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Congratulations: The OSCE Is Alive and Well

Since its birth in 1975 as the Conference on Security and Co-operation in Europe and rebirth two decades later as the Organization for Security and Co-operation in Europe, there have always been some eager to sound the death knell for the OSCE. Fortunately, despite some aches and pains, the OSCE is very much alive and well.

The OSCE Adapts

At its inception, the CSCE was a creature of the Cold War. Indeed, part of its original *raison d'être* was to resolve lingering border issues from World War II. The Cold War is long over and with it the post-World War II division of Europe into two heavily armed camps. Most post-War border disputes are long resolved. And yet the need for the OSCE is as great as ever. The Organization's substantive focus is expanding to include the crucial bundle of issues carried under the rubric of tolerance, migration, immigration, and integration. So, too, its geographic focus is shifting with the southward and eastward movement of democracy. But the OSCE's macro-focus on security, conflict prevention, and post-conflict rehabilitation is more vibrant and successful than ever, as the OSCE moves inexorably forward to extend the fruits of freedom and democracy to millions in Eastern Europe, the Caucasus, and Central Asia. They have come to sense the fruit's sweet taste, but have not yet had the opportunity to take a healthy bite. To them, the OSCE says: "Help is on the way."

Credit for the OSCE's mandate to pursue security through democracy and human rights belongs to the framers of the Helsinki Final Act. The OSCE vigorously promotes the values of freedom and democracy by developing the building pieces embodied in those broad principles – release from state sanctioned restraint, a vibrant civil society, a flourishing independent media, a democratic election process meeting widely agreed-upon standards, ethnic and religious tolerance and understanding, respect for human rights and the rule of law, competent civil administration, and a market economy. These are the immutable components of every democracy, of every OSCE participating State, because each has subscribed to these principles without reservation, without holdbacks, without exceptions. This is why, despite whatever obstacles some would like to lay in its path, the Organization for Security and Co-operation in Europe is making an important contribution to freedom within its 55 member community of nations and beyond.

The reason I am so optimistic about the OSCE is that it is proving, every day, that it has in its DNA the ability to adapt itself to new circumstances and challenges. During my tenure as US ambassador to the OSCE (2001-2005), indeed over the past decade, the Organization has shown time and again that it adapts to both new events and tectonic movements, and in new directions that had not previously been associated with the OSCE. With every significant change in the Euro-Atlantic environment, the CSCE/OSCE has successfully adapted and moved forward.

The OSCE Addresses New Challenges

The OSCE is valuable for the United States as a central, multilateral vehicle that can act on a regional basis to address regional needs. It is proactive and effective. It is able to address intra-state conflict, transborder threats to stability, and post-conflict transition. While it has continued to provide needed assistance to participating States as they solidify the foundations of democratic governance and the market economies that they have put in place during the past decade, the OSCE has also responded energetically to new threats and challenges that confront all participating States. Through the creative input of participating States, including the United States, it has tackled terrorism, trafficking in human beings, and intolerance based on religion and race.

The OSCE Combats Terrorism

As was the case with much of the world, the OSCE did not have a focus on terrorism prior to 11 September 2001. Not one person at the OSCE was dedicated to counter-terrorism efforts. Yet, exhibiting its trademark flexibility, the Organization moved swiftly to begin work on practical ways that the 55 participating States could act together in the global war on terror. The first step was the Bucharest Plan of Action for Combating Terrorism, adopted at the Ninth OSCE Ministerial Council on 4 December 2001. The Bucharest Plan is the blueprint for the Organization's comprehensive effort in the fight against terrorism. The Plan also mandated the establishment of the Action against Terrorism Unit (ATU) within the OSCE Secretariat in Vienna, which exists to respond rapidly and efficiently to requests from participating States for anti-terrorism assistance. The ATU has become an indispensable player in the war on terror, as it assists participating States in acceding to the UN's twelve protocols and conventions against terror and in helping states draft their own anti-terror legislation.

The OSCE has continued to be active in the war on terror. In each of the three subsequent meetings of the Ministerial Council, the OSCE has improved on the work begun in Bucharest. At the Porto Ministerial Council in

2002, OSCE foreign ministers adopted the OSCE Charter on Preventing and Combating Terrorism and a decision on Implementing the OSCE Commitments and Activities on Combating Terrorism. This decision recognized four areas for combating terrorism: policing, border security, anti-trafficking, and suppressing terrorist financing.

In Maastricht in 2003, OSCE foreign ministers took a decision on travel document security and established a Counter-Terrorism Network, which allows counter-terrorism practitioners to share information on counter terrorism programmes. At the December 2004 Ministerial Meeting in Sofia, the OSCE further refined its counter-terrorism efforts. The ministers adopted decisions concerning container security, combating the use of the internet for terrorist purposes, and reporting lost and stolen passports to Interpol.

In the future, the OSCE – with the strong support of the United States – will continue these efforts. In dealing with terrorism, where the only limit is man's mindless willingness to spew death and destruction, it is an unending challenge to stay a step ahead. But it is imperative that we do so. At the OSCE, we will co-operate with other participating States to destroy surplus conventional munitions and small arms and light weapons. We will redouble efforts to completely implement earlier decisions on tightening travel document security and combating terrorist financing, including the abuse of non-governmental organizations (NGOs) and charities as conduits for terrorist funds.

Terrorism was not on the minds of the drafters of the Helsinki Final Act. Yet, the OSCE, building on its fundamental principles as a grouping of countries that could agree about security, economic development, and basic political rights, was able to broaden its horizons and react properly and effectively when new types of problems presented themselves. Nothing is more important than anti-terrorism, but there are other issues that the OSCE has tackled in the last few years and which give me confidence that the Organization has the institutional flexibility to remain relevant and effective. Two of these are trafficking and intolerance.

The OSCE Tackles Trafficking

Trafficking in human beings has become one of the main priorities for the OSCE in recent years. The Organization's efforts to combat trafficking – one more area not anticipated in Helsinki – demonstrates another of its strengths: the ability to attack a problem from different angles. Trafficking in persons is a cross-cutting, multi-faceted problem that involves social and gender issues, crime, policing, corruption, economic development, and border security. The OSCE is active in all these areas. The OSCE has a Special Representative on Combating Trafficking, who is supported by the Anti-Trafficking Assistance Unit (ATAU) in the OSCE Secretariat. They, in turn, co-ordinate their efforts with the Anti-Trafficking Unit in OSCE's Office for Democratic Institutions

and Human Rights (ODIHR), the Co-ordinator of OSCE Economic and Environmental Activities, the anti-trafficking points of contact in OSCE field missions, the Strategic Police Matters Unit (SPMU), and the Senior Adviser on Gender Issues. As an example of how the OSCE's multi-pronged approach yields dividends, the Inspector General of the US Department of Defense briefed the OSCE Forum for Security Co-operation (FSC) on the US military's "zero tolerance" policy on activities supporting human trafficking. This was the first discussion of trafficking in persons in the OSCE's politico-military decision-making body.

Similarly, trafficking in arms and drugs is receiving attention from a wide variety of OSCE elements. In 2003, under the Dutch Chairmanship-in-Office, the focus of the Economic Forum was the economic impact of all forms of trafficking. This has led to the sponsorship of OSCE economic programmes to help people from falling into the hands of traffickers out of economic need.

The OSCE Develops a Tolerance Agenda

Intolerance is another area to which the OSCE turned its attention during my tenure as ambassador. The OSCE, with its broad membership and experience in human rights, is uniquely structured to handle this challenge, which is one of the most serious facing all participating States and which affects them all, both West and East of Vienna. No one country can solve the problem of intolerance by itself. As borders continue to open, the issues of migration, immigration, and tolerance become regional and must be dealt with regionally. Incidents of anti-Semitism, racism, intolerance, and discrimination against Muslims and other religious groups have been on the rise in the OSCE area. The OSCE and the United States are determined to reverse this trend.

The Anti-Semitism Conference in Berlin in April 2004 was a great success. The Berlin Conference issued a clear statement in its Declaration that no international developments or political issues justify discrimination against or hostility toward Jews, the scourge we call anti-Semitism, irrespective of what is taking place in Israel or elsewhere in the Middle East. In September 2004, the OSCE held a conference in Brussels on tolerance, which condemned any form of racism, xenophobia, or discrimination.

Most recently, the OSCE held a follow-up Conference on Anti-Semitism and on Other Forms of Intolerance in Córdoba, Spain. In Córdoba, I made the point that many areas of OSCE expertise and interest – legislation, law enforcement, data collection, education, and civil society development – all make a real difference in reducing intolerance and discrimination. I also noted that striving to combat intolerance is something that can unite 55 diverse countries. Despite whatever national positions we may have on other topics before the OSCE, we should all agree that tolerance – whether it is in

the context of ethnicity, religion, social class, or political views – is the bedrock of free and democratic societies.

Practical Extension of OSCE Values and Practices to the Mediterranean Partners

Another indicator of the overall good health of the OSCE is the extent to which its bedrock principles are being accepted by countries outside of the OSCE region.

The history of the Mediterranean Partners goes back to Helsinki in 1975, when “Questions relating to security and co-operation in the Mediterranean” became part of the Helsinki Final Act. Morocco, Algeria, Tunisia, Egypt, Israel, and Jordan were asked to participate in further meetings. At the Budapest OSCE Summit in 1994, the OSCE Heads of State or Government decided to enhance co-operation with the Mediterranean Partners. In addition to the 30-year relationship with the Mediterranean Partners, the OSCE has welcomed new relationships with a number of Asian countries over the last fifteen years. As recently as the 2004 Sofia Ministerial Council Meeting, OSCE foreign ministers welcomed Mongolia as the fifth Partner for Co-operation in Asia. The year before, Afghanistan, newly liberated from the grip of the Taliban, expressed its intentions to accept the principles, values, and goals of the OSCE and was welcomed as the fourth Partner for Co-operation, joining Thailand, South Korea, and the first Partner, Japan, which has played an involved, supportive, and welcome role in OSCE.

Increased Co-operation between the OSCE, the UN, NATO, the EU, and the Council of Europe

Notable also are the OSCE’s co-operative initiatives that extend beyond state partners and include other international organizations. One of the most important developments during my tenure has been the expansion of co-operation with other international organizations, notably the UN, NATO, the European Union (EU), and the Council of Europe (CoE). I strongly supported this development and welcomed discussions between the OSCE and the CoE on how to improve co-ordination between the two bodies and the close on-the-ground work that the OSCE is now doing with NATO on, among other matters, border management and security. It is important that all these organizations, which are sending common messages on common issues, work ever more closely and in a co-ordinated manner to maximize synergy. The argument of duplication is, in my view, overstated. The needs met by these organizations are so vast that even if there is some overlap it is much better than the reverse, which would be to leave some issues unaddressed.

Continued Focus on Traditional Mandates

While the OSCE has been able to take on new responsibilities to keep abreast of the changing environment of the twenty-first century, it has in no way neglected or abandoned its more traditional tasks. Among these are post-conflict stabilization, promotion of human rights and democratization, and implementation of confidence- and security-building measures. A prime example here, in the arena of post-conflict stabilization, is in Kosovo. The OSCE Mission in Kosovo (OMiK) continues to receive solid marks from international observers. It is working to solidify the twin pillars of a successful society – democratization and institution building. In Kosovo, as in other post-conflict societies, a secure environment is the bedrock without which nothing productive can happen. That is why one of OMiK's sterling achievements has been the training of a multi-ethnic police force of nearly 7,000 officers, which has earned the trust of the Kosovars. OMiK has also trained the staff of the Kosovo Central Election Committee and was able to hand over most election responsibilities to the Committee, including the responsibility for organizing and conducting the October 2004 Kosovo Assembly elections; these elections were conducted smoothly, with only minor problems. A third example is OMiK's work in preparing legislators to represent their constituents in a manner characteristic of democratic societies. OMiK's Assembly Support Initiative is teaching members of Kosovo's Assembly standard parliamentary procedures and the skills necessary to manage legislation. These skills and principles include constituent services, transparency, legislative review, budget preparation, media training, and committee work. All in all, OMiK has been a shining example of what OSCE can accomplish with a well-run post-conflict stabilization operation.

Continued Success of OSCE Election Monitoring

Another area where OSCE has made a world-class contribution to democracy building has been in election monitoring, where its expertise and its performance are the gold standard for elections that are democratic, free, and fair.

During 2004, the ODIHR, the arm of the OSCE that does the work of election monitoring, observed or assessed twelve elections in Europe, North America, and Central Asia. That included the 2004 presidential election in the United States and Afghanistan's first ever free election. During the first half of 2005, ODIHR participated in elections in Kyrgyzstan (parliamentary and presidential elections), Moldova, Albania, Bulgaria, Tajikistan, Macedonia, and the United Kingdom. The Afghanistan election also marked the first time ODIHR sent its experts to an election outside of the OSCE region.

In each case, ODIHR proceeded from the fundamental principle that election outcomes must represent the unimpeded will of the people. If elec-

tions do not, they are not legitimate and the resulting governments will lack legitimacy in the eyes of their people and the international community. That is the keystone standard that the OSCE, through ODIHR, employs to determine whether an election is free and fair. That standard consists not only of the technical conduct of casting and counting ballots, but also on the degree of access of opposition and independent candidates and parties to the election process, their right to raise and deploy – legally – campaign resources, and their access to the media and the public during the campaign period.

A few participating States have recently engaged in a campaign accusing the OSCE of using “double standards” when it conducts election monitoring, alleging that the OSCE’s post-election assessments are politically motivated. I categorically reject this notion. What we are facing here is not a double standard – there is only one – but rather that some participating States have decided to place two interpretations on that single standard because they do not like the impact or outcome of some of ODIHR’s election reports.

The Significant Contribution of the Politico-Military Dimension

Another of the OSCE’s traditional tasks that it continues to do well is implementing confidence- and security-building measures (CSBMs) as part of its security mandate. Under the auspices of the Forum for Security Co-operation, a wide variety of CSBMs continue to be undertaken. If the OSCE were not pursuing this type of work and, in fact, doing it so well that it often receives little notice, there would be a call to create an international body to do just that. In 2004, OSCE participating States conducted 88 inspections and 34 evaluation visits under the Vienna Document 1999, which established CSBMs among participating States, along with an additional eight inspections and 23 evaluation visits pursuant to their own bilateral and regional agreements.

OSCE military contact events also help to build confidence between the militaries of participating States. Most recently, the United Kingdom has invited all participating States and Partners for Co-operation to a demonstration of a new type of major weapon and equipment system in autumn 2005. The visit will show how a battle group, consisting of armour, armoured infantry, artillery, combat engineers, and combat aviation, conducts live-fire manoeuvres with close air support. Six participating States hosted similar military contact events in 2004, with many more planned before the current five-year period closes next year. As with so many OSCE activities, CSBMs usually achieve more than one objective with one exercise. For example, Belgium held a military contact with the Mediterranean Partners for Co-operation to encourage them to consider the value of instituting CSBMs in that region.

CSBMs also can demonstrate how the OSCE is able to co-operate with other multinational organizations on critical security concerns. The OSCE

and NATO have held a joint workshop in Kyiv with representatives of Georgia, Ukraine, Uzbekistan, Armenia, Azerbaijan, and Kazakhstan to find a comprehensive solution to the threat posed by the explosive missile fuel component known as “melange”. Melange was used for rockets and guided missiles in the former Soviet Union. It is a major threat to health and to the environment, because its components are extremely reactive, volatile, and highly toxic. Large stocks of melange were left throughout the territory of the former Soviet Union. Its disposal and neutralization requires considerable technical and financial resources, making it a perfect vehicle for international co-operation among states, as well as between international organizations. The OSCE Project Co-ordinator in Ukraine will arrange a visit of international experts who will assess the environmental and health risks and evaluate the best options to alleviate them. They will draw upon the experience of the OSCE Mission to Georgia, which successfully implemented a programme to eliminate the melange threat in that country.

Frozen Conflicts Can Be Thawed

In the world of the OSCE, there is much talk of “frozen conflicts”, the thawing and solving of which is an important goal of the Organization and receives significant attention. The conflicts are those in Nagorno-Karabakh involving Armenia and Azerbaijan, South Ossetia in Georgia, and Transdnistria in Moldova. Those less knowledgeable about the OSCE will, from time to time, question why the OSCE has not solved them after these many years. The answer is simple: It is not for lack of trying. Serious, dedicated professionals are engaged on a daily basis in finding solutions to these diverse conflicts, each of them unique. The problem is, ultimately, and notwithstanding some protestations to the contrary, that there has thus far been insufficient political will to find a solution. But situations and political environments change and I continue to believe that progress on some fronts will be made, maybe as early as 2006. History has shown that solutions which seemed impossible at one point become inevitable at another – and this development does not necessarily take years. The OSCE, and particularly the Chairman-in-Office, must be tireless in pursuing a solution through expert and high-level diplomacy. The OSCE must also continue to use its conflict prevention tools and early warning systems effectively to prevent the conflicts from erupting and should take comfort in the fact that, with isolated exceptions, peace has been maintained in these three situations, all of which clearly have explosive potential.

The Way Ahead: The Eminent Persons Report

At the Sofia Ministerial Council, held in December 2004, OSCE foreign ministers recognized the need that every organization has to examine, improve, and change itself in response to the constant transformations of its environment. This does not mean the wholesale disposal of the past and present and the invention of a new future. Recognizing this, the ministers were determined to solidify the OSCE's position as one of the pillars of the Euro-Atlantic security architecture and to enhance its ability to respond to the challenges of the twenty-first century. To achieve this, the ministers established a Panel of Eminent Persons to review "the effectiveness of the Organization, its bodies and structures and provide an assessment in view of the challenges ahead". The Chairman-in-Office, Slovenian Foreign Minister Dimitrij Rupel, assembled a distinguished panel, which, in turn, produced a generally excellent finished product, as the saying goes, "on time and on cost". It represents, in my view, a report from which useful ideas can be taken and successfully implemented, enabling the OSCE to function more productively and effectively.¹

By the same token, the United States is clear that the OSCE's foundational principles, its *acquis*, are not negotiable and will not be dulled – if anything, they need to be sharpened in their acceptance by some participating States, and in their effectiveness. The fundamentals of freedom and democracy are non-negotiable and history has shown that, unlike any other system, they work! We will listen and discuss and be prepared to implement improvements in what the OSCE does and even how it does it, but we will never take any steps that will weaken the OSCE's precepts. Notwithstanding the clamour of some, the OSCE is doing just fine. The United States will never join a consensus to weaken the Organization in order to accommodate those who might not share its principles. Life teaches that when we compromise our principles to achieve something else, we wind up losing both.

The OSCE has always capitalized on its strengths – common values and flexible political decision-making – translating these into quantifiable achievements in a wide range of human rights, economic, and security areas. There are tough issues facing the OSCE – like those facing *all* international organizations, states, and regional organizations in today's difficult and constantly changing security environment – but the OSCE has the tools to overcome them and the assets to make a serious contribution to peace and stability for a long time to come.

1 The report is reproduced in this volume, pp. 359-379.