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Reflections on the OSCE-EU Relationship

Introduction

There have been ambiguities in the relationship between the Organization for Security and Co-operation in Europe (OSCE) and the European Union (EU) ever since it began in the 1970s (when both parties had different names – the *Conference on Security and Co-operation in Europe*, CSCE, and the *European Communities*, EC). On the one side were the positive synergies: The détente, stabilization, and curbs on the East-West arms race that were achieved by the CSCE regime (first with confidence-building measures, and ultimately force reductions) supplemented the direct defence role of NATO in creating a kind of benign strategic shelter where the European integration experiment could flourish and expand. The CSCE also gave a more specific boost to the EC's gradual emergence as a security actor, because the negotiations leading up to the Helsinki Final Act of 1975 and the post-Helsinki process created the first serious opening for EC members to apply their diplomatic co-ordination efforts – then called Political Co-operation – to directly security-related themes.¹ In effect, states that were both in the EC and in NATO used the latter to concert positions on “hard” arms control for the ongoing Mutual and Balanced Force Reductions (MBFR) talks, and the EC to work on the three “baskets” – security issues, economic issues, and the human dimension – of the CSCE. On the darker side of the interaction, however, the very existence of the EC and later the EU as a privileged and partly supranational market grouping within the Western camp set limits both to how the CSCE's own economic basket could define its aims in the first place, and to the success of various subsequent (generally US-led) attempts to give more substance to the CSCE/OSCE's economic role. The fact that, as a result, one of the three CSCE baskets was always lighter (with fewer innovative and transformational effects) than the other two had consequences that – as seen now in retrospect – did not help the prospects of the Organization's ultimate survival. This deficit has made it hard, for instance, for the OSCE to claim any special competence for highly security-relevant issues like energy and climate change in Europe, and has sharpened the tactical confrontation in the current decade between the Western emphasis on basket three and Russian-led attempts to exalt basket one.²

1 Cf. Alfred Eduard Pijpers, *The Vicissitudes of European Political Cooperation: Towards a Realist Interpretation of the EC's Collective Diplomacy*, Leiden 1990, pp. 125-139.

2 On the latter issue see Pál Dunay, *The Organization for Security and Co-operation in Europe: constant adaptation but enduring problems*, in: *SIPRI Yearbook 2005: Armaments, Disarmament and International Security*, Oxford 2005, pp. 76-82.

However, the rather clear role divisions, and limited interplay, between all the four major West-designed institutions (if the Council of Europe is included) up to the end of the Cold War also limited any too damaging power-play between them. It was the collapse of the Warsaw Treaty Organization (WTO, usually called Warsaw Pact), the Council for Mutual Economic Assistance (CMEA, also called COMECON) and the Soviet Union in 1989-91 that opened up a whole new half of the continent – and a total of (initially) 14 new states³ – to exploration and the potentially competitive staking of institutional claims. At first, many people saw the CSCE as the natural inheritor of this whole new realm, inspired by hopes of a “common European home” and the real success of the rapid negotiation of the CSCE’s Paris Charter (published in November 1990).⁴ What most obviously dashed such hopes was the descent into civil war of the former Yugoslavia, making clear that the new Europe would still have need both of tough methods for conflict containment and resolution and of tough, focused, and self-interested institutions able to help shoulder the task. In retrospect, the year 1994 also conveyed two other important signals to the effect that the CSCE/OSCE would not become the exclusive or even the main tool for solving continent-wide security challenges. The first came with the launch of NATO’s Partnership for Peace programme (PfP), followed in 1997 by the Euro-Atlantic Partnership Council/EAPC (as seriously transformative West-based engines of consultation and co-operation that rivalled the OSCE in geographical extent); and the second with the start of serious efforts by NATO – not unrelated, of course – to design the special, direct strategic relationship between NATO and the Russian Federation that has led to today’s NATO-Russia Council (NRC).⁵ Soon after, some thinkers were noting a contradiction between the increasingly stringent border and immigration control practices of a prospectively expanding EU and the basic OSCE principles of open frontiers and free movement. By the time the OSCE set out principles for collaboration between “mutually reinforcing” institutions in its Platform for Co-operative Security document of November 1999,⁶ the reality was already plain that the Vienna-based institution was only one among equals and probably not – unless in a purely ethical sense – the first among them. Indeed, had the OSCE had any serious capacity to control the actions of the EU and NATO, these

3 I.e. those of the former Soviet Union other than Russia, soon to be followed by the separation of the Czech Republic and Slovakia and the creation of at least six republics out of the former Yugoslavia.

4 Charter of Paris for a New Europe, Paris, 21 November 1990, in: Arie Bloed (ed.), *The Conference on Security and Co-operation in Europe. Analysis and Basic Documents, 1972-1993*, Dordrecht 1993, pp. 537-566.

5 Details of the current Euro-Atlantic partnership and NATO-Russia Council (NRC) can be found at <http://www.nato.hq.int>.

6 Organization for Security and Co-operation in Europe, Charter for European Security, Istanbul, November 1999, Operational Document – the Platform for Co-operative Security, reprinted 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: pp. 441-443; available online at: http://www.osce.org/documents/mcs/1999/11/4050_en.pdf.

institutions would hardly have accepted the prescriptions of the Platform as easily as they did.

Today, just eight years later, a further architectural shift second only in importance to the events of 1989-91 has brought both NATO and EU up to the borders of the Leningrad Military District in the North and to the Black Sea in the South, with their enlargements to 26 and 27 members, respectively. This might seem the most obvious further blow to the OSCE's comparative status, because (i) it makes the two West-led organizations not much less "inclusive" than the OSCE itself, (ii) it tilts the whole OSCE membership structure towards the West (and more so if remaining candidate states are counted),⁷ and (iii) this understandably alienates Russia and its remaining close associates. Moreover, whereas the CSCE/OSCE itself could offer an obvious forum to air and defuse such "West-East" tensions in the past, the very fact of NATO's and the EU's geographical advance makes it more natural and arguably more attractive for Moscow to "take on" the rival Western organizations directly. Russian actions, especially since 2005, have suggested that President Vladimir Putin has a much more serious interest in exploring (or exploiting) his means of direct leverage (e.g. the "energy weapon" against EU members), and in using all means fair and foul to combat perceived Western infiltration among Russia's close post-Soviet neighbours, than in making any serious investment in possible solutions through the OSCE itself. Russia and its close partners have, it is true, put some energy into developing their "reform" proposals for the OSCE, but their tactics for pushing these – as well as Moscow's latest stance on the Treaty on Conventional Armed Forces in Europe (CFE Treaty) – have implied a readiness to gamble with OSCE's survival (or more exactly, with the maintenance of a minimum East-West consensus there) in the pursuit of more directly national interests.⁸

Interestingly, however, recent complaints about the EU's "encroaching" on the OSCE's territory have been based less (ostensibly) on such strategic shifts and more on the parallel functional shift in security agendas. Since the mid-1990s, when all institutions had to re-think their previous roles in response to new challenges of conflict management within Europe and beyond, NATO and the EU have both reacted further to a perceived *interconnectedness* of the different dimensions of threat and of the different techniques needed for crisis response and stabilization. Strongly spurred by the lessons of "9/11" and more recently by the challenges arising for "human security" in

7 The nations of the Western Balkans (Albania, Bosnia and Herzegovina, Croatia, FYROM, Montenegro, and Serbia) have all set their sight on double membership of NATO and the EU and are slowly progressing through the steps of "recognized" applicant status. Georgia and Ukraine, for all their domestic troubles, are also among the hopefuls. Kosovo is expected to join the queue as and when it is recognized as a sovereign entity.

8 Cf. Wolfgang Zellner, *Managing Change in Europe: Evaluating the OSCE and its Future Role: Competencies, Capabilities, Missions*, CORE Working Paper No. 13, Hamburg 2006, available online at: http://www.core-hamburg.de/CORE_english/pub_working_papers.htm; reprinted in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2005*, Baden-Baden 2006, pp. 389-430.

Europe from climate change and natural disasters, epidemic disease, and the rediscovery of the energy security agenda, both institutions' strategies now call for creating and combining military, police, political, economic, and other functional instruments for both crisis action and general security building. At its simplest, this explains why the EU is now found asserting itself in types of operation – police and border control operations, general democratization processes and programmes for security sector reform – and in functional areas of policy-making – such as anti-terrorism, anti-trafficking, anti-proliferation and weapons control – that the OSCE might reasonably have viewed as its own niche functions and where it might still believe it has comparative advantages. By combining these two sets of changes and their consequences, the OSCE case against EU can be constructed in its strongest form. The EU with its inflated caucus seeks to patronize and dominate Vienna (note that the European Commission pays for three quarters of the OSCE budget and the whole EU group supposedly has a “single voice”); steals what tasks it likes from the OSCE; and exploits the OSCE to go on doing things it finds too boring and/or risky for itself.

It hardly needs saying that in this form the argument is a caricature, especially insofar as it posits a deliberate ill intent, or even just a competitive intent, on the EU's part against the OSCE. (It is NATO that is far more often treated, or even talked of, as “the enemy” in the Union's corridors!) There are grounds to argue that – on the contrary – not only has the EU been driven by self-regarding needs and dynamics that have nothing to do with inter-institutional games, but that it is inherently *and more than ever* the OSCE's “best friend” in terms both of shared values, goals, and interests, and of willingness to take the partner institution seriously.⁹ Nevertheless, the concerns felt in Vienna are real enough to merit weighing the thesis of a damaging EU-OSCE “overlap” in fuller detail.

The Overlap

The problem of overlap between the OSCE and the EU, which is the proximate cause of many of the frictions just described, can be defined both functionally and geographically. The OSCE itself sets out on its website a list of areas of co-operation with the EU that covers at least the most obvious functional intersections: judicial and police reform, public administration, and anti-corruption measures; more general democratization, institution-building,

9 A parallel can be noted in EU-UN relations. In 2003, the EC Commission adopted a Communication on “EU-UN relations: The choice of multilateralism”, which focused on a comprehensive strengthening and mainstreaming of EU-UN relations. The EU's commitment to the UN also translates into significant financial support of the UN system. EU member states provide around 38 per cent of the UN's regular budget and around 50 per cent of all UN member states' contributions to UN funds and programmes. For a summary of EU-UN relations, see: http://www.europa-eu-un.org/articles/en/article_5013_en.htm.

and human rights; the support and monitoring of elections; media development; the development of small and medium-sized enterprises; and border management, including combating human trafficking.¹⁰ Geographically, since the OSCE neither has any real global extension nor concerns itself deeply with the affairs of already-integrated nations, the significant overlap occurs in the Western Balkans and the eastern parts of what the EU calls its “new neighbourhood”, stretching as far as Central Asia. (OSCE forays into the Mediterranean have never been substantial enough to clash with the EU’s Barcelona process or the EU role in the international “Quartet” addressing the Israeli-Palestinian conflict. It is also hard to see either the OSCE or the EU “operating in” Russia in a way that might lead to conflict or duplication, at least not since the Chechnya issue faded in prominence. The institutions’ respective roles in the broader context of West-Russia relations will be returned to below.)

Functional overlap can be an irritant if both institutions are trying to do the same thing, but also if their actions and prescriptions cut across each other. In both variants, the EU is liable to be seen as the “intruder” and hence the source of the problem because its multi-functional security strategies – at least in conscious and active form – are a relatively late development of the post-Cold War period, while the CSCE/OSCE had already created most of its new security and governance tools by 1994.¹¹ An example of apparent copy-cat action by the EU would be its more frequent and high-profile actions to monitor elections in neighbouring countries – although it is fair to note that this reflects a *global* policy and that the EU has “interfered” more dramatically in non-European cases, such as its deployment under the European Security and Defence Policy (ESDP) to support the holding of peaceful elections in the Democratic Republic of the Congo in 2006.¹² In OSCE terms, this role had been seen as the property or even the main *raison d’être* of the Office for Democratic Institutions and Human Rights (ODIHR), and it must have been galling for many in Vienna to see – for example – the EU’s High Representative Javier Solana together with certain EU political leaders get the credit for “solving” one of the most dramatic recent election-related crises, from December 2004 to January 2005 in Ukraine. However, it is hard to ignore the fact that in such cases the EU can bring to bear types of political leverage, material resources, and (in the last resort) military deployments to preserve order that are simply not within the OSCE’s repertoire. A realist in-

10 Cf. *The European Union*, at: <http://www.osce.org/ec/13066.html>.

11 The Conflict Prevention Centre, the High Commissioner on National Minorities, and the Office for Democratic Institutions and Human Rights.

12 With authorization from United Nations Security Council Resolution 1671 of 25 April 2006, the EU carried out from July to November that year an operation codenamed EUFOR RD Congo to support the UN’s resident MONUC mission during the period of elections in the Democratic Republic of Congo. The EU also gave 250 million euros in financial support for the elections and deployed an Election Observation Mission (EOM) with over 250 observers. See: http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=1091&lang=en.

terpretation might be that the OSCE may be more professional and neutral in watching what happens in elections, but the EU is more likely in both the short and longer terms to change what happens.

An example of possibly conflicting signals is the field of border management. The stability, openness, and collaborative management of inter-state borders are all very basic elements of the OSCE *acquis*, and the OSCE organs and their partner NGOs were airing issues such as freedom of travel and cross-border co-operation long before EU nations were willing to consider collective approaches to such fields. Even if the OSCE's Border Security and Management Concept (BSMC) was only adopted in 2005,¹³ it had long and complex antecedents. The EU, for its part, moved decisively into this area in the 1990s with the creation of the Schengen regime of common border and immigration control covering most of its nations (plus Norway and Iceland), and then made it a condition of accession that the twelve new EU members joining in 2004 and 2007 should also join Schengen.¹⁴ Compared with that of the OSCE, the EU's agenda in this venture was an essentially partial and self-referential one; it was more about keeping undesired elements out than about respecting any fundamental freedom of movement (at least for outsiders). This defensive intent has been only further heightened by the post-9/11 emphasis on transnational threats and the post-2004 "enlargement backlash" with its strong anti-migration undertones. The EU's most hotly debated plans now are for things like a joint border guard force or closer operational co-operation on defending Mediterranean member states against boat people. It is difficult to deny that all this represents something of an existential clash with the OSCE's *acquis* and aims, as well as helping to explain why non-EU OSCE participants may resent the monolithic qualities of EU behaviour both inside and outside the Vienna forum. The problem goes even further, however, in that the EU has recently extended the range of its operational ventures to border management assistance programmes in Ukraine and Moldova, as well as a more general "law and justice" mission in Georgia.¹⁵ (Again this is a global phenomenon as shown by the EU mission on the border of the Gaza Strip.)¹⁶ One irony is that the EU's nascent skills in

13 Cf. Organization for Security and Co-operation in Europe, *Border Security and Management Concept. Framework for Co-operation by the OSCE Participating States*, MC.DOC/2/05, Ljubljana, 6 December 2005, at: <http://www.osce.org/activities/13030.html>.

14 Cf. Marina Caparini, Security sector reform and NATO and EU enlargement, in: *SIPRI Yearbook 2003: Armaments, Disarmament and International Security*, Oxford 2003, pp. 237-260.

15 The EU Border Assistance Mission on the Moldova/Ukraine border (EU BAM Moldova/Ukraine) was launched on 1 December 2005, with an initial two-year mandate, to advise and train local border/customs services in the interests of preventing smuggling, trafficking, and customs fraud. The EUJUST THEMIS operation was deployed in Georgia in 2004-05 to support the Georgian authorities in reforming the criminal justice system and strengthening the rule of law.

16 The EU Border Assistance Mission at the Rafah Crossing Point on the Gaza-Egypt border (EU BAM Rafah) was launched on 25 November 2005 and extended until May 2008. It has deployed some 75 police officers from 17 member states to monitor and evaluate the performance of the Palestinian Authority's border control, security, and customs officials.

“hardening” borders probably are what is objectively needed in these cases; yet once more it can easily look as if the late-comer institution is usurping roles that should be close to the heart of the OSCE’s post-Cold War mission.

For balance, it should be noted that there are some further functional areas where the EU and OSCE roles more naturally co-exist and even reinforce each other. Arms control and non-proliferation would be one, since the EU has no wish to interfere with the OSCE’s role on major conventional weapons, while both institutions support a range of approaches for better control (and where appropriate, destruction) of WMD-related capacities, small arms, landmines, excess ammunition stocks, and so on. The EU may be able to formulate tighter regulatory regimes for its own members, but the OSCE can develop codes of conduct, best practice exchanges, and co-ordination of outreach to cover twice as many countries. Similarly when tackling the menace of terrorism (or drugs or human trafficking), the EU has better chances than the OSCE of achieving harmonization of internal laws and practices – though it is still at a very early stage in trying! – but the strategic vulnerability of EU territory could be substantially reduced by even much looser forms of co-operation with the other OSCE States occupying Europe’s eastern and south-eastern approaches.

This leads back to *geographical* overlap, which may be charted in two connections: in regard to specific crises and hot-spots, and in the general context of eastward-looking stabilization and transformation processes. With much simplification, the various phases of conflict in the Western Balkans may be seen as more of a *shared* challenge and learning experience for the EU and the OSCE than anything else. Both failed in preventing the outbreak of war and neither was in the front line of actual peacemaking, but both took on important responsibilities for the management and normalization of post-conflict territories in different fields of governance, obliging Brussels and Vienna, among others, to learn to work together in a hands-on, day-to-day, grassroots fashion. Here too, however, the picture has been one of a balance of responsibility steadily shifting towards the EU side. In Bosnia and Herzegovina the EU has taken over the military peacekeeping role from NATO, and if the “managed independence” of Kosovo should become a reality any time soon, the plan is also for the Union to take on key new security functions there (for instance by sending 2,000 new police and judicial experts). It is symptomatic that the EU, but not the OSCE, takes part in the “Contact Group plus” where the most powerful nations concert their own strategy for the Balkans. More generally, as any given Western Balkans state enters the pre-accession zone for EU membership, it seems bound to glide gradually away from OSCE intervention and scrutiny just as the twelve existing new EU member states have done. In the “frozen conflict” areas of the Black Sea and Caucasus region, the present balance of roles still leaves the OSCE more central than the EU to the (potential) peacemaking process; but as already noted, the EU is already “leapfrogging” Vienna with specific operational

ventures in this zone too. A basic point to note here is that the OSCE cannot undertake new missions without a consensus decision including Russia, whose clear preference in recent years has been to minimize such missions, while the EU has sometimes been remarkably quick in getting internal agreement on new ESDP ventures and may also sometimes be more acceptable to Moscow as a partner than the OSCE would be as a tool. (The Transnistria problem in Moldova is the clearest present case where this implicit problem-solving competition has been going on for some years already, but without any clear winner as yet.)

More generally, the EU's stronger post-enlargement focus on what it calls "European Neighbourhood Policy" (ENP) can lead to both the appearance and fact of inter-institutional competition. This has mechanical aspects, such as the EU's decisions to create "special representatives" for places like Central Asia, Moldova, and the Caucasus (and one is now being called for in the Black Sea area),¹⁷ which the OSCE might have seen as more natural preserves for its own missions. (Given the shortage of qualified personnel, most of whom ultimately came from national governments, there may also be a "beauty contest" between OSCE and EU deployments in attracting the best human material.) It can only add to OSCE fears of being subordinated when EU authors, perhaps quite innocently, speculate on the possibility of harnessing the Organization to help overcome the gaps and weaknesses of ENP in the future.¹⁸ The EU's official Security Strategy adopted in December 2003 discussed at length the EU's right and duty to create "a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean"¹⁹ but did not even mention the OSCE in that context. Last but not least, there is a potential more normative clash – rather as in the case of border management cited above – between the EU's and the OSCE's ways of approaching the "neighbourhood" zones. For the EU they are part of its hinterland, for the OSCE part of its membership, with the right to choose their own policies and find their own way to higher levels of governance within the framework of OSCE standards. The EU is more inclined to actively transform the environment with only one choice of model (its own), while the OSCE *acquis* leaves more wriggle-room for evolution and diversity. On the other hand, the EU's wish to bolster its own security against both older and newer threats is a barely concealed driver of neighbourhood policy, and it may sometimes make the EU (or at least, some of its policy-makers) over-tolerant towards strong leaders who can deliver stability and practical co-operation, regardless of democratic credentials. The OSCE, paradoxically

17 Cf. Neil J. Melvin, *Building Stability in the North Caucasus: Ways Forward for Russia and the European Union*, SIPRI Policy Paper No. 16, May 2007, at: <http://www.sipri.org>.

18 See, e.g., Peter van Ham, EU, NATO, OSCE: interaction, cooperation and confrontation, in: Gunther Hauser/Frank Kernic (eds), *European Security in Transformation*, Aldershot 2006.

19 *A Secure Europe in a Better World: European Security Strategy*, Brussels, 12 December 2003, p. 8, at: http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=266&lang=EN&mode=g.

enough, has more profound experience of and competence in some “harder” aspects of European security than the EU, but also feels and often obeys a greater impulsion to speak out on abuses of human rights and good governance. The German EU presidency in the first half of 2007 pushed for a coherent EU Central Asian strategy partly in hope of bringing these different agendas back into better balance within the Union as well – and indeed, the June 2007 European Council, where the strategy document was adopted, identified “human rights, rule of law, good governance and democracy” as the first of the EU’s objectives in the region.²⁰

The Power Balance

These micro-level phenomena can also be looked at in a broader perspective of comparative institutional dynamics. Both the multi-dimensional approach to security and the emphasis on solutions that involve changing political, economic, and social conditions *within* states are tilting the balance globally in favour of institutions that have (i) multi-functional competence; (ii) resources of their own to spend and deploy (human as well as financial); (iii) legislative competence at national and/or international level, to make rules governing non-state as well as state actors; and (iv) a global reach. On point (i) the OSCE is hardly the EU’s inferior, but on all other points the EU – with its large budget, ESDP capabilities, supranational institutions, legislative role, and global impact at least in the economic sphere – clearly comes off best. The OSCE’s central organs are not only small and under-budgeted by comparison, but also dispersed in a way that can hinder the total impact. The OSCE can sustain civilian missions and “roving” capacities like the High Commissioner on National Minorities, but – notoriously – has never actualized its theoretical competence for peacekeeping. As noted, when it comes to driving transformation processes among the non-Western actors in Europe, the EU holds the powerful weapon of control of accession to its own ranks, which may be the only strong enough driver for perpetual peace in the Balkans and is also starting to penetrate the western post-Soviet area. As and when states join the EU, the formal legislative (and often resource-backed) nature of the Union’s *acquis* implies a deeper and more uniform conversion than even the fullest compliance with OSCE norms. Last and not least, when dealing with the “unconverted” notably in Moscow, the EU can offer a many-sided relationship including potential carrots (economic benefits and freedom of travel) as well as sticks. The OSCE with its empty pockets, and lack of

20 *Presidency Conclusions*, European Council 20-21 June 2007; the text of a strategy is contained in Council Document 10113707. For the background, see: EU outlines new Central Asian strategy, in: *Euractiv newsletter* 24 April 2007, at: www.euractiv.com/en/enlargement/eu-outlines-new-central-asia-strategy/article-163327.

control over national practice, can too easily seem to be nagging and interfering with precious little to offer in return.

An alternative, more “realist” comparison would start from the dynamic between multilateral institutions and their member states. Ever since the end of the Cold War, some observers have been looking for signs of “re-nationalization” as the protective added value of Western institutions becomes less obvious and the objective micro-climates for security in different parts of the continent become more diverse. In principle, the post-9/11 “new threats” agenda should push in the other direction: Threats like terrorism are more shared (given their transnational nature) and more intrusive, demanding internal as well as external common measures to control them effectively. In practice, however, the period since 2002 has been marked by divisions both within Europe and across the Atlantic, and not just because of the differences of opinion on Iraq. The mistrust of “the other” that has flared up in many parts of Europe is directed not just against certain external or internal population groups, but also against “Brussels” or “globalization” (seen as the sources of risk caused by openness, and of unfair competition), and in some cases against national structures of authority. The problems caused by all this for institutions are clear enough – as symbolized by the EU’s failure to adopt its new draft constitution – but it is arguable that they are ultimately much more serious for the OSCE (and perhaps even for NATO) than for the EU. First, the range of different national identities and interests is narrowest in the EU. It is much harder to bridge in the OSCE, which includes Russia, or in NATO, which includes the USA. Second, the EU structure, with its now 90,000-odd pages of joint legislation, is simply much harder to unpick. Third, even people who dislike all the EU’s internal effects may be glad of the way it defends their external interests, for instance in trade negotiations and when making aviation or visa control agreements – it is notorious that opinion polls always show greater popular buy-in to the Union’s potential security roles than to its policies in general.²¹ The OSCE has nothing comparable to this role of defending its community vis-à-vis the outside world, and NATO currently seems to demand more than it offers to its members on the external front, notably in Afghanistan.

Nevertheless, the EU still *needs* the OSCE both for its own existential purposes and for success in its outward aims: hardly less so today than in the

21 According to the EU’s own official “Eurobarometer” opinion survey (survey of October-November 2006, results released December 2006), 68 per cent of all European respondents thought a common foreign policy was a good thing and 75 per cent thought a common defence and security policy was a good thing, with even higher results in the new member countries (75 per cent and 84 per cent, respectively). Only 53 per cent thought that their respective country’s membership of the EU was a good thing in general. See: http://ec.europa.eu/public_opinion/archives/eb/eb66/eb66_en.htm. A recent Financial Times/Harris poll found much lower levels of general support for the EU, with only 25 per cent responding that their country had benefited from joining the EU; see: http://www.ft.com/cms/s/852402b8-91dc-11db-a9450000779e2340,dwp_uuid=176e2654-91dc-11db-a945-0000779e2340.html.

1970s. Even now, strategic relations in the wider Europe are about conflict avoidance and coexistence just as much as democracy and transformation. The EU plays, even unwittingly, a potentially *destabilizing* role in this context through its own power and attraction, and it needs the buffering effect and “rules of the road” offered by the OSCE to avoid the risk of other players starting to feel too insecure – or expressing their insecurity violently. Battered as the OSCE’s arms control and confidence-building functions may be by recent controversies, they represent one area in which (as already argued) the EU has no real competing expertise to offer. Similarly, even if the OSCE has done less than was hoped for during the 1990s to lower Russian-Western tensions in a re-balanced Europe, it provides a safety-valve and an additional forum where Moscow – as an equal participant – can express and leverage its concerns. OSCE organs and representatives “can go where the EU cannot go” in some more remote and sensitive parts of the non-integrated territories, and the OSCE may still offer a more politically acceptable (“neutral”) *aegis* than the EU for comprehensive and *formal* solutions to the various “frozen conflicts”. The EU’s comparative advantages cannot take full effect today in places like the Caucasus and Central Asia precisely because its deeply integrated rules and culture are too “strong”, and therefore not feasible for territories that are still struggling with basic problems of national identity, integrity, and governance. This underlying conundrum as well as a lack of political will and priority is likely to constrain Brussels’ ambitions in Europe’s Eastern outback for some while yet, and it is good that the OSCE should survive as long as necessary to help to cover the gap.

At another level, it remains true and important that “the EU makes laws, but the OSCE sets norms”. It is a distinctive part of the EU’s philosophy not to claim a self-justifying and self-mandating authority in matters of life and death but to defer (as the founding documents of the ESDP do, for instance)²² to the principles of the UN and of the OSCE itself. Legitimacy is not the same as strength and may even be its opposite in some cases. If the EU condemns election procedures in a neighbouring country or proclaims standards for a neighbour’s security sector reforms, it may be suspected of self-seeking power motives and political partiality, or even of using its strength to bully others and limit their choices. If the OSCE takes a similar line, the EU’s position gains in credibility just as the OSCE gains from having a well-endowed confederate in the task. There are also cases, as noted, where the EU feels hindered by self-interest from pressing a normative concern at all, but may be relieved to see the OSCE intervene more directly – for instance, over the minorities issue in Turkey. A similar contrast and complementarity might be seen in the two institutions’ images outside Europe, even if the OSCE has barely explored its own potential here. The EU is a tough and not always principled actor in its own interest on economic and migration matters, while

22 Cf. *Presidency Conclusions. Helsinki European Council*, 10-11 December 1999, at: http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/ACFA4C.htm.

the OSCE has no “axe to grind” and merely offers a model of regional stabilization and best practice – one that may in fact, work better for many different regional settings than the “strong beer” of the EU.

Lessons and Conclusions

Something like Darwin’s “survival of the fittest” applies in the contest between institutions as well – with the caveat that, according to modern Darwinians, “fittest” just describes adaptation to context with no moral overtones. There is no more point in grieving over a changed power-balance between the EU and OSCE (or the Council of Europe, for that matter) than there was when the EU sucked all the substance out of the Western European Union (WEU) in 1999-2000. The very fact that the EU has managed to grow so fast, physically and in competence, within a continent essentially at peace is part of the CSCE/OSCE’s achievement and part of a legacy that Brussels can never – retroactively – steal from Vienna.

At the same time, the OSCE deserves to survive for at least a while longer and still needs to do so, for others’ sake as well as its own. Recognition of realities should lead it to look at ways of harnessing the EU’s strength to its own advantage, rather than railing against or trying to discredit it (undermining it is not really an option). The fact that the OSCE’s survival is objectively in the EU’s best interest does not remove the danger that certain national EU presidencies – depending also on which Chairman-in-Office they coincide with in Vienna – might lose motivation to try to help in overcoming the Organization’s own difficulties, especially if they hear too much acrimony from that source.

In reality, and for at least as long as Europe’s political and institutional balance remains in transition, the threats and challenges that the EU and the OSCE still *share* – from Russia to the Middle East and from bird flu to “renationalization” – are far greater than any harm they could ever conceivably do to each other. It would be self-defeating for the EU to try to “subordinate” or take control of the OSCE, not least because that would kill off any remaining motive for the OSCE’s other participating states (other than EU applicants!) to keep the Organization alive. As it stands and with all its probably now irremediable weaknesses, the OSCE still has a lot to teach the EU – both in substantial experience, and through the arena it offers for trying out new security concepts and relationships. If the challenge for the OSCE is to accept that the pupil may end up a better performer in some ways (like Judy Garland in “A Star Is Born”), the EU’s challenge is to curb its youthful impetuosity and occasional brashness in the security field: to learn the skills of listening and watching, as well as talking and doing.

All atmospherics aside, work on how to strengthen the mechanics of cooperation between the OSCE and the EU has a history almost as long as that

of the ambiguous political interplay between them. There are an impressive number of interfaces today between the two institutions' high officers, their presidencies or Chairmen-in-Office, their committee structures (where "cross-representation" is frequent) and their entire staffs. The EU Commission, as already noted, is a major provider not just of core finance but of extra-budgetary funding for various OSCE activities in the field. Even if taken for granted by most of those engaged, this is a picture to make the proponents of easier EU-NATO relations sigh with envy – and it could still be improved upon. With especially strong support from some smaller EU nations, a draft declaration on closer OSCE-EU co-operation was tabled in July 2006 and is still under consideration. It would improve the regularity of top-level meetings and reciprocal briefings, information exchange and consultation with a view to better synergy and co-ordination between activities on the ground and possible joint initiatives, such as fact-finding missions.²³ In 2005, the signing of a "concordat" of this kind between the OSCE and the Council of Europe²⁴ helped to damp down a period of ultimately unproductive rivalry and recriminations between those two institutions. Even the fact of discussing such documents may help by providing a safety-valve to talk through underlying problems and possible misunderstandings. At any rate, it seems well worth the effort required to carry through this formal OSCE-EU exercise to success. It would be a gain, not just for the two organizations themselves, but for those who believe that all co-operative institutions ultimately have more in common with each other than with the unilateralists or re-nationalizers; and that now is a good moment in history for them to stand up and be counted together.

23 Cf. OSCE Document CIO.GAL/86/06.REV.2 of 14 July 2006.

24 Cf. Organization for Security and Co-operation in Europe, Permanent Council, *Decision No. 637, Enhanced Co-operation between the Organization for Security and Co-operation in Europe and the Council of Europe*, PC.DEC/637, 2 December 2004; idem, *Decision No. 670, Co-operation between the Organization for Security and Co-operation in Europe and the Council of Europe*, PC.DEC/670, Annex, 28 April 2005. See also the OSCE website, at: <http://www.osce.org/ec/13064.html>.