighting corruption, organized crime and trafficking in human beings. The OSCE's weakness in this dimension is well known and has been examined extensively in internal studies. There has, however, been insufficient implementation of measures that could improve the situation. The May 2003 OSCE Economic Forum in Prague indicated ways that could lead out of this dilemma.

Another criticism that has long been heard is that the OSCE is incapable of effectively asserting itself as an institution – despite major management reforms recently concluded and adjudged a success. As a consensus-based organization, it is always dependent on the agreement of its 55 participating States to pass its decisions, a process that inevitably involves watered-down compromises that are weak in substance. Furthermore, there are a number of states, among them some very powerful ones, that are suspicious of the idea of strengthening the OSCE Secretariat. Under these conditions, significant responsibility has devolved upon the OSCE Chairmanship. The Dutch Chairmanship will be seen to have met all the expectations placed in it during 2003, setting a yardstick for the Bulgarian and Slovenian Chairmanships in 2004 and 2005.

Outlook

To counter its critics, the OSCE likes to argue that its forward-looking policy prepares it well to meet the challenges of the 21st century. It is certainly hard to deny that the Organization is unequalled in terms of both the scope of its activities and the number of participants. With its comprehensive approach focusing on building democracy and the rule of law, it contributes fundamentally to stability and conflict prevention in a core geopolitical region.

All the elements are in place for the OSCE to systematically pursue its policy – both now and in the future. However, this will require the continual adaptation of policies and the instruments created to implement them. It will also be necessary to co-operate even more closely with other international organizations such as the EU, the United Nations, the Council of Europe, NATO and international financial institutions. Above all, it will be essential to take full advantage of the synergy realized through the OSCE's relation-

ship with the EU. By co-operating with the enlarged European Union of 25 member states – almost half of OSCE participating States – the OSCE can contribute decisively to preventing the re-emergence of dividing lines in Europe or can at least attenuate the effects of such divisions as do emerge.

In recent years in particular, the complaint has been repeatedly voiced that the OSCE lacks political visibility – especially in comparison with other international actors. This concern is understandable in a publicity-obsessed age. The OSCE will only be able to remedy it through the effectiveness of its political activities. The 30th anniversary of the Helsinki Conference in 2005, which continues to be perceived as the founding act of the OSCE, will be an occasion for – to some extent public – stocktaking. There should be no cause for pessimism.