

Christophe Billen

The OSCE: A Platform for Co-operative Counter-Terrorism Activities in Central Asia?¹

Two weeks after the 9/11 attacks, the United Nations Security Council adopted Resolution 1373, which, for the first time, defined the basis for a comprehensive anti-terrorism regime requiring, among other things, the implementation and ratification by all states of the twelve UN conventions and protocols relating to terrorism. The Resolution also created the Counter-Terrorism Committee (CTC), which was tasked with exploring – together with international, regional, and sub-regional organizations – how Resolution 1373 might be implemented through the promotion of best practices and the delivery of assistance programmes.

The OSCE was among the first regional organizations to come up with a specific action plan to combat terrorism. This plan was to be augmented by a series of counter-terrorism policies and activities. These will be detailed and analysed in the first section of this article. As a regional arrangement under Chapter VIII of the UN Charter and with respect to its specific comparative advantages, the OSCE is extremely well suited to relieve the UN's burden in the field of counter-terrorism. In doing so, the OSCE works closely with the UN, but also with other international and regional organizations within the framework of its Platform for Co-operative Security. For the purposes of this article, the level of co-operation between the OSCE and regional and international organizations will be analysed in the Central Asian region, which has until recently been plagued by terrorist attacks.

OSCE Anti-Terrorism Activities after 9/11

The problem of international terrorism was not a new topic for the OSCE at the time of the 9/11 attacks. In fact, the 1975 Helsinki Final Act already included provisions against terrorism, calling on participating States to “refrain from direct or indirect assistance to terrorist activities, or to subversive or other activities directed towards the violent overthrow of the regime of another participating State”. After the end of the Cold War, successive Summit declarations reiterated the Helsinki commitment, recognizing terrorism as a genuine threat to state security, and called for enhanced co-operation. However, the most important developments took place in the aftermath of the 9/11 attacks.

¹ The views expressed in this article are the personal opinions of the author.

The Bucharest Plan of Action for Combating Terrorism, drafted by the OSCE informal open-ended Working Group on Terrorism established on 28 September 2001 by the Romanian OSCE Chairman-in-Office (CiO), was adopted at the Ninth Ministerial Council in Bucharest on 4 December 2001. It can be seen as the framework for the actions of the OSCE participating States and the different OSCE bodies in their fight against terrorism.²

With the adoption of the Bucharest Plan of Action, the participating States pledged, if possible, to become parties to all twelve UN conventions and protocols relating to terrorism by 31 December 2002. In addition, they undertook to strengthen their national anti-terrorism legislation. Participating States were also requested to envisage how the OSCE could draw upon lessons learned from other international governmental organizations (IGOs) and relevant actors in the following areas: police and judicial co-operation, suppression of the financing of terrorism, border control and travel document security, and access to information by law enforcement authorities. On all these issues, the OSCE Secretariat was requested to provide the necessary assistance. The Office for Democratic Institutions and Human Rights (ODIHR) would also, at the request of participating States and where necessary, offer technical assistance and advice on legislative drafting necessary for the ratification of the twelve UN anti-terrorist conventions in close co-operation with the United Nations Office for Drugs and Crime (UNODC, formerly UNODCCP).³ Participating States also pledged to enhance implementation of existing confidence- and security-building Measures (CSBMs) that were developed within the framework of the Forum for Security Co-operation (FSC), in particular the Code of Conduct on Politico-Military Aspects of Security and the Document on Small Arms and Light Weapons (SALW). Regarding preventive actions against terrorism, participating States, along with the Permanent Council, ODIHR, the High Commissioner on National Minorities (HCNM), and the Representative on Freedom of the Media (FOM), should promote human rights, tolerance, and multiculturalism. Together with the OSCE Secretariat, and, at their request, with the assistance of the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA), participating States also undertook to address negative socio-economic factors that could undermine security and might facilitate the emergence of terrorism. The FOM was further asked to support the drafting of legislation to prevent the abuse of information technology for terrorist purposes. The Bucharest Plan of Action also requested the Parliamentary As-

2 Organization for Security and Co-operation in Europe, Ninth Meeting of the Ministerial Council, Bucharest, 3 and 4 December 2001, reproduced in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2002*, Baden-Baden 2003, pp. 391-417, here: The Bucharest Plan of Action for Combating Terrorism, pp. 395-402.

3 In October 2002, the United Nations Office for Drug Control and Crime Prevention (UNODCCP) was renamed the United Nations Office on Drugs and Crime (UNODC). In the rest of this article, the Office shall be referred to as the UNODC, irrespective of which name was in use at the time in question.

sembly to continue to promote dialogue among OSCE parliamentarians to strengthen their national anti-terrorist legislation. From the governmental side, the Permanent Council was tasked to arrange regular meetings between law enforcement officials of participating States and OSCE experts to look at ways to improve co-operation. Finally, the Bucharest Plan of Action defined a set of follow-up activities, including the definition by each OSCE body of a “road map” and the establishment of an anti-terrorism unit within the Secretariat.

Shortly after the Bucharest Ministerial Council, the Bishkek Programme of Action was adopted. For the first time, recognizing the “threats originating from Afghanistan”, recommendations specific to the Central Asian region were also made. Like the Bucharest Plan of Action, this programme does not elaborate on the underlying causes of terrorism, but addresses them indirectly by identifying possible actions to prevent and combat their manifestation in general and in Central Asia in particular. The identification of potential causes of terrorism, which was never achieved by the governmental side of the Organization, was undertaken by the OSCE Parliamentary Assembly. As its President stated on 12 April 2002: “If our governments focus on fighting the effects of terrorist activity, we can and should concentrate on understanding the causes of terrorism.”⁴ Although no thorough analysis has been conducted on a local and regional basis, the Parliamentary Assembly at least came up with a number of potential causes, including poverty, ignorance, oppression, lack of human and political rights, and the absence of social and political dialogue. Weak or failed states were also identified as possible safe havens for terrorists.⁵ However, it must be noted that the Parliamentary Assembly never took a more introspective look into the participating States’ past and present foreign policies, which from the point of view of terrorists, as exemplified by most statements issued by al-Qaida, are often used to legitimate their actions.⁶

In 2002, terrorism became the main priority of the Portuguese Chairmanship. Under its leadership, the former Danish Minister of Defence, Jan Trøjborg, was appointed as the CiO Personal Representative on Preventing and Combating Terrorism to co-ordinate the OSCE counter-terrorism policies and activities. By April 2002, each OSCE body had produced a roadmap.

In May 2002, after a late budget adoption, the OSCE established the Action against Terrorism Unit (ATU) under the Secretariat as the main OSCE anti-terrorism facilitator and focal point for co-ordination and liaison. Although it was meant to proceed with its work according to a three-stage ap-

4 Intervention by Mr. Adrian Severin, President of the OSCE Parliamentary Assembly of the OSCE, at The Saint Petersburg Interparliamentary Forum on Combating Terrorism, Opening Session, St. Petersburg, 27 March 2002, PA.GAL/2/02, 12 April 2002.

5 Cf. *ibid.*

6 Cf. Mahmoud Ould Mohamedou Contre-Croisade. *Origines et Conséquences* du 11 Septembre, Paris 2004, pp. 129-135.

proach⁷ as defined by the CTC, the ATU decided to develop its activities in these three areas in parallel, noting that they were not in conflict with each other. Its activities can be divided into four categories: (1) The ATU is responsible for co-ordinating assistance to the participating States in ratifying and implementing the UN anti-terrorist regime with the help of ODIHR and UNODC, and provides regular updates of the ratification status of the twelve UN conventions and protocols by OSCE participating States. (2) It facilitates and co-ordinates the implementation of OSCE anti-terrorist commitments within its institutions, bodies, and field operations. In this respect, it liaises with potential donor states for terrorism-related project proposals, and together with the newly established Project Co-ordination Cell (PCC) within the Conflict Prevention Centre (CPC), it co-ordinates and develops projects and activities related to terrorism. It also chairs monthly Anti-Terrorism Task Force meetings where the ODIHR Co-ordinator on Anti-Terrorism Issues and representatives from the Secretariat, the Parliamentary Assembly, and other OSCE bodies and institutions can exchange information and co-ordinate forthcoming counter-terrorism activities. (3) The ATU co-operates with external partners under the aegis of the CTC, both within and outside the OSCE area. (4) Finally, it supports the CiO and the Secretariat, collecting and compiling information from various reports and providing them with talking points, background information, and advice on terrorism-related issues. In the short space of time since it was created and with limited resources, the ATU has developed a fairly impressive number of activities. Among other things, it has initiated a programme on travel document security, which is part of the assistance to states provided by the OSCE to enhance their border security by preventing the movement of terrorists using fraudulent travel documents. A database was created containing information on all bilateral and multilateral counter-terrorism and law enforcement assistance programmes in the OSCE region that are relevant to United Nations Security Council Resolution (UNSCR) 1373 to inform relevant actors active in the fight against terrorism and to help them to better co-ordinate their activities and avoid overlap. Furthermore, a public website was launched containing links to other organizations also active in the fight against terrorism.

In Lisbon, at the High Level Meeting on the Prevention and Combating of Terrorism held on 12 June 2002, four strategic areas – seen by the Portuguese Chairmanship as OSCE comparative advantages, both in terms of the regions it covers and in the substantive expertise it has developed – were highlighted for OSCE assistance to its participating States: policing, border security, anti-trafficking, and countering the financing of terrorism. At the end of the year, OSCE participating States at the Porto Ministerial Council

7 Stage A: Creating a legislative framework covering all aspects of UNSCR 1373; Stage B: Creating executive mechanisms for implementation including the strengthening of law enforcement institutions to fight terrorism, the implementation of the OSCE SALW document, and the enhancement of border and travel document security; Stage C: Developing international co-operation.

adopted the OSCE Charter on Preventing and Combating Terrorism and a decision on implementing the OSCE commitments and activities on combating terrorism.⁸ In the latter, the Ministerial Council recognized for the first time the threat that Weapons of Mass Destruction (WMD) could pose in the hand of terrorists and consequently urged all participating States to co-operate in ongoing negotiations taking place at the UN on an International Convention for the Suppression of Acts of Nuclear Terrorism, and at the International Atomic Energy Agency (IAEA) on a Protocol on the Physical Protection of Nuclear Material. These would reinforce the current regime and impede terrorists from resorting to nuclear and/or radiological devices. This topic has since been further discussed by the FSC and the ATU.

In December 2003, the Ministerial Council in Maastricht, which concluded the Netherlands Chairmanship of the OSCE, adopted a decision on the establishment of a counter-terrorism network. Two additional decisions which reinforced the OSCE regime against terrorism were also adopted, one on the establishment of export controls for man-portable air defence systems (MANPADS) and one on the reinforcement of travel document security in line with the security standards of the International Civil Aviation Organization (ICAO).

Analysis of OSCE Regional Counter-Terrorism Activities

From the publicly available OSCE project database, it appears that the OSCE has conducted a large number of projects since 2002 aimed at reinforcing the capacities of the participating States to prevent and combat terrorism. OSCE projects can be organized along the lines of the four strategic areas where the OSCE has stated it has a clear comparative advantage: policing, border security, anti-trafficking, and suppressing the financing of terrorism. Two additional areas of intervention can also be identified: ODIHR's legislative assistance given to participating States to comply with UNSCR 1373, and projects conducted by ODIHR and the FOM to promote religious tolerance and freedom of expression. However, only the legislative assistance given by ODIHR to help participating States to implement the UN anti-terrorist regime is a newly developed activity. All others are continuations of past OSCE activities added to the category of "actions against terrorism", because they may contribute to combating terrorism, but not specifically dedicated to this issue. Examples of the latter include the publishing of the OSCE Handbook of Best Practices on SALW, the Termez-Hayraton border guard training programme,

8 Organization for Security and Co-operation in Europe, Tenth Meeting of the Ministerial Council, Porto, 6 and 7 December 2002, reproduced in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), OSCE Yearbook 2003, Baden-Baden 2004, pp. 421-455; here: OSCE Charter on Preventing and Combating Terrorism, pp. 425-428, and Decision No. 1, Implementing the OSCE Commitments and Activities on Combating Terrorism, pp. 442-443.

and the OSCE Academy established in Bishkek. It is only since 2004 that activities specifically focused on terrorism have been planned and given the appropriate titles.

With respect to counter-terrorism related activities from 2000 until the end of 2003, which include border security, police, and law enforcement activities, Central Asia received particular attention from all donor countries in general, with 46 percent of all capacity-building programmes being implemented in that region, compared to only 29 percent for South-eastern Europe and 25 percent for the South Caucasus. This huge difference can partially be explained by the renewed attention on Central Asia after the 9/11 attacks. But other factors should also be taken into account. The risk of spill-over from the Afghan conflict into neighbouring countries and the threat posed by the Islamic Movement of Uzbekistan (IMU) and *Hizb ut-Tahrir* to the stability of most Central Asian states were and still are used by Central Asian governments to request additional foreign aid on a bilateral and multilateral basis to fight terrorism. In addition, not only the USA, but also Russia, China, and to a certain extent the European Union, have specific interests in the region. Among other things, they want to prevent the emergence of new intra- and inter-state conflicts, prevent Central Asia from becoming a new breeding ground for terrorist movements, and maintain the stability necessary so as to achieve one of their main strategic objectives for the coming years: the building of new pipelines to open up the Caspian Sea and diversify oil and gas supply routes. It has also been suggested that some governments, including the USA and Russia, disregarding human rights violations in most of these countries, agreed to help some Central Asian governments on a bilateral basis to reinforce their repressive apparatus within the framework of the "legitimate" global fight against terrorism in exchange for securing their military presence and their economic interests in Central Asia.

Looking now at both OSCE budgetary and extra-budgetary sponsored counter-terrorism assistance from 2002 until the end of 2003, we find that only eight per cent of the funds were devoted to Central Asia in comparison with 49 per cent spent in South-eastern Europe and 43 per cent in the Caucasus.⁹ This huge discrepancy between the spend by individual donor countries and the OSCE's contribution can only partially be explained by the difference in the review periods, even if the OSCE had no specific anti-terrorist activities from 2000 until the end of 2001. Part of the explanation may lie in the fact that the interest of Western countries in Central Asia is relatively new by comparison to their interest in South-eastern Europe and the Caucasus. Located at the EU's periphery, the instability of these two regions represent a much greater threat to its security than Central Asia, which was, until recent years, still seen by most actors as being Russia's historical zone of influence. The stability of the South Caucasus is instrumental for the building of two

9 Cf. Overview of Capacity Building Programmes Related to Counter-Terrorism in the OSCE Region, SEC.GAL/220/02, 11 November 2003.

new pipelines sponsored by the EU and the USA to open up the Caspian Sea and diversify their oil and gas supplies in anticipation of increased oil flows from Central Asia. The Balkans and the Caucasus are considered key hubs for trafficking in drugs, arms, and human beings. South-eastern Europe is continuing to recover from the last Balkan war, and the three South Caucasian republics are still coping with unresolved conflicts. But these are not the only factors that may explain this huge difference. First of all, delivery of multilateral assistance requires more time than bilateral assistance. Secondly, the OSCE can only act at the request of its participating States. The states of South-eastern Europe, which are already looking ahead to EU membership, and the Caucasus, whose aim is economic integration with the EU, are usually more eager to implement OSCE commitments than are the Central Asian states. The Central Asian states, although important differences exist among them, are often more reluctant to comply with OSCE commitments. In fact, they have openly criticized the OSCE for putting too much emphasis on the human dimension compared to the politico-military and the economic and environmental dimensions, and for failing to observe fundamental Helsinki principles, such as non-intervention in internal affairs and respect for the sovereignty of nations.¹⁰

Since 9/11, the OSCE has been fully engaged in combating terrorism. It has achieved substantial results in an extremely short timeframe. For instance, it has been instrumental in promoting the ratification and the implementation of the UN anti-terrorist regime. On 11 January 2004, the ATU calculated that since the 9/11 attacks, participating States had proceeded with 123 new ratifications, indicating a rise of 18 per cent. Out of the 660 items to be ratified in the OSCE area, 550 have been ratified (83 per cent) and 27 signed (four per cent), leaving only 83 neither ratified nor signed (13 per cent).¹¹

As requested in the Bucharest Plan of Action, all OSCE bodies, institutions, and field operations have contributed – each in its particular sphere of competence – to the prevention and combating of terrorism. However, these have not been equally balanced, even though counter-terrorism activities were conducted in all three OSCE dimensions. Out of the four strategic areas identified by the Portuguese Chairmanship, border security and policing fall clearly into the politico-military dimension and have absorbed most of the budgetary and extra-budgetary funding. This clearly shows that in their fight against terrorism, the OSCE participating States have, since the 9/11 attacks, put the emphasis on improving their security, which, in turn, has been implemented by the adoption of new security measures and enhanced co-

10 See Ministry of Foreign Affairs of the Russian Federation, Information and Press Department, Statement by CIS Member Countries on the State of Affairs in the OSCE, Moscow, 3 July 2004, at: http://www.in.mid.ru/brp_4.nsf/0/3be4758c05585a09c3256ecc00255a52?OpenDocument.

11 Cf. Updated Field Reference for Anti-Terrorism Efforts, SEC.GAL/22/04, 4 February 2004.

operation, sometimes without regard to basic civic liberties and human rights. However, it would be false to state that the OSCE is not also active in the economic and environmental and human dimensions, which, when it comes to addressing the underlying causes of terrorism, may provide better and more sustainable results. And in this respect, many traditional activities of the OSCE set the balance right. In conformity with the Bucharest Plan of Action for Combating Terrorism, these include (a) institution building and strengthening the rule of law and state authorities; (b) promoting human rights, tolerance, multiculturalism, the rights of national minorities, and freedom of the media; (c) addressing socio-economic problems; and (d) preventing violent conflict and promoting peaceful settlement of disputes.

Framework for the OSCE's Anti-terrorism Co-operation with International and Regional Organizations

At the Istanbul Summit in 1999, the OSCE participating States adopted the Charter for European Security and acknowledged that current security-related risks and challenges could not be met by a single state or organization. Based on this assumption, they adopted the Platform for Co-operative Security to "further strengthen and develop co-operation with competent organizations on the basis of equality and in a spirit of partnership"¹² and enhance co-operation with other IGOs in performing field operations, for example by carrying out common projects. Adopted two years later, the Bucharest Plan of Action again referred to this Platform for Co-operative Security and identified OSCE strengths and comparative advantages, essential for its proper use. According to this document, OSCE comparative advantages are "its comprehensive security concept linking the politico-military, human and economic dimensions; its broad membership; its experience in the field; and its expertise in early warning, conflict prevention, crisis management, post-conflict rehabilitation and building democratic institutions".¹³ Referring to the Platform for Co-operative Security once again, the Bucharest Plan of Action reaffirms the leading role of the UN in the fight against terrorism and states that the OSCE can take on a co-ordinating role for inter- and intra-regional initiatives, building upon its ability to create a close network for the international coalition against terrorism. Moreover, participating States and the Secretariat were asked to "strengthen co-operation and information exchanges, both formally and informally, with other relevant groups, organizations, and institutions involved in combating terrorism".¹⁴ They were also asked to

12 Organization for Security and Co-operation in Europe, Charter for European Security, Istanbul, November 1999, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2000*, Baden-Baden 2001, pp. 425-443, here: p. 429; for the Platform for Co-operative Security see: *ibid.*, pp. 441-443.

13 Bucharest Plan of Action for Combating Terrorism, cited above (Note 2), p. 395.

14 *Ibid.*, p. 400.

“broaden dialogue with partners outside the OSCE area [...] to exchange best practice and lessons learned in counter terrorism efforts for application within the OSCE area”.¹⁵

Issued on the 19 March 2002, the revised Secretariat Road Map on Terrorism assigned to the participating States, the Action against Terrorism Unit, the field offices, and the Senior Police Advisor responsibility for improving regional and international co-operation between the OSCE and other international and regional IGOs. In this context, the UN is considered the main partner for co-operation. The Secretariat Roadmap also includes guidelines for further co-operation with IGOs inside the OSCE area, such as the EU, the Council of Europe, NATO, the Stability Pact for South East Europe, the Central Asian Cooperation Organization (CACO), Black Sea Economic Cooperation (BSEC), the Commonwealth of Independent States (CIS), the Collective Security Treaty Organization (CSTO), and the GUAM group of states (Georgia, Ukraine, Azerbaijan, and Moldova¹⁶). Outside the OSCE area, the main partners for co-operation are the Mediterranean Contact Group, Asian Partners for Co-operation, the Organization of the Islamic Conference (OIC), the Organization for African Unity/African Union (OAU/AU), the Arab League, the Conference on Interaction and Confidence-Building Measures in Asia (CICA), and, finally, the Shanghai Co-operation Organization (SCO).¹⁷

Starting in 2000, the OSCE organized – often together with the UNODC – a series of meetings focused on terrorism issues. These were regularly attended by the OSCE’s traditional partner organizations, the UN, NATO, the EU, and the Council of Europe. As of 2002, the OSCE also invited other regional and sub-regional organizations on a more regular basis in line with the Secretariat Road Map on Terrorism, which aims at making the Platform for Co-operative Security operational. These meetings and conferences gave the OSCE and the other participating organizations the opportunity to exchange information on their respective current and planned counter-terrorism activities, as well as to discuss and identify areas and modalities of future co-operation and co-ordination, both at headquarters level and in the field. From February until December 2003, technical seminars on the legislative implementation of UNSCR 1373 were organized by the ODIHR Coordinator on Anti-Terrorism Issues in full co-ordination with the ATU. In January 2004, the ATU and ICAO co-hosted a workshop on the threat posed by MANPADS, which was attended by civil aviation security and counter-terrorism experts from NATO, the CSTO, the European Commission, and OSCE participating States. Discussions were also initiated with the IAEA on the threat posed by the illicit trafficking of radiological materials.

15 Ibid., p. 401.

16 Formerly the GUUAM group of states, the name was changed following Uzbekistan’s suspension of its membership in 2002; cf. Taras Kuzio, GUUAM Reverts to GUAM as Uzbekistan Suspends Its Membership Prior to Yalta Summit, in: *Eurasia Insight*, 18 July 2002, at: <http://www.eurasianet.org/departments/insight/articles/eav071802.shtml>.

17 Cf. OSCE Secretariat’s Road Map on Terrorism, SEC.GAL/35/02/Rev.1, 19 March 2002.

Co-operation between the OSCE and International and Regional Organizations Fighting Terrorism in Central Asia

The remainder of this contribution focuses on analysing the extent to which declaratory statements urging enhanced co-operation between international and regional organizations to fight terrorism after the 9/11 attacks were realized in the Central Asian context, which is characterized by rather limited security co-operation. There are several factors that make it an interesting case to analyse: Afghanistan borders three out of the five Central Asian states; Uzbekistan has faced recurrent terrorist attacks from the IMU, which crossed Kyrgyzstan and used Afghanistan and Tajikistan as sanctuary; all states in the region fear that *Hizb ut-Tahrir*, which they have declared a terrorist group along with the IMU, may resort to terrorist attacks. All the IGOs analysed are active in Central Asia or have the Central Asian states among their members, and all have decided to take a strong stance against terrorism. However, for practical reasons, only the bilateral co-operation schemes between the OSCE and the UN, NATO, the EU, the CIS, the CACO, and the SCO will be analysed.

Co-operation between the OSCE and the UN

As stated before, the UN has clearly earned its title of “traditional partner of the OSCE”. In both historical and formal terms, their co-operation is based on the unilateral declaration made by the Heads of State or Government of the OSCE participating States at the 1992 Helsinki Summit, which stated that the OSCE (at that time CSCE) is a regional arrangement in the sense of Chapter VIII of the UN Charter, and on a Framework for Co-operation and Co-ordination between the UN Secretariat and the CSCE agreed upon in May 1993. Since then, the OSCE Secretary General has submitted annual reports to the UN General Assembly, while the UN Secretary-General has often addressed OSCE summits. Both organizations also attend annual high-level tripartite meetings with the Council of Europe. Working-level contacts between the OSCE and the UN were established by the end of 2001, and agreements were reached to share relevant internal reports, exchange staff, share lessons learned, and allow each organization’s personnel to attend training courses run by the other. Also at the working level, the ATU closely co-ordinates its actions with the CTC, and the OSCE often co-operates with UNODC in several geographic regions and on various issues, including terrorism. This co-operation has been reinforced through regular co-operation on the ground, and co-ordination including a clear division of tasks between both organizations as seen, for example, in the management of the Tajikistan peace process and its aftermath.

In Central Asia, the history of co-operation between the OSCE Central Asia Liaison Office (CALO) in Uzbekistan and its successor, the OSCE

Centre in Tashkent, on the one hand, and various UN agencies, on the other, is a good example of the two organizations working together in the field. They exchanged information on an *ad hoc* basis and were often cross-represented in their respective meetings, seminars, workshops, and projects across the three dimensions. Within the framework of the fight against terrorism, co-operation has mainly occurred between the CALO/OSCE Centre in Tashkent and the UNODC in the politico-military dimension. In 2000, the CALO contributed to the preparation of the “International Conference on Enhancing Security and Stability in Central Asia: An Integrated Approach to Counter Drugs, Organized Crime and Terrorism”, co-organized by the Austrian OSCE Chairmanship and UNODC. In 2002, the UNODC and the OSCE agreed to broaden the UN-led project “Termez-Hayraton Cross Border Training Programme” that aimed at improving border guards’ and custom officials’ capacities to prevent the flow of illegal drugs originating in Afghanistan. The two organizations agreed on a clear division of tasks, which was repeated in a follow-up project in 2003. The OSCE covered trafficking in SALW, while the UNODC focused on drug trafficking. The OSCE’s two-month-long trafficking in SALW project marked the first time that Afghan custom and border guards participated in joint training with their Uzbek counterparts. In June 2002, the OSCE Centre in Tashkent co-sponsored another UNODC initiative, the “Regional Conference on Drug Abuse in Central Asia: Situation Assessment and Responses”. In the economic dimension, the UNODC and the OSCE Centre in Tashkent, in partnership with the Central Bank of Uzbekistan, organized the “National Workshop on Combating Money Laundering and Suppressing the Financing of Terrorism” in Tashkent in October of the same year.

As the Hayraton-Termez project exemplified, both organizations took their comparative advantages into consideration when they decided to co-operate, although no specific agreement was adopted between the UN agencies present in Central Asia and the OSCE Centres in Central Asia¹⁸ within the framework of joint counter-terrorism activities. And apart from joint projects, which are the sign of already deep-rooted co-operation, meetings are also regularly held where personnel from both organizations are cross-represented. In this respect, the annual regional Heads of Mission meetings provide a good opportunity for the international and regional organizations that are invited to exchange information on their respective projects and actions, so as to avoid overlap and redundancy, but also to explore new opportunities for co-operation.

18 OSCE Centres are located in all five Central Asian republics: in Almaty (Kazakhstan), Ashgabad (Turkmenistan), Bishkek (Kyrgyzstan), Tashkent (Uzbekistan), and Dushanbe (Tajikistan).

Co-operation between the OSCE and NATO

With NATO, co-operation on anti-terrorism issues mainly occurs at headquarters level through regular cross invitation to conferences and events as well as information exchange, such as on the implementation of CSBMs between the OSCE Secretariat and the NATO Verification and Implementation Coordination Section (VICS). Moreover, within the framework of the Euro-Atlantic Partnership Council (EAPC), a representative of the OSCE Chairman-in-Office regularly attends meetings of the Political-Military Steering Committee/Ad Hoc Group on Cooperation in Peacekeeping (PMSC/AHG) and informs NATO officials about relevant OSCE issues. NATO is represented in the OSCE by the NATO caucus, which meets every week in Vienna to discuss the topics raised by the 55 in the Permanent Council. Although the OSCE and NATO have not adopted a co-operation agreement to define their interactions and areas of co-operation, cross-representation means that each organization is fully aware of the other's activities and comparative advantages. In November 2003, former NATO Secretary General Lord Robertson, addressing the OSCE Permanent Council, stated that: "The threat of terrorism constitutes a priority area for our institutions."¹⁹ And, further on, that "NATO's many activities pertaining to defence reform complement the OSCE's conflict prevention and post-conflict rehabilitation work [...] We should also optimise our cooperation in dealing with such concrete issues as border security, organised crime, and small arms and light weapons."²⁰ In addition, the recent nomination of former OSCE CiO Jaap de Hoop Scheffer as the new NATO Secretary General may further co-operation between the two organizations. In the field, and in Central Asia in particular, these organizations have never conducted any joint operations or projects, although all the Central Asian countries with the exception of Turkmenistan are members of both the OSCE and the EAPC/Partnership for Peace (PfP) and have committed themselves to fight terrorism. Contacts between NATO representatives and OSCE Centres also take place on *ad hoc* basis.

NATO's recent decision to appoint a liaison officer for the region may enhance co-ordination between the two organizations at field level in the future. Their functional complementarity can be observed if we take a closer look at NATO's activities in Central Asia within the framework of the PfP programme. These were limited to the military dimension, and were specialized activities targeted at the military forces to raise their compliance with NATO standards. Since 1997, these have included military exercises and related training activities, democratic control of forces and defence structures, civil emergency planning, defence policy and strategy, consultations on navi-

19 Speech by former NATO Secretary General Lord Robertson at the OSCE Permanent Council on 6 November 2003; at: <http://www.nato.int/docu/speech/2003/s031106a.htm>.

20 Ibid.

gation and identification systems, military education, training, and doctrine.²¹ On the other hand, the OSCE, which is also active in the military dimension, has mainly developed expertise in the area of early warning and conflict prevention, and its activities do not specifically target military forces as such. In its fight against terrorism, the OSCE mainly focuses on its comparative advantages, which are policing, border security, anti-trafficking, and countering the financing of terrorism. The security environment may also explain why NATO and the OSCE do not co-operate to a greater extent in Central Asia. First, Russia is a full member of the OSCE but not of NATO, even though it does enjoy a privileged relationship with its structures through the NATO-Russia Council. Secondly, Russia is worried about NATO's expansion and growing influence in its "near abroad", in particular in Central Asia and the Caucasus. Third, Central Asian states have a say on any project implemented on their soil, be it within the framework of the OSCE or NATO's PfP, and may, as a sign of good will towards Russia (and/or as a result of Russian pressure), forbid the two organizations to conduct joint projects. It is therefore possible that the difference in Russia's membership status in the two organizations and the visible instrumentalization of NATO's PfP by the US to increase its influence in the region, which does not please Russia, may be detrimental to closer co-operation between the two organizations in Central Asia. For these reasons, it can be assumed that they will not implement joint counter-terrorism activities in the region in the near future. Most likely though, they will continue to share relevant information and meet in order to avoid overlap and redundancy and may develop complementary activities in parallel in the areas of border management and anti-trafficking.

Co-operation between the OSCE and the EU

The OSCE also co-operates closely with the EU, however this co-operation mainly occurs in the economic and environmental and human dimensions. The EU is represented in the OSCE by the participating State that holds the Presidency of the EU Council of Ministers and by a representative of the European Commission. This level of direct interpenetration gives the EU the possibility of raising any issue in the various negotiating and decision-making bodies of the OSCE. Moreover, the President of the European Commission and the Commissioner responsible for external relations participate in Summits and Ministerial Councils of the OSCE. Regular meetings take also place between the organizations' respective troikas. The EU's member states finance some two-thirds of the OSCE budget, and the EU may provide additional support for specific OSCE projects or activities. In a number of official documents, both organizations have voiced their interest in fully co-operating on various projects. At his last appearance before the OSCE Permanent

21 See Partnership Work Programme, NATO Partnership for Peace official texts, at: <http://www.nato.int/issues/pfp/pfp.htm#pwp>

Council in 2002, the EU High Representative for the Common Foreign and Security Policy (CFSP), Javier Solana, described the two organizations as “natural-born partners”, which shared a common future and a common past.²² Within the framework of the fight against terrorism, the EU member states participated, in the first place, in the drafting of the OSCE policies to combat terrorism. Moreover, the EU attended numerous OSCE meetings where it shared its experiences and explained its main contributions to the fight against terrorism and the progress made in implementing the Bucharest Plan of Action against Terrorism. In Central Asia, the European Commission is present in the field through the offices of the Central Asian Regional Environment Centres (CARECs), which were opened in all five countries within the framework of the TACIS programme. The EU financed about half of ODIHR’s activities in the human dimension in Central Asia. In 1999, an agreement was signed between the European Commission and the ODIHR on a joint programme for advancing human rights and democratization in Central Asia.²³ In the economic and environmental dimension, the OSCE Centres and TACIS were cross-represented at various meetings and conferences. Within the scope of counter-terrorism-related activities, representatives of the TACIS office attended some of the preparatory meetings of the joint UN-OSCE Termez-Hayraton Cross-border Training Programme. And discussions are currently underway regarding the possibility of having OSCE border management and police projects as well as workshops on travel document security in Central Asia funded by the European Commission within the framework of its multi-year Border Management Programme for Central Asia (BOMCA).

Co-operation between the two organizations exists both at headquarters level and in the field. However, competition between them seems to be on the rise. They have planned similar activities in Central Asia in areas such as border management and combating money laundering – both of which belong to the strategic areas that the OSCE has highlighted as its comparative advantage in the fight against terrorism. Furthermore, the European Commission is continually expanding its agenda to include activities that were traditionally implemented by the OSCE, which it sidelines in the human dimension. Clear evidence of this can be found in the Commission’s 2002-2006 strategy paper for Central Asia, where it limits OSCE objectives in Central Asia to those which “revolve around the implementation of OSCE commitments, mainly in the field of the rule of law, democratic institutions and civil society, judicial reform and conflict prevention, including in economic/environmental issues”²⁴ and states several pages later that the core objective of the EU’s assistance strategy is “to promote the stability and secur-

22 Cf. Javier Solana describes OSCE as “natural-born partner” of the European Union, OSCE Press Release No. 503/02, SEC.INF/554/02, 25 September 2002.

23 Cf. Strategy Paper 2002-2006 & Indicative Programme 2002-2004 for Central Asia, European Commission, 30 October 2002, p. 19.

24 *Ibid.*, p. 15.

ity of the countries of Central Asia”.²⁵ However, the EU’s legitimacy in Central Asia is not the same as the OSCE’s legitimacy, since the EU mainly develops its activities on a bilateral basis, while the OSCE works multilaterally and counts all Central Asian states and Russia among its members. If the EU continues to develop its bilateral activities to the detriment of the OSCE, the latter may see the reach of its crisis prevention and management capabilities curtailed. Moreover, “it would jeopardize the inclusion of Russia in the only existing pan-European co-operation framework”.²⁶ This competition, which occurs behind closed doors in both organizations, can also be detrimental to the fight against terrorism if it results in overlap and duplication of activities, wasting valuable human and financial resources that could have been used to organize other counter-terrorism activities and enhance the prevention and deterrence capacities of a receiving state. Furthermore, the receiving state may cast doubts on the credibility of both organizations, which can impact their images and impair bilateral relations among organizations and with the receiving state.

Co-operation between the OSCE and the CIS, the CACO, and the SCO

Co-operation between the OSCE and the CIS, the CACO, and the SCO, both in general and within the framework of combating terrorism in particular, has thus far been limited merely to the participation of the other three organizations in meetings, conferences, and workshops organized by the OSCE and/or the UN. At this stage, no co-operation agreements exist between the OSCE and the other three. In addition to meetings at the political level, formal high level contacts between the OSCE Secretary General and high ranking officials of the CIS and the SCO have also taken place. While the OSCE has established points of contacts within all three organizations, it is not certain that the CIS, the CACO, and the SCO have done the same. OSCE representatives have rarely been invited to attend their meetings and conferences, and information has only been exchanged on an *ad hoc* basis, mainly when representatives of the various organizations have met at conferences and meetings.²⁷

Many factors can explain the low level of co-operation between the OSCE and the CIS, the CACO, and the SCO. First, these organizations were created in the aftermath of the break-up of the Soviet Union. The CIS was founded in 1991, the CACO in 1994 (founded as the Central Asian Economic Union, CAEU; expanded and renamed the Central Asian Economic Community, CAEC, in 1998; and renamed the Central Asian Cooperation Organization, CACO, in 2002), and the SCO (then known as the Shanghai Five) as

25 Ibid., p. 17.

26 Randolph Oberschmidt, Wolfgang Zellner, *OSCE at the Crossroads*, CORE Working Paper 2, Hamburg 2001, p. 8.

27 Interview with Dr Marie-Carin von Gumppenberg, Political Officer at the OSCE Centre in Tashkent, and Fabrizio Scarpa, OSCE Senior External Co-operation Officer at the OSCE Secretariat, Vienna, July 2004.

late as 1996. Therefore, we cannot expect from them the same level of co-operation as that existing between the OSCE and its traditional partners for co-operation, who have almost 30 years of common history and share the same values and principles. Second, both the CACO and the SCO are still at the beginning of their institutionalization phase. The CACO still lacks permanent structures and the SCO only recently inaugurated its secretariat in Beijing. Hence, the OSCE's ability to establish permanent points of contact has so far been limited. Co-operation with the CIS was precluded for a long time by the fact that some of its members did not agree to having their interests represented by the organization to which they belonged. Third, since the CACO has no field presence and both the CIS and the SCO have only recently opened their anti-terrorism centres – the former based in Moscow with a regional branch in Bishkek, the latter in Tashkent – the OSCE Centres in Central Asia have until recently had neither the possibility of inviting local representatives of these organizations to participate in its events, nor an opportunity to co-organize joint activities. In this respect, it is not so much the instrumentalization of these IGOs by Russia or China that precluded co-operation between them and the OSCE, but more their internal defects, which are due to the inability of their members to overcome their remaining lines of division, further integrate, and achieve sustainable results that would benefit all.

The level of co-operation between the OSCE and the CIS, the CACO, and the SCO can therefore be described as ineffective and is characterized by a low level of reciprocity on the part of the other three organizations. However, even without formal co-ordination and collaboration mechanisms in place with the OSCE, the risk of overlap and duplication of activities remains limited. The counter-terrorism activities of CIS countries focus mainly on strengthening their militaries and conducting counter-terrorism exercises within the framework of the CSTO with the support of the Moscow-based CIS Anti-Terrorist Centre (ATC). Apart from providing planning capacities for the CSTO military exercises, the ATC also acts as a focal point for the CIS states' law-enforcement agencies, providing training, information, and planning capacities. Therefore, since the OSCE Strategic Police Matters Unit (SPMU) is also active in police reform activities, future co-operation between the OSCE and the ATC in Moscow based on both organizations' comparative advantages could be envisaged. Given the CACO's record of achievement in the politico-military and economic and environmental dimensions, there is effectively no risk of overlap and duplication of effort with the OSCE in general, and within the framework of combating terrorism in particular. Finally, the SCO has also conducted counter-terrorism military exercises and has only recently opened its Regional Anti-Terrorist Structure (RATS). However, in this case there may be a risk of overlap and duplication between the OSCE and RATS counter terrorist activities in the future since RATS' responsibilities include fighting arms trafficking and extremism. This could potentially

overlap with one of the OSCE's main comparative advantages, its expertise in fighting SALW trafficking, and ODIHR's activities to fight extremism. However, this risk may also provide a good opportunity for further co-operation between the two organizations based on their respective comparative advantages in pursuing a common objective: the prevention and repression of terrorism without infringing human rights and civil liberties.

As a matter of fact, co-operation between the OSCE and the SCO may have increased slightly since the first high-level contacts were established between the two organizations with the participation of the OSCE Secretary General in the inauguration of the SCO secretariat in Beijing, and later with the participation of a representative of the ATU in the inauguration of the SCO RATS in Tashkent. At field level, co-operation in the area of counter-terrorism might also increase between RATS and the OSCE Centre in Tashkent, which may wish to invite its representatives to participate in future OSCE counter-terrorism activities. With respect to the CIS, we may expect similar developments between the OSCE Centre in Bishkek and the regional office of the CIS ATC. However, such developments will only be possible if CIS and SCO member states express the desire to increase their co-operation with the OSCE within the framework of these organizations. In this respect, Russia may play a key role, since it is a member of both organizations and has recently succeeded in reasserting its presence in the region, for instance through its membership of the CIS, the CSTO, the SCO, and recently, the CACO. However, one must keep in mind that Russia and eight other CIS member states recently co-signed the above-mentioned statement on the "state of affairs" in the OSCE, which was particularly critical of OSCE achievements.

Conclusion

Since all participating States have pledged to prevent and fight terrorism, and share in this respect a common interest, the OSCE, at the level of its bodies and entities, as well as its participating States should, with a view to better preventing and fighting terrorism, take a closer look at its underlying causes. In this respect, the participating States could, for example, appoint an independent panel of experts originating from all OSCE sub-regions. This panel could analyse possible causes and reasons for individuals and groups to resort to terrorism in the OSCE area, taking into account specific regional aspects, but also state policies which may cause resentment in some individuals and move them to adhere to terrorist groups. The OSCE could also become a forum where participating States could express their concerns about the policies of their counterparts, making use of the precautionary principle, as certain policies could backlash and lead to the death of innocent civilians in terrorist attacks.

At the level of co-operation of the OSCE with other regional and international organizations in Central Asia, the OSCE could reinforce its co-operation with the CIS, the CSTO, and the SCO both at headquarters level and in the field, doing more than merely issuing invitations to conferences and meetings. Leveraging the respective advantages of these various organizations, such enhanced co-operation could provide an effective, though partial answer to the veiled criticisms expressed by the CIS states, and Russia in particular, in the “Statement by CIS Member Countries on the State of Affairs in the OSCE” that the OSCE is being used by the West to promote democratic values to the East of Vienna.