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## The Dutch Chairmanship: From Porto to Maastricht

*Added Value for the OSCE?*

No other state has made such a well-prepared and correspondingly confident and ambitious impression in recent years as the Netherlands did on assuming the OSCE Chairmanship for 2003 from Portugal, following the tenth Ministerial Council Meeting in Porto.<sup>1</sup> The Netherlands continued to project confidence and ambition throughout its Chairmanship.<sup>2</sup> A deliberate decision appears to have been taken to cultivate a façade of confidence in an effort to lend the Organization momentum and overcome the lethargy that had set in among participating States as a result of the lack of progress made in many matters since the Istanbul Summit. At the same time, there were high expectations that the Dutch Chairmanship would be characterized by strong leadership and energetic activity. The Netherlands has more extensive resources and greater experience in international politics than virtually any state that had previously held the Chairmanship. In addition, the Netherlands has frequently shown its willingness to commit personnel and funds to the OSCE in the past.<sup>3</sup>

In preparation for its Chairmanship year, the Dutch foreign ministry seconded additional staff for attachment to its delegation in Vienna, took organizational measures that included the creation of a 20-strong OSCE office, and provided additional funding worth 2.3 million euros in 2002, 9.1 million euros in 2003, and 1.3 million euros in 2004. The defence ministry also seconded staff.<sup>4</sup>

Measured against its declared intentions and the expectations it aroused, the results of the Dutch Chairmanship up to the eleventh Ministerial Council held in Maastricht on 1-2 December 2004 were in some respects disappointing and in others no better than acceptable.<sup>5</sup>

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1 This is documented in: Edwin Bakker/Bert Bomert, *The OSCE and the Netherlands as Chairman-in-Office*, The Hague 2003.

2 Cf. Report by the Personal Representative of the Chairman-in-Office on the activities of the Chairmanship, 458th (Reinforced) Meeting of the Permanent Council on 27 June 2003, CIO. GAL/64/03, 20 June 2003. The Personal Representative of the Chairman-in-Office was Ambassador Daan Everts, who also headed the OSCE Task Force within the Dutch Foreign Ministry, responsible for co-ordinating the Dutch OSCE Chairmanship.

3 Cf. Bakker/Bomert, cited above (Note 1), pp. 35ff. See also Edwin Bakker/Bert Bomert, Challenges for the OSCE – A Dutch Perspective, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2003*, Baden-Baden 2004, pp. 51-59.

4 Cf. *ibid.*, pp. 53-54.

5 This opinion is borne out by the report by the Nederlands Helsinki Comité (NHC): *Een redelijk succes, Verslag van een bijeenkomst*, The Hague, 4 March 2004.

How can we explain such a large discrepancy between outlay and return on investment (between declared goals and realized achievements)? Possible causes could include, *first*, that the targets were overly ambitious or poorly selected, *second*, that the effort made and the resources provided were insufficient, *third*, that other agencies involved were lacking the will to co-operate, and *fourth*, that the course of events was influenced negatively by unforeseeable developments in other areas.

This last factor was most feared by the Netherlands itself. The major political event of 2003 was the attack by the USA and the UK on Iraq, and the discord between members of the UN Security Council before and after the invasion. According to the heads of OSCE delegations, however, this did not have a negative impact on the Organization's work. The issue was avoided by the participating States involved. Nor was there a noticeable retreat from OSCE multilateralism on the part of the US government, which could have caused difficulties for the Dutch Chairmanship. Accusations that the Dutch Chairmanship set the wrong targets or was insufficiently committed to achieving them are also unfounded. In the end, probably the only blame that can be laid squarely at the door of the Netherlands is that of cultivating an excessive optimism that ignored the general reluctance of the other participating States.<sup>6</sup>

### *The Legacy of the Porto Ministerial Council*

Key aspects of the Dutch Chairmanship's programme were determined in advance by the formal Decisions of the Porto Ministerial Council made on 7 December 2002.<sup>7</sup> Tasks assigned for 2003 included implementing OSCE commitments and activities to combat terrorism, developing an OSCE strategy to address threats to security and stability in the 21st century, holding the first Annual Security Review Conference, reviewing the role of the OSCE in peacekeeping missions, enhancing the OSCE's economic and environmental dimension, and intensifying the Organization's particular commitment to tolerance and non-discrimination. The Decisions also included a number of more-or-less detailed specifications, e.g. for the design of the OSCE's new strategy, for the form and content of the Security Review Conference, and for strengthening the economic and environmental dimension. Furthermore, the Dutch Chairmanship was of course also the first to have to submit to the restrictions on the role of the Chairman-in-Office that had been put in place by the Porto Ministerial.<sup>8</sup> Nonetheless, the declarations and tasks defined by the

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6 Daan Everts' appearance before the Permanent Council displayed both optimism and energy, cf. CIO.GAL/64/03, 20 June 2003, as did Chairman-in-Office Jaap de Hoop Scheffer's appearance in the Dutch parliament cf. CIO.GAL/68/03, 25 June 2003.

7 The Decisions of the Porto Ministerial Council are reprinted in: *OSCE Yearbook 2003*, cited above (Note 3), pp. 442-455.

8 Cf. *ibid.*, pp 452-454.

Porto Ministerial Council did leave the Dutch Chairmanship with adequate opportunities for interpretation and room to develop its own initiatives.<sup>9</sup>

### *The Agenda of the Chairmanship*

At the start of his incumbency, the Chairman-in-Office presented the Dutch agenda to the Permanent Council.<sup>10</sup> This featured, most significantly, plans to rebalance both the OSCE's three dimensions and the Organization's geographical focus, and a new emphasis on combating human trafficking and the illegal trades in arms and drugs (paying particular attention to the connections between countries of origin and destination). The Dutch Chairmanship also announced that it would work to promote OSCE activities and standards in Central Asia and other regions, to make intensive diplomatic and political efforts to bring the "frozen conflicts" closer to a solution, to reach a satisfactory conclusion in the discussions on new risks and challenges, to enhance co-operation with other international organizations, and to improve co-ordination within the Organization itself.

Finally, the Netherlands promised to bring transparency and openness to its Chairmanship, i.e. to keep all participating States well informed and to report at least to each weekly Permanent Council session. This includes the production of a half-way progress report by the Chairman-in-Office.<sup>11</sup>

### *Activities of the Chairmanship*

In line with its announced intentions, the Dutch Chairmanship began its programme of activities energetically.<sup>12</sup> A special performance of a piece entitled "Dance against Violence" by the Dutch National Ballet in the Vienna State Opera was just the first of a varied programme of cultural events that lasted the whole year, and represented a new departure for the Chairmanship.<sup>13</sup> The Dutch Chairmanship and several other sponsors put on a programme that included exhibitions, panel discussions, and theatre and film festivals in Vienna and a number of cities in other OSCE States.<sup>14</sup>

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9 For a critical assessment of the Tenth Ministerial Council, cf. Victor-Yves Ghebali, The decisions of the 2002 Porto Ministerial Council Meeting: Technically relevant but overly ambitious, in: *Helsinki Monitor* 2/2003, pp. 136-147.

10 Jaap de Hoop Scheffer, Address to the OSCE Permanent Council, 13 January 2003.

11 Halfway between Porto and Maastricht, CIO.GAL/64/03 from 20 June 2003 and CIO.GAL/68/03 from 25 June 2003.

12 Cf. Richard Murphy, Dutch Chairmanship sets brisk pace at helm of OSCE, in: *OSCE Newsletter* 1/2003, pp. 1-2.

13 Other cultural events included the exhibition of Dutch photographers' work "Crossing the Line. Human Trafficking", held in Vienna's *Kunsthalle* in the summer of 2003 and a similar exhibition in Prague during the OSCE Economic Forum from 19-24 May 2003.

14 See *OSCE Newsletter* 1/2003, p. 29.

Building on the tasks defined at Porto, the Chairman-in-Office created several groups of "Friends of the Chairman". These groups, whose members differed in each case, were expected to complete their work by the start of the Maastricht Ministerial Council. The Friends of the Chairman represented a new approach that was intended to improve the consultation process and enhance transparency, and promised to reduce workloads and make it easier to achieve the necessary consensus. One of these groups, led by Iceland, prepared the document on combating terrorism; a further came together under Danish leadership to develop the new strategy; a group led by Finland was formed to examine the question of peacekeeping measures; and a group led by Canada considered how to improve the work of the missions.

The Netherlands also made use of the usual means available to the Chairman-in-Office, appointing Personal Representatives, Special Representatives, and Special Envoys. For instance, Adriaan Jacobovits de Szeged was named the Chairman-in-Office's Personal Representative for the Moldova conflict, the resolution of which was a high priority of the Dutch Chairmanship, and the former Finnish President Martti Ahtisaari was appointed the CiO's Personal Envoy for Central Asia.

From the start, the Dutch Chairmanship declared that it placed great importance on communication with non-governmental organizations (NGOs). This is characteristic of the Netherlands and reflects the prominence of Dutch "civil society". Opportunities to make contacts were offered from the start and several meetings were organized.<sup>15</sup>

Efforts related to the OSCE's field activities and hence to the resolution of regional problems require an enormous amount of travelling on the part of the OSCE Chairman-in-Office. In 2003, this saw the CiO visit each of the OSCE's crisis regions: Moldova, and countries throughout South-eastern Europe, Transcaucasia, and Central Asia. Nonetheless, the CiO's itinerary reflected the previously stated intentions of the Dutch Chairmanship to concentrate on Moldova, Chechnya, and Central Asia.

The Chairman-in-Office's tasks include making important appointments and managing the Organization's personnel policy. Installing Christian Strohal as the new director of ODIHR was a notable success. The Dutch Chairmanship failed, however, to appoint a successor to Freimut Duve in the office of OSCE Representative on Freedom of the Media.

#### *Regular Conferences, Forums, Meetings, Seminars, and Sessions of OSCE Bodies*

For every Chairmanship, the OSCE year has its basic structure, routines, and ongoing activities.<sup>16</sup> These include the weekly sessions of the Permanent

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15 A meeting between the Chairman-in-Office and representatives of NGOs took place in Vienna on 12 May 2003.

16 Cf. Tentative Calendar of OSCE Events January - December 2003, CIO.INF/3/03/Rev.2.

Council, the Prague Economic Forum in the spring together with its preparatory seminars, the Human Dimension Implementation Meeting in Warsaw and its Supplementary Meetings, and the concluding Ministerial Council convened shortly before Christmas in the country holding the Chairmanship.

A number of one-off and first-time events also take place each year. In 2003, these included – to mention just one meeting for each of the OSCE's three dimensions – the Security Review Conference, the Conference on Globalization, and the Conference on Racism, Xenophobia and Discrimination.

Meetings with NGOs were a distinctive feature of the Dutch Chairmanship.

### *The Three Dimensions*

The key event for the politico-military dimension was the first Annual Security Review Conference, held in Vienna on 25 and 26 June 2003. Its aim was to enhance links between the Permanent Council and the Forum for Security Co-operation (FSC), thereby contributing to the Chairmanship's goal of improving the balance between the dimensions. The conference was also seen as an opportunity to establish a European security forum that would bring together all interested parties in a forum for discussion under the auspices of the OSCE – above all bringing together NATO and the EU.<sup>17</sup> Sceptics highlighted the risk of the conference doing nothing more than duplicating the Annual Implementation Assessment Meeting at great expense, while undermining the FSC.<sup>18</sup> Nevertheless both the first Security Review Conference and its follow-up in 2004 fulfilled neither the exaggerated hopes mentioned above nor the fears of the pessimists but proved rather to be what it was expected to be: a framework for wide-ranging security-policy dialogue focused on current concerns.

The substance of the economic dimension was on display at the 11th Prague Economic Forum, which was held from 20 to 23 May 2003 and dedicated to the topic of "Trafficking in Human Beings, Drugs, Small Arms and Light Weapons: National and International Economic Impact". The Forum was preceded by three preparatory seminars: on small arms and light weapons (Sofia, 11 and 12 November 2002), trafficking in human beings (Ioannina, Greece, 17 and 18 February 2003), and drug trafficking (Tashkent, 17 and 18 March 2003). An additional seminar on "arms brokering" was organized jointly by the Netherlands and Norway and took place in Oslo on 22 to 24 April 2003.

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17 Cf. Reinhard Bettzuege, *The OSCE of the 21st Century – A Departure for New Horizons?* in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2002*, Baden-Baden 2003, pp. 39-45, here: pp. 43ff.

18 Cf. Ghebali, cited above (Note 9), p. 136.

Despite repeated statements of intention to rebalance the three dimensions, the greatest weight was still placed on the human dimension, as revealed by the number of meetings and conferences. As always, the key event in the human dimension was the regular Human Dimension Implementation Meeting, which was held in Warsaw from 6 to 17 October 2003. Following the opening week, devoted as usual to current developments, the second week took up three specific topics: *first*, racism, xenophobia, and discrimination *second*, anti-Semitism, and *third*, migrant workers.

Three Supplementary Meetings took place in Vienna. The meeting on the Roma and Sinti, which convened on 10 and 11 April 2003, aimed to kick start development of an action plan for improving the situation of these groups. This task had been defined as early as the OSCE's 1999 Istanbul Summit. The second Supplementary Meeting, on 17 and 18 July 2003, focused on "Freedom of Religion and Belief". The third was dedicated to "Prevention of Torture" and took place on 6 and 7 November 2003.

In 2003, the annual seminar on the human dimension dealt with the participation of women in public and political life. It was held in Warsaw from 13 to 16 May 2003.

### *Regional Problems and Conflicts*

The Dutch Chairmanship threw itself energetically into efforts to resolve the conflict in Moldova. Right from the start, however, it underestimated the extent of Russia's strategic interest in the country, falsely assuming that a resolution to the conflict would be possible. As the year progressed, the negotiations became more and more complicated; Russia's foreign policy was always more concerned with increasing its influence on parts of the former Soviet Union by means of the troops it has stationed there.<sup>19</sup> In the end, as the Chairman-in-Office attempted to make a personal intervention on the occasion of his visit to Moldova in November 2003, it was already impossible to reconcile the procedural and substantive positions of the parties involved.

It was also the Chairmanship's intention to restore the OSCE presence in Chechnya or at least to discover new opportunities for the OSCE to exert an influence there. Here, too, however, a considerable effort was expended in vain.

Finally, the Chairmanship wanted to breathe new life into the stalled negotiations on the conflict over Nagorno-Karabakh. Several meetings between the conflict parties were called, and a few even took place. However, real or superficial differences suddenly arose that the Dutch Chairmanship could not resolve in the time available.

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<sup>19</sup> Cf. Adriaan P.R. Jacobovits de Szeged, *Het is lastig om Transdneïstrie tot realisme te dwingen*, in: NHC, cited above (Note 5), p. 4.

With the European Union assuming the leadership role in the Balkans, the OSCE was supposed to focus more strongly on Central Asia. In this connection, one event that was remarkable in several respects was the invocation of the Moscow Mechanism against Turkmenistan by ten participating States. The Turkmen government, however, refused any form of co-operation. The Dutch Chairmanship resorted to flying diplomacy to try to avoid a split.

### *The Maastricht Ministerial Council*

For the Chairman, the Ministerial Council Meeting held in his own country at the end of his year in office is an opportunity to take formal stock of the year's achievements. It is also the last opportunity for the Chairman to improve the overall record of his Chairmanship by means of small – but sometimes vital – additions, as well as to tie up some final loose ends. On the whole, however, the Ministerial Council is merely an opportunity to formally present a pre-written account of the year's activity. The net result of this statement of accounts – whether positive or negative – is the profit or loss that the departing Chairman-in-Office has created for the Organization, and for which he must take responsibility.

The Dutch Chairmanship was keen to ensure that it left a solid record of achievement. It was clear in advance that there was no hope of a glowing set of annual results given the contrast between the inventive, ambitious programme and the lack of real political breakthroughs. Nevertheless, the presence of the foreign ministers of the vast majority of OSCE participating States made the Ministerial Council in Maastricht appear more powerful than its predecessor in Porto. Moreover, the dramatic political changes in Georgia gave the meeting an unexpected significance. Following an appeal from the Chairmanship and in the presence of a representative of Georgia's new leadership (the president of the Georgian parliament), many participating States spontaneously expressed their willingness to provide financial assistance towards the holding of the new elections that were now needed. For the rest, the Maastricht Ministerial Council followed the minutely detailed agenda laid down in advance by the Permanent Council as always. According to this schema, the welcoming address is followed by short, five-minute statements from the representatives of international organizations and then the participating States. No discussion is scheduled. After this, the Chairman officially presents the documents and draft decisions that have been agreed upon, and they are formally adopted by the delegates. Finally, he reads the Ministerial Council's Joint Declaration, which in this case admittedly represented but his own position. Participating States have the opportunity to append their statements to this document.<sup>20</sup>

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20 On the importance and problems of such statements, see: Richard Müller, Interpretative Statements at the Permanent Council: A Quantitative and Qualitative Analysis, in: *OSCE*

A novel aspect of the Maastricht Ministerial was the conference for non-governmental organizations held at the same time and in the same building. It had been called by the International Helsinki Federation for Human Rights (IHF) and was supported by the Chairmanship. The topics of the conference included religious freedom and the fight against terrorism, trafficking in human beings, exemption from punishment in the OSCE region, and civil and political rights in transition countries. However, the NGO representatives neither had access to the main hall where the plenary sessions took place (which was strictly cordoned off) or the meeting rooms used by the delegations, nor – with the exception of the Chairman-in-Office, his Personal Representative, and his disappointingly reticent successor – did any representatives of the participating States find their way to the meetings of the NGOs.

The Ministerial Council of Maastricht adopted two strategy documents, made a declaration on South-eastern Europe, and passed eleven decisions of varying import.<sup>21</sup> Despite meetings between the Chairmanship and the representation of Russia, including the then Russian foreign minister, Igor Ivanov, that often extended late into the night, no agreement was reached on the text of a Joint Declaration. As a result, the declaration was presented by the Chairman-in-Office as the “Chairperson’s Perception Statement”. This was followed by eight statements by representatives of other participating States, some of which were concerned to distance themselves from the Statement. An unpleasant confrontation interrupted proceedings, as a failure to understand the agreed procedure led to a heated exchange between the Armenian and Azerbaijani representatives. Nevertheless, it became clear that the only reason no Joint Declaration had been adopted was Russian opposition.<sup>22</sup>

The agreement of the Ministerial Council to the following three documents was the main achievement of the Maastricht Ministerial. The title of the first, the “OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century”, sounds impressive enough on its own. It also evokes the Lisbon Document from 1996 (the “Declaration on a Common and Comprehensive Security Model for Europe for the Twenty-first Century”) and the Istanbul Document from 1999 (the “Charter for European Security”). Comprising 58 points, the new strategy is indeed comparable in scope with the Summit Documents mentioned. The second document adopted in Maastricht, the “OSCE Strategy Document for the Economic and Environmental Dimension”, is a watershed in the history of the OSCE for other reasons. After 14 years, it largely replaces the “Document of the Bonn Conference on Economic Co-operation in Europe” of 1990, which was the first to be con-

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*Yearbook 2002*, cited above (Note 17), pp. 347-359.

21 Organization for Security and Co-operation in Europe, Eleventh Meeting of the Ministerial Council, Maastricht, 1 and 2 December 2003, MC.DOC/1/03, 2 December 2003, at: <http://www.osce.org>.

22 That was also confirmed by the Chairman-in-Office, the Dutch Foreign Minister, Jaap de Hoop Scheffer, in answer to a question posed by the author at a press conference on 2 December 2003.



cluded after the collapse of the “actually existing socialist” regimes of Eastern and South-eastern Europe and was geared towards the transformation of the state-trading countries into market economies.

The third document adopted in Maastricht, the “Statement on South-Eastern Europe as a Region of Co-operation”, is the shortest of the three, comprising merely an enumeration of the OSCE’s and other organizations’ activities in this area, a call for all those involved to co-operate, and a reaffirmation of their efforts to stabilize the region. It begins with an astonishingly positive report of the progress made in consolidating security, stability, and democracy. In Kosovo at least, only three months later, an observer would have seen a very different picture. Against this background, it is not even particularly polemical to claim that statements of this kind from the Ministerial Council represent examples of wishful thinking.

While the Ministerial Council does still function (or is still able to function) as a negotiating and decision-making body with regard to the above-mentioned documents, when it comes to what are called its “Decisions”, it plays a role more like that of the OSCE’s notary general. From a procedural point of view, the eleven Decisions, to be sketched briefly below, therefore rather resemble notarial acknowledgements of resolutions that had already been amicably negotiated by the Permanent Council or the FSC. Depending on the significance of the material they deal with, the Decisions may nevertheless be extremely important for the Organization.

The first Decision concerned the OSCE’s Annual Report. Its aim is to provide a general overview of activities undertaken in the preceding year, and to function both as a key point of reference for participating States and as a source of information for the general public and interested organizations. The Annual Report must be published by 31 March of the following year. Although it is not an official document requiring the formal approval of all participating States, it is to be presented to the Preparatory Committee four weeks prior to publication. The Decision also sets out the Report’s structure, the methods to be used in preparing it, and the main items that are to be included.

Building on the Declarations made since the 2000 Vienna Ministerial Council, and especially on Permanent Council Decision No. 557 of 24 July 2003 on the OSCE Action Plan to Combat Trafficking in Human Beings, the Decision on combating trafficking in human beings establishes a mechanism to support participating States in fighting this illegal and inhuman trade. In this regard, it was agreed that a Special Representative should be appointed by the Chairman-in-Office and a special unit created in the OSCE Secretariat. The Decision specifies a number of rules for this new mechanism, governing internal co-ordination and external co-operation. As an annex, it also reprints the comprehensive OSCE Action Plan to Combat Trafficking in Human Beings, which has already been adopted, and the relevant norms from earlier Declarations and Decisions.

The Decision on the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area merely formally endorses without amending Permanent Council Decision No. 566 of 27 November 2003 on the Action Plan on Improving the Situation of Roma and Sinti. The complete Action Plan is also attached to this Decision as an annex.

Invoking earlier Declarations and Decisions, the Decision on tolerance and non-discrimination simply recapitulates 16 previously formulated plans, tasks and commitments in this area, reaffirming well-known and important points.

The Decision on elections remains within the criteria adopted on the basis of the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE from 1990 and the supplementary provisions made at the Summit Meetings in Lisbon in 1996 and Istanbul in 1999. In June 2003, ODIHR had submitted a summary of the preconditions that have to be fulfilled to ensure democratic elections to all participating States.<sup>23</sup> The Decision on elections now calls on ODIHR to improve its assistance to participating States in implementing the recommendations made in ODIHR election-observation reports and tasks the Permanent Council with examining the need to Define additional preconditions relating to elections. The Decision repeats the decision adopted at the Porto Ministerial Council on the same topic virtually word for word.<sup>24</sup>

The Decision on the terms of reference for the OSCE Counter-Terrorism Network, which deals fairly briefly with the tasks and commitments of the various organs and states involved in the network, builds upon the various Decisions on combating terrorism taken since the 2001 Bucharest Ministerial, especially the Bucharest Plan of Action for Combating Terrorism.<sup>25</sup>

The Decision on travel document security likewise refers back to the counter-terrorism measures developed by the OSCE since the 2001 Bucharest Ministerial – reiterating them, calling for more progress, and making some enhancements. In doing so, the Ministerial Council invokes a number of UN Security Council resolutions.

By passing the Decision on man-portable air defence systems (MANPADS) and the Decision on the OSCE Document on Stockpiles of Conventional Ammunition, the Ministerial Council confirmed existing FSC decisions that call for tighter export controls and security checks.

Finally, the Ministerial Council decided that Belgium would hold the OSCE Chairmanship in 2006 and that the next Ministerial Council Meeting would convene in Sofia in December 2004.

After the failure of discussions – particularly with the Russian Federation – on the proposed Joint Declaration, the Dutch Chairman-in-Office de-

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23 Cf. ODIHR.GAL/39/03.

24 Reprinted in: *OSCE Yearbook 2003*, cited above (Note 3), pp. 451-452.

25 For more details see: Heinz Vetschera, The Bucharest Ministerial Council, in: *OSCE Yearbook 2002*, cited above (Note 17), pp. 315-328; and Kirsten Biering, Efforts and Possibilities of the OSCE in Combating Terrorism, *ibid.*, pp. 31-38.

cided to present the draft declaration as his personal “Chairperson’s Perception Statement”. The text makes clear that it was impossible to overcome the differences of opinion over the process for resolving the conflicts in Moldova and Georgia. While the participating States from the European Union and the EU candidates for accession had explicitly insisted upon the fulfilment of the commitments Russia had entered into at the 1999 Istanbul Summit Meeting to withdraw its forces from Moldavia and Georgia, Russia denied that any such commitments existed and criticized the linking of their fulfilment with ratification of the CFE Treaty. In this context, the Russian delegation also warned that the CFE Treaty was being eroded by the accession to NATO of countries that were not subject to the CFE regime – a reference to the Baltic states in particular. Faced with this warning and the vague mention of the possibility of alternative security measures, Portugal – with the support of all the NATO states – gave a statement expressing its commitment to the CSE Treaty, to its ratification, and to the accession of new countries to its provisions.

The statements by Georgia and Moldova also make clear that despite all the efforts of the Chair and other participating States – the German ambassador was mentioned by name – the Russian Federation proved unexpectedly intransigent. Moreover, all mention of the war in Chechnya was omitted from the short draft of the Joint Declaration.

In contrast to its predecessor in Porto, the Maastricht Ministerial Council willed no major new tasks to the succeeding Bulgarian Chairmanship.<sup>26</sup> This meant that 2004 would be less concerned with new developments than with implementing what has already been agreed and testing the viability of what has already been achieved, although the OSCE will continue to fill its latent role as an emergency service and its manifest function as a forum.

#### *The Year from the Dutch Perspective*

The OSCE has grown in both strength and relevance – that was how the official representative of the Dutch Chairmanship viewed his country’s achievement in 2003.<sup>27</sup> In his view, the Netherlands had strengthened the OSCE as an organization by accelerating developments, even if these had their origins in previous years. Examples include improving co-ordination between the various parts of the OSCE, such as the Chairmanship and the Secretariat, increasing the transparency of decision-making processes, such as the budget, professionalizing recruitment processes, and monitoring expenditure. A new

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26 The position of OSCE Representative for Freedom of the Media, which had been left unfilled the previous year, was filled by appointment of Miklos Haraszti in March 2004.

27 See Daan Everts, *De OVSE heeft aan kracht en relevantie gewonnen*, in: NHC, cited above (Note. 5), pp. 2f.

department located in the Secretary General's office would lead to greater continuity despite the rotation of Chairpersons.

Daan Everts, the Head of the OSCE Task Force in the Dutch foreign ministry, considers the first concrete success of the Dutch Chairmanship to have been improving the balance between the OSCE's various fields of activity. For example, the Organization's over-concentration on the Balkans was successfully countered by paying more attention to the Caucasus and Central Asia. The imbalance between East and West was also redressed, for example by placing the issue of human trafficking on the OSCE's agenda, formulating an action plan, appointing a Special Representative on Combating Trafficking in Human Beings, and earmarking funds within the OSCE budget for relevant activities.

A second success from the point of view of the Netherlands was the adoption of the OSCE Strategy to Address Threats to Security and Stability in the Twenty-first Century. This represented the fulfilment of a task assigned to the Dutch Chairmanship by the Porto Ministerial Council.

The third positive result was the improvement of co-operation between the OSCE and the EU, the UN, and the Council of Europe, and, in particular, the strengthening of relations between the OSCE, the EU, and NATO.

The fourth achievement welcomed by the Dutch Chairmanship was the creation of closer links with the FSC, which had been charged with performing tasks relating to small arms, travel documents, and MANPADs by the Maastricht Ministerial Council.

The Dutch Chairmanship laid particular weight on the passing by the Maastricht Ministerial of the OSCE Strategy to Address Threats to Security and Stability in the Twenty-first Century. Finally, efforts to improve contacts with non-governmental organizations were adjudged fruitful, and the succeeding Chairmanship was recommended to continue this course.

Everts noted, however, that efforts to resolve the "frozen" conflicts had failed. While the Chairmanship had written off Nagorno-Karabakh and South Ossetia from the start, efforts concentrated on Moldova were also finally fruitless. The same was true of the attempt to persuade Russia to allow the former Assistance Group in Chechnya to take up its work once again, or to agree to the creation of a new mission. No progress was made either in the question of improving the effectiveness of decision-making by loosening the rule of consensus, e.g. in budgetary or personnel questions. As already mentioned, the Dutch Chairmanship also failed to secure the appointment of a new OSCE Representative on Freedom of the Media. Nor did plans to gain legal personality for the Organization amount to anything. The prospects of a long-overdue repeat of the earlier CSCE/OSCE Summit Meetings remained uncertain at the end of the year. As did the question of whether and under what conditions the OSCE could carry out (military) peacekeeping missions.

Finally, at Maastricht it once again proved impossible to agree on a Final Joint Declaration – the Dutch Chairmanship failing in this respect just as the Austrian Chairmanship had two years previously for the first time in the OSCE's history.

In spite of this, an attempt was made to put on a brave face and make the most of the situation, and it was stressed that the temptation had been resisted to reach a watered-down compromise merely to preserve the appearance of unanimity. All kinds of criticisms can be levelled at the OSCE; perhaps the OSCE Troika, consisting of the Chairman-in-Office, his predecessor and his successor, should have laid a milestone by taking up the suggestion of creating a panel of eminent persons to develop proposals for OSCE reform.<sup>28</sup> But that would have been a risky course of action – a similar initiative had ended in debacle.<sup>29</sup> Nonetheless, whatever could have been, no one can accuse the Dutch Chairmanship-in-Office 2003 of choosing the easy route of inactivity.

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28 The suggestion was made, for example, by the semi-official Dutch Advisory Council on International Affairs to its own government before the start of the Dutch Chairmanship.

29 The former Dutch foreign minister, Hans van Mierlo, had proposed the institutional integration of the Council of Europe and the OSCE and had presented his proposal to a conference in The Hague for debate by representatives of both organizations; the discussion was a complete fiasco.