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The OSCE Summit and the European Security Treaty

Following the informal meeting of OSCE foreign ministers in Almaty on 16-17 July 2010, a decision was adopted on 3 August to hold the Organization's forthcoming Summit on 1-2 December in Astana. Eleven years after the last such meeting was held in Istanbul in 1999, the leaders of 56 countries will gather to discuss the most important and pressing security problems in the Euro-Atlantic and Eurasian space. The perception paper distributed by the Kazakh OSCE Chairmanship on 17 July envisages the possible results of the Summit as, in the first place, the "development of a single and indivisible area of security, free of dividing lines and zones with different security levels – a Euro-Atlantic and Eurasian Security Community".[1] This position dovetails neatly with the Russian view, formulated as the idea underpinning the proposal for a new European Security Treaty, that no state should ensure its own security at the expense of the security of others. Russian President Dmitry Medvedev's proposal regarding the need to hold detailed talks on the subject at the level of heads of state or government representing the space from Vancouver to Vladivostok has thus found support; such a discussion at the highest level is indeed overdue.

The Russian President first voiced the idea of a new European Security Treaty on 5 June 2008 in Berlin. The text of the Russian draft was published on 29 November 2009. At the same time, the Russian head of state sent a letter to the leaders of the other 55 OSCE participating States asking for their opinions of his initiative. By August 2010, replies had been received from the leaders of 21 countries.[2] The foreign ministers of the member states of the Collective Security Treaty Organization (CSTO) and the Commonwealth of Independent States (CIS) expressed a positive opinion.[3] President Medvedev's proposal has been repeatedly discussed within the Russia-NATO Council and in the framework of the political dialogue between Russia and the European Union. Political scientists have also made their contribution to analysing the idea and moving it forward.

The European Security Treaty initiative has undoubtedly also stimulated the appearance of other projects for improving Europe's security architecture

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Note: The views contained in this contribution are the author's own.

1   *Kazakhstan OSCE Chairmanship's perception paper*, *Outcome of the Almaty Informal Ministerial Meeting*, 16-17 July 2010, CIO.GAL/310/10, 17 July 2010, p. 2.

2   Slovenia, Switzerland, Belarus, Liechtenstein, Turkey, Portugal, France, Luxembourg, Spain, Greece, the United States, Kazakhstan, the United Kingdom, Denmark, Slovakia, Cyprus, Austria, Tajikistan, Kyrgyzstan, Norway, and Sweden.

3   Cf. *Statement by the Ministers for Foreign Affairs of the Member States of the Collective Security Treaty Organization on Collaboration in the Work on a European Security Treaty*, Moscow, 25 March 2010.

by launching a new philosophy of renewal in the field of security. There is interest in an intensification of work within the trilateral Russia-US-EU context, while negotiating configurations such as the "Russia-Germany-Poland triangle" and the "Weimar Square" (France, Germany, Poland, and Russia) are developing. French President Nicolas Sarkozy has suggested a new format for interaction between the EU and its neighbours, including Russia, Turkey, and the Balkans. Within the OSCE, a new Kazakh-French initiative has sought to create a Euro-Atlantic and Eurasian "security community", and to develop an action plan to achieve this goal. Italy has suggested a "road map" with its vision of a path towards the fairer organization of European security. The Russia-EU dialogue is moving towards the creation of a new joint body, the Russia-EU Foreign Policy and Security Committee.

The Russian proposal accompanying the European Security Treaty to establish dialogue between representatives of the security organizations active in the Euro-Atlantic space – the UN, NATO, the EU, the CSTO, the CIS, and the Council of Europe – has also been implemented; such a meeting was held on the sidelines of the informal meeting of OSCE foreign ministers in Almaty. During the meeting, talks began on security problems on which these organizations could co-operate and co-ordinate their efforts.

Our Western partners have acknowledged that, without the European Security Treaty initiative, there would have been no revival of the OSCE, whose "Corfu Process" was launched as a result. As part of this process, active discussions have begun regarding ways to strengthen security in the Euro-Atlantic region, to find answers to common threats and challenges, and to bring the Organization's activities in line with contemporary demands.

Russia was one of the first countries to support the Greek initiative to launch the Corfu Process, which has been successfully continued by the Kazakh Chairmanship of the OSCE in 2010. This informal forum for dialogue is valuable as an opportunity for honest and open-minded debate on the most pressing security issues. The considerable range of proposals contained in the Interim Report issued by the Kazakh Chairmanship in June 2010 testifies to the success of the Corfu Process as a kind of "laboratory" for producing and taking forward new initiatives. The report draws upon 56 deeply informed contributions from OSCE States and a range of international organizations made as part of the Corfu Process in 2010. Russia's activity on this front is witnessed by the 13 initiatives that Russia has advanced either individually or in collaboration with other countries. The continuation of free discussions in this informal format will work to strengthen confidence among states and dispel obsolete dogmas and stereotypes they may hold about each other, while promoting the development of ways to improve the effectiveness and capabilities of the OSCE to eliminate serious defects in the application of its comprehensive approach.

The practical progress made on moving the idea of a European Security Treaty forward may appear impressive, underlining the timeliness of the

Russian initiative. However, substantial differences and occasionally oppos-
ing viewpoints remain regarding the content of a treaty of this kind and its
prospects for implementation. When we put forward the initiative, we were
guided first and foremost by the desire to bury once and for all the legacy of
the Cold War, primarily in the politico-military sphere. A bloc-based ap-
proach persists in this area, and has hampered the creation of conditions for
equal and indivisible security for all OSCE States. The underlying principle
of the indivisibility of security, which implies that all states have an equal
right to security, has legal force only in relations between NATO members.
NATO members have the same obligations towards other OSCE States, but
these obligations are only political in nature, as enshrined in a number of
OSCE documents.[4] That these are not the same thing was illustrated by the
events of 1999 in Yugoslavia and 2008 in Georgia. In the first case, the allies
carried out a military attack on an OSCE participating State not only without
the sanction of the UN but even without the political approval of the OSCE.
The result was that, within the OSCE, one group of countries proclaimed its
own infallibility vis-à-vis other countries. In August 2008, the NATO coun-
tries denied Russia the right to explain the reasons and international legal
basis for its military operations to protect the population of South Ossetia
following the barbaric attack by the Saakashvili regime. The alliance's logic
was one of pure bloc allegiance. At the Budapest NATO summit in April
2008, Saakashvili had been publicly promised accession to NATO. And since
he was now "one of us", he could not initiate the use of military force (as he
had "given his solemn oath"). The stereotype worked: The Russians, as al-
ways, are guilty no matter what, and some countries in the alliance even ser-
iously debated whether to provide military assistance to the adventurist of
Tbilisi. One can only imagine the consequences for Europe had NATO inter-
vened in the conflict. As is well known, the fact of the Georgian attack on
Tskhinvali that prompted Russia to act in defence of South Ossetia has since
been confirmed and documented by an international independent commission
headed by Heidi Tagliavini.

The signing of a European Security Treaty based on international legal
norms and mechanisms would ease this bloc mentality by legally enshrining
the many political declarations rejecting the use of force in the Euro-Atlantic
area. It would also provide supplementary insurance preventing the use of
force in so-called frozen conflicts. Moreover, it would reduce the possibility
of being guided by the logic of "political expediency", as opposed to inter-
national law. A line would also be drawn under the legacy of the Cold War
and the post-Cold War period of uncertainty. However, I want to stress that
such a solution would not infringe on NATO; no-one in their right mind in
Russia would call into question the alliance's weight and role as an inter-
national military and political actor. Moreover, NATO and every other inter-

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4   Cf., for example, Charter of Paris for a New Europe (1990), Helsinki Document (1992),
     Budapest Document (1994), Charter for European Security (1999).

national organization working in the field of "hard security" could become parties to the European Security Treaty. In short, we are convinced that the signing of the European Security Treaty would be beneficial to all the countries in the Euro-Atlantic area, and in practice would contribute to strengthening stability.

It is significant that the current binary arrangement of commitments (legal for some, political for others) fuels the prevailing belief among our Western partners that only membership of NATO and the EU can guarantee real security. They consider themselves a privileged group of countries. This, in turn, gives rise to selfishness and arrogance, and an unwillingness to understand a partner's arguments and to seek a satisfactory solution for the whole of the Euro-Atlantic region. Elements of megalomania are visible in, for example, the following statement by one of the most respected interpreters of Atlanticism, the Polish politician, academic, and former foreign minister, Professor Adam Rotfeld: "Two great European institutions (NATO and the EU) have become a new centre of gravity for all the continent's states. Besides ensuring security, they are a practical and appealing example of how national animosities and quarrels can be overcome. They also create external conditions that promote optimal internal development and accelerated modernization. It is not without consequence either that the transatlantic security institutions have been capable of successfully promoting universal values and preventing internal conflicts potentially capable of evolving into wars between neighbouring states."[5] This quotation is taken from an article on the European Security Treaty in which Adam Rotfeld closely scrutinizes both Dmitry Medvedev's idea and the text of the draft European Security Treaty. His answer is clear: There is no need to reinvent the wheel in the field of security; it already exists in the form of NATO and the EU.

Western leaders' answers to the Russian President's letter have been more diplomatic and politically correct, but are in the same vein. While recognizing the validity and timeliness of the debate about the state of the security architecture in the Euro-Atlantic region, they call into question the need to sign a new legally binding instrument on European security. They argue that there are already more than enough documents to this effect, that existing security institutions guarantee the necessary level of security, and that the systemic failures that Russia talks about happen precisely because the spirit and letter of international commitments under the OSCE (which NATO and EU countries strictly follow) are not observed. It is therefore impossible to speak only about modernizing the politico-military component of security, which is what Russia is calling for. All security issues should be resolved within the OSCE, with its comprehensive approach encompassing the politico-military, economic and environmental, and human-rights "baskets". Unlike the CSTO

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5   Adam Daniel Rotfeld, Does Europe Need a New Security Architecture? In: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2009*, Baden-Baden 2010, pp. 23-42, here: p. 41.

and CIS countries, Russia's Western partners have shown no desire to work on the text of the Russian project for a European Security Treaty.

Our Western partners' unwillingness to look for other solutions to the provision of security than accession to NATO and the EU calls into question the prospects for achieving a breakthrough in the creation of a genuine single space of equal and indivisible security in the Euro-Atlantic region. But not all countries in the region – including Russia – see their future in these organizations.

Nonetheless, an analysis of the proposals put forward as part of the Corfu Process regarding the content of the agenda for the upcoming Summit indicates a certain harmonization of approach among OSCE countries to addressing the most burning problems of strengthening European security. This is without doubt largely thanks to the Kazakh OSCE Chairmanship, as well as the general international debate on the European Security Treaty. Participating States have demonstrated a high level of involvement in preparing intelligent contributions for future decisions of the Summit. Forty-seven of the OSCE's 56 participating States have submitted proposals, either independently or as part of a group, for the start of discussions on the Summit agenda. This is an unprecedented figure, comparable with activity during the transformation of the OSCE from a Conference to an Organization in 1994-1995, and during the preparation of the Charter for European Security in 1999. Another undoubtedly positive aspect is that a number of proposals were authored not only by countries from a particular bloc but also with the collaboration of non-aligned states. This is most evident in the OSCE's politico-military dimension, where NATO countries have come out in favour of modernizing the Vienna Document on Confidence-Building Measures alongside Russia, which launched the initiative. Other international structures, such as the International Committee of the Red Cross, the UN High Commissioner for Refugees, the OSCE Parliamentary Assembly, and a number of other OSCE institutions, as well as several OSCE Partners for Co-operation (such as Morocco and Egypt), have taken up the right to introduce their own ideas. Such an array of proposals constitutes a solid foundation for putting well-prepared substantive draft decisions before the Summit.

In quantitative terms, the largest groups of proposals deal with conflict resolution in the OSCE area (15) and human rights, fundamental freedoms, democracy, and the rule of law (15). These are followed by the economic and environmental "basket" (8); improving the effectiveness of the OSCE (7); transnational challenges and threats (4); and arms control and confidence- and security-building measures (3). Another four proposals deal with organizational and technical questions regarding the holding of the Summit and co-operation with other international organizations.

Outwardly, the picture is one of harmony: Proposals cover the OSCE's most important tasks as laid out under its mandate. Closer inspection, however, reveals that NATO and EU countries are seeking to activate the OSCE

exclusively in those spheres in which neither the EU nor NATO is willing or able to act within their own organizational frameworks, such as regional conflicts in the former Soviet Union, human-rights issues, and energy security. Moreover, our partners view improving the effectiveness of the OSCE overwhelmingly in terms of increasing the intrusiveness of the Organization's mechanisms, including by squeezing the sovereign rights of participating States or the legal rights of parties to conflicts.

A number of US proposals are the most clearly egregious on this front. For example, the paper entitled "Food-for-thought on conflict prevention and crisis management in the OSCE area"[6] proposes to grant the OSCE Chairman-in-Office the power to send "small teams" to carry out assessments or monitoring and report back to participating States in the event of a rise in tensions or outbreak of conflict. Such teams could be deployed even without the consent of the receiving state. The conclusions are obvious. First, the state that holds the Chairmanship of the Organization will be given greater rights than all other states, which breaches the principle of the sovereign equality of OSCE participating States. Secondly, the principle of consensus-based decision-making is also called into question, since the Chairman-in-Office will be able to act based on his own interpretation of the situation. All of this smacks of an attempt to legalize the practice of introducing outside control with respect to sovereign states. For the OSCE, adopting this US proposal could mark the start of the Organization's degeneration or its collapse. The US's "Food for Thought Paper on an OSCE Crisis Response Mechanism in the Area of Media Freedom"[7] suffers from similar intrusiveness.

In fairness, these proposals, like all the others, are invitations for discussion rather than final positions. Nonetheless, such approaches give cause for alarm.

In seeking to oppose the dilution of states' sovereign rights and the OSCE's principal of equality, the Russian Federation, both by itself and in collaboration with other states, has put forward a number of proposals aimed at strengthening and modernizing the OSCE. In essence, these proposals seek to return to the sources and foundations set down in the Helsinki Final Act and the Charter of Paris for a New Europe, which were adopted 35 and 20 years ago, respectively, and are now in need of adaptation to modern-day demands. We believe it is essential to complete the process of turning Europe into a continent without dividing lines.

We expect that the problems of the OSCE's politico-military "basket" will be appropriately reflected at the Organization's Summit. Discussions have shown that we can enter the Summit with the prospect of an agreement on the need to modernize the Vienna Document on Confidence- and Security-Building Measures, while also advancing the process of conventional arms control, and adopting a programme for the OSCE's subsequent actions in the

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6   PC.DEL/93/10, 19 February 2010.
7   PC.DEL/380/10, 12 May 2010.

field of "hard" security. Achieving agreement on this track, given the particular sensitivity of arms control and confidence-building in this sphere, could play a highly important – if not decisive – role in forming a qualitatively new atmosphere of co-operation based on trust and mutual understanding in the Euro-Atlantic space.

We have also proposed to the OSCE participating States the drafting of a unified set of principles for conflict prevention and conflict resolution. The participating States and parties to a conflict are more likely to make use of the Organization's full anti-crisis potential if it is based on their negotiated positions and expressed will. The role of the OSCE is not to impose artificial resolution plans, but to create the right conditions and to assist in the search for solutions by the conflict parties themselves.

In our opinion, the efficiency and work of the OSCE's field missions are also in need of improvement. The way to achieve this is to take host states' desire for assistance fully into account. We believe that the head of each mission should be appointed with the clearly expressed agreement of the host state. Only in this way can we expect not only maximum returns from the work of the head of mission, but also the appropriate level of prestige for the mission in the host country.

Together with the CSTO countries, Russia has proposed adding freedom of movement to the Organization's agenda. Without implementation of this important principle of the Helsinki Final Act and a transition to a visa-free regime for all citizens, the creation of a single democratic space in the Euro-Atlantic region is unlikely to be achievable.

We believe there is a need to regulate the involvement of NGOs in OSCE activities in order to prevent the appearance of representatives of extremist and terrorist organizations at OSCE events. Appropriate proposals based on UN experience have also been submitted. We advocate the unification of ODIHR election-monitoring procedures in all OSCE States, and the balancing of activities within the OSCE's three main "baskets".

In conjunction with other countries, we have presented considerations that, if realized, would ultimately lead to the establishment of the OSCE as a fully fledged international Organization. These are proposals to accord the OSCE legal status and to improve planning of its programme and budget.

At the same time, we recognize that by no means all the OSCE States are today prepared to support our proposals, implementation of which could lead to fairer, more equal relations founded on a realism acknowledging that "the Euro-Atlantic and Eurasian area, stretching from North American continent to the Russian Pacific Coast, between Vancouver and Vladivostok, comprises countries with very different history, culture and political orientation".[8]

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8   *General aspects of Euro-Atlantic and Eurasian security. From an area to a security community*, Kazakh Chairmanship's food-for-thought paper, CiO.GAL/76/10, 20 May 2010.

We therefore believe that the list of topics submitted for discussion at the highest level by Kazakhstan in its capacity as OSCE Chairmanship country meets Russia's expectations in full. These topics are the formation of a Euro-Atlantic and Eurasian security community; the reaffirmation of norms, principles, and commitments entered into within the OSCE framework; strengthening the institutional basis of the OSCE and transforming it into a fully fledged organization; the strengthening of arms-control regimes and confidence-building measures in this sphere; increasing the OSCE's role in conflict resolution; combating transnational threats and post-crisis economic challenges; and paying greater attention to the implementation by participating States of their OSCE commitments. Moreover, Russia has long and insistently raised a number of these questions of principle within the Organization, in conjunction with the idea of a European Security Treaty and the modernization of the OSCE.

At the same time, given today's critical stage in the history of the Euro-Atlantic and Eurasian space, we believe that the OSCE's Astana Summit cannot be exclusively obsessed with narrow, "parochial" problems of the OSCE itself. The scale of the tasks facing us demands an appropriate response. The global economic and financial crisis, the redistribution of centres of power as a result of the phenomenal growth of China and the whole Asia-Pacific region, international terrorism, organized crime and drug-trafficking, the proliferation of weapons of mass destruction, and the continuing unsettled situation in Afghanistan are just some of the problems that demand that states in the Euro-Atlantic space define their role and place in the new multipolar world order. The Astana Summit, to which the heads of key international organizations have been invited in addition to the Heads of State or Government of the OSCE's 56 participating states, offers a wonderful opportunity to formulate a collective, "regional" answer to these global challenges. Of course, this will require political will and a readiness to leave behind old phobias and take a fresh look at our opportunities to act as a single "security community".

The OSCE Summit will thus be yet another test of the direction in which approaches to the provision of security will evolve in the Euro-Atlantic and Eurasian space. Will our Western partners continue the policy they have pursued to date of trying to preserve the "privileges" of bloc-based approaches? This choice would mean the preservation for the foreseeable future of current dividing lines and the risk of cyclical returns to a state of semi-confrontation between the West and Russia. In that case, we should be prepared for more serious failures in the functioning of the security system in the Euro-Atlantic region and the conservation of mutual mistrust.

But there is another way, which Russia has consistently advocated. First, implementation of the European Security Treaty's idea of indivisible security and thus the removal of the final vestiges of the Cold War. For Russia – bearing in mind, among other things, the tragedy of the last world war

and the numerous armed conflicts of the post-war years – an agreement on a single area of security in the politico-military sphere is an absolute priority. Second, the establishment of genuinely partner-like relations between all key organizations active in the field of security, above all in the fight against real rather than invented threats and challenges. Third, the serious transformation of the OSCE into the real common property of its participating States, harmoniously turning the approaches of different countries and international organizations into a pan-European common denominator.

In our opinion, sufficient prerequisites are in place to bring about the implementation of this second, auspicious scenario. There is a general atmosphere around the world that is dominated by non-confrontational, consensus models of interaction. There are serious positive changes for the better in the Euro-Atlantic space: the "reset" in Russian-American relations; the deepening of co-operation between Russia and the EU; the strengthening of ties of partnership between Russia, the US, and the EU; and awareness of the need to activate joint efforts to combat new threats and challenges (non-proliferation, organized crime, terrorism, drugs, etc.). The rapid development and largely constructive course of the Corfu Process and the sufficient transparency of the process by which NATO is currently drafting its new strategic concept both indicate that the will is there for consolidation and processes of convergence in the Euro-Atlantic region.

Recently, we have also seen a positive example of co-operation among OSCE States to provide assistance in crisis management in the case of Kyrgyzstan. The tried-and-trusted principle to "cause no harm" – based on the position of the Kyrgyz side itself – prevailed, while specific assistance was provided in response to a request from Kyrgyzstan and in accordance with Kyrgyz wishes.

In a word, we all face a large task that will require considerable creativity if the forthcoming OSCE Summit is to take the OSCE participating States to a new understanding of indivisible security in the Euro-Atlantic region appropriate to the post-Cold War era. As Russian Foreign Minister Sergei Lavrov has stressed: "Without a break with the past, the urgent, vital interests of the countries in the OSCE region will long remain a hostage to previous instincts and prejudices, the intellectual and political inertia of the Cold War era. Therefore, the success of the OSCE summit at the end of this year will depend on the availability of the political will among all states to make such a collective breakthrough into the future, bringing an end to the uncertainty of the last twenty years."[9] Russia is ready for this work.

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9   *Transcript of Remarks by Russian Foreign Minister Sergey Lavrov at the MGIMO University of the Ministry of Foreign Affairs of Russia*, 1 September 2010.