



2013



19

Institute for Peace Research and Security Policy
at the University of Hamburg / IFSH (ed.)

OSCE Yearbook 2013

Yearbook on the Organization for Security and
Co-operation in Europe (OSCE)



Nomos

Articles of the OSCE Yearbook are indexed in World Affairs Online (WAO), accessible via the IREON portal.

Die Deutsche Nationalbibliothek verzeichnet diese Publikation in der Deutschen Nationalbibliografie; detaillierte bibliografische Daten sind im Internet über <http://dnb.d-nb.de> abrufbar.

Die Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliografie; detailed bibliographic data is available in the Internet at <http://dnb.d-nb.de>.

ISBN 978-3-8487-1141-3

1. Auflage 2014

© Nomos Verlagsgesellschaft, Baden-Baden 2014. Printed in Germany. Alle Rechte, auch die des Nachdrucks von Auszügen, der photomechanischen Wiedergabe und der Übersetzung, vorbehalten. Gedruckt auf alterungsbeständigem Papier.

This work is subject to copyright. All rights are reserved, whether the whole or part of the material is concerned, specifically those of translation, reprinting, re-use of illustrations, broadcasting, reproduction by photocopying machine or similar means, and storage in data banks. Under § 54 of the German Copyright Law where copies are made for other than private use a fee is payable to »Verwertungsgesellschaft Wort«, Munich.

Contents

<i>Leonid Kozhara</i> Foreword by the Chairperson-in-Office	9
--	---

<i>Ursel Schlichting</i> Preface	13
-------------------------------------	----

I. States of Affairs – Affairs of State

The OSCE and European Security

<i>Marcel Peško</i> The Helsinki +40 Process: A Chance to Assess the Relevance of the OSCE's Comprehensive Security Model in the 21st Century	23
--	----

<i>Victor Mizin</i> Russian-US Relations: Beyond the Reset Policy	37
--	----

<i>Adam Daniel Rotfeld</i> A Euro-Atlantic and Eurasian Security Community: A New Role for the OSCE	53
---	----

The OSCE Participating States: Domestic Developments and Multilateral Commitment

<i>Daniel Trachsler</i> Switzerland's OSCE Chairmanship in 2014: A Challenge and an Opportunity	69
---	----

<i>Hans-Jochen Schmidt</i> Armenia in 2013: Between a Rock and a Hard Place	81
--	----

<i>Sebastian Schiek</i> Kazakhstan: Will Conservative Modernization Succeed?	105
---	-----

II. Responsibilities, Instruments, Mechanisms, and Procedures

Conflict Prevention and Dispute Settlement

Claus Neukirch

Early Warning and Early Action –

Current Developments in OSCE Conflict

Prevention Activities

123

Comprehensive Security: The Three Dimensions and Cross-Dimensional Challenges

Dunja Mijatović

Internet Freedom – Past and Current Challenges

137

Focus on Transnational Threats and Challenges: Policing, Anti-Terrorism, and Border Management

Wolfgang Zellner

Transnational Threats and Challenges –

An Emerging Key Focus of the OSCE

145

Thorsten Stodiek

The OSCE Strategic Framework for

Police-Related Activities

163

Reinhard Uhrig/Ben Hiller

OSCE Action against Terrorism: Consolidation,
Continuity, and Future Focus

187

Roman Makukha/Penny Satches Brohs/

Jonathan Trumble

Borders and Borderlands: Working across
the Lines That Divide Us in Central Asia

201

Thomas Feltes

Community Policing in Germany

219

<i>Sabrina Ellebrecht</i> The European Border Surveillance System EUROSUR: The Computerization, Standardization, and Virtualization of Border Management in Europe	231
<i>Kurt P. Tudyka</i> The OSCE's Final Frontier	245

III. Organizational Aspects

OSCE Institutions and Structures

<i>Frank Cogan</i> Ireland's 2012 Chairmanship of the OSCE	257
<i>Wolfgang Zellner</i> The OSCE Network of Think Tanks and Academic Institutions: Baby Steps	269
<i>Cathie Burton</i> OSCE Public Diplomacy – From Communiqués to Cyberspace	277

External Relations and Influence

<i>Arantzazu Pagoaga Ruiz de la Illa</i> OSCE Engagement with Afghanistan: Recent Developments, Opportunities, and Challenges	285
<i>Hesham Youssef</i> Mediation and Conflict Resolution in the Arab World: The Role of the Arab League	299

Annexes

Forms and Forums of Co-operation in the OSCE Area	313
The 57 OSCE Participating States – Facts and Figures	315
OSCE Conferences, Meetings, and Events 2012/2013	333

OSCE Selected Bibliography 2012/2013	339
Abbreviations	355
Contributors	363

Foreword by the Chairperson-in-Office

In assuming the Chairmanship of the Organization for Security and Co-operation in Europe (OSCE), Ukraine was determined to promote a common vision, common goals, and common actions, to bridge divergences and to strengthen trust and confidence, so that we could all move further towards a shared vision of a Euro-Atlantic and Eurasian security community.

In this vein, our priorities were to set a “co-operative agenda” that would encourage positive engagement on the part of all participating States. We paid particular attention to issues such as protracted conflicts, the Helsinki +40 Process, trafficking in human beings, non-proliferation, transnational threats, the environmental footprint of energy-related activities, media freedom, freedom of religion or belief, freedom of movement, Roma and Sinti, and OSCE engagement with Afghanistan.

Writing these lines in mid-December, after the successful Kyiv Ministerial Council, I note with satisfaction that we succeeded in building consensus in the majority of these areas.

We have launched the Helsinki +40 Process – a promising framework engaging all participating States in an open informal dialogue aimed at clarifying the OSCE’s role in the evolving security environment and strengthening its capacities to respond effectively to current security threats and challenges. Frank discussions in five thematic areas – OSCE effectiveness and efficiency, conventional arms control, protracted conflicts, the economic and environmental dimension, and the implementation of the OSCE commitments – generated valuable ideas.

In Kyiv, the OSCE ministers reaffirmed their strong commitment to the Helsinki +40 Process, which has raised expectations leading up to the 40th anniversary of the conclusion of the Helsinki Final Act in 1975. I believe that efforts to implement the Helsinki +40 roadmap, which has been prepared by the three consecutive Chairmanships of Ukraine, Switzerland, and Serbia, will be instrumental in translating relevant ideas into reality.

Ukraine placed the issue of protracted conflicts high on its agenda in 2013, laying special emphasis on the settlement of the conflict in Transdniestria, where Ukraine also acts in a national capacity as guarantor and mediator. We tried to inject a more constructive spirit into the existing negotiation format. Despite a challenging atmosphere, it was possible to reach compromise solutions on a number of problematic issues within the 5+2 talks on the Transdniestrian settlement, five rounds of which took place in 2013. Two meetings of the prime minister of Moldova and the Transdniestrian leader, which were held thanks to the Chairmanship’s facilitating efforts, were also conducive to reaching a compromise.

By adopting a Ministerial Statement in Kyiv on the negotiations in the 5+2 format, we sent a strong signal of our joint determination to achieve progress on the whole agenda of the talks with the aim of reaching a comprehensive settlement of the conflict.

Co-chairing the Geneva International Discussions and supporting the efforts of the Minsk Group co-chairs were also among our key tasks over the course of the year. I strongly welcome November's meeting of the Presidents of Azerbaijan and Armenia, the first since January 2012. It serves as a warranty for peace, stability, and the opening of new opportunities for regional co-operation.

With regard to Nagorno-Karabakh, the ministers endorsed through their statement the new dynamics in the bilateral dialogue at the highest level between Azerbaijan and Armenia. We hope that this joint support will contribute to reinvigorating the negotiation process between these two states.

Our deliberations on combating human trafficking resulted in the endorsement of the Addendum to the 2003 OSCE Action Plan. The document will contribute to fostering global action aimed at eradicating this heinous crime.

We were able to adopt important decisions within the politico-military dimension, enhancing our acquis in the areas of non-proliferation and transnational threats.

We also agreed to strengthen the OSCE's mandate in the area of energy and the environment. The particular focus on promoting energy efficiency and the use of renewable sources of energy proves that the OSCE keeps up with the times.

I am particularly pleased to note that, after a lengthy gap, we have succeeded in adopting new decisions in the human dimension – notably on the freedom of religion or belief, and on Roma and Sinti. This gives a clear message that the OSCE remains relevant and instrumental across all dimensions of security.

I would also like to mention the extension of the mandate of the OSCE Representative on Freedom of the Media, which was achieved on schedule, as well as the appointment of a new High Commissioner on National Minorities, ensuring the seamless functioning of these two important institutions.

Looking back on 2013, I note with great satisfaction the renewed co-operation between ODIHR and the OSCE Parliamentary Assembly in the area of election observation. With a number of presidential and parliamentary elections in the OSCE area last year it was important that the OSCE family presented a unified front in this sphere.

All this is to underpin the premise that the OSCE platform remains useful and attractive for security dialogue. Certain adjustments are needed, however. Strengthening the unity of purpose and the "culture of engagement" within the OSCE is essential for an effective response to evolving threats and challenges in our region. The deficit of trust and confidence is openly ac-

knowledge as a key challenge faced by the Organization and an obstacle in identifying common responses to current security threats and challenges.

In this vein, I would like to encourage all participating States to focus more on the future when deliberating various issues on the Organization's agenda. This will enable us to unite around common goals. The future offers us a clean slate, and we are responsible for what we write there. Do we possess the necessary will to focus on a co-operative agenda, uniting us in the face of common threats and challenges?

My retrospective would not be complete without words of gratitude to all my colleagues from Ukraine's OSCE team as well as from the OSCE family for their dedicated assistance and advice. My appreciation also goes to all participating States for their continuous support and constructive co-operation over the year.

Ukrainian Chairmanship's year comes to an end, but Ukraine will continue its active engagement with the OSCE as a Troika member in 2014. With the highly successful and fruitful Kyiv OSCE Ministerial Council just over, it gives me hope that in the coming years participating States will preserve the same co-operative spirit, giving the Organization a new impetus in the run-up to its 40th anniversary in 2015.

Preface

“New threats and challenges [...] of transnational and multidimensional nature”¹ have been central to the OSCE’s work of strengthening security and stability for some time. They are also the subject of the special focus section of this edition of the OSCE Yearbook.

With the end of the Cold War, the significance of traditional, i.e. military threat scenarios declined. In place of tangible threats emanating from a specific opponent “with a hostile attitude and enormous military capabilities that enabled it to attack one’s own territory and terminate the political self-determination of a state and a society”,² new and different threats arose. At the Istanbul Summit in 1999, the OSCE participating States resolved that threats emerge not only from conflicts between or within states, but that increasingly “new risks and challenges” demanded their attention, including growing problems with “international terrorism, violent extremism, organized crime, and drug trafficking”.³

The *OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century*, adopted at the OSCE’s Eleventh Ministerial Council Meeting in Maastricht in December 2003, remains central to the OSCE’s work. It considers preventing and combating the following challenges to be a matter of priority: terrorism (para. 10); organized crime, including trafficking in human beings, drugs, and weapons; and illegal migration (para. 11).⁴ The

1 Decision No. 2/09, Further OSCE Efforts to Address Transnational Threats and Challenges to Security and Stability, MC.DEC/2/09 of 2 December 2009, in: Organization for Security and Co-operation in Europe, *Seventeenth Meeting of the Ministerial Council, 1 and 2 December 2009*, Athens, 2 December 2009, pp. 17-20, here: p. 17.

2 Christopher Daase, *Bedrohungen durch Extremismus, Terrorismus und organisierte Kriminalität* [Threats of Extremism, Terrorism, and Organized Crime], presentation at a workshop on “Herausforderungen der staatlichen Sicherheitsvorsorge” [“Challenges for State Security Provision”], Bonn, 17 November 2010 (author’s translation).

3 Charter for European Security, Istanbul, November 1999, 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, paras 2 and 4.

4 The Maastricht Strategy continues to treat threats emanating from inter-state and intra-state conflicts as “the broadest category of threat” (para. 9). Alongside the new transnational and multidimensional threats to security and stability in the OSCE area, the strategy mentions additional threats to security in the human dimension, particularly discrimination and intolerance, which can take the form of aggressive nationalism, xenophobia, racism, anti-Semitism, and violent extremism (para. 12). Relevant factors pertaining to the economic and environmental dimension include poverty and unemployment, corruption and deficiencies in the rule of law, environmental degradation, unsustainable use of natural resources, and ecological disasters (para. 14). Threats of a politico-military nature include “destabilizing accumulations of conventional weaponry, illicit transfers of arms, and the proliferation of weapons of mass destruction” (para. 15). *OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century*, in: Organization for Security and Co-operation in Europe, *Eleventh Meeting of the Ministerial Council, 1 and 2 December 2003*, MC.DOC/1/03, Maastricht, 2 December 2003, pp. 1-10.

strategy stresses that such threats “often do not arise from within a single State, but are transnational in character”.⁵

But what are “transnational threats” and how has the OSCE reacted to them? The key features of transnational threats are their cross-border nature and the involvement of non-state actors, such as global terror networks and criminal organizations. Secondary, yet still important features are the rapidity with which such threats can cross national borders and the interdependence of the various individual threats,⁶ as well as transnational co-operation between criminal organizations⁷ or terrorist groups. These features are frequently accompanied by multidimensionality.⁸ In the OSCE context, this means that such threats transcend the boundaries of the politico-military, economic and environmental, and human dimensions. The work of containing, preventing, and tackling transnational threats still largely falls to national and international actors, and particularly to international organizations.

The OSCE’s approach to these new challenges was summarized by the then OSCE Secretary General Marc Perrin de Brichambaut in his report on the OSCE’s efforts to address transnational threats and challenges to security and stability: “[...] OSCE activities aimed at addressing transnational threats have been geared toward specific threats, such as terrorism, organized crime and all kinds of trafficking, and specific capabilities, such as policing and border management. Experience has shown, however, that transnational threats, by definition, evolve rapidly, and that efforts to address them must be flexible and dynamic as well.”⁹

In the wake of 9/11, international terrorism initially moved to centre stage. The foundational document in this field is the *Bucharest Plan of Action for Combating Terrorism*, which was adopted at the Ministerial Council Meeting in Bucharest in December 2001. A long overdue consolidation of all the decisions, mandates, and documents passed since then was undertaken in December 2012 with the adoption of the *OSCE Consolidated Framework for the Fight against Terrorism* by the Permanent Council.

“Police-related activities” were included as among the most important common instruments to meet the new challenges as early as the 1999 Charter for European Security. Since then, numerous individual documents and decisions have also been adopted in this area. The adoption of the *OSCE*

5 Ibid., para. 7.

6 Cf. Corinna Walter, *Bedrohungsperzeptionen und regionale Sicherheitskooperation in Südamerika am Fallbeispiel Cono Sur* [Threat Perceptions and Regional Security Co-operation in South America with Reference to the Case of Cono Sur], Cologne 2008, p. 28.

7 Cf. Daase, cited above (Note 2), p. 1.

8 According to Buzan, Wæver, and de Wilde, the five dimensions of security are the military, political, economic, societal, and environmental sectors; cf. Walter, cited above (Note 6), p. 16.

9 Organization for Security and Co-operation in Europe, *Report by the OSCE Secretary General on the Implementation of MC.DEC/2/09 on Further OSCE Efforts to Address Transnational Threats and Challenges to Security and Stability*, SEC.GAL/107/10, Vienna, 11 June 2010, p. 5.

Strategic Framework for Police-Related Activities by the Permanent Council on 26 July 2012 (based on a joint French, German, and Swedish initiative from 2009¹⁰) created a consolidated documentary basis for the OSCE's work in this area, too. On the same day, in parallel to the Strategic Framework, the Permanent Council also adopted the *OSCE Concept to Combat the Threat of Illicit Drugs and Chemical Precursors*, which was developed under Russian guidance.¹¹

Transnational threats and challenges are by definition irrevocably associated with questions of border security and border management. The key document in this area is the *Border Security and Management Concept – Framework for Co-operation by the OSCE Participating States*, which was passed at the 2005 Ljubljana Ministerial Council.

In institutional terms, questions related to combating terrorism are dealt with by the Action against Terrorism Unit (ATU),¹² while responsibility for police-related activities rests with the Strategic Police Matters Unit (SPMU).¹³ Both groups were established within the OSCE Secretariat in 2002. Border security and management tasks are undertaken by the Border Security and Management Unit (BSMU; formerly the Borders Team within the Conflict Prevention Centre).

Given the interconnectedness of transnational threats, the instruments designed to deal with them also need to fit together closely: "A neat division between different aspects of transnational threats and OSCE responses, for example, between anti-terrorism and border management, or anti-trafficking and policing, is increasingly difficult."¹⁴ Consequently, effectively addressing transnational threats would require not only a cross-dimensional perspective but also close co-ordination among a range of bodies, including the thematic units in the OSCE Secretariat.¹⁵ On the initiative of the new OSCE Secretary General, Lamberto Zannier, therefore, in January 2012 a new department was established with overall responsibility for transnational threats (Transnational Threats Department, TNTD). Located within the OSCE Secretariat, the TNTD brings together the ATU, SPMU, and BSMU under one roof, thus enabling better co-ordination and more efficient use of the available resources.¹⁶

10 Cf. Delegation of Germany, *Statement by Ambassador Herbert Salber, Special Adviser for Security Policy, at the 2011 Annual Security Review Conference, Working Session I: Transnational threats and challenges: strengthening the coherence of the OSCE response and interaction with other international actors*, PC.DEL/661/11, Vienna, 30 June 2011, p. 1.

11 Cf. *Ibid.*

12 More information on the mandate and work of the ATU is available at: <http://www.osce.org/atu>.

13 More information on the work of the SPMU is available at: <http://www.osce.org/spmu>.

14 Report by the Secretary General, cited above (Note 9), p. 5.

15 Cf. *ibid.*

16 Cf. *New OSCE department for transnational threats established*, at: <http://www.osce.org/sg/86970>.

The special focus section of the OSCE Yearbook 2013 begins with a contribution by Wolfgang Zellner, who provides an exhaustive overview of the OSCE's approaches and strategies to combating transnational threats. He concludes that the considerable strength demonstrated by the Organization in this area in terms of agenda setting and regime building reminds us how important it is to take into account the routine functions of an international organization when evaluating its overall performance. Following this overview, experts and advisers from the OSCE Secretariat describe the Organization's efforts to combat specific transnational threats: Thorsten Stodiek provides a detailed analysis of the OSCE Strategic Framework for Police-Related Activities; Reinhard Uhrig and Ben Hiller discuss the OSCE Consolidated Framework for the Fight against Terrorism and the future priorities for the work of the ATU; and Roman Makukha, Penny Satches Brohs, and Jonathan Trumble recount how the OSCE supports the Central Asian participating States in strengthening their ability to assess, prevent, and prosecute transnational threats that may arise from past conflicts, ethnic divisions, or conflicts over resources, and whose key manifestations include drug trafficking, irregular migration, and the cross-border movement of terrorist organizations. Following these contributions from within the OSCE, Professor Thomas Feltes, a criminologist, police scientist, and lawyer, discusses German models of community policing, considering both the underlying philosophy and its practical application. Looking beyond the horizons of the OSCE, Sabrina Ellebrecht considers the EU's "common external border" and integrated border management as technologically embodied in the European Border Surveillance System EUROSUR. Finally, Kurt P. Tudyka asks fundamental questions concerning the effect of territorial state borders and reviews the OSCE's efforts to deal with border-related issues.

Transnational and multidimensional challenges also make up one of the eight thematic clusters in the OSCE's Helsinki +40 Process. In the run up to the OSCE's 40th anniversary in 2015, this initiative seeks to give a decisive boost to the efforts of the 57 participating States to create a Euro-Atlantic and Eurasian security community, something that Marcel Peško, in the chapter on the OSCE and European Security, describes as a "chance to recreate the spirit of Helsinki". This is followed by Victor Mizin's discussion of Russian-US relations, which focuses, in particular, on arms control and disarmament. In the same section, Adam Daniel Rotfeld examines Euro-Atlantic security in an age of change and considers the possibility of renewing the transatlantic partnership.

This year's chapter on the OSCE participating States contains a wide-ranging and varied selection of contributions: Daniel Trachsler describes Switzerland's traditional commitment to multilateralism with reference to the preparations for the Swiss OSCE Chairmanship in 2014. Hans-Jochen Schmidt concerns himself with the domestic, regional, and international consequences of developments in Armenia following the parliamentary and

presidential elections in 2012 and 2013, covering topics that include the conflict over Nagorno-Karabakh and Armenia's relations with Turkey and Iran. Finally, Sebastian Schiek examines the prospects for success of Kazakhstan's "conservative modernization" and asks whether and to what extent patrimonial rule and economic modernization are compatible.

The OSCE's activities in the area of conflict prevention are the focus of Claus Neukirch's contribution, which examines the aspects of "early warning" and "early action", in particular.

Turning to the OSCE's three dimensions and cross-dimensional challenges, the OSCE Representative on Freedom of the Media, Dunja Mijatović, contributes a discussion on media freedom and the internet, appealing to "our duty as citizens to ensure that the internet remains an open and public forum for the freedom of opinion and expression".

In the chapter on the institutions and structures of the OSCE, Ambassador Frank Cogan gives a personal account of the Irish OSCE Chairmanship in 2012, concentrating on the question of the "revitalization" of the OSCE sought by means of the Corfu Process and the Helsinki +40 Process. In his second contribution, Wolfgang Zellner describes efforts to establish the OSCE Academic Network, building on his account, in the OSCE Yearbook 2012, of the IDEAS project, which was envisaged as a contribution to the establishment of an OSCE network of academic institutions. Finally, Cathie Burton's contribution on "public diplomacy" describes the initial steps taken by the OSCE on its path to a new communications strategy.

The final chapter, on the OSCE's external relations focuses on two particularly fascinating topics: The OSCE's engagement with Afghanistan, and the role of the Arab League in the resolution of conflicts in the Arab world. At the end of her contribution, Arantzazu Pagoaga Ruiz de la Illa indicates that the OSCE, for all the progress it has made in implementing individual projects, still lacks a clear long-term overall strategy for its engagement with Afghanistan and consequently needs to develop one as soon as possible. Hesham Youssef, an Egyptian diplomat and senior adviser to the Secretary General of the Arab League, comes to the conclusion, with regard to the Arab League's conflict resolutions efforts, that the organization, although it can point to – not unqualified – successes in conflict mediation, nonetheless "still has a long way to go before it can be considered a successful player in resolving conflicts in this important part of the world".

We are grateful to the Ukrainian foreign minister and Chairman-in-Office of the OSCE in 2013, Leonid Kozhara, for contributing the foreword.

Finally, the publishers and the editorial staff would like to take this opportunity to thank all our authors for their contributions and positive co-operation. It is their commitment, creativity, and expertise that have made the Yearbook possible and given it its shape.

I.

States of Affairs – Affairs of State

The OSCE and European Security

The Helsinki +40 Process: A Chance to Assess the Relevance of the OSCE's Comprehensive Security Model in the 21st Century

In today's increasingly complex and multipolar security environment, the main challenge facing the Organization for Security and Co-operation in Europe (OSCE) is to prove its core mission. Although the OSCE area is not immune to the increasing rivalry and escalating competition that presently characterizes the international system, there are persuasive reasons to conclude that OSCE participating States generally acknowledge the need to preserve the OSCE's key functions as a broad and inclusive framework for maintaining stability and security in the Euro-Atlantic and Eurasian area. Nevertheless, against a backdrop of increasing fragmentation and deterioration of relations in the OSCE area in recent years, there is growing concern about the capacity of the OSCE to continue providing added value by responding to the traditional security agenda as well as by adapting its tools and mechanisms to cope with new challenges. A growing number of governments question the OSCE's ability to produce deliverables, serve as a forum for bridging differences through dialogue, and ensure respect for commitments and broad co-operation on issues that are pertinent to their security interests. At the same time, a new East-West political divide seems to be developing, and new kinds of threats to security are emerging and reshaping the preferences, interests, and values of participating States. Although it is obvious that in today's dynamic and unpredictable security environment preserving and strengthening the unique co-operative and comprehensive security approach exemplified by the OSCE should be the key objective, increasing competition could push participating States to pursue policies that could further marginalize the OSCE, delegitimize its principles and values and reduce its operational effectiveness.

The growing assertiveness and disengagement of some participating States also affects the OSCE's function as a forum for dialogue and consultation. The Organization's main decision-making and consultative bodies are increasingly used for delivering political statements and unilateral messages instead of for meaningful dialogue aimed at reaching consensus. Reduced opportunities to seek and achieve compromise inevitably result in frustration and fading interest in participation in the consultative and decision-making process. Ultimately, participating States are facing the dilemma of whether to continue investing in the OSCE, both politically and in terms of resources.

Note: The views presented in this article are solely those of the author and do not necessarily represent those of the Organization.

The OSCE can only be as relevant and efficient as its participating States allow it to be. Over the years, the Organization has developed unhealthy routines and cumbersome working patterns that reflect unilateral thinking and the prevalence of narrow national interests over the principles of multilateralism and co-operation. Some participating States are disengaging from the co-operative security agenda and seeking alternative options through bilateral and less inclusive international arrangements. This trend makes prospects for reaching consensus within OSCE decision-making structures more challenging. Not only is it becoming harder and harder to reach consensus on complicated issues, but routine operational and administrative matters are also increasingly being held hostage to the political stalemate. Today the OSCE is a vivid example of the increasingly complicated state of relations in its area, as demonstrated by the growing differences of opinion on its role in the emerging security system. Maintaining the status quo and preventing progress on “unfinished business” between East and West is in nobody’s interest. Addressing contemporary security threats that mainly originate outside the OSCE area calls for greater unity and co-operation. Yet more than twenty years after signing the Charter of Paris for a New Europe,¹ the participating States have still not overcome Cold War logic in addressing their national security concerns and respecting the interests of others.

What is at stake is the effectiveness of the OSCE’s values-based, co-operative, and comprehensive policy approach. The role of the OSCE in today’s rapidly changing security and political environment is increasingly questioned. The good news is that participating States are aware of these disturbing trends and continue to seek opportunities for open discussions on how to strengthen the security dialogue and co-operation model the OSCE represents.

In this context, the Helsinki +40 Process can be understood as a new effort to advance the OSCE’s reform agenda. In a way it is a continuation of discussions aimed at changing the dynamics in the Organization that started with the 2009 Corfu Process, which led to the 2010 OSCE Astana Summit, which in turn was followed by the V-to-V Dialogues (Vancouver to Vladivostok via Vienna and Vilnius) fostered by the 2011 OSCE Lithuanian Chairmanship and the “building-blocks” deliberations carried out under the 2012 OSCE Irish Chairmanship. The 2015 commemoration of the 40th anniversary of the signing of the Helsinki Final Act offers an opportunity to take stock, define priorities, and generate momentum for future work towards a vision of a security community. In broader terms, the Helsinki +40 Process can be considered as an opportunity to demonstrate the relevance of the Organization’s basic values and principles in the 21st century.

1 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, also available at: <http://www.osce.org/node/39516>.

Given the continued deterioration of security and co-operation since the Astana Summit, there is obvious value in pursuing strategic discussions on how the OSCE's comprehensive and cross-dimensional security model can be strengthened to cope with the increasingly complex political and security challenges of the 21st century. Launched at the 2012 OSCE Ministerial Council in Dublin, the Helsinki +40 Process has been formally defined as "an inclusive effort by all participating States to provide strong and continuous political impetus to advancing work towards a security community, and further strengthening our co-operation in the OSCE on the way towards 2015, a year that marks four decades since the signing of the Helsinki Final Act".² Mindful of the lessons of similar efforts in the past, the Helsinki +40 Process provides continuity through a multiyear perspective, and serves as a platform for open-ended dialogue to explore possibilities for addressing contentious issues in an informal, yet systematic and structured manner.

The Helsinki +40 Process is based on the unprecedented commitment of successive OSCE Chairmanships to pursue a shared agenda and work towards a security community without imposing artificial deadlines. Thanks to its long-term perspective, broadly defined agenda, and flexible working methods, the Helsinki +40 framework has all the ingredients to stimulate discussions in the best tradition of the early Helsinki Process. Since it allows participating States to focus on a longer horizon, potential compromises need not be seen as concessions, but as steps toward achieving win-win results in the long term.

The Astana Summit: Reconfirmed Commitments – Lost Momentum

The breakdown of trust over the Georgian crisis in August 2008 and the recognition of the need to address "unfinished business" 20 years after the end of the Cold War were the main impulses prompting the OSCE participating States to consider conducting a broad, cross-dimensional dialogue on all aspects of European security. Acknowledging that the Helsinki ideals remained far from accomplished and that the OSCE needed to be put back on track, their governments agreed to discuss how to reinvigorate the OSCE, which was already facing constraints before the war in Georgia, and adjust it to the new realities.

In June 2009, the Greek OSCE Chairmanship hosted an informal meeting of OSCE foreign ministers in Corfu, launching the so-called Corfu Process. Its underlying purpose was to assess the situation in each of the three security dimensions and develop a common understanding of how to adapt the OSCE so that it could effectively address emerging security threats. In the subsequent months, the Corfu Process involved regular, informal dialogue

2 Organization for Security and Co-operation in Europe, Ministerial Council, Dublin 2012, *Decision on the OSCE Helsinki+40 Process*, at: <http://www.osce.org/mc/97974>.

among ambassadors in Vienna supported by visitors from the capitals. Thanks to its informal and open-ended nature, these meetings created a forum where important questions of security were discussed in a frank and honest manner. In addition to improving the climate for dialogue, the Corfu Process helped to identify challenges that the OSCE needed to address in order to achieve progress and overcome differences. These challenges included implementation of OSCE commitments; the resolution of protracted conflicts; the role of the OSCE in the conflict cycle; arms control and confidence- and security-building regimes as means of building trust in the evolving security environment; transnational and multidimensional threats and challenges; economic and environmental challenges; human rights and fundamental freedoms, as well as democracy and the rule of law; and enhancing the OSCE's effectiveness and interaction with other organizations and institutions.

The Corfu Process gradually established a foundation for securing political endorsement of the proposal for an OSCE summit, vigorously supported by the 2010 OSCE Kazakhstan Chairmanship. The 2010 Astana Summit, although considered controversial by many, was a momentous event in the evolution of the OSCE. Many Western participating States were unenthusiastic about the prospect of a summit. Concerned that it would be premature and lack substance, they eventually gave their consent to what has been nicknamed the "launching summit", since, rather than delivering immediate outcomes, it would provide the political impetus and initial framework for a process that could lead to overcoming existing divides. Subsequent developments have shown that these doubts about the summit were partly justified.

Despite tremendous political and diplomatic efforts, the Astana Summit did not set into a motion a process leading to negotiations aimed at defining the OSCE's role in the 21st century. In hindsight it is apparent that the participating States were not ready to move beyond the level of political rhetoric used in Astana. Failure to reach consensus on the *Framework for Action* was not a coincidence but rather a logical consequence of the prevailing absence of trust and confidence that has only continued to deepen. Although participating States demonstrated their commitment to the OSCE and the norms and values it represents, they failed to provide clear guidance on how to capitalize on the positive momentum generated by the Corfu Process and translate numerous initiatives and proposals into tangible deliverables. In reality, participating States were not prepared to address fundamental flaws in their relationships and launch serious consultations to overcome mistrust and suspicion.

Still, the very fact that the Heads of State or Government recommitted themselves to the "vision of a free, democratic, common and indivisible Euro-Atlantic and Eurasian security community stretching from Vancouver to Vladivostok, rooted in agreed principles, shared commitments and com-

mon goals”³ created new political momentum and an opportunity to revive the enthusiasm for a Europe “whole and free”⁴ that characterized the security dialogue and co-operation in the years immediately after the fall of the Berlin Wall. They also tasked the incoming Chairmanship-in-Office “with organizing a follow-up process within existing formats, taking into consideration ideas and proposals put forward by the participating States, including in the framework of the Corfu Process and in the preparation of the Astana Summit, and [...] developing a concrete action plan based on the work done by the Kazakhstan Chairmanship”.⁵ The pragmatic approach prevailed, and the focus slowly shifted towards exploring how the OSCE can develop its potential to promote a true security community as envisioned in Astana. However, enthusiasm and expectations were much lower. As the hoped-for progress failed to materialize in Astana, expectations became more measured, and the participating States grew more cautious and less enthusiastic. Indeed, soon afterwards the OSCE once again found itself at a crossroads, and the summit’s disappointing outcome contributed to the downturn in East-West relations.

It is now evident that improving this state of affairs might take a very long time, while the OSCE has become both a hostage and a contributor to the continued lack of progress in the strategic dialogue on Euro-Atlantic and Eurasian security and co-operation. Any honest appraisal of the OSCE in its current stage of development must recognize that despite the declining intensity and quality of East-West dialogue and co-operation, the Organization has achieved some progress since the Astana Summit, starting with a number of forward-looking decisions at the 2011 OSCE Ministerial Council in Vilnius. These include a landmark decision on the conflict cycle – which is broadly recognized as the OSCE’s core business – to enhance the OSCE’s capabilities in early warning, early action, dialogue facilitation and mediation support, and post-conflict rehabilitation.⁶ The participating States also achieved slight but important headway by adopting an updated version of the 1999 Vienna Document on confidence- and security-building measures, the Vienna Document 2011. They also signaled the OSCE’s capacity to respond to current needs and expectations of participating States by adopting a decision strengthening the co-ordination and coherence of the Organization’s efforts to

3 Organization for Security and Co-operation in Europe, Summit Meeting, Astana 2010, *Astana Commemorative Declaration: Towards a Security Community*, SUM.DOC/1/10/Corr.1, 3 December 2010, para. 1, at: <http://www.osce.org/cio/74985>.

4 *Charter of Paris for a New Europe*, cited above (Note 1), p. 541.

5 Astana Commemorative Declaration: Towards a Security Community, cited above (Note 3).

6 Decision No. 3/11, Elements of the Conflict Cycle, Related to Enhancing the OSCE’s Capabilities in Early Warning, Early Action, Dialogue Facilitation and Mediation Support, and Post-Conflict Rehabilitation, MC.DEC/3/11 of 7 December 2011, in: Organization for Security and Co-operation in Europe, *Eighteenth Meeting of the Ministerial Council, 6 and 7 December 2011*, Vilnius, 7 December 2011, pp.11-16, at: <http://www.osce.org/mc/88839>. Cf. Claus Neukirch, Early Warning and Early Action – Current Developments in OSCE Conflict Prevention Activities, in this volume, pp. 123-133.

address transnational threats. The OSCE reacted relatively swiftly to developments in the Arab world by resolving to offer support to the democratic transition processes in the southern Mediterranean and to seek ways to enhance co-operation and dialogue with the Partners for Co-operation. In a similar vein, the participating States agreed that the OSCE should contribute to international efforts to support transition processes in Afghanistan and its co-operation with its Central Asian neighbours.

Although the Lithuanian Chairmanship's approach of taking small but tangible steps was not intended to generate consensus at the strategic level, it stimulated informal discussions on how to advance the Astana vision. This debate eventually led to the idea of using the 40th anniversary of the Helsinki Final Act in 2015 as an opportunity to take stock of progress achieved towards a security community. The 2012 Irish OSCE Chairmanship enthusiastically promoted this idea, and the Dublin Ministerial Council Decision on the 2014 and 2015 OSCE Chairmanships (Switzerland and Serbia, respectively) transformed the basic concept into the Helsinki +40 Process, with the support of all participating States. It also managed to successfully conclude the process of Mongolia's accession as a fully fledged OSCE participating State.⁷

Strategic Dissonance: A Self-Perpetuating Cycle of Shrinking Trust and Confidence

The Corfu Process, the Astana Summit, and the building-blocks efforts were important steps in restoring trust and confidence among key OSCE players after the 2008 Russia-Georgia war. They built on new momentum created by the Obama administration's "reset" policy towards Russia, as well as growing interest among European Union members to strengthen the strategic partnership with Russia and other countries in the post-Soviet space. They also drew on progressive elements in the Russian foreign policy discourse under President Dmitry Medvedev, such as the decrease in Russian lobbying for a European Security Treaty within the Corfu Process. In the years since Astana, however, the political landscape has continued to evolve, which naturally affects the OSCE.

Although interstate co-operation and dependence have reached unprecedented levels, and Europe no longer fears a large-scale military confrontation, the logics of mutual assured destruction and zero-sum-game thinking continue to play out in the OSCE framework. It is widely recognized that the lack of trust and confidence among participating States fuelled by historical animosities and current uncertainties is a key obstacle to finding

7 Cf. Organization for Security and Co-operation in Europe, Ministerial Council, *Decision No. 2/12, Accession of Mongolia to the OSCE*, MC.DEC/2/12, 21 November 2012, at: <http://www.osce.org/mc/97736>.

common responses to contemporary security challenges. Divergent views on how to address these challenges and protracted conflicts continue to contaminate the OSCE agenda. As a result, the key questions that define the dynamics of security dialogue and co-operation within the OSCE area remain unaddressed.

Even though the most crucial security issues, such as global missile defence and the Iranian nuclear dossier, are outside the purview of the OSCE, they influence strategic thinking on the shape of the future security community in general, and the OSCE in particular. Here it needs to be stressed once again that the OSCE's role is largely determined by the interests of the participating States. The Organization's relevance depends on the desire (or lack thereof) of participating States to use its tools and mechanisms to address both the "old" and "new" security agenda. Although the CSCE/OSCE has reinvented itself several times since the signing of the Helsinki Final Act, achieving progress has always depended on the relationship between the interests of various states or groups of states and their readiness to seek compromise. Today there is a declining sense of ownership among key participating States. They do not see the OSCE as serving their interests adequately, so they do not use it to pursue them, or they take an à la carte approach and only focus on selected aspects of the Organization's activity. This only serves to undermine the OSCE's comprehensive and inclusive character.

Although the vision of a free, democratic, common, and indivisible security community is still universally appealing, progress continues to be hampered by divergent strategic perspectives and a reluctance to address contentious issues in a direct dialogue. As a result, the participating States are increasingly unable to be self-critical and more prone to point fingers at others, over-emphasizing differences rather than focusing on what unites them. Broadly speaking, Western countries want to strengthen the OSCE as a community of values entrenched in the shared commitments and principles, with special focus on respect for human rights, fundamental freedoms, democracy, and the rule of law. Meanwhile, Russia and other CIS countries continue to be rooted in a bloc-based approach, emphasizing indivisible and equal security underpinned by a legally binding security treaty. The inability to overcome old patterns of thinking leads to deadlocks and fosters mistrust and suspicion. This vicious circle makes it difficult for governments to engage in meaningful and results-oriented dialogue and to prepare themselves and the OSCE to address 21st-century threats and challenges effectively. Many see unilateral re-positioning in the emerging security architecture as more strategically relevant than addressing the crisis of the OSCE model of co-operative security.

Some observers argue that the unwillingness to seek compromise and advance security dialogue is the continuing application of Cold War positions to the new realities. Others point to the absence of leaders with vision and a lack of creative thinking. Without making any ideological judgments, one can

argue that tectonic changes in the current security environment and the lack of effective responses to them are pushing governments to emphasize national narratives and short-term priorities at the expense of long-term strategic initiatives. As a result, they tend to focus on differences, on divergent threat and security perceptions instead of seeking effective ways to address them by developing a common, forward-looking agenda. Apparently, the magnitude and multidimensionality of current challenges are helping to create an environment of uncertainty, unpredictability, and instability in which governments feel insecure and prefer more protective, inward-looking options instead of multilateral but often volatile solutions.

Against this backdrop, it is not surprising that a growing number of leaders, who have both political and personal interests at stake, prefer to pursue their international agenda through unilateral means and/or focus on deepening defence and integration arrangements such as NATO and the EU, on the one hand, and the Collective Security Treaty Organization (CSTO), the Eurasian Economic Community and the Shanghai Cooperation Organisation (SCO), on the other, rather than on the co-operative security mechanisms of the OSCE. In this context, embarking on the uncertain and unpredictable project of creating a security community seems today like a distant, non-priority option.

As a result, politico-military co-operation in the OSCE context is stagnating; the profile of the economic and environmental dimension remains weak and lacks strategic direction; and, in the human dimension, the key democratic norms, human rights, and fundamental freedoms continue to be ignored and challenged by a number of participating States. Furthermore, reaching consensus on much-needed new commitments in this area (ensuring fundamental rights and freedoms on the internet and strengthening the protection of journalists, to name but two) has become a difficult task for consecutive Chairmanships.

In short, at a time when the OSCE's legitimacy as a community of values is increasingly questioned, and its model of comprehensive and co-operative security is at stake, the Helsinki +40 Process could become a forum for addressing many of the critical issues facing the OSCE and rethinking its role in the contemporary security context. However, in stark contrast to previous efforts of this kind, this time there is much less enthusiasm and clarity regarding the expected results.

The Helsinki +40 Process – A Chance to Recreate the Spirit of Helsinki

Ministerial Council Decision 3/12 on the Helsinki +40 Process called on the forthcoming OSCE Chairmanships of Ukraine, Switzerland, and Serbia to take a co-ordinated, strategic approach with the continuity afforded by a multi-year perspective to work towards creating a security community. This

process was to be facilitated by an open-ended Informal Helsinki +40 Working Group at the level of permanent representatives in Vienna. The then current and incoming members of the Troika and forthcoming Chairmanships (Lithuania, Ireland, Ukraine, Switzerland and Serbia) were asked to propose an agenda for the Informal Working Group, and the forthcoming Chairmanships were tasked with reporting to the participating States twice a year on the progress of the Helsinki +40 Process. The OSCE Forum for Security Cooperation (FSC) was also invited to contribute to the process. The participating States were urged to demonstrate commitment to the result-oriented process leading up to 2015.

One of the key lessons of the Corfu Process was the importance of focusing on long-term objectives while working towards short-term deliverables. Thus the main purpose of the Helsinki +40 Process should be to encourage participating States to engage in results-oriented discussion, which will enhance the OSCE's positive agenda and be conducive to achieving consensus on strategic issues.

Enhanced trust and confidence among the participating States are both an expected result and the indicator of success of the Helsinki +40 Process. The process will only succeed if the participating States, and particularly the key players, demonstrate commitment to engage in an open and constructive dialogue on all issues that have already been on the OSCE agenda for some time, including the most divisive ones in the politico-military and human dimensions. They must also demonstrate the political will to reach consensus on concrete deliverables in the run-up to 2015. The early days of the Helsinki dialogue, when governments were able to reach consensus despite ideological and other differences, could serve as an inspiration. The key principles of the Helsinki +40 Process should be engagement and the recognition of mutual interdependence and the need to address challenges together. Nevertheless, the process is not a panacea for the OSCE's problems. Many of the most contentious issues will most probably remain on the agenda after 2015.

Although the prospects for creating a new basic consensus on the substantive issues are not yet visible, there is a growing recognition of the risk that the absence of a productive dialogue could result in a breakdown of security and stability structures in the OSCE region. By creating the Informal Helsinki +40 Working Group, the participating States showed that they are not ignorant of the current state of affairs and that they want to find ways to overcome the existing impasse. The good news is that despite growing distrust towards, and disengagement from, international institutions in general, and the OSCE in particular, governments continue to share an understanding of the need to preserve the Organization's role as an inclusive forum for dialogue and its comprehensive approach to security. They still see the added value of the OSCE as a platform for identifying and understanding differences and for seeking ways to foster mutual trust and define common goals.

The Helsinki +40 Process provides an opportunity to help create a new consensus between East and West and redefine the role of the OSCE so that it reflects the interests of all participating States. It also gives governments a chance to address contentious issues not only in the politico-military and human dimensions, but also to build upon the converging understanding that transnational threats and challenges originating outside the OSCE area must be tackled together.

The Informal Helsinki +40 Working Group: From General to Specific

At the OSCE Permanent Council Meeting on 17 January 2013, the new Chairperson-in-Office, Ukrainian Foreign Minister Leonid Kozhara, confirmed Ukraine's commitment to drive the Helsinki +40 Process forward and announced the establishment of the Informal Helsinki +40 Working Group. At the Working Group's first meeting on 12 February 2013 in Vienna, the ambassadors demonstrated their readiness to engage and look afresh at all open questions and proposals. The possible adoption of a landmark document at the end of 2015 was identified as a key point of reference for the discussions. To increase the chances of adopting such a document, they agreed to take the "building-blocks" approach with the aim of translating consolidated areas of agreement into concrete deliverables under each of the 2013-2015 Chairmanships, thus enabling incremental progress in a multi-year time-frame. There was broad support for the Chairmanship's view that the discussions should reflect the comprehensive security mandate of the OSCE and should focus on issues that have already been on the Organization's agenda for some years, including:

- fostering military transparency by revitalizing and modernizing conventional arms control and confidence- and security-building regimes;
- further enhancing OSCE capacities to address transnational threats;
- further strengthening OSCE capacities across the conflict cycle;
- enhancing the strategic orientation of the economic and environmental dimension;
- strengthening the implementation of all existing OSCE commitments, including in the human dimension; and
- enhancing the effectiveness and efficiency of the OSCE.

Many ambassadors pointed to the protracted conflicts as serious threats to security in the OSCE region, and recommended that the Helsinki +40 Process should also seek to improve the OSCE's ability to contribute to their resolution. The Chairmanship's suggestion to focus on a strategic "orientation" debate in the initial stage of the process enjoyed broad support. There was also broad agreement that the relevant decision-making bodies should take up

the ideas and proposals put forward within the Informal Working Group and translate them into concrete decisions.

At subsequent meetings of the Informal Working Group, many participants advocated using the Helsinki +40 Process to recreate a culture of engagement within the OSCE. They shared the view that the discussion should not be about fundamentally changing the nature and working methods of the OSCE, but rather about its “optimization” – i.e. building on its strengths, expertise, and capabilities. The process should not allow participants to impose their perspective or lecture others, but instead should focus on building consensus on key issues to help restore trust and confidence.

There was general agreement on the need to examine the Organization’s capacity to respond to new threats to security while continuing to address existing challenges. Some Western countries expressed concern about the growing gap in the interpretation of OSCE values and the inadequate implementation of commitments by some participating States. Russia and other CIS states, meanwhile, stressed the need to seek new purpose for the OSCE and identify areas for common action and shared interests, mainly in tackling transnational threats. There was a prevailing view that in recent years the participating States have been less inclined to endorse the co-operative approach to security, overemphasizing their differences rather than focusing on a unifying agenda. It was agreed that confidence could be rebuilt incrementally through concrete steps, such as achieving agreement on issues related to the daily operations of the Organization and on deliverables within reach.

Following the “orientation phase”, the Informal Working Group initiated thematic debates. The first such debate focused on developing a strategic approach to the economic and environmental dimension. Subsequently, the Ukrainian Chairmanship convened a discussion on issues pertaining to the effectiveness and efficiency of the OSCE, including strengthening the legal personality of the Organization and activities on the ground, as well as improving working methods and practices. The following meetings of the Working Group looked at ways to foster military security with regard to conventional arms control and confidence- and security-building measures and also discussed how to strengthen implementation of the OSCE commitments, particularly in the human dimension.

The Way Forward

In December 2013, the chairmanships of Ukraine, Switzerland, and Serbia jointly presented the roadmap on the Helsinki +40 Process, outlining the main thematic areas, objectives, and potential results of further discussion.⁸

8 Cf. *Helsinki +40 Process: A Roadmap towards 2015*, MC.DEL/8/13, 5 December 2013 at: <https://www.osce.org/mc/109302>.

In addition to those detailed above, two further thematic clusters were added at this stage:

- striving for tangible progress towards settlement of the protracted conflicts in a peaceful and negotiated manner;
- increasing interaction with the Partners for Co-operation and with international and regional organizations working in similar fields.

The three Chairmanships have also indicated their intention to appoint Special Co-ordinators for each thematic cluster from among the Vienna ambassadors. Their role will be to move forward discussions in the respective thematic areas by taking stock of previous initiatives and proposals, as well as by pursuing informal consultations and collecting input from participating States, OSCE structures, academic institutions, and think-tanks. They will be asked to prepare concept papers and draft decisions for the Chairmanship, to be further discussed in the Working Group meetings. If the discussions indicate good prospects for translating proposed ideas into concrete decisions, the Chairmanship could decide to forward them to the appropriate decision-making body for consideration with a view towards producing tangible results in various areas in the run up to 2015. The current and incoming Chairmanships are conscious of the need to keep the agenda of the Working Group broad, inclusive, and forward-looking. At the same time, they see the opportunity to break down discussions into areas where there are better prospects for engaging participating States in “trade-off” negotiations and recreating the OSCE’s original role as a platform for East-West rapprochement.

The first year of the Helsinki +40 Process demonstrated that while there is a general will to engage in dialogue, it is still a long way from developing systematic efforts to bridge differences and discuss possible “package deals”. Given the broad support for leading the debate towards a landmark document to be presented for negotiation and adoption in 2015, the current and incoming Chairmanships agree that the above-mentioned thematic clusters should represent the Informal Working Group’s main areas of work. Their ambitious agenda was given a powerful political boost at the OSCE Ministerial Council in Kyiv in December 2013, where a Declaration on Furthering the Helsinki +40 Process was adopted.⁹ Many see this as the key political document passed at the Ministerial Council. In it, the participating States reconfirm their strong commitment to further develop the Helsinki +40 Process and call on the forthcoming Chairmanships of Switzerland and Serbia to stimulate result-oriented dialogue in order to advance the process through concrete follow-up discussions. At this early stage, it is difficult to envision what concrete deliverables (i.e. resolutions by OSCE decision-making bodies) can be

9 Cf. Organization for Security and Co-operation in Europe, Ministerial Council, Kyiv 2013, *Declaration on Furthering the Helsinki +40 Process*, MC.DOC/1/13, 6 December 2013, at: www.osce.org/mc/109345.

achieved. In some cases, establishing dialogue will itself be a deliverable. However, there is a shared view that this incremental approach could support the strategic goal of working towards a security community and that it increases the likelihood of adopting a landmark document in 2015. However, it remains to be seen whether this tactic will pay off.

Lessons learned from past efforts show that there is a need to seek more intensive involvement by civil society and academia in these debates. Soon after assuming the post of OSCE Secretary General, Lamberto Zannier recognized the need to strengthen interaction between the OSCE and Track II initiatives, thus linking the contributions of traditional multilateral structures and civil society to efforts to build a security community. In 2012, he launched an informal platform for dialogue called Security Days, which brings together prominent experts, civil society representatives, and government officials from across the OSCE region and beyond to engage in free-flowing discussions on aspects of the contemporary security agenda. These include, for example, the role of the OSCE in the 21st century, challenges stemming from security developments outside the OSCE area, the OSCE's role in addressing transnational threats, the future of conventional arms control, post-conflict reconciliation, Afghanistan after 2014, and many other relevant topics. The Security Days format has quickly developed into a well-respected hub for exchanging views on the way forward. It also enables contributions from academia and civil society to be channeled into the Helsinki +40 Process. Moreover, Secretary General Zannier's idea of creating an OSCE network of academic institutions has also been realized.¹⁰

Given the persistent schism between West and East, at least within the OSCE context, addressing both traditional and new security challenges requires patience and perseverance. The Helsinki +40 Process has been designed to provide a long-term horizon. Not only that, but it also offers a platform for achieving deliverables on the way towards the strategic vision. Working towards a security community is more like a marathon than a sprint. The participating States will achieve progress only if they make an effort to understand each other's perceptions of security threats and try to find potential areas of convergence. As has been shown by previous efforts, a security community cannot be created artificially from the top. Instead, it is a long-term, progressive process involving not only governments and political institutions, but all sectors of society. There is no need to panic or make decisions under pressure. However, the window of opportunity for reaching a new fundamental agreement on the role of the OSCE and the principles on which it is founded might not remain open for very long. The success of the Helsinki +40 Process will greatly depend on whether it can revive the Helsinki spirit and achieve progress in areas where the participating States agree despite having differences on other issues. In the best case, the Helsinki +40

10 For further information on this, see: Wolfgang Zellner, *The OSCE Network of Think Tanks and Academic Institutions: Baby Steps*, in this volume, pp. 269-275.

Process will create an atmosphere in which trade-offs will again be possible. However, these should not dilute existing commitments, particularly in the human dimension, but instead seek ways to strengthen all three security dimensions and further enhance the OSCE's role in handling global transnational threats.

In the broader context, it is evident that fundamental progress in East-West relations is not on the immediate horizon. In all frankness, it cannot be achieved until political elites in Russia and other CIS states share common values with their Western counterparts and see their interests aligned with the United States and European Union rather than against them. Today it seems very likely that the transformation process in these countries will continue to experience difficult moments and may further slow down. Although the linking of security and democracy initiatives, as promoted by the OSCE, has become unpopular in some countries, there is no need to actively seek alternatives to the Organization. On the contrary, at a time when a growing number of external and internal factors are challenging the added value of multilateral arrangements in general, and the OSCE model of comprehensive security in particular, preserving and revamping the OSCE clearly has more value than allowing its collapse and the uncertainty that this would create.

Yet expectations of the Helsinki +40 Process need to be realistic. The process is only a phase in the Organization's long-term efforts to cope with the traditional security agenda while also re-conceptualizing its profile in the new era. It is worth noting that, already at the 2004 OSCE Ministerial Meeting in Sofia, the participating States established a Panel of Eminent Persons tasked with "provid[ing] strategic vision for the Organization in the 21st century".¹¹ Despite progress in many areas, this is still a fundamental challenge on the OSCE agenda. Failure to address it will only deepen the Organization's ongoing marginalization and delegitimize the norms and commitments it both represents and is based on, including in the fields of common and co-operative security, democracy, and human rights.

Governments have no reasonable alternative to seeking opportunities for enhanced dialogue and achieving progress where it is within reach. The Helsinki + 40 Process can help them to balance their national interests within the framework of a common agenda. Looking at the current dynamics within the OSCE, it is likely that the Helsinki +40 Process will offer one of the few opportunities to achieve progress in the years to come and put the Euro-Atlantic and Eurasian security dialogue and co-operation back on the right track.

11 Decision No. 16/04, Establishment of a Panel of Eminent Persons on Strengthening the Effectiveness of the OSCE, MC.DEC/16/04, 7 December 2004, in: Organization for Security and Co-operation in Europe, *Twelfth Meeting of the Ministerial Council, 6 and 7 December 2004*, MC.DOC/1/04, Sofia, 7 December 2004.

Russian-US Relations: Beyond the Reset Policy

Relations between Russia and the United States have always had their ups and downs. In my view, the interaction of the Soviet Union and the USA – the leading powers in the political blocs that confronted each other in the Cold War – shaped the entire structure of world political processes in the second half of the twentieth century. Their standoff was not only an embodiment of competition between two ideologies, ways of life, and forms of government, but also a struggle between geopolitical giants for global influence.

Back in the 18th century, Russia actively aided the American colonists in their fight against the British empire, as exemplified by Catherine the Great's "Declaration of Armed Neutrality" of 1780. After Russia gave up its Californian settlements in 1841 and sold Alaska to the US in 1867, the two nations maintained sound diplomatic ties. Among other things, Washington was interested in investing in Russian railroad construction, especially in the Far East and Siberia, and in entering the booming Russian banking sector at the end of 19th century. The USA helped to negotiate the Treaty of Portsmouth, bringing to an end the Russo-Japanese War of 1904-1905, which Russia lost. After the advent of the Bolsheviks in 1917 and the short American interventions in Arkhangelsk and Vladivostok, the USA became the major provider of technology, know-how, and industrial hardware to the Soviet Union's industrialization endeavour. This not only turned the devastated and impoverished Stalinist state into the leading world power that was later able to defeat the Nazi juggernaut, but also helped to save the US economy during the Great Depression, leading to the rise of the US as the world's leading economy in the aftermath of the Second World War.

From the Soviet/Russian point of view, although the threat of sliding into a "hot" war was constant – from the Korean War, to the 1961 Berlin Crisis, to the 1973 Middle East conflict – the USA always served as a kind of yardstick by which all Moscow's successes and failures could be measured.

After the demise of the Soviet Union, Russian elites were considerably frustrated that the American government basically ignored Moscow's claims for strategic-partner status while abandoning Russia to the woes of its democratic transition – just as Donald Rumsfeld did with Iraq once it had been liberated from Saddam Hussein's dictatorship. Presiding over their greatly weakened state in the early 1990s, Russian elites were irritated by American pretensions to be the sole global superpower – according to the notorious "unipolar world" concept. This foreshadowed future friction, even during the Clinton administration, which basically wrote Moscow off as a serious international actor.

Though relations were relatively friendly in the nineties, the US limited its support to sending a number of dubious economic advisors and trying to siphon off some remaining cutting-edge Russian technologies, namely in outer space, software, and nuclear technology, while also restricting Russian defence potential by means of the remarkably successful Nunn-Lugar Cooperative Threat Reduction (CTR) programme. Even today, the US presence in Russia is not very substantial, with Boeing and a few major energy and IT companies being the only major representatives in the country. The Clinton administration also formulated some basic policy vectors that were inherited by subsequent US administrations. These include the strategy for NATO expansion and support for the Newly Independent States (NIS) in the post-Soviet territory; the active development of modern defence technologies, including Anti-Ballistic Missile (ABM) technology, which was particularly worrisome to Moscow; and the use of democratization and human-rights issues to extract concessions from the Kremlin, especially when it was necessary to assuage the conservatives in the US Congress.

Barack Obama was chosen by the US Democratic Party to restore US authority in the world after it had been considerably undermined by the obstinate policies of President George W. Bush, to revive the image of the USA as the leader of the free world, and to boost the support and confidence of the US's NATO allies and friendly states in the developing world. One of the minor components of this long-term "comeback" strategy was the idea of improving relations with Russia, which, though not as central as China, was still very important in practical terms, for example, in supporting US interests in the Islamic world and Eurasia.

Obama's victory in the US presidential elections created muted expectations in Moscow that American foreign policy would change for the better. The two terms of George W. Bush, though he initially tried to use his "personal chemistry", brought bilateral relations to a rather chilly pass, despite the fact that Moscow expressed its solidarity with the American people after the 9/11 tragedy, and reacted with visible restraint to the US invasions of Iraq and Afghanistan and its withdrawal from the ABM treaty, as well as to the generally hostile attitude of the Bush administration to arms-control issues, which almost buried that topic for many years.

The "reset" policy introduced by Vice President Joseph Biden helped to overcome the bitter inheritance of the Bush years and seemingly brought bilateral relations back on track, demonstrating US interest in deeper cooperation with Moscow on issues such as China, Iran, Afghanistan, and the fight against the international Islamist terrorism and the proliferation of weapons of mass destruction (WMD). Russia was tacitly sympathetic towards the new US president from the beginning, though a little concerned at his inexperience in international affairs – though this was also considered a plus, as it offered Moscow an opportunity to impose its approaches on the American neophyte. From the American perspective, Obama's key tasks, for

which he was chosen over many other contenders, were to restore American leadership in the world, to look for ways out of the global economic crisis that would buttress the US's position as the world's leading economy, and to improve damaged relations with allies, the developing world, and Russia.

Russia's youthful leader, Dmitry Medvedev, and America's black president seemed to share a certain personal chemistry, especially at the time when Moscow was promoting a policy of comprehensive modernization to meet the challenges of the new century and was stating that the "freedom was better than the lack of freedom". All this was ruined after the so-called "peace-enforcement" operation against Georgia, following its assault on South Ossetia in 2008, when, reportedly under pressure from Russian state security agencies and Putin himself, Medvedev was to lead his country into retaliation against Saakashvili's regime. Subsequent harsh statements on ABM with Cold-War-style threats of "adequate asymmetrical response" did not improve bilateral relations.

At the same time, Moscow was also irritated that NATO, led by the US, dismissed Medvedev's plan for a new Euro-Atlantic common security paradigm more or less out of hand. Medvedev believed that new thinking was urgently required to prevent a new conventional and nuclear confrontation.

Since the peaceful "revolution" of 1991 and the demise of the Soviet Union, Russian experts have been debating the issue of Russian identity in search of a "national idea" – is Russia a European or a Eurasian state, or is it an entity *sui generis*? At the same time, in Putin's February 2012 article "Russia and the changing world"¹ the country is presented as an integral part of Europe, occupying a niche in the multipolar world with an extended sphere of influence in the so-called post-Soviet "near abroad", and interested in the creation of "a common economic and human space from the Atlantic to the Pacific Ocean". While the EU has become Russia's major economic partner, NATO is still viewed as the major military challenge, if no longer the enemy. However, in its constant political tug-of-war with Washington, Moscow habitually tries to strengthen its position by playing the European "common home" card.

The speech Putin gave at the Munich Security Conference in 2007 revealed all the frustrations and grievances of the Russian political class, which perceives that it is merely tolerated for its assets, but not admitted as an equal in the Western community.²

As if to compensate for the West's lack of interest, Putin introduced the novel concept of an "integration project" in his pre-election manifesto en-

1 Cf. Vladimir Putin, *Russia and the changing world*, 27 February 2012, rt.com, at: <http://rt.com/politics/official-word/putin-russia-changing-world-263>.

2 Cf. Putin's Prepared Remarks at 43rd Munich Conference on Security Policy (transcript), in: *The Washington Post*, 12 February 2007, at: <http://www.washingtonpost.com/wp-dyn/content/article/2007/02/12/AR2007021200555.html>.

titled “A new integration project for Eurasia: The future in the making”,³ published in October 2011. According to Putin, the Eurasian Union is far from being “any kind of revival of the Soviet Union”. Rather, it would represent a “powerful supranational association capable of becoming one of the poles in the modern world”. Such a union would stand on equal footing and enjoy partnerships with major regional organizations such as the EU. These partnerships would “prompt changes in the geopolitical and geo-economic setup of the continent as a whole”. No doubt this initiative has caused considerable concern in Europe and the US, where it has been seen as an apparent attempt to revive the Soviet Union by other means.⁴ In the past ten years, Russia has strengthened its military presence in the post-Soviet area – especially via the framework of the Collective Security Treaty Organization (CSTO), as well as by reinforcing its military presence in Central Asia and permanently stationing military contingents in the breakaway republics of South Ossetia and Abkhazia.

Moscow is very much concerned, however, that while NATO and the European Union have engaged with the countries of Central and Eastern Europe, they view Russia as a kind of wayward outsider, excluding it from the main discourse and institutions of the Euro-Atlantic community. Russia is also concerned that the United States and its NATO allies have developed a post-Cold War arrangement that, in effect, bypasses Russia, ignoring its vital interests. Nonetheless, in 1997, NATO and Russia signed the NATO-Russia Founding Act on Mutual Relations, Cooperation and Security, which provided the formal basis for NATO-Russia relations and led to the development of a bilateral programme of consultation and co-operation under the Permanent Joint Council (PJC). In 2002, Russian relations with NATO and the US grew yet closer thanks to the signing of the Rome Declaration on “NATO-Russia Relations: A New Quality”, which established the NATO-Russia Council (NRC, replacing the PJC). Despite the difference in approaches, many co-operation projects have since been promoted – though relations have never reached the status of a real partnership.

Obama’s second term, which coincided with the return of Putin as the Russian president, marked a new phase in US-Russian relations. The backdrop hardly appeared to be more auspicious. Yet a window of opportunity remains open that could permit the promotion of bilateral relations even beyond the limits of the “reset” policy. Second-term presidents are usually more inclined to make controversial decisions and undertake risky initiatives. However, Obama’s administration is currently plagued by so many foreign

3 Cf. Vladimir Putin, A new integration project for Eurasia: The future in the making, in: *Izvestia*, 3 October 2011, at: <http://www.russianmission.eu/en/news/article-prime-minister-vladimir-putin-new-integration-project-eurasia-future-making-izvestia-3->.

4 See the comments by then Secretary of State Hillary Clinton reported by: Charles Clover, Clinton vows to thwart new Soviet Union, in: *Financial Times*, at: <http://www.ft.com/intl/cms/s/0/a5b15b14-3fcf-11e2-9f71-00144feabdc0.html>.

and domestic policy quandaries that it is unlikely he will attempt to make any dramatic new breakthroughs in relations with Russian.

At the same time, the Russians have noticed that Obama is more concerned with other issues, such as the global economic and financial crisis and the Middle East conflict, and has a tendency to deliver well-written speeches that usually do not lead to any concrete steps as he moves on to other issues. So no “pivot to Russia” is expected in Moscow from Obama’s foreign policy.

Meanwhile, recent months have only proved what intractable divergences exist in the two countries’ attitudes to major issues. As is true of the West as a whole, the US has been greatly concerned with recent domestic developments in Russia – from the Khodorkovsky case, via the jailing of Pussy Riot, to the onslaught on the fledgling opposition, and the adoption of bizarre and draconian laws by the Russian parliament. The Magnitsky Act⁵ and the Snowden case have only aggravated the already embittered bilateral relations. Though Moscow’s domestic policies are not the primary concern of the Obama administration, which tends to gloss over differences with Russia, it is unable to avoid the topics of human rights and democratization, which gravely annoys the Russian government. Conservatives in the US Congress claim that Russia should be brought to account for its lack of compliance with universal democratic and human-rights norms. This has all contributed to ending the reset policy. According to the Russian foreign minister, Sergei Lavrov, the “reset” could not last forever, because, extending the computing metaphor, eternal “reset” would amount to system failure or a complete “system freeze”. He therefore proposed seeking a new quality of relationship.⁶

A number of key issues in bilateral US-Russian relations can be identified:

- The Jackson-Vanik amendment, denying “most favoured nation” status to non-market economies that restrict freedom of emigration, has finally been repealed, and Russia has acceded to the WTO.
- Simultaneously, the Russian parliament responded to the Magnitsky Act by passing the “Dima Yakovlev Act”.⁷ The restrictions on entry to the US imposed on Russian citizens by the former are especially painful for Russian officials, many of whom have property or regularly spend time there.
- Bilateral efforts to fight narcotics trafficking have been greatly reduced.

5 A US law passed in 2012 that imposed sanctions on Russian officials held to be responsible for the death in prison of Sergei Magnitsky, an auditor who was investigating high-level fraud.

6 Cf. *Russia-US reset cannot last forever* – Lavrov, 3 October 2012, at: <http://rt.com/politics/russia-us-reset-lavrov-software-557/>.

7 A law that imposes various measures on US organizations and citizens active in Russia, including banning the adoption of Russian children by US citizens. The act is named after a Russian child who died after being adopted by an American family.

- Only limited progress has been made in neutralizing the Iranian and North Korean nuclear programmes.
- There has been no tangible co-operation in the fight against international jihadist terrorism, as the case of the Tsarnaev brothers has shown.
- No consensus has been reached on the issue of ABMs.
- Russia remains a major factor in any future US dealings with China.
- Even though the USA is leaving Afghanistan, it understands that Russia remains a major geopolitical actor in Eurasia – a factor that can hardly be neglected.
- Washington is still very much worried about the outlines of the declared Russian strategy to promote the so-called “Eurasia vector”, which it fears will revive a kind of Soviet empire.
- Moscow is actively using the United States’ current domestic problems to criticize Washington for its lack of real democracy, neglect of human rights, and the creation of a police state under the pretext of the fight against terrorism.

During 2012, tensions between the two countries intensified, with differences over issues such as Syria and the meaning and practice of democracy.

Consequently, the only possible areas of co-operation are arms control and non-proliferation issues. So far, despite demonstrative declarations of co-operation and partnership, strategic nuclear issues are the only area in which the US-Russian partnership has produced any meaningful progress – as they are linked to core issues of Russia’s statehood and its concerns in the realm of “hard” security.

Professing that the elimination of nuclear weapons is a distant and hard-to-achieve goal, Russia has unequivocally placed its strategic eggs in the nuclear basket. This is not only fixed in doctrinal documents but is deeply embedded in the hearts and minds of experts, government officials, and common citizens. The current National Security Strategy of the Russian Federation, valid until 2020, and the new version of Russia’s Military Doctrine stipulate that Russia must, under the current conditions, possess a nuclear potential that could ensure the infliction of “predetermined” damage on the aggressor (a state or a coalition of states) under any circumstances. Nuclear weapons are thus perceived as the ultimate deterrent, the instrument of prevention of any type of aggression, and the major factor in protecting the security of the state and its allies and maintaining international peace and stability. Russia needs its nuclear arsenal to secure the strategic environment in which it can complete its modernization process, including the refurbishment of ailing conventional armed forces. Nuclear weapons, by the same token, ensure Russia’s special status in the world as a Permanent Member of the UN Security Council and a leading international actor.

So while Western liberal thinkers multiply arguments in support of the “nuclear-zero” concept, Russian experts counteract with proliferating views on the inadmissibility of immediate unconditional nuclear disarmament – perceiving the nuclear potential as the most valuable asset of which the adversaries would like to divest Russia.

Some Russian military experts have stated that the removal of the risk of a major war fought with nuclear weapons paradoxically makes their “limited” use as battlefield force-enhancers in war-fighting (for instance, in striking certain well-protected underground WMD-related facilities or compact terrorist-controlled enclaves) more plausible. They do not trust the US’s recent doctrinal shift toward hi-tech, precision-guided conventional weapons, citing examples of the ongoing modernization and consolidation of the US nuclear weapons arsenal, the refurbishment of its design and production infrastructure, and the US refusal to ratify the Comprehensive Nuclear-Test-Ban Treaty (CTBT). In this light, and despite the drastic reduction in the number of US warheads, American plans to achieve a safe, secure, and reliable nuclear stockpile – via its “stockpile stewardship” programme – are viewed as another claim for global domination, given that Russian nuclear capabilities may quickly dwindle, leading to overwhelming US nuclear preponderance in the future. Commenting on President Obama’s denuclearization initiative, Russian experts stress its contradictions and Obama’s admission that nuclear weapons cannot be eliminated as long as a single nuclear state remains in the world. This suspicion about the real plans and intentions of the US strategists is the key factor. Most Russian military experts are unmoved by the well developed line of argumentation articulated by the American specialists such as George Perkovich.⁸ At best, this kind of argumentation is regarded as typical liberal rhetoric that ignores the harsh strategic realities. At worst, it is seen as an attempt to unilaterally strip Russia of its sole meaningful defence capability. Many experts in Russia think that the new generation of conventionally armed strategic weapons in the US arsenal could minimize or even nullify Russia’s retaliation capacity.

So how should new strategic reductions be carried out? What are the numerical limits? What are the next steps?

Most in the Russian military now agree that the process of strategic arms control has reached a certain plateau. Both the US and Russian military seem to be reluctant to make further (deeper) cuts. Additional deep cuts are only possible, according to the prevailing views in Moscow, if certain major factors are taken into account or eliminated.

First of all, this applies to the new dimensions of strategic stability. If we continue to reduce the number of warheads, the small number that remain can theoretically be knocked out by a first strike, even if they are kept mobile or concealed. The risk that a reduced number of missiles fails to be an effect-

8 Cf., for example, George Perkovich, *Do Unto Others: Toward a Defensible Nuclear Doctrine*, Washington, DC, 2013.

ive strategic deterrent is further increased by the deployment of national (or global) ABM systems, which limit the effectiveness of any retaliatory strike.

Moreover, if US and Russian nuclear capabilities are starkly reduced, they become comparable with those of other nuclear states, and particularly of undeclared nuclear powers. This would bring about a totally new situation in terms of strategic stability, downgrading Washington and Moscow to the unenviable status of regional nuclear “barons”. Moscow is particularly deeply, if tacitly, alarmed by the rapid increase in China’s military potential. Hence, reducing Russian nuclear forces to the level of Chinese could make Russian vulnerable to Beijing’s growing superiority in terms of conventional forces in the Far East.

Speaking in purely numerical terms, Russian experts generally agree that the next figure can be somewhere around 1,300-1,400 warheads, subsequently sliding down to 1,200, while 1,000 is the lowest possible limit, taking into account the existing potential targets (and threats) worldwide. This view is shared by many US specialists. Going lower would mean undermining or redefining the entire concept of deterrence, including extended deterrence. This is a major barrier, but it could be removed if certain criteria were fulfilled.

First of all, the unofficial nuclear states must start the process of gradually eliminating their nuclear weapon capabilities and, most importantly, the US national ABM plans need to be irreversibly mothballed. Other nuclear states should at least show their willingness to create greater transparency and to cap upgrades of their nuclear capabilities. According to Russian experts, these states need to join in the process, perhaps starting with the UK or France. However, it will no doubt be very hard to get them to the negotiating table.

What will the major sticking points be when the discussions on further reductions resume? What are the major problems on the path to further reductions, if not to a non-nuclear world, as delineated in the Russian strategic mindset?

To begin with, there are what we can call philosophical problems. They include – and presuppose – further steps to develop a bilateral strategic-reduction process and strengthen overall strategic stability. The general situation in terms of global stability must be made propitious for nuclear disarmament – this would require a very low level of intensity of international and regional tensions, the mitigation of regional conflicts, and the absence of rivalry, at least between major powers, in sum, something resembling a Golden Age or the “perpetual peace” of Immanuel Kant.

A very delicate and interesting, much touted issue concerns the non-strategic nuclear component of the US and Russian arsenals. While the Obama administration is stressing the need to start discussions on this topic, Moscow is at best ambivalent, arguing that the US must first withdraw its tactical nuclear weapons (TNWs) to its national territory. This condition is

not feasible, even if NATO replaces its 2010 strategic concept before 2020, as it undermines the entire concept of extended deterrence. Russia continues to maintain the importance of TNWs, as it considers itself “dwarfed” in comparison with NATO (and China) in terms of conventional capabilities. However, it might be possible to at least open initial discussions on transparency measures and then, perhaps, data exchange. An ultimate resolution, the “zero option” for those weapons, can only come about in the context of future conventional arms limitations in Europe.

Russia is genuinely concerned at US plans to create a new strategic conventional capability along the lines of the “Prompt Global Strike” concept. Many in the Russian military think that this could be employed to target Russian command and control or early-warning centres, forcing Moscow to unleash an all-out nuclear war. This once again might seem paranoid but only reflects the Russian military’s inferiority complex and anxiety that Washington would act from a position of strength to dictate certain intolerable conditions to Russia. Further restraints must therefore be imposed on these weapons.

The major issue, as all Russians agree, is the “upload potential”, i.e. the problem of non-deployed warheads. The US has historically resisted any limits on its upload capability, understandably trying to retain reserves to hedge against any unpredictable turn of events, such as a hypothetical “nuclear breakout state” or a strategic leap in military technology by China. Russia is still worried that by downloading its missiles and storing the warheads, the US could evade any future START limitations, just as George W. Bush did with the ABM Treaty, and thus retain the capability of immediately acquiring many thousands of new operational warheads. It may be paranoid and totally subject to Cold War logic, but this is how it stands. According to various estimates, America has from 1,500-2,000 to 4,000-5,000 reserve warheads, thus securing itself a considerable edge. Of course, this is meaningless, except in the case of a protracted nuclear war that begins with a methodical exchange of Schlesingerian “limited options”.

To prevent this, a future treaty must cover warheads that are not associated with delivery vehicles. This would require a totally new system of on-site verification using a new generation of advanced radiation and other detection equipment. Both the US (under Clinton) and Russia (experts from nuclear labs) have developed outlines of possible mechanisms. They are technically feasible, and demand only a higher level of trust, transparency, and political co-operation. There are no technical barriers to on-site verification of warhead numbers and their dismantlement status or the amount of fissile material according to the fissile material inventory of the Fissile Material Cut-Off Treaty (FMCT). Many of the techniques that would be required are already used by the International Atomic Energy Authority (IAEA). Several were devised to verify limits on submarine-launched cruise missiles (SLCMs) when inspecting nuclear submarines in their bases (for example,

during the 1989 Black Sea Experiment. The only caveat is the barrier of assuring that the secret or sensitive technology is not disclosed.

More far-reaching ideas, such as deactivation and de-alerting, currently seem to be in the realm of fantasy. But they could become interesting for in-depth analysis when the time comes to abandon strategies of mutual assured destruction (MAD) and restore a kind of minimal (existential) deterrence, and can be explored at a later stage.

The ABM conundrum has become the most irritating and highly symbolic issue for the contemporary Russian political class – exceeded in importance perhaps only by the problems of human rights, the rule of law, and democratization. It clearly demonstrates the ongoing exclusion of Russia from the family of democratic Western states – though many Russian experts claim there are no major ideological or substantive differences between them and their NATO colleagues.

Thus the issue of missile defence, more than anything, hinders meaningful military and security co-operation and has turned out to be a bone of contention in US-Russia relations. Moscow was frustrated that its 2000 initiative to establish a joint Russian-European Ballistic Missile Defence (BMD) system to target non-strategic missiles elicited practically no response from NATO.

The Obama administration's February 2010 European BMD Review Report, as well as numerous statements by NATO officials, insisted that US missile defences are not directed against Russia but are rather intended to counter Iranian missile programs. The US does not believe that the European Phased Adaptive Approach (EPAA)⁹ it is pursuing undermines Russian capabilities, while the threat from Iran is limited but real. Although the Obama administration has relocated planned US BMD sites in Europe further away from Russian strategic missile bases, Moscow has continued to demonstrate nervousness over ongoing US BMD deployments in Europe and worldwide.

Nor was Moscow pleased with Obama's updated version of EPAA, which some commentators even consider more wide-ranging and thus threatening than the equivalent proposals of the George W. Bush administration.

Russian commentators have argued that the development of NATO's ABM network – even without the introduction of SM-3 Block IIB interceptors in EPAA Phase IV (which were reported to be capable of targeting strategic warheads) or the placement of Aegis warships in the Arctic – threatens Moscow's retaliation potential. Citing US official documents such as *Sustaining U.S. Global Leadership: Priorities for 21st Century Defense*¹⁰ or statements by certain American officials asserting that EPAA is merely an organic part of the developing global US ABM setup, Russia is deeply con-

9 For an overview, see: Arms Control Association, *The European Phased Adaptive Approach at a Glance*, at: <http://www.armscontrol.org/factsheets/Phasedadaptiveapproach>.

10 United States of America Department of Defense, *Sustaining U.S. Global Leadership: Priorities for 21st Century Defense*, January 2012, at: http://www.defense.gov/news/defense_strategic_guidance.pdf.

cerned that “Euro-ABM” looks like just one element in the global US ABM structure – which will also have bases in the US homeland, perhaps on the East Coast, as well in the Far East and the Middle East – and laments that it is not as limited in practice as had previously been pledged by the US.

The Pentagon’s recent decision, as announced by Defense Secretary Chuck Hagel,¹¹ to deploy 14 additional ground-based interceptors (GBIs) in silos at Fort Greely, Alaska, by 2017 to present a credible deterrence to the growing threat of North Korean missiles and to buttress extended deterrence for South Korea and Japan did nothing to improve the situation. When the US military added that an additional ABM site on the US East Coast might also be needed to deter Iran,¹² it only worsened Russian concerns, as some experts, including leading Russian non-governmental arms-control specialist Alexei Arbatov, think that those systems could be even more dangerous for Russia. This is rather strange, as GBIs, which were first deployed by the Bush administration in the late 2000s, are outdated, have a rather dubious test record, and have never been used against real targets. Additionally, according to recent reports, the SM-3 missile family is also plagued by various technical problems and might be inefficient as a weapon even in the best of cases, as early intercept does not happen early enough to prevent warheads and decoys from being deployed.¹³

However, Russian Deputy Foreign Minister Sergei Ryabkov said that partially scrapping the European missile programme did nothing to address Moscow’s national security concerns.¹⁴ Even a curtailed European missile defence system, in his words, still poses a threat to Russia’s nuclear capability. Russia will continue to press for the signing of “legally binding agreements guaranteeing that US missile defense elements are not aimed against Russia’s strategic nuclear forces”.¹⁵ Some more hard-line observers even think that “as soon as the U.S. considers it necessary and feasible to launch the fourth stage of the European ABM system, it will do so immediately”.¹⁶

11 Cf. US Department of Defense, *DOD News Briefing on Missile Defense from the Pentagon*, at: <http://www.defense.gov/transcripts/transcript.aspx?transcriptid=5205>.

12 Cf. Thom Shanker/David E. Sanger/Martin Fackler, U.S. Is Bolstering Missile Defense to Deter North Korea, in: *The New York Times*, 15 March 2013, at: http://www.nytimes.com/2013/03/16/world/asia/us-to-bolster-missile-defense-against-north-korea.html?pagewanted=all&_r=0.

13 For detailed information on this, see National Research Council of the National Academies, *Making Sense of Ballistic Missile Defense: An Assessment of Concepts and Systems for U.S. Boost-Phase Missile Defense in comparison to other Alternatives*, Washington, DC, 2012, at: http://www.nap.edu/catalog.php?record_id=13189; Defense Science Board, Department of Defense, *Defense Science Board Task Force Report on Science and Technology Issues of Early Intercept Ballistic Missile Defense Feasibility*, Washington, DC, September 2011, at: <http://www.acq.osd.mil/dsb/reports/ADA552472.pdf>.

14 Cf. *Moscow to Discuss Changes in US Missile Defense Plans*, RiaNovosti, at: <http://en.rian.ru/world/20130320/180138892.html>.

15 Sergei Ryabkov, cited in: *ibid*.

16 Igor Korotchenko, cited in: Inna Soboleva, *NATO, Russia consider joint missile-defense system*, Russia Beyond the Headlines, 8 April 2013, at: http://rbth.ru/politics/2013/04/08/nato_russia_consider_joint_missile-defense_system_24761.html.

As a result, the security conference in Moscow on 24-25 May 2013 was ultimately as fruitless as the May 2012 Moscow conference on ABM issues organized by the Russian Defence Ministry.

New US ideas on further steps in strategic arms reductions and limits on EPAA formulated by the second Obama administration have seemingly promised attractive openings and breakthroughs in the area of strategic nuclear arms control, but have so far found no positive reaction.

There are no signals that Moscow will rescind its planned military build-up in response to the professed US ABM threat. This blocks substantial progress in arms control.

Of the four major blocks of issues related to arms control in general,

- further strategic force reductions,
- ABM co-operation,
- non-strategic nuclear forces in Europe, and
- new conventional arms control measures,

ABM remains the most problematic.

There is a certain obsession in Moscow military and political circles with the ABM issue. At the same time, two groups of opinion can be observed – “hawks”¹⁷ who warn of the disturbing nature of US ABM developments worldwide, while threatening imminent Russian countermeasures and diplomatic responses and “doves” – a small group of “moderate liberal” experts and some retired generals who argue that the USA is in any case unable to undermine Russian nuclear deterrent capabilities if Russia maintains its current pace of strategic modernization.¹⁸

Despite some – extremely subtle – hints to the contrary, Russia still demands a) legally binding commitments, b) limits on technical capabilities, and c) disclosure of geographical location of planned ABM components by the US. This would amount to a new ABM treaty, not just a set of transparency-building measures and new confidence-building measures. Such an arrangement is understandably unacceptable to the US side, at least there is no chance of Obama getting it through Congress.

ABM remains the major roadblock to further arms-control and disarmament measures, including space non-weaponization, TNW reductions, and closer co-operation on WMD non-proliferation efforts.

All this makes clear the necessity for real qualitative breakthroughs in disarmament, as the major nuclear weapons stockholders – the USA and

17 These tend to be retired officers associated with the Moscow-based NGOs Academy of Military Sciences and Academy of Geopolitical Problems, or experts at the Russian Institute of Strategic Studies.

18 For good examples of this approach, see the anthology recently published by the Moscow Carnegie Center: Alexey Arbatov/Vladimir Dvorkin/Natalia Bubnova (eds), *Missile Defense: Confrontation and Cooperation?* Moscow 2013, or articles by Sergey Rogov, the Director of the Institute of USA and Canada Studies of the Russian Academy of Science.

Russia – still actually operate within the Cold War standoff framework and pursue strategies based on MAD.

Any further moves in arms control are currently blocked by Moscow's "conditional package", which establishes the complete solution of the following issues as a prerequisite to new arms-control measures:

- gradual involvement of all nuclear weapon states,
- prevention of space weapon deployment,
- guarantees against "breakout nuclear potential",
- no unilateral deployment of ABM systems,
- no qualitative or quantitative imbalances in conventional arms,
- implementation of the CTBT,
- viability of the key multidimensional instruments for disarmament and nonproliferation.

Moscow's logic is unambiguous: Russia can go no further in arms control and disarmament, and is asking for all aspects of strategic stability to be taken into account. Further steps towards the verifiable and irreversible reduction of nuclear weapons in compliance with Article VI of the NPT should be taken on a phased basis with the ultimate objective of this long-term process being complete disarmament, and equal and indivisible security for everyone.

In my view, it is urgent to expediently "unbundle" this package by singling out a sole starter issue, say the problem of outer space non-weaponization.

The Russian military has announced plans to develop a new heavy, liquid-fuel ICBM capable of carrying large numbers of warheads, decoys, and other penetration aids.¹⁹ This will ensure that Russia's strategic nuclear potential does not decline. According to its designers, this new heavy ICBM, together with a new rail-based ICBM system (reviving the famous solid-fuelled SS-24, but also capable of being fitted with the successor to the current Topol system), as well as the potential follow-up systems to the solid-fuelled MIRV-equipped Yars and Topol missiles, will be capable of overcoming any US ABM system. This is due to the quantity of systems, the use of new roving hypersonic warheads that wander with no predictable trajectory while approaching a target, and new types of ABM penetration/saturation decoys.

While all those plans could be scuttled, as many rearmament programmes have been in the past, the repercussions for relations with the West and the state of the Russian economy could already have a pernicious effect.

19 Cf. *Russian missile chief claims shield-penetrating ICBM ready by 2018*, rt.com, 3 December 2012, at: <http://rt.com/politics/russian-missile-forces-new-250>.

The entire ABM issue is excessively politicized, and the sober assessments of experts are eclipsed by paranoid invocations and a flood of propaganda.

What is even worse, however, is that the ABM issue demonstrates the yawning gap in threat assessments, doctrines, and even basic democratic and societal values between NATO and Russia. The two sides belong to different schools of thought on governance and possess incompatible socio-economic structures. This is exacerbated by Russia's lack of proper integration in Europe, its demands for special rights, and accusations of double standards. However, causes for optimism do exist.

Even the Russian military are quite sure – although they have often stated otherwise – that EPAA is no threat at all – as it is optimized to deal with medium-range targets, and generally does not perform well (according, for example, to the recent report by the US Government Accountability Office).²⁰ The projected number of SM-3 interceptors in coming years would pose little real threat to the numerous warheads of the Russian strategic deterrent.

The problem lies in the existence of a kind of “grey area” in the capabilities of the planned US BMD force and the Russian strategic offensive potential. Both sides' militaries are inclined to play down the capabilities of their relevant systems and to conceal the entirety of data on them. Thus a considerable knowledge gap exists regarding the real capabilities of interceptors (vis-à-vis the velocity of incoming warheads), which may or may not be within the limits of declared parameters.

More extensive collaboration could range from simply exchanging intelligence data and assessments to launching innovative joint research and development programmes for shared anti-BMD technologies.

Realistically, however, such a high level of collaboration would demand not just a new quality of relationship between the two countries but the total elimination of the current climate of suspicion and inattention to the arguments of the other side. Collaboration between the US (and NATO) and Russia on ABM, including the abandonment of the MAD doctrine, is not possible until Russia undergoes democratization²¹ and modernization and actually joins the family of free world nations, renouncing its imperial or “great power” ambitions and its desire to become a kind of Soviet Union in Eurasia without the Communist ideology. As we are still – mentally or operationally – in a Cold War mode, we need to work on the tenets of strategic stability in

20 Cf. United States Government Accountability Office, *Standard Missile-3 Block IIB Analysis of Alternatives. Briefing Prepared for House Armed Services Subcommittee on Strategic Forces January 29, 2013*, at: <http://www.gao.gov/assets/660/652079.pdf>.

21 For an interesting discussion of democratization in Russia, see Lilia Shevtsova/Andrew Wood, *Change or Decay: Russia's Dilemma and the West's Response*, Washington, DC, 2011, and Lilia Shevtsova, A new way for the West to contain Russia, in: *Financial Times*, 7 February 2013, at: <http://www.ft.com/intl/cms/s/0/8e0fea1a-7144-11e2-9b5c-00144feab49a.html>.

a multipolar world. Arms races that belonged to the Cold War are anachronistic in the current global crisis situation and must be avoided. Hence, a prompt solution must be found to this ABM conundrum – this entire issue must be depoliticized.

The time is ripe for the US to relinquish its preachy, holier-than-thou attitude, which merely leads, in any case, to US views being junked by Moscow elites. For its part, the Russian political class needs to get rid of its post-Soviet quasi-imperial complexes. If pragmatism is to win, efforts need to be made to avoid becoming bogged down in rhetorical battles.

It is clear that Moscow will under no conditions be subject to any sanctions or coercion from the West: This is the most important point in Putin's foreign policy message. Obama needs to invent a new policy that will engineer a new phase in bilateral relations. This will – of course – only hold true if the Russian administration demonstrates a genuine interest in developing long-term constructive relations with the West and if the West understands the issues and problems that make the Russian democratic transition so troublesome.

A Euro-Atlantic and Eurasian Security Community: A New Role for the OSCE

A Changing World

In a recently published book, Zbigniew Brzezinski notes that this is the first time that problems of human survival have begun to overshadow more traditional international conflicts.¹ While this is true, however, I would add that domestic problems and conflicts also overshadow traditional wars and conflicts between states.

The international security environment has changed radically in the past twenty-five years. Yet the core profiles of multilateral international security institutions have remained the same.

The changes that have reshaped the world are fundamental in nature. Confrontational blocs and the associated dichotomy expressed geopolitically as the partition between East and West have disappeared. The line of division between the blocs that ran through the centre of Europe, symbolized by the Berlin Wall, no longer exists. As a result of the overcoming of this partition, the probability of an outbreak of a nuclear war has diminished. Non-military and human aspects of security – humanitarian, economic, ecological, civilizational, and cultural – have gained in significance. Neither Washington nor Moscow – which once governed the bipolar world – can be considered a centre of political, ideological, economic, or military domination. There are no longer any hegemons in the world who are able to decide about global or regional security. The Euro-Atlantic and Eurasian OSCE region is confronted both with democratization within states and the diffusion of power among them.

The catalogue of changes is much longer. Since the dissolution of the Warsaw Pact and the collapse of the Soviet Union, a new generation of Europeans and Americans has entered adulthood. For this generation, the bipolar world is a thing of the distant past. People who do not remember the Cold War, not to mention World War II, are now in their mid-twenties and thirties.

It is worth bearing all these facts in mind – for one, because from this perspective we can better understand the place, role, and significance of the Final Act of the Conference on Security and Co-operation in Europe (CSCE), signed in 1975. The Conference initiated the process of peacefully overcoming Europe's division.

Note: This paper was presented at the OSCE Ambassadorial Retreat at Krems, near Vienna, 2-4 May 2013.

1 Cf. Zbigniew Brzezinski, *Strategic Vision: America and the Crisis of Global Power*, New York 2012, p. 1.

It was a different world then. A different Europe. The world was static, organized around protecting and preserving the status quo. There were many reasons why the process of overcoming the division was a peaceful one, the most important being that the one-party totalitarian system in Central and Eastern Europe had exhausted its internal driving forces. The system was brought down by domestic factors – the social forces symbolized by the many million-strong *Solidarność* movement in Poland and the policies of glasnost and perestroika initiated in the Soviet Union by Mikhail Gorbachev. The principles and standards negotiated in the process initiated in Helsinki and the institutions agreed upon in the CSCE Final Act also contributed in a significant way to the peaceful transformation of the system.

The Static Balance of Power

Historically, fundamental change in the system of international security resulted, as a rule, from great wars: The victors imposed their rules on the losers. This happened after the Napoleonic Wars, when, at the 1815 Congress of Vienna, on the initiative of Austria's Chancellor Klemens von Metternich and the British Foreign Secretary Lord Castlereagh, the foundation was laid for the "Concert of Europe" and the Holy Alliance, which together ensured Europe's stability for several generations to come. The same thing happened at the Congress of Berlin (1878) after the end of the Balkan Wars and the unification of Germany, and after World War I, when the victorious powers dictated the conditions of a new political and legal order in the Treaty of Versailles (1919). Finally, this is what occurred after the defeat of the Third Reich, when the anti-Hitler coalition set the rules and standards for a new legal and political order in Europe.

The system that developed as a result of the decisions of the great powers in Yalta and Potsdam rested not only on the principles and standards adopted in the 1945 UN Charter, but also on the territorial and political changes that had taken place in Europe. In this system, peace and stability were to be ensured through the preservation of the territorial and political status quo in Europe and respect for the principle of the balance of power between the United States and the Soviet Union. The system agreed on at Yalta and Potsdam was static, based on mutual "deterrence", where the relatively high level of stability was guaranteed by the high risk of nuclear war.

A new political philosophy expressed in NATO's "Harmel Report" (1967) spelled the beginning of the end of the system. The key idea of the report boiled down to initiating a policy of *détente* in relations with the Eastern bloc without compromising the security of the democratic world. The first conceptual framework for a new policy of *détente* that would not forsake *deterrence* was spelled out in Egon Bahr's address in a Protestant church in

Tutzing (1963). Bahr's guiding idea was of "change through rapprochement" (*"Wandel durch Annäherung"*). He postulated gradual, evolutionary change, based on rapprochement, as opposed to radical and violent change with the use or threat of force.

The Beginning of Peaceful Change

I have briefly recalled these familiar facts to help us realize that even during the Cold War period, when the system of security between East and West was essentially based on ideological and military confrontation and maintaining the status quo, conditions were slowly maturing to allow peaceful change of the international system. The signing of the Helsinki Final Act was an important stage in this process of change. The document was signed by the leaders of 33 European states as well as the United States and Canada. Subsequent landmarks in this process were the Charter of Paris for a New Europe (1990); the adoption of a new mandate and new institutions at the second CSCE Summit in Helsinki (1992); and, finally, reformulating the process initiated in Helsinki, the creation of the Organization for Security and Co-operation in Europe in Budapest in 1994, which came into effect on 1 January 1995. Today, the Organization encompasses not just 35 but 57 countries in Europe, North America, and Asia.

While the main task of the CSCE process in the 1970s and 1980s was to provide peoples living under communist rule with an "umbrella" so that they could enjoy individual rights and political freedoms, for more than 20 years after the collapse of the totalitarian regimes in Central and Eastern Europe, other tasks became a priority.

Initially, these consisted of the limitation, reduction, and elimination on a grand scale of almost 70,000 systems of conventional arms (under the Treaty on Conventional Armed Forces in Europe/CFE and the adapted CFE Treaty) and the development of new Confidence- and Security-Building Measures (CSBMs).

The next stage was the institutionalization of various forms and means of managing crises, preventing conflict, eliminating tensions, and identifying political solutions to crisis situations.

One effort to effectively respond to the new challenges and threats was the decision taken 20 years ago to establish the office of the OSCE High Commissioner on National Minorities (HCNM). Many other institutions were also created under the auspices of the OSCE, including the Conflict Prevention Centre (CPC) in Vienna, the Office for Democratic Institutions and Human Rights (ODIHR) in Warsaw, the Office of the Representative on Freedom of the Media (RFOM), and the Forum for Security Co-operation (FSC). Many OSCE missions that no longer exist have played an important role as well. There are also institutions that have played no role, and could be

described as “aborted efforts” – dead from the start – although formally they still exist. A pointed example is the Court of Conciliation and Arbitration, whose creation 20 years ago was welcomed with great hopes and expectations by some countries (Switzerland and France). Their expectations have not been realized. It would be naïve to think that the establishment of an institution can by itself solve any problems. Institutions should follow problems and not the other way around.

Institutionalized Ineffectiveness

There is a widespread belief today that the existing multilateral security institutions are not living up to our hopes and expectations. As a result, we are witnessing the gradual marginalization of some of these institutions. They continue to exist by virtue of inertia, but the states that created them and are represented in them attach increasingly less importance to their activities.

This leads to the question: What are the sources and causes of this “institutionalized ineffectiveness”? On the one hand, we have an abundance, a kind of inflation of different types of institutions in the Euro-Atlantic area. This applies, in particular, to countries that are members of NATO and the European Union, as well as the Council of Europe and the OSCE. This leads to competition among the institutions, which is a natural phenomenon. Despite various verbal assurances that they would work together – to be co-operative rather than competitive and interlocking rather than “inter-blocking” – in practice we are seeing institutions duplicating each other, competing, shifting responsibility, and sometimes crossing each other’s paths. Calls for a “division of labour” yield no effective results. Such a state of affairs does not enhance the authority of the institutionalized multilateral security order.

Yet I would look for the causes of states losing interest in the work of the organizations they are members of not so much in procedures, structures, and organizational matters, but rather in profound changes in political reality – in radically changed threats and risks that represent a new challenge for the international community.

The causes of such new risks and threats are internal – not external. The weakness of the present system is rooted in the processes taking place within countries rather than in relations between them. Meanwhile, we are increasingly dealing with reversion to the principle of “non-interference in internal affairs”. In the case of gross violations of human rights and, in particular, the rights of persons belonging to minority groups, international public opinion expects effective intervention, rather than passivity and “non-interference”. Yet, some countries continue to invoke the principle of non-interference in their internal matters, which, in their minds, fall under the discretionary

power of the state. Such an approach illustrates a contradiction that lawyers call *contradictio in adjecto*.

Countries in the Euro-Atlantic area have recognized the catalogue of European values agreed upon in the OSCE constitutional documents as their common foundation, but they have stuck to their own specific interpretations of these principles and values. Some of them give precedent to and place a decisive importance on the principles of sovereign equality of states and non-interference. They forget that the Declaration of Principles Guiding Relations between Participating States, which constitutes the most important part of the Helsinki Final Act, clearly states that all ten principles “are of primary significance and, accordingly, they will be equally and unreservedly applied, each of them being interpreted taking into account the others”.² What does this mean in practice?

Had all the principles been fully applied in the sphere of domestic policy by the 57 states in the OSCE area, there would have been no crises and conflicts. Disputes and collisions of interest would have been resolved pursuant to agreed international commitments – legal, political, and moral. Although these commitments are international (having been undertaken in bilateral and multilateral intergovernmental treaties concluded under international law or in multilateral acts and declarations of a political and moral nature), they essentially concern the domestic sphere.

All the principles, standards, and procedures adopted by the OSCE, the UN, the Council of Europe, and many other intergovernmental institutions create a code of conduct for states in their external relations, and identify methods and rules for the conduct of states within their borders vis-à-vis their own citizens. In other words, a qualitatively new factor that determines the security of both states and individuals has emerged: States are now obliged to respect international commitments at home and their own legal norms in relations between the state and individuals or groups of citizens who declare their affiliation with ethnic, linguistic, religious, and other minority groups. These standards must be routinely respected. States cannot hide behind the shield that the rights of individuals and minority groups fall under the category of internal affairs. The validity and obligatory nature of norms today make these countries accountable before the UN, the OSCE, and the Council of Europe.

Invoking the principle of non-intervention in internal affairs merely in order to justify dodging accountability and the responsibility of states cannot be effective. A key change in the legal and political order of this new world is that both states, on the one hand, and individuals and minority groups, on the

2 Final Act of Helsinki, Final Act of the Conference on Security and Co-operation in Europe, Helsinki, 1 August 1975, in: Arie Bloed (ed.), *The Conference on Security and Co-operation in Europe. Analysis and Basic Documents, 1972-1993*, Dordrecht 1993, pp. 141-217, here: p. 149.

other, are subjects of international law and other legal and political commitments. As a result, they enjoy certain international rights and freedoms.

Security in a Time of Change

The international security system in this transitional period is characterized by uncertainty, instability, and vagueness – hence the political unpredictability. In the new circumstances, the old foundations of the security system (e.g. mutual deterrence) have lost their former strength and validity, while new foundations have not been fully formed or universally recognized. Deterrence was a response to the confrontational nature of the former security system, which was based on the lack of trust and a balance of power between two opposing blocs. Once the military confrontation of the Cold War had eased, it became apparent that deterrence no longer corresponded fully to the needs and requirements of the new security order. Nevertheless, the strategic concept for the defence and security of the members of NATO adopted by the NATO summit in Lisbon in November 2010 stated that: “Deterrence, based on an appropriate mix of nuclear and conventional capabilities, remains a core element of our overall strategy.”³ This is understandable given that the NATO leaders, in the same document, reconfirmed their determination “to defend one another against attack, including against new threats to the safety of our citizens”.⁴ They also committed themselves to preventing crises, managing conflicts, and stabilizing post-conflict situations. The Lisbon Summit offered NATO’s partners around the globe more political engagement with the Alliance, and – last but not least – committed NATO to the goal of creating the conditions for a world without nuclear weapons. NATO leaders kept the door to NATO open to all European democracies that meet the standards of membership.

Under the new circumstances, where the *interdependence* of states, rather than military blocs, nuclear balance, and a lack of mutual trust, is the basis of a new security system, let us think about what needs to be done to restore vitality and effectiveness to multilateral institutions and security structures. How can they be turned into an instrument of conflict prevention and adapted to the new demands and tasks facing the Euro-Atlantic security system in the second decade of the 21st century?

It is not enough to merely propose to correct or improve existing institutions, but rather it will be necessary to reflect upon the very idea underlying the system. This applies to all international security structures without exception. Under the auspices of the US Council on Foreign Relations, the

3 NATO, *Active Engagement, Modern Defence: Strategic Concept for the Defence and Security of the Members of the North Atlantic Treaty Organisation adopted by Heads of State and Government in Lisbon*, 19 November 2010, para. 17, at: http://www.nato.int/cps/en/natolive/official_texts_68580.htm.

4 Ibid., Preface.

European Council on Foreign Relations, the Carnegie Endowment for International Peace, and, on the initiative of the UN, NATO, the European Union, the OSCE, and many other international organizations, various reports and specific suggestions have been published over the years by former politicians and experts. They contain specific suggestions and proposals addressed to the leaders of states and heads of multilateral institutions.

Renewing Atlantic Partnership

Ten years ago, a report by an independent task force of the Council on Foreign Relations, co-chaired by Henry Kissinger and Lawrence Summers, concluded with a thought that is still topical today and has been repeated in different forms in many other documents. Its authors postulate that: “Europe and America have far more to gain as allies than as neutrals or adversaries. We are confident that with enlightened leadership, governments and citizens on both sides of the Atlantic will grasp and act upon that reality”.⁵ The concept of a transatlantic free trade zone, as suggested by Angela Merkel seven years ago, was recently embraced by President Barack Obama. On 20 March 2013, Radosław Sikorski, the Polish Minister for Foreign Affairs, declared in Sejm: “We should create a transatlantic free trade area agreement [...]”⁶ This may signal the beginning of a US-EU common market. The significance of such a solution would be hard to overestimate.

The civil societies of Europe, North America, and Central Asia want to see results rather than mere verbal declarations, resolutions, and new institutions. States in the Euro-Atlantic region are today generally led by highly qualified, well-educated, and experienced administrators, but leadership requires more than just effective administration. Today, nations and public opinion in the Euro-Atlantic area need leaders who will not only identify problems and make the right diagnoses, but also have the courage to outline visions and methods of realizing them. Today, politicians know what should be done and how to go about doing it. Yet, they lack the courage to carry out much needed policies, paralysed by the fear of losing the next election.

It is generally believed that there are three criteria for good political leadership: the ability to diagnose a situation, to identify means of solving problems, and to win support of the political community. Leadership is not only manifested in the ability to formulate a strategy and a long-term vision, but also requires courage, determination, and perseverance in the implementation of policy. In practice, politicians are often hostages to history: They

5 Council on Foreign Relations, *Renewing the Atlantic Partnership. Report of an Independent Task Force*, Henry A. Kissinger and Lawrence H. Summers, Co-Chairs, Charles A. Kupchan, Project Director, New York 2004, p. 28.

6 *Address by the Minister of Foreign Affairs on the Goals of Polish Foreign Policy in 2013*, p. 12 available at: <http://www.msz.gov.pl/resource/b67d71b2-1537-4637-91d4-531b0e71c023>.

know what should be done, but on a day-to-day basis are motivated by the logic of the past. Meanwhile, signals coming from academic communities are at times so abstract, idealistic, and general as to limit their applicability.

All the many ideas presented by groups of eminent experts can be reduced to the proposal to develop a new Euro-Atlantic Security Forum. In seeking such a solution, it is necessary to respect a number of premises.

First, we need to realize that the international security environment in 2013 is not uniform and homogenous; it is not subordinated to the same rules of conduct throughout the Euro-Atlantic area of the OSCE – from San Francisco and Vancouver to Vladivostok and Kamchatka. Countries situated in this area have different traditions, political cultures, and mentalities; they are driven by different interests and have different expectations of multilateral security institutions.

Second, the risks, threats, and challenges for countries in this region are also different: the United States, the NATO member states, and the European Union understand them differently than do Russia and the other members of the Collective Security Treaty Organization (CSTO). After the collapse of the Soviet Union, NATO began to regard Russia not as an adversary, but rather as a partner in co-operation, while in Russia the traditional image of the West, especially of the United States, as the eternal enemy and rival is making a comeback. Universal principles and values are contrasted with the concept of traditional Russian national standards and principles.

Such an approach is not generally shared by Russian foreign-policy experts. Such views, stemming from old geopolitical doctrines and a perception of the international system as a platform where national interests clash, leading to a kind of return to the 19th century Concert of Europe, are not the only ones now present in Russia. And these alternative opinions are more in tune with the demands of our time.

The new *Foreign Policy Concept of the Russian Federation*, signed into law on 12 February 2013 by President Vladimir Putin, emphasizes Russia's civilizational links with the West and gives priority to relations with countries from the Euro-Atlantic area. It stresses that Russia is "committed to universal democratic values, including human rights and freedoms",⁷ noting that "the only reliable insurance against possible shocks is compliance with universal principles of equal and indivisible security in respect of the Euro-Atlantic, Eurasian and Asia-Pacific regions".⁸ The concept introduces a new element – it emphasizes the need to adopt common values as grounds for co-operation in the framework of a new security system based on "a common moral denominator, which major world religions have always shared".⁹

7 *Concept of the Foreign Policy of the Russian Federation. Approved by President of the Russian Federation V. Putin on 12 February 2013* (unofficial translation), at: http://www.mid.ru/brp_4.nsf/0/76389FEC168189ED44257B2E0039B16D.

8 Ibid.

9 Ibid.

Third, an anachronistic mindset – thinking about the new world order in terms of alliances and counter-alliances (e.g. NATO and the EU vs. the Eurasian Economic Community and the CSTO) – is evidence that the signs of the times have been wrongly interpreted.

A Polycentric World

Now is the time to look at the world with different eyes. An attempt was made at the NATO-Russia Council Summit in Lisbon (20 November 2010), where a common catalogue of challenges, risks, and threats was jointly drawn up. This list shows that, even though US-Russian disputes tend to focus on missile defence and other arms-control issues, the key challenges facing Russia and the West are not military in nature. Russia does not create the West's problems, nor is the West the source of Russia's major challenges. The threats and dangers of destabilization that both face are domestic in origin. Russia's main challenges are to build a state based on the rule of law, modernization, demography, the fight against corruption and the reallocation of resources from the sale of energy (gas and oil) to shape a new and more competitive economy. For the West, the key challenges are effective EU integration, fiscal reform, counteracting the effects of the financial crisis in the long term, and overhauling transatlantic relations.

In other words, although the military aspects of Euro-Atlantic relations are no longer as significant as they used to be, disputes – motivated by inertia and the logic of the past – mostly concern the military sphere. The main military threats are located outside the Euro-Atlantic area – in the Middle East, the Persian Gulf, the Korean peninsula, and Africa. Contrary to common wisdom, it is not geopolitics and emerging powers such as China, India, and Brazil that pose a challenge to the entire Euro-Atlantic area, but rapidly accelerating change in a world where there are no longer clear centres of power. Instead of searching for a new system based on the concept of polarity, it is necessary to understand that the essence of global security has undergone a qualitative shift and is now based on interdependence and the polycentric diffusion of power. Attempts to return to the status quo ante are illusory. Thinking in terms of blocs and “concerts of powers” – a world divided between two superpowers that would govern their spheres of influence – is anachronistic.

On the agenda is the need to negotiate a new set of rules and principles that will form the foundation of Euro-Atlantic security. This means, in practice, that there is a need to redefine existing rules and formulate new ones for the twenty-first century. This system should reconcile the various distributed centers of power on the basis of tolerance and interdependence. The Euro-

Atlantic community needs to work out a formula that combines “political diversity and pluralism”.¹⁰

One of the manifestations of such a political philosophy was the concept of a multipolar world that was supposed to replace the bipolar world of the Cold War era.

Let’s start with the terminology: There can be only two poles – a plus and a minus. Multipolarity is not a concept known to physics – the science from which the political notion of bipolarity was borrowed. A polycentric world, elements of which are found in real life, can be imagined. However, it is not polycentrism around which political thinking about the new security system is organized today.

Interdependence

The principle around which the new system of security in the Euro-Atlantic area is organized is *interdependence*. Today’s world knows no hegemonies capable of imposing their arbitrary will on the rest of the world. What we see happening today is the negotiation – in varying configurations – of solutions that take into account the pluralistic nature of a new international security system. How effective the problem solving is depends on the accuracy of the diagnosis and the recommended methods of counteracting conflicts and crises.

An important but underestimated element of the functioning and effectiveness of the new system is timing. In the practice of a pluralistic system of security, it is the speed with which decisions are made that often determines the effectiveness, or lack thereof, of the method of resolving problems: “Balancing speed with patience, and choosing correctly, will be the measure of effective strategy.”¹¹

In a bipolar system, every local and regional conflict could have escalated into a global conflict if it had violated the interests of one of the main adversaries. Meanwhile, in the polycentric system now taking shape, the prevailing tendency is for local and regional conflicts not to get out of control and for their territorially limited nature not to destabilize the global situation.

The New Nature of Conflicts

The nature of armed conflicts has changed significantly. For many centuries, inter-state armed conflicts had decisive importance for international security.

10 Charles A. Kupchan: *No One’s World. The West, the Rising Rest, and the Coming Global Turn*, New York 2012, p. 205.

11 John Chipman, The age of “fast power”, in: *Security Times* (a special edition of the Atlantic Times produced for the Munich Security Conference 2013), February 2013.

However, in the first decade of the 21st century, we witnessed 69 armed conflicts within states and only three between states. There were also 221 non-state conflicts during this period, and 127 actors were involved in unilateral violence. According to the Stockholm International Peace Research Institute (SIPRI), a total of over 400 large-scale acts of organized violence took place in 2001-2010.¹²

The civilian population is the main victim of such conflicts. This fact confronts the international community with challenges of a completely new type.

Europe's role in resolving these problems has changed significantly. States in the immediate neighbourhood now play a bigger role in restoring peace in places where local and regional conflicts erupt. They are interested in extinguishing hotbeds of tension that could escalate into inter-state conflicts. As a result, regional security structures are gaining in importance.

There is an urgent need to work out a formula for Euro-Atlantic security that will be viable in the future. The new system needs to give priority to political, social, diplomatic, legal, financial, economic, cultural, and intellectual activity. Military aspects of security will fade into the background. Nonetheless, developing new types of confidence- and security-building measures will continue to have fundamental significance. Today, the main source of instability and insecurity of states in the Euro-Atlantic area is not so much armaments and preparations for aggression, as was the case in the past, but rather the lack of trust and confidence between states.

What Has to Be Done?

A new security concept could and should provide an answer to the deficit of confidence according to a formula that the states concerned need to work out together. Outstanding personalities can make a contribution in this respect. Eminent political figures, intellectuals, and experts not involved in current disputes can offer decision-makers fresh and innovative ideas. Recently a number of brilliant reports and papers have appeared. One of them, disseminated in April 2013 by the co-chairs of the working group established by the European Leadership Network (Des Browne), the Munich Security Conference (Wolfgang Ischinger), the Russian International Affairs Council (Igor Ivanov) and the Nuclear Threat Initiative (Sam Nunn) raised the fundamental question: What are the obstacles and what has to be done to improve security for all peoples in the Euro-Atlantic region and in the world?

They answer this question as follows: "The most significant obstacle in the way of achieving this goal remains a lack of trust, fuelled by historical animosities and present uncertainties in the European and global security

12 Cf. Stockholm International Peace Research Institute (ed.), *SIPRI Yearbook 2012*, Oxford 2012, p. 65.

landscape. This corrosive lack of trust undermines political and military co-operation, increases bilateral and multilateral tensions, and threatens to derail hopes for improving the lives of people across the region.”¹³

This document was preceded a year earlier by the report *Toward a Euro-Atlantic Security Community*, which was published by the Carnegie Endowment.¹⁴ It is the result of the work of a commission called the Euro-Atlantic Security Initiative (EASI), which brought together – under the auspices of the Carnegie Endowment – over 20 former politicians, researchers, and experts. The work of the EASI Commission was headed by Igor Ivanov, former Foreign Minister of Russia; Wolfgang Ischinger, former Secretary of State in the German Federal Foreign Office; and Sam Nunn, former Chairman of the US Senate Armed Services Committee. The document addresses the following aims:

- to transform and demilitarize strategic relations between the United States/NATO and Russia;
- to achieve historical reconciliation where old and present enmities prevent normal relations and co-operation.

In the report’s words: “In a world of new communications technologies, global information space, and populations demanding their voice, effective security can only be built by making better use of underutilized institutions such as the Organization for Security and Cooperation in Europe (OSCE) and the untapped potential of civil society (churches, academic and scientific institutions, and nongovernmental organizations).”¹⁵

As the three co-chairs of the EASI Commission noted in a joint statement: “Rather than drafting new treaties, creating new institutions or expanding existing alliances, the commission sought to create new pathways to a more inclusive and effective Euro-Atlantic community, focusing on the military, human and economic dimensions of security.”¹⁶

The time is ripe to think about a new Euro-Atlantic Security Forum within the OSCE that would provide a foundation for building a new strategy through dialogue and practical steps. The goals of such a forum would be to understand and address various threat perceptions, to decrease risks of con-

13 Des Browne/Wolfgang Ischinger/Igor Ivanov/Sam Nunn, *Co-Chairs’ Summary, Building Mutual Security in the Euro-Atlantic Region*, Report Prepared for Presidents, Prime Ministers, and Publics, s.l. 2013, p. 2, at: https://www.nti.org/media/pdfs/BMS_Summary_Report_FINAL.pdf. For the full report, see: Des Browne/Wolfgang Ischinger/Igor Ivanov/Sam Nunn, *Building Mutual Security in the Euro-Atlantic Region*, 2013, at: https://www.nti.org/media/pdfs/BMS_Long_Report_FINAL.pdf.

14 Euro-Atlantic Security Initiative, *Toward a Euro-Atlantic Security Community*, Moscow/Brussels/Washington, DC, 2012, at: <http://carnegieendowment.org/2012/02/03/toward-euro-atlantic-security-community/9d3j>.

15 Ibid., pp. 9-10.

16 Wolfgang Ischinger/Igor Ivanov/Sam Nunn, Euro-Atlantic Goals, in: *International Herald Tribune*, 31 January 2012, at: <http://carnegie-mec.org/publications/?fa=46989>.

fluct, and to increase security, co-operation, transparency, defence, and stability for all the nations in the Euro-Atlantic region. A new Euro-Atlantic Security Forum could be established both to implement many specific steps and to promote sustained dialogue on building mutual security. The adoption of a suitable mandate for this task within the OSCE is a matter for the Organization's political leaders.

Six recommendations formulated by the experts from Europe, Russia, and the United States can be summarized in the following conclusions:

First of all, the proposed Euro-Atlantic Security Forum would mean that the new dialogue concerning the construction of mutual security would focus on the central issues. It would also have to consider not only what the countries of the region share but also what divides them.

Second, the mandate of the dialogue would be specified by the OSCE's political leaders.

Third, the new dialogue about building mutual security would build on basic principles shared by the participants.

Fourth, the dialogue would support future concrete steps. These would not necessarily require the signing of new treaties binding the countries in international law, but would encourage it if useful and proper.

Fifth, for the process to be effective, common priorities must be specified.

Sixth, setting up a new Euro-Atlantic Security Forum would facilitate the implementation of many concrete steps for building mutual security in the region as suggested by the authors of the 2013 report on *Building Mutual Security in the Euro-Atlantic Region*, and for implementing the guidelines established within the forum. In the view of the authors, the Euro-Atlantic and Eurasian region is predestined to play a role in shaping the new global security system for many reasons: "Although much of the global security discussion today revolves around Asia, there remains an urgent need for a new strategy for building mutual security in the Euro-Atlantic region – an area that includes six of the world's 10 largest economies, four of the five declared nuclear-weapon states, and more than 95 percent of global nuclear inventories. Today, the common interests of nations in the Euro-Atlantic region are more aligned than at any point since the end of World War II. It would be a tragic mistake, however, to assume that the window for developing a new strategy for building mutual security will remain open forever. We must seize the opportunity and move now."¹⁷

Following this approach to setting up a Euro-Atlantic Security Forum would not create yet another institution on top of the dysfunctional structures that already exist, but would instead contribute to reviving the existing bodies and organs of the OSCE. The starting point would be the Platform for Co-

17 Browne/Ischinger/Ivanov/Nunn, *Co-Chairs' Summary*, cited above (Note 13), p. 2.

operative Security and a new mandate agreed by the leaders at the OSCE's jubilee summit in Helsinki in 2015.

We have to think about security for the next generation, which will be confronted by both processes of integration as well as fragmentation between and within states. As one observer has noted, "the politics of identity is to differ with others rather than find common ground".¹⁸ Instead of a hierarchical world governed by hegemonic powers, we are entering into the era of a poly-centric security system, where new players and non-state actors will challenge the traditional security order.

To sum up – a thought of a general nature: The future is not determined by any historical necessity. Nations and states, international communities, and individual people make choices every day. These choices determine the future. As the French thinker Thérèse Delpech, who died in 2012, and whose strategic deliberations about the world's future are well worth remembering, wrote: "It would be a mistake to claim that nothing enables us to imagine the future: we usually go in the direction our thinking takes us."¹⁹

I have tried to present my thoughts on what should be done to prevent events from developing out of control. It is up to us, the nations of Europe and their leaders, to make the right decisions. One thing is certain, however: Decisions that are made now will determine our common future as well as the future of European nations and the entire Euro-Atlantic region.

18 National Intelligence Council (US), *Global Trends 2030: Alternative Worlds*, s.l., December 2012, p. 4.

19 Thérèse Delpech: *Savage Century: Back to Barbarism*, Washington, DC, 2007, p. 83.

The OSCE Participating States:
Domestic Developments and Multilateral Commitment

Switzerland's OSCE Chairmanship in 2014: A Challenge and an Opportunity

Introduction

On 1 January 2014, Switzerland will assume the Chairmanship of the Organization for Security and Co-operation in Europe (OSCE).¹ Switzerland is the first country to take on this role for a second time, having already held the Chairmanship in 1996. This may suggest that the OSCE Chair is not currently considered the most prestigious position in the world of multilateral organizations.

At present, the prospects of winning laurels in this role are comparatively slim. There are few signs that diplomatic breakthroughs will be possible in the protracted conflicts in Nagorno-Karabakh, Transdniestria, and South Ossetia/Abkhazia. The current geopolitical conditions are equally inexpedient for a Chairmanship. Relations between the USA and the EU/NATO member states, on the one hand, and Russia and likeminded countries, on the other, are beset by problems that include the planned NATO missile defence system, the issue of NATO's eastern enlargement, the consequences of the war in Georgia, and delicate questions concerning the EU's neighbourhood policy. Furthermore, observers have been diagnosing an institutional crisis in the OSCE for over a decade now. The normative foundations of the Organization are considered to be brittle, the East-West divide within the OSCE hampers the Organization's ability to act, and many countries consider that the OSCE has simply lost relevance compared to other international organizations.²

Despite – or precisely because of – these difficult initial conditions, the 2014 OSCE Chairmanship is a worthwhile foreign-policy challenge for Switzerland. On the one hand, the OSCE itself can profit from a carefully managed Chairmanship that avoids further polarization. Consequently, Switzerland, which is neither an EU state nor a member of NATO, will approach its task with the explicit goal of building bridges between OSCE par-

1 This contribution was completed in September 2013.

2 Cf. Terrence Hopmann, *The Future Impact of the OSCE: Business as Usual or Revitalization?* In: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2008*, Baden-Baden 2009, pp. 75-90; Pál Dunay, *The OSCE in Unabated Decline*, Analysis of the Real Instituto Elcano, Madrid 1/2007; Daniel Trachsler, *The OSCE: Fighting for Renewed Relevance*, CSS Analysis in Security Policy No. 110, Zurich, March 2012, available at: http://www.css.ethz.ch/publications/DetailansichtPubDB_EN?rec_id=2025.

ticipating States.³ On the other hand, Switzerland can itself benefit from taking on this role. It will have the opportunity to raise its profile in a multilateral situation and increase the influence of its own foreign and security policy priorities. This is particularly significant for Switzerland, as the OSCE is the only European security institution of which it is a full member. Moreover, by co-operating closely with Serbia, which will assume the Chairmanship in 2015, Switzerland has an opportunity to improve bilateral relations that have been periodically difficult ever since the Swiss recognition of Kosovo in 2008.

Two further arguments are relevant here: In the first place, given the difficult background conditions and the correspondingly low international expectations, the risks to Switzerland's foreign policy reputation in connection with the Chairmanship are relatively slight. Second, the OSCE Chairmanship provides Switzerland with an opportunity to gather valuable experience for a further multilateral office to which Switzerland aspires: a non-permanent seat on the United Nations Security Council for the period 2023-2024.

The first part of this contribution sketches the major role the OSCE/Conference for Security and Co-operation in Europe (CSCE) has traditionally played for Switzerland and Swiss foreign policy. The second section analyses the significance of the 2014 OSCE Chairmanship for Switzerland and examines related foreign policy considerations. The third part presents the goals and priorities of the Swiss Chairmanship. The contribution argues that the pragmatic approach Switzerland has opted to take is a realistic and sensible strategy in view of the political and institutional circumstances.

The CSCE/OSCE and Switzerland – A Rich Tradition of Partnership

Switzerland was one of the 35 states that originally signed the Final Act of Helsinki on 1 August 1975. This was not a matter of course for a country that had developed a strict policy of neutrality in the post-war period and the early years of the Cold War. Consequently, Switzerland's foreign policy during this period was marked by caution, which led it, for instance, to reject membership of the United Nations (UN).⁴ However, after an initial period of scepticism, Switzerland became heavily involved in the CSCE negotiations from 1972 to 1975, and was an active and influential member of the group of neutral and non-aligned states (N+N states). This engagement was an expression

3 Cf. Address by Mr Didier Burkhalter, Vice President of the Swiss Federal Council and Head of the Federal Department of Foreign Affairs, "Creating a security community for the benefit of everyone – Priorities of the Swiss OSCE chairmanship in 2014", Special Permanent Council of the OSCE, Vienna, 2 July 2013, PC.DEL/575/13/Rev.1, at: <http://www.osce.org/pc/103262>.

4 Cf. Daniel Trachsler, *Bundesrat Max Petitpierre: Schweizerische Aussenpolitik im Kalten Krieg 1945-1961* [Max Petitpierre, Member of the Federal Council: Swiss Foreign Policy in the Cold War 1945-1961], Zurich 2011.

of a cautious opening up to multilateralism and a more active Swiss foreign policy from the end of the 1960s.⁵

Switzerland played three distinct roles in the negotiations: First, it acted – sometimes in co-operation with other neutral states such as Austria, Finland, and Sweden – as an independent third party between the blocs and as a mediator during the negotiations. Second, it used its “good offices” as the host of the negotiations on the Helsinki Final Act, which were held in Geneva from September 1973 until July 1975. Third, it pursued certain concrete goals of its own, such as the inclusion of neutrality in the catalogue of principles contained in the Final Act. At that point, however, Switzerland was unable to generate sufficient support for its proposal to establish a dispute-settlement mechanism. From the current perspective, the major achievements of the neutral states – including Switzerland – in the context of the CSCE negotiations appear to be the early support they gave to the establishment of a CSCE process with follow-up conferences and their commitment to the inclusion at a later date of confidence-building measures (CBMs) in the politico-military dimension.⁶

A further milestone in the relationship between the CSCE/OSCE and Switzerland was Switzerland’s first OSCE Chairmanship in 1996. When, in 1994, Bern signaled its willingness to assume the Chairmanship, the European security system, and thus the CSCE (as it was still known) itself, was undergoing a comprehensive reorganization following the end of the Cold War. The CSCE became the OSCE, permanent institutions and operational capacities were gradually established, and the areas of early warning, conflict prevention, crisis management, and post-conflict rehabilitation became the Organization’s key fields of activity. At the Budapest Summit in 1994, the new structures were approved by the participating States.

Given Switzerland’s traditional restraint in matters of foreign policy, there was nothing obvious about its assumption of the OSCE Chairmanship, especially during this transitional period, when neither the future role of the

5 Cf. Thomas Fischer, *Die Grenzen der Neutralität. Schweizerisches KSZE-Engagement und gescheiterte UNO-Beitrittspolitik im Kalten Krieg 1969-1986* [The Limits of Neutrality. Switzerland’s CSCE Engagement and Failed UN Accession Policy in the Cold War 1969-1986], Zurich 2004; Hans-Jörg Renk, *Der Weg der Schweiz nach Helsinki. Der Beitrag der schweizerischen Diplomatie zum Zustandekommen der Konferenz über Sicherheit und Zusammenarbeit in Europa (KSZE), 1972-1975* [The Way to Helsinki. The Contribution of Swiss Diplomacy to the Establishment of the Conference on Security and Co-operation in Europe (CSCE), 1972-1975], Bern 1996; Philip Rosin, *Die Schweiz im KSZE-Prozess 1972-1983: Einfluss durch Neutralität* [Switzerland in the CSCE Process 1972-1983: Influence through Neutrality], Munich 2013. On the role of the N+N states in general, see: Thomas Fischer, *Neutral Power in the CSCE. The N+N States and the Making of the Helsinki Accords 1975*, Baden-Baden 2009, and Thomas Fischer, *Keeping the Process alive. The N+N and the CSCE Follow-Up From Helsinki to Vienna (1975-1986)*, Zurich 2012.

6 Cf. Christian Nuenlist, Expanding the East-West Dialogue beyond the Bloc Division. The Neutrals as Negotiators and Mediators, 1969-75, in: Andreas Wenger/Vojtech Mastny/Christian Nuenlist (eds), *Origins of the European Security System: The Helsinki Process Revisited, 1965-75*, London 2009, pp. 201-221, here pp. 216f.

Organization nor developments in Europe in general were clear. Yet as in the early 1970s, this bout of active involvement in the OSCE also marked a phase of greater openness in Swiss foreign policy.⁷ In its foreign and security policy strategy documents of the early 1990s, the Swiss executive, the Federal Council, had stressed the importance of international co-operation in overcoming future challenges. This marked a significant departure from its traditional posture.⁸ The Swiss people were reluctant to give this change of strategy their unconditional support. In referenda, the Swiss people, in their capacity as Sovereign, rejected UN membership in 1986, accession to the European Economic Area (EEA) in 1992, and a proposal to allow the deployment of peacekeeping troops in support of UN operations in 1994. Switzerland also remained outside NATO. The OSCE Chairmanship was thus one of the few opportunities that Switzerland had to enable its own views to influence the debate on the shaping of European security and to demonstrate its own increased willingness to engage in international co-operation and to assume responsibility in the area of European security in practical terms.⁹ At the same time, thanks to the specific characteristics of the OSCE – e.g. its inclusive membership, the equality of participating States, the rule of consensus, the multidimensional understanding of security, and the broad spectrum of issues it covers – this policy of engagement was also capable of gaining sufficient domestic support.

In practical terms, the first Swiss OSCE Chairmanship was largely dominated by the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina (the Dayton Peace Agreement).¹⁰ The OSCE was mandated with implementing various aspects of the Dayton Agreement, including the preparation and execution of democratic elections, monitoring human rights, and chairing the negotiations on confidence- and security-building measures for regional stabilization. As Chair of the OSCE, Switzerland was actively engaged in these areas, and provided the OSCE

7 Cf. Flavio Cotti, Vorwort [Foreword], in: Laurent Goetschel (ed.), *Vom Statisten zum Hauptdarsteller. Die Schweiz und ihre OSZE-Präsidentschaft* [From Extra to Leading Role. Switzerland and Its OSCE Chairmanship], Bern 1997, pp. V-IX.

8 Cf. Schweizerischer Bundesrat [Swiss Federal Council], *Schweizerische Sicherheitspolitik im Wandel. Bericht 90 des Bundesrates an die Bundesversammlung über die Sicherheitspolitik der Schweiz vom 1. Oktober 1990* [Switzerland's Shifting Security Policy. Report 1990 of the Federal Council to the Federal Assembly on the Security Policy of Switzerland of 1 October 1990], Bern, 1 October 1990; Schweizerischer Bundesrat [Swiss Federal Council], *Bericht über die Aussenpolitik der Schweiz in den 90er Jahren vom 29. November 1993* [Report on the Foreign Policy of Switzerland in the 1990s of 29 November 1993], Bern 1993.

9 Cf. Andreas Wenger, Die KSZE/OSZE als Brücke der Schweiz zur Mitgestaltung des europäischen Umfeldes [The CSCE/OSCE as Switzerland's Bridge to Co-shape European Environment], in: Goetschel (ed.), cited above (Note 7), pp. 9-28.

10 Cf. Andreas Wenger/Christoph Breitenmoser/Heiko Borchert, Das schweizerische OSZE-Präsidentschaftsjahr 1996 [The 1996 Swiss OSCE Chairmanship Year], in: Forschungsstelle für Sicherheitspolitik und Konfliktanalyse ETH Zürich (ed.), *Bulletin zur schweizerischen Sicherheitspolitik 1996/97* [Bulletin on Swiss Security Policy 1996/1997], Zurich 1997, pp. 4-46.

Mission to Bosnia and Herzegovina with concrete assistance, including a contingent of “yellow caps” (the Swiss Headquarters Support Unit) to provide logistical support, human-rights monitors, and other experts. Nor was Bosnia and Herzegovina the only conflict that called on the resources of the OSCE and its Chair; the cases of Chechnya, Georgia, and Moldova also demanded attention. Making progress on other issues, such as the debate on a security model for the 21st century that was launched in 1994, proved more difficult. At the end of the year, the Swiss Chairmanship team drew a largely positive balance, particularly as regards the ability of a small state to make a difference in a multilateral context. Switzerland’s performance also garnered praise from outside.¹¹

The 2014 Swiss Chairmanship: Foreign Policy Considerations and the Balance of Interests

Switzerland’s second Chairmanship, in 2014, will take place under very different conditions from those that prevailed in 1996. This is largely a result of geopolitical and institutional change. The OSCE is no longer in the midst of a period of restructuring, whose outcome is uncertain, but is rather, in certain regards, mired in stagnation.

The much-discussed “crisis of the OSCE” is not the central topic of this contribution. A few brief remarks should adequately contextualize the forthcoming Swiss Chairmanship in this regard.¹² One frequent criticism is that the OSCE is paralysed by the East-West divide. The tense relations between the USA and EU/NATO members, on the one side, and Russia, on the other, are expressed in regular disagreements on what the priorities of the Organization’s work should be. This leads to disputes over the establishment and mandates of missions and field operations and to disunity in budgetary questions. The split renders substantive institutional reform difficult if not impossible, and this particularly overshadows the efforts currently being undertaken within the scope of the Helsinki +40 Process. In view of these many differences, observers complain of a “crisis of trust” and the ongoing erosion of the normative consensus among the 57 participating States. Further rea-

11 Cf. Raymund Kunz, Die OSZE-Präsidentschaft – Lehren für die Aussen- und Sicherheitspolitik der Schweiz [The OSCE Chairmanship – Lessons for Swiss Foreign and Security Policy], in: Goetschel (ed.), cited above (Note 7), pp. 177-188; Ortwin Hennig, Das OSZE-Präsidentschaftsjahr der Schweiz – eine kritische Würdigung von aussen [The Swiss OSCE Chairmanship Year – A Critical Appraisal from Outside], in: *ibid.*, pp. 153-176.

12 Numerous aspects of the crisis were addressed during the panel discussion “Revitalising the OSCE – A Mission Impossible?”, held at the International Security Forum 2013, cf. at: <http://isf.ethz.ch/isf/Programme/Programme-Guide/Panel-Discussions/Revitalising-the-OSCE-A-Mission-Impossible>. For a remarkably (self-)critical view, see Marc Perrin de Brichambaut, Six Years as OSCE Secretary General. An Analytical and Personal Retrospective, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2011*, Baden-Baden 2012, pp. 25-48.

sons given for the creeping loss of significance of the OSCE are disputes over competencies and competition with other institutions and organizations such as the EU, NATO, the Council of Europe, and the UN. Not all commentators take such a dark view of the OSCE's future significance. Yet there is a broad consensus regarding the existence of failings and a potential for improvement, and widespread scepticism regarding the possibility of the situation improving significantly in the near future.

Given these relatively unpromising initial conditions, why has Switzerland volunteered to take on the OSCE Chairmanship in 2014? The immediate cause is external. In 2011, Serbia announced its ambitions to chair the OSCE in 2014. In view of Serbia's policy towards Kosovo, this raised deep reservations not only in Albania, but also in countries such as the USA. This led to inquiries regarding Switzerland's willingness to stand as an alternative candidate to Serbia. And although Switzerland rejected this proposal, it signalled its openness to consecutive Swiss and Serbian Chairmanships. Serbia also proved amenable to this face-saving solution.¹³

In late 2011, Switzerland and Serbia presented a joint declaration and their agreed "principles of co-operation" to the OSCE Ministerial Council in Vilnius, underlining their desire to co-operate closely in the framework of consecutive Chairmanships, formulate shared priorities, and develop a joint action plan.¹⁴ Both countries also stressed the advantages that would accrue from greater continuity at the top of the Organization if plans could be made for two years at once. This clever move made it possible to overcome the reservations regarding a Serbian Chairmanship, while simultaneously presenting the joint candidacy to the world as an innovative means of increasing the Organization's effectiveness and efficiency. In February 2012, the participating States unanimously approved the consecutive Chairmanships of Switzerland and Serbia for the years 2014 and 2015 after a silence procedure.

What other foreign-policy considerations were decisive for Switzerland's decision to express its willingness to assume this office? Given the background to the Chairmanship, there were two obvious factors that spoke for this decision: On the one hand, Switzerland could do a favour for the countries that were concerned about a Serbian Chairmanship. At the same time, close co-operation with Serbia prior to and during their consecutive Chairmanships gave Switzerland an opportunity to improve bilateral relations

13 For more information (in German), the podium discussion held by the Swiss Helsinki Association on 21 January 2013 in Bern can be accessed (on SoundCloud) via: <http://www.shv-ch.org/de/veranstaltungen>. See also Christian Nünlist, "Die Schweiz ist eine Mini-OSZE": Perspektiven auf das Schweizer OSZE-Vorsitzjahr 2014 ["Switzerland Is a Mini-OSCE": Perspectives on the Swiss OSCE Chairmanship Year 2014], in: Christian Nünlist/Oliver Thränert (eds), *Bulletin 2013 zur schweizerischen Sicherheitspolitik* [2013 Bulletin on Swiss Security Policy], Zurich 2013, pp. 11-41, here: pp. 22-24.

14 Cf. *Joint Statement of the Ministers of Foreign Affairs of Switzerland and Serbia*, CIO.GAL/241/11; *Principles of Co-operation*, MC.DEL/62/11, Vilnius, 7 December 2011.

between Bern and Belgrade, which had been periodically troubled since the Swiss recognition of Kosovo in 2008.

Alongside these immediate reasons, there were further considerations behind Switzerland's decision. For one, Switzerland has a genuine self-interest in making a contribution to stability and security in its European environment and in the OSCE space.¹⁵ Several regions in which the OSCE is active are particularly important for Switzerland. The Western Balkans, and Serbia and Kosovo in particular, are highly relevant on account of the large number of people with Serbian and Kosovar roots that live in Switzerland. In regions such as the South Caucasus, it is not considered beyond the realms of possibility that Switzerland, thanks to its good relations and previous facilitation activities (e.g. representing Georgia's interests in Russia and Russia's interests in Georgia since they broke off diplomatic relations) could help bring about progress in confidence-building and conflict resolution.

The interests and aims of Switzerland and the OSCE overlap not only geographically but also in terms of their subject matter. Above all, human-dimension topics such as the promotion of the rule of law, democracy and human rights, peaceful conflict settlement, and minority protection closely correspond with the priorities of Swiss foreign policy. Switzerland has also gained considerable experience and demonstrated its capabilities in this area and therefore hopes to be able to make some positive contributions to the work of the OSCE.¹⁶

A further reason for Switzerland's commitment to working for and within the OSCE is that the revival of the Organization's practical and institutional relevance is particularly important for a country that is a member of neither the EU nor NATO. In Vienna, Switzerland can take part in discussions and decision-making as a full and equal participant. In view of this, the decision to take on the Chairmanship in 2014 is also likely to reflect certain opportunities that Switzerland sees to contribute its own ideas on strengthening the OSCE and its institutions to the Helsinki +40 Process.

Chairing the OSCE at this juncture also represents good timing in terms of Switzerland's current foreign-policy situation, which sees it on the defensive on several fronts. The financial sector and the Swiss banks are under heavy pressure, and the tax dispute casts a cloud over relations with the USA

15 Cf. Schweizerischer Bundesrat [Swiss Federal Council], *Aussenpolitische Strategie 2012-2015. Bericht des Bundesrats über die aussenpolitischen Schwerpunkte der Legislatur* [Foreign Policy Strategy 2012-2015. Report of the Federal Council on the Foreign Policy Priorities for the Legislative Period], Bern, March 2012; Schweizerischer Bundesrat [Swiss Federal Council], *Aussenpolitischer Bericht 2012* [Foreign Policy Report 2012], Bern, 9 January 2013.

16 Cf. Schweizerischer Bundesrat [Swiss Federal Council], *Botschaft über die Weiterführung von Massnahmen zur Förderung des Friedens und der menschlichen Sicherheit 2012-2016* [Report on the Continuation of Measures to Promote Peace and Human Security 2012-2016], Bern, 29 June 2011; Thomas Greminger, *Swiss Civilian Peace Promotion: Assessing Policy and Practice*, Zurich 2011, available at: <http://www.css.ethz.ch/publications/pdfs/Swiss-Civilian-Peace-Promotion.pdf>.

and various European states. In terms of EU relations, Brussels is pressuring Switzerland to resolve ongoing institutional issues as a prerequisite for further expanding bilateral relations, particularly as regards the dynamic adoption of developing EU legislation and differences in the interpretation of rules. These issues are not dealt with in the OSCE context. Yet Bern is unlikely to reject any opportunities to raise specific bilateral issues that arise through high-level contacts with Washington, Moscow, Paris, Berlin, and other capitals in the context of the OSCE Chairmanship.

One final contributing factor to the Swiss decision has so far largely been overlooked. Bern also sees the year at the helm of the OSCE in terms of preparation for the non-permanent seat on the UN Security Council that it seeks for 2023-2024. Swiss diplomacy has been attempting to generate support for its candidacy for some time now. This entails not only persuading countries to support Switzerland but also dissuading states in the same regional bloc from standing themselves. The opportunities to establish contacts and raise Switzerland's profile that will accrue by way of the OSCE Chairmanship are beneficial to both these goals. The Swiss authorities will also receive an opportunity to build up their expertise and staff for the successful performance of a leadership role in a multilateral organization in the long term.

Role, Goals, and Priorities of the Swiss Chairmanship

As a Western European country that is a member of neither the EU nor NATO, Switzerland finds itself in a relatively strong position to play a moderating role as OSCE Chair. This is only likely to be enhanced by working closely with Serbia. In general, Switzerland sees itself as playing a bridge-building role between the various state groups and power blocs within the OSCE – however, not without noting that successful bridge-building requires the existence of foundations on either side of a divide.¹⁷

Switzerland set out its priorities in terms of specific goals, geographical scope, and topics of interest in close co-ordination with Serbia in a joint working plan. These were first presented to the public on 2 July 2013 in Vienna by the Swiss foreign minister, Didier Burkhalter.¹⁸ The motto of the Chairmanship is “Creating a security community for the benefit of everyone”.

17 This was the view expressed by Raphael Nägeli, deputy head of the OSCE Chairmanship Task Force of the Swiss Federal Department of Foreign Affairs (EDA), at the podium discussion held by the Swiss Helsinki Association on 21 January 2013, cited above (Note 13).

18 For details of the Swiss priorities, see Burkhalter, cited above (Note 3). See also “Die Erwartungen an die Schweiz sind hoch”, Interview mit Bundesrat Didier Burkhalter zum OSZE-Vorsitz 2014 [“Expectations of Switzerland are High”, Interview with Member of the Federal Council Didier Burkhalter on the 2014 OSCE Chairmanship], in: Nünlist/Thranert (eds), cited above (Note 13), pp. 121-125.

In line with this statement of purpose, Switzerland is emphasizing three goals: First, it aims to foster security and stability; second, to improve people's lives; and third, to strengthen the OSCE's ability to take action. These three goals are purposefully broad and leave a lot of leeway to react to opportunities or hindrances that arise in the course of the Chairmanship. Within these areas, Switzerland defined ten potential priority issues. These are based on the OSCE's agenda and activities, current challenges and opportunities in the international environment, and Switzerland's key foreign-policy goals.

In terms of security and stability, fostering reconciliation and regional co-operation in the Western Balkans is a clear priority for Switzerland. Specific issues include improving relations between Serbia and Kosovo, the holding of elections in Kosovo, including Northern Kosovo, and the promotion of dialogue and trust between all Kosovo's ethnic groups. In consultation with Serbia, the Swiss Chairmanship will appoint a special representative for the Western Balkans with a two-year mandate. This underlines the major significance that Switzerland places on this topic. A further special representative will also be appointed for the South Caucasus. In this second priority area, the key goal will be to seek rapprochement between Russia, Georgia, Abkhazia, and South Ossetia. The prospects for a diplomatic breakthrough in the conflict between Armenia and Azerbaijan over Nagorno-Karabakh are minimal.¹⁹ Further potential areas of activity in the field of security and stability include revising and modernizing the Vienna Document on Confidence- and Security-Building Measures, and strengthening security-sector governance, for instance with regard to democratic control of the armed forces.

In terms of improving people's lives, Switzerland is emphasizing a more systematic implementation of commitments in the human dimension. The creation of new commitments is less important than the implementation of existing ones. This covers matters including promoting human rights, opposing torture, upholding constitutional norms even in the context of counter-terrorism activities, protecting minorities, and facilitating the holding of free and democratic elections. In addition, Switzerland will seek to contribute to improving efforts to deal with and prevent natural disasters in the OSCE area.

In terms of strengthening the OSCE's ability to take action, the Helsinki +40 Process will, as expected, be at the centre of Switzerland's efforts. Along with the 2013 Ukrainian Chairmanship and the 2015 Serbian Chairmanship, the 2014 Swiss Chairmanship was tasked by the 2012 Dublin OSCE Ministerial Council with advancing this reform process. The differences of opinion among the participating States sketched in the preceding section, however, are hardly a cause for optimism. Major breakthroughs, such

19 Cf. Anna Hess Sargsyan, *Nagorno-Karabakh: Obstacles to a Negotiated Settlement*, CSS Analysis in Security Policy No. 131, Zurich, April 2013, at: http://www.css.ethz.ch/publications/DetailansichtPubDB_EN?rec_id=2478.

as resolving the question of the legal status of the OSCE, the drafting of an OSCE charter, or a substantial strengthening of the OSCE Secretary-General are unlikely. It would nonetheless represent progress if by way of the bridge-building role it seeks to play, Switzerland were to contribute to a softening of the hardened positions on such institutional questions in the run up to the OSCE's 2015 jubilee year.

Switzerland wishes to take up two further issues related to the OSCE's ability to take action: strengthening the OSCE's mediation capacity, and involving civil society and young people more closely in the Organization's work. Mediation and facilitation have long been key priorities in Swiss foreign policy. Increasing the involvement of civil society entails, in the first instance, promoting co-operation with non-governmental organizations, academic institutions, and think tanks – something that is more controversial in a number of states than might at first appear likely. At the same time, Switzerland plans, during its Chairmanship, to give a platform to young people from all 57 participating States, and to make their concerns known within the Organization. The final priority is a topic that touches on all dimensions, namely combating transnational threats, such as terrorism, organized crime, and threats to cyber-security. Switzerland is currently considering the organization of relevant conferences.

This provisional working programme for the Swiss Chairmanship is pragmatic rather than visionary. Yet this proves Switzerland's realism and sense of proportion. Switzerland's efforts aim above all at consolidating the OSCE *acquis*, improving the implementation of existing commitments, and, where possible, making incremental progress. Given the current international and institutional situations, this is a sensible strategy. Whether it will be possible to carry it out as planned depends to no small extent on concrete events and developments during the Swiss Chairmanship year.

Conclusion

The Swiss OSCE Chairmanship represents a double opportunity. First, it is an opportunity for the OSCE. In 2014, the Organization will be chaired by a country that will not increase the polarization among the participating States, but has rather promised to do the opposite, i.e. to build bridges, to seek out commonalities, and to forge compromises. In his speech in Vienna, Foreign Minister Burkhalter compared Switzerland to a "mini-OSCE".²⁰ This may be an exaggeration, yet as a small country that belongs to neither the EU nor NATO, that is traditionally active in various groups of states in the multilateral environment, and whose domestic political system is strongly geared towards consensus-seeking and compromise, Switzerland is arguably very well

20 Burkhalter, cited above (Note 3).

suited, in the current context, to take on the challenge of the OSCE Chairmanship.

The forthcoming Chairmanship is also an opportunity for Switzerland itself. It is in Switzerland's own interest to contribute to promoting security and stability in the OSCE area, and to bring its abilities to bear on the human dimension, in particular. The Chairmanship also provides Switzerland with opportunities to raise its profile in a multilateral context. Right now, with Switzerland relying on other countries' willingness to talk and to show understanding on various questions, this suits it particularly well. At the same time, it can gather valuable experience of working in a multilateral context, applicable to potential future tasks.

By presenting pragmatic plans, Switzerland has demonstrated its good judgement, while also demonstrating its ability to realistically evaluate the diplomatic room for manoeuvre currently available. The unfavourable background conditions have one advantage for Switzerland: International expectations are low. Should no significant progress be made in the priority issues Switzerland has chosen to focus on, or in the matter of institutional reform, no one will hold the Swiss Chairmanship responsible. The foreign policy risks associated with the Chairmanship are therefore limited. Consequently, the overall prospects for a satisfactory Chairmanship year are solid – both for Switzerland and for the OSCE. Nonetheless, a definitive evaluation will have to wait until the end of 2014 at the earliest.

Armenia in 2013: Between a Rock and a Hard Place

The land of “shouting stones” and Biblical reminiscences, of rough stones carved into lace and eternal snow-capped peaks, land of longed-for ideals and visionary struggles, anguished memories of blood and glory, Armenia is the fatherland of one of the most ancient peoples in the Near East, the bearer of a heritage of culture, art and civilization well beyond proportion to their numbers, the extent of their land and their political power.¹

Introductory Remarks

Following the parliamentary and presidential elections held on 6 May 2012 and 18 February 2013, respectively, Armenia’s President Serzh Sargsyan faces a number of challenges in his second term in office. These include overcoming the stalemate in Nagorno-Karabakh, improving the functioning of Armenia’s economic system to raise living standards for huge parts of its population, and actively continuing to find ways and means to liberate Armenia from the deadlock in its relations with Turkey, which is having a negative impact on its balance of trade and considerably hampering its economic development.

Although the culture of compromise does not seem to be widespread in the region, it is essential that progress be made in solving the Nagorno-Karabakh conflict and in opening the Armenian-Turkish border. Only a policy that aims at solving the conflict and leading to an opening of the Armenian-Turkish border will improve Armenia’s increasingly precarious socio-economic situation and re-establish the regional co-operation that existed and functioned in Soviet times.

Faltering European Initiatives

The European Union’s Eastern Partnership (EaP) made the mistake (as did the European Neighbourhood Policy, ENP, which covers both Eastern Europe and the Mediterranean region) of forcing six differently structured and regionally differentiated countries into a bed of Procrustes – even bearing in mind that each country’s action plan aims to take into account the specific interests and development situation of that state. The EU also made the pol-

¹ Boghos Levon Zekryan, *Armenia – Imprints of a Civilization*, Milan 2011. The expression “land of shouting stones” was coined by Osip Mandelstam in his 1933 book “Journey to Armenia”.

itical mistake of failing to engage sufficiently in dialogue with Russia regarding the ENP and the EaP with the aim of persuading Moscow of the merits of this policy approach. Russia already had trouble accepting NATO's Eastern enlargement and intervention in Kosovo, and saw the interest-driven policy of the US and the co-operation policies of the EU and NATO in the South Caucasus as a political challenge in an area it considered to be a sort of "private hunting ground" governed by clan structures (and their vested economic interests) and influenced and partially torn apart by rival geopolitical interests. In the 1990s, the EU had already failed to include Russia as a full partner in the INOGATE programme, which supported pipeline projects that aimed to use the South Caucasus as a corridor for the transport of oil and gas from Azerbaijan and Turkmenistan to Turkey and the EU. The result was the failure to establish a truly pan-European pipeline system that would connect Eastern and Western European states by achieving a compromise between the interests of both sides and building confidence. Consequently, the failure of the Nabucco pipeline project was eminently foreseeable, primarily because it failed to take account of Russian interests.

The EaP also came up against its limits as a result of its implicit declaration that the Western European path of development was the norm, and the assumption, drawn from classical modernization theory, that it could impose a development programme on the EaP partner countries that could be measured in terms of normative categories and would be fulfilled as a result of historical inevitability.

If modernization, which is desired on political and economic grounds, is to cross the European divide between the EU and those territories dominated de facto by Russia, it is necessary to have a concept of modernity that is not based exclusively on Western European and North American patterns of modernization and does not simply elevate them and their results to the status of norms, but is rather more open to various forms of modernity.²

The political strategy followed by the EU in the framing of its treaty relations with the EaP countries (negotiation of Association Agreements, including Deep and Comprehensive Free Trade Agreements, DCFTA), which made certain democratic and rule-of-law reforms conditions for goal-driven co-operation, needs to be subject to critical scrutiny, as it has little to recommend it in pragmatic terms. Reform efforts of this kind can only be a goal of co-operation with states like Armenia, whose transformation is still ongoing (or which, as a result of deep-seated personal and institutional inertia, have not only become bogged down but have not even been seriously and consistently attempted), and cannot be a condition for it.

I propose that democracy cannot simply be exported wholesale, but only encouraged by means of co-operation that takes account of existing interests

2 Cf. Dietmar Neutatz, *Träume und Alpträume. Eine Geschichte Russlands im 20. Jahrhundert* [Dreams and Nightmares: A History of Russia in the Twentieth Century], Munich 2013, p. 15.

and is focused on specific goals and the needs of the country in question. Consequently, the wholesale transfer of the body of EU law – or at least the bulk of the EU's *acquis communautaire* – is problematic, particularly given the asymmetry of negotiating positions. Even with the support of the EU, just how should a country like Armenia shoulder the Herculean task of translating 80,000 pages of EU legal documents into the Armenian language and Armenian law and implementing the *acquis communautaire* in a way that “radically” suits the local environment (and is recognized by state and society as adding value on the path to greater prosperity)?

Domestic and Regional Legacies

Democratic Transformation

Armenia's transformation into a sovereign and democratic nation state following the disintegration of the USSR in 1991 has not been plain sailing. There is, de facto, no separation of powers in Montesquieu's sense. Fundamental rights (above all the right to vote, freedom of assembly/freedom to demonstrate, and freedom of speech) have often been only unwillingly accepted by the state. The media, the fourth branch of government in a functioning democracy, is dominated by the state and shows few signs of pluralism (signifying that Armenia is a “guided democracy” of the type exemplified by Putin's Russia). Although the Parliamentary Assembly of the Council of Europe has declared that the bloody events of March 2008 – following the 2008 presidential elections – were concluded by the release in March 2011 of the last of the political prisoners arrested at the time, the question of who was responsible for the deaths of ten people during the unrest has still not been answered.

Parties in the style of “Western” democracies do not yet exist, or only in a rudimentary form (regardless of the fact that European political parties have granted observer status to five Armenian parties). Such parties as there are can be considered as clientelistic alliances, whose overriding interest is to use political influence to secure their material prosperity rather than to seek to gain support for their political programme.

President Sargsyan's ruling Republican Party was the clear winner of the 6 May 2012 parliamentary elections, gaining nearly 45 per cent of the vote (a gain of ten per cent on the 2007 results). The Prosperous Armenia party, which had been in coalition with the Republican Party from 2007 to 2012, doubled its share of the vote to 30.12 per cent, yet declined to join the government this time round and went into opposition.³

3 Based on its economic interests, however, Prosperous Armenia has acted as a kind of “constructive opposition”. This is also reflected in the fact that the party, which is headed

The Armenian Revolutionary Federation (ARF), also known as *Dash-naktsutyun*, another former member of the governing coalition, which it left as a result of the first Sargsyan government's policy on Turkey,⁴ and the Armenian National Congress (ANC), formerly the extra-parliamentary opposition alliance, led by Armenia's first president Levon Ter-Petrosyan, performed poorly, polling 5.67, and 7.08 per cent, respectively.⁵

In the presidential elections of 18 February 2013, the incumbent, Serzh Sargsyan, was re-elected with 58.64 per cent of votes cast. The only serious alternative candidate, Raffi Hovannisyan of the Heritage party, received a remarkable 36.75 per cent of the vote.⁶ This was the result of his highly dynamic campaign, which resembled a US presidential campaign in terms of the public-relations effort; the increasing dissatisfaction of large segments of the population with the leadership and the difficult socio-economic conditions they were held responsible for; and the fact that none of the other parties represented in parliament had put forward a candidate of their own.

In its report, the mission sent by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) to observe the election characterized the election process as largely free and peaceful, and covered by the media in a balanced way, while simultaneously criticizing breaches of electoral law, the illegitimate exercise of influence, inaccurate registers of voters, and irregularities on polling days (multiple voting, vote buying, etc.). Many of these irregularities were documented by concerned citizens, NGOs, or the broadcaster GalaTV.⁷

Transport Infrastructure and the Economic Situation

Armenia's transport infrastructure (roads, railways, etc.) is in very poor shape. Many regional, cross-border, and cost-cutting infrastructure projects have been put on hold or cut back (partially for political reasons), which has increasingly placed the country in a deadlock from which it can only extricate itself by means of comprehensive political action. However, raising the capital necessary to modernize Armenia's derelict transport infrastructure would

by the business oligarch Gagik Tsarukyan, predictably did not put up its own candidate to stand against Serzh Sargsyan in the 2013 presidential election.

4 Negotiation of the Armenia-Turkey protocols, one aim of which was to open the borders, and which, though they were signed in Zurich on 10 October 2009, have not yet been ratified, thanks to Turkey's policy of obstruction.

5 Cf. *Results of the 2012 Armenian Parliamentary Elections*, Caucasus Elections Watch, 14 May 2012, at: <http://electionswatch.org/2012/05/14/results-of-the-2012-armenian-parliamentary-elections>.

6 Cf. *Armenian Elections: We have always known who the winner was going to be, but who are the losers?* Caucasus Elections Watch, 19 February 2013, at: <http://electionswatch.org/2013/02/19/armenian-elections-we-have-always-known-who-the-winner-was-going-to-be-but-who-are-the-losers>.

7 OSCE Office for Democratic Institutions and Human Rights, *Republic of Armenia, Presidential Election, 18 February 2013, OSCE/ODIHR Election Observation Mission, Final Report*, Warsaw, 8 May 2013, available at: <http://www.osce.org/odihr/elections/101314>.

require a fundamental reform of the Armenian economic system or borrowing from international financial institutions, though this would need Armenia to improve its credit rating and to place its trust in an economic model based on international norms. There is one exception: the construction of the North-South-Corridor from the Iranian-Armenian border at Meghri to the Armenian-Georgian border at Bavra, whose main investor is the Asian Development Bank. Yet Georgia has so far not been willing to declare its readiness to extend this corridor to the Black sea harbour of Batumi. This is a good example of how difficult it is for Armenia to overcome its deadlocked situation.

If the long overdue reforms of the Armenian economy are not carried out, the suffering of the Armenian people in terms of high unemployment, poverty (ca. 36 per cent are below the poverty line),⁸ and ineffective social security provision (health and pensions) is unlikely to lessen appreciably.

The increasing social dissatisfaction and the lack of opportunities for large parts of the Armenian population to earn an adequate living (e.g., sufficient to support a family) led many voters to support the opposition candidate Raffi Hovannisyan in the 2013 presidential election. Yerevan's seemingly lively and prosperous city centre scene and the casinos that line the main traffic arteries give a false impression to casual visitors who are not acquainted with the real economic situation that normal Armenian citizens have to face every day.

The dire economic situation – and consequently the poor prospects for even qualified professionals in the Armenian job market – has produced an ongoing brain-drain and is leading to further emigration. Approximately 1.8 million Armenians work in Russia, supporting the Armenian economy considerably with currency transfers amounting to 1.3 billion US dollars per annum – a figure that is rising. The socio-economic impact of this is worrying for the country, with negative side-effects for the development of a civil society that is much needed for a reversal of Armenian fortunes.

Customs Union and Military Co-operation

Armenia's recent turn away from Europe (as reflected in the presidential decision of 3 September 2013 to join the Russian-led Custom Union), which gambles with three years of progress in negotiations with the EU over the conclusion of an Association Agreement (including, centrally, a DCFTA), indicates that Vladimir Putin's "Russian renaissance", and the accompanying assertion of Russia's political, security, and economic interests in states that it considers to belong to its sphere of interest (including Armenia and, above all, Ukraine) are apparently well received by the Armenian leadership. This may be a result of a predisposition on the part of the long-established Arme-

8 Cf. Central Intelligence Agency, The World Factbook, Armenia, at: <https://www.cia.gov/library/publications/the-world-factbook/geos/am.html>.

nian ruling class, who were often educated in Moscow and tend to see a vertical power structure as the best means of guaranteeing the effective functioning of the state – to the exclusion, as much as possible, of a civil society that is critical or capable of criticism. It also shows that the interest-driven policies pursued by Putin seemingly reflect the interests of Armenia's political and economic leaders more closely than do the political (separation of powers, etc.) and economic reforms that are the goals of the Association Agreement with the EU (and would undermine the vested interests of the ruling elite). This analysis does not ignore Armenia's demand for a security guarantee with respect to the ongoing Nagorno-Karabakh conflict, which it believes can only be provided by Russia. It is unfortunate that the question of security is generally considered solely in military terms and that the economic situation is not considered to be an equally decisive factor for the security of a state. After all, it cannot be denied that Russia helped to bring about Armenia's political about-turn by offering a deal on the price of gas, which is bound to have influenced the decision of the Armenian president. The conditions of this gas deal have been severely criticized for the pricing mechanism as well as the complete takeover of the Armenian gas distribution system by Gazprom (reinforcing the Russian gas giant's monopoly position as a producer and distributor, and consequently undermining Armenia's previous efforts to diversify its sources of gas, e.g. by increasing its electricity exports to Iran and increasing the import of Iranian gas, which is a well established arrangement).

It is obvious that the Armenian president's decision to enter the Russian-dominated Customs Union was ultimately based on Russia's decisive influence over Armenian economic, financial, and security policy. Russia is the key economic player in the Armenian energy sector (Metsamor Nuclear Power Plant), in telecommunications, in banking, in mining (copper, molybdenum, uranium, gold, etc.), in railways (Russia holds the concession to operate the Armenian national rail system), and in the pipeline sector. In military terms, Armenia is more closely integrated with and dependent on Russia than is any other member of the Commonwealth of Independent States (CIS) and the Collective Security Treaty Organization (CSTO), e.g. in terms of military procurement. Following the signing of the 1995 treaty agreement on the Russian military base in Gyumri (which, in 2011, was modified and extended to run until 2044), a Russian-Armenian friendship pact was signed on 28 August 1997, sealing the "strategic partnership" between the countries. Armenia was one of the six CIS member states that signed the Treaty on Collective Security (CST) in May 1992, which was the basis for the creation of the CSTO in 2002.⁹ There are approximately 4,200 Russian troops stationed in Armenia (with a further build-up planned) along-

9 The Treaty on Collective Security was signed by Armenia, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, and Uzbekistan. Current CSTO members are Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia, and Tajikistan.

side a further 3,000 Russian border guards, whose task is to secure the Armenian borders with Turkey and Iran. At the heart of Armenia's national defence are Russian-made S-300 anti-aircraft missile systems (installed at three different sites), as well as 16 Russian MiG jet fighters, and Mi-24 and Mi-8 helicopters stationed at Yerevan. The above-mentioned security agreements also provide Armenia with access to Russian arms markets at "discount" prices.

It remains to be seen whether the president's decision to join the Russian-dominated Customs Union and hence to accept Russia's leadership role in terms of trade and economic policy will affect how Armenia co-operates with NATO. Thanks to its Individual Partnership Action Plan (IPAP) with NATO, close co-operation on security matters with individual NATO states including the USA, the UK, and Germany, and the assistance of these states in the drafting of the latest Armenian Strategic Defence Review, Armenia has made significant progress in restructuring its armed forces in recent years – a process that was also aided by its participation in peace-keeping operations in Kosovo and Afghanistan.

So far, Armenia has successfully performed the balancing act between being a member of the CSTO, on the one hand, and implementing the IPAP and participating in NATO-led peacekeeping missions, on the other. Had it proven possible in the 1990s, following the fall of the Berlin Wall and the dissolution of the Warsaw Pact, to agree on an overarching pan-European security architecture, the question of the co-operation of states such as Armenia with NATO would not have arisen (and would not have triggered counter-productive negative psychological reflexes in Russia).

Nagorno-Karabakh Conflict

The Nagorno-Karabakh conflict has existential importance for Armenia's political leadership and the majority of Armenia's political groupings (including the diaspora). In view of the Armenian genocide and in recollection of the pogroms already carried out in the Ottoman empire in the late 19th century, Armenia's current political leadership, as well as the former presidents of Armenia and members of the Karabakh Committee Levon Ter-Petrosyan and Robert Kocharyan and the vast majority of the Armenian diaspora (in Lebanon, Syria, Russia, France, and the USA), the ARF party and politicians such as Raffi Hovannisyan feel political pressure to consider the ceasefire line agreed in 1994 following the three-year war between Armenia and Azerbaijan over Nagorno-Karabakh as effectively non-negotiable in the national interest.¹⁰ It is unsettling that the Nagorno-Karabakh question was critically debated in neither the 2012 parliamentary elections nor the 2013 presidential election, and there was certainly no attempt at seriously consid-

10 The "blood price" paid being the lives of 25,000 soldiers and civilians and a million internally displaced persons.

ering whether a compromise solution should be sought. Since the Armenian media – with a few exceptions – are supportive of the state, there is also hardly any serious public debate about whether it may be necessary to seek a resolution of the conflict by means of mutual compromise.

Based on the constitution of the Soviet Union and the referenda that were carried out in 1991 (referendum on 10 December 1991 for the independence of Nagorno-Karabakh, which was proclaimed on 2 September 1991) and in 2006 (constitutional referendum of 10 December 2006), Nagorno-Karabakh considers itself as a subject of international law, which, as in the case of the Republic of Kosovo (or more so given the overwhelming support for independence and statehood expressed in the referenda), possesses the key constitutive features that go to make a state (national territory, people, public authority). The de facto regime in Nagorno-Karabakh, the Armenian government, and the majority of significant groupings in Armenian society (including a majority among the diaspora – represented by the ARF party, among others) take the “realpolitik” position that “diplomacy eventually ratifies what history has wrought and that as they have effected the de facto secession of Nagorny Karabakh from Azerbaijan and re-written the facts on the ground, this will eventually be recognized by the world at large”¹¹ (the so-called normative power of facts, which is also significant in international law), although “Azerbaijan almost certainly has the international muscle to keep the Armenian side in an insecure limbo and to prevent the recognition of the independence of Nagorny Karabakh”.¹²

Following the signing of the Meindorf Declaration (at Schloss Meindorf near Moscow) by the presidents of the two conflict parties and the Russian president, Dmitry Medvedev, under whose aegis the summit took place, Caucasus expert Alexey Malashenko argued that, objectively considered, there was no possible resolution of the conflict that would be satisfactory to all sides. That is why, according to Malashenko, it is so important that the parties meet regularly, even to sign non-committal documents, as this creates the beneficial illusion that some progress is being made towards resolving the conflict.¹³

Against the background of the Armenian genocide and the loss of territory to Kemalist Turkey in the period following the First World War,¹⁴ it is

11 Thomas de Waal, *Black Garden: Armenia and Azerbaijan through Peace and War*, New York 2003, p. 306.

12 Ibid., p. 307.

13 Cf. Alexey Malashenko, in: RBK Daily, 5 November 2008, cited in: Manfred Quiring, *Pulverfass Kaukasus: Konflikte am Rande des russischen Imperiums* [Caucasus Powder Keg: Conflicts on the Edge of the Russian Empire], Berlin 2009, p. 79.

14 Although the Treaty of Sévres, between the Ottoman empire and the victorious powers in the First World War, established an independent “Greater Armenia”, much of this territory was later lost following the Turkish-Armenian War of 1920. In the Treaty of Moscow of 16 March 1921, Soviet Russia acknowledged Turkish sovereignty over Kars, Ardahan and Artvin, while the 1923 Treaty of Lausanne granted Eastern Anatolia (i.e. the Armenian Highlands) to Turkey.

difficult for Armenia to make any further “territorial concessions”. Furthermore, the loss of Nakhchivan, which had a majority Armenian population up until 1914, and the cruelties and destruction of Armenian architectural heritage that followed, have rubbed salt in Armenia’s wounds.

Turkey’s behaviour, the above-mentioned territorial losses in Eastern Anatolia and the South Caucasus, and Stalin’s deportation of Armenians who had returned to their “homeland” following the Second World War have given Armenians a deep and fundamental fear of persecution and injustice. That is why Armenians are nervous about risking the current status quo, which has ostensible benefits for Armenia, in favour of a compromise that may prove to have negative consequences (e.g. in terms of security) for the populations of Armenia and Nagorno-Karabakh.

It is unfortunate that “some Armenian political forces take the view that a continuation of the status quo will guarantee the political results gained by the victory on the battleground in 1994 [author’s note: Azerbaijan’s loss of control over Nagorno-Karabakh, seizure and occupation of seven surrounding districts by Armenia], in the hope that a Kosovo-style approach which allows for the self-determination of the people of Nagorno-Karabakh will be applied sooner or later”.¹⁵ Azerbaijan spends over three billion US dollars annually on defence alone, which exceeds the entire Armenian state budget. The Azerbaijani leadership also seems confident of its ability to conquer Nagorno-Karabakh.¹⁶

The current arms race, which is powered by Azerbaijani gas and oil revenues, has the most egregious effect on the ceasefire agreement concluded in 1994, which Sargis Ghazaryan characterizes as “a self-regulated, precarious and vulnerable ceasefire without any inter-position force having been interposed between Nagorno-Karabakh and Azerbaijani troops”.¹⁷ The arms race between the conflict parties, which bears no proportion to their financial capabilities, has an alarming impact on the geopolitical balance in the region.¹⁸

Arms suppliers such as Israel, Turkey, Ukraine, Belarus, and Russia (particularly the latter, given its role as co-chair of the Minsk Group) need to deal more intensively with the question of the extent to which they can continue to try to bottle up the “militaristic genie” they are inevitably encouraging with their arms deliveries. And Russia, in particular, needs to bear in

15 Sargis Ghazaryan, Background: Setting the Political Stage, in: Michael Kambek/Sargis Ghazaryan (eds), *Europe’s Next Avoidable War: Nagorno-Karabakh*, pp. 10-23, here: p. 21. Cf. also: Thomas de Waal, Remaking the Nagorno-Karabakh Peace Process, in: *Survival* 4/2010, pp. 159-176, here: p. 160.

16 Cf. Ghazaryan, cited above (Note 15), p. 21. Cf. also Hans-Joachim Schmidt, Could War Return to Nagorno-Karabakh? In: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2011*, Baden-Baden 2012, pp. 167-180, here: p. 172.

17 Ghazaryan, cited above (Note 15), p. 21.

18 Cf. *ibid.*

mind the fate of the sorcerer's apprentice, who summoned spirits he could not control.

The arms race is also a misallocation of resources that are urgently required to improve the quality of life of the populations of both countries, as well as their crumbling infrastructure (including efforts to integrate more than one million internally displaced persons, which have so far failed, at least in part for political reasons).

The international community needs to step up its efforts to deal with the Nagorno-Karabakh conflict.

Since the failure of the "presidential summit" held in Kazan in June 2011 to produce the expected breakthrough (there had been much hope of an agreement on the "Madrid Principles", elaborated by the co-chairs of the Minsk Group as the basis for negotiations towards a peace treaty), the Nagorno-Karabakh negotiations have been treading water. In particular, it proved impossible to implement confidence-building measures that had previously been agreed between the parties to the conflict under Russian auspices (e.g. withdrawal of snipers, establishment of an expanded mechanism for the investigation of incidents along the line of contact). This would have required the expansion (in terms of personnel and funding) of the OSCE monitoring team, led by the Personal Representative of the OSCE Chairman-in-Office, to enable it to investigate incidents at the line of contact in addition to monitoring the ceasefire. During the relevant OSCE budget consultations in 2013, Azerbaijan torpedoed the financing of the confidence-building measures agreed at Sochi in January 2012, which made it clear just what the real value was of such "presidential" agreements, prepared well in advance by the co-chairs.

The Safarov affair was another major blow to the creation of urgently needed mutual trust in the faltering Nagorno-Karabakh negotiations. In 2004, Ramil Safarov, an Azerbaijani army officer, murdered a sleeping Armenian officer with an axe while both were attending an English course in Hungary run under the NATO Partnership for Peace programme. He was sentenced to life imprisonment and given a term to serve of no less than 30 years. In August 2012, Safarov was extradited by Hungary to Azerbaijan, where he was greeted as a hero and, contrary to the agreed arrangements, not only immediately pardoned but also promoted.

Armenia's envisaged and repeatedly announced resumption of flights between Yerevan and the modernized airport in Stepanakert is a further stumbling block – from Azerbaijan's perspective, the pouring of oil on an already blazing fire. Armenia and Nagorno-Karabakh have so far refrained from starting flights between the two cities, though they have agreed to them in principle. Interestingly, Armenia and Nagorno-Karabakh never tried to disrupt flights between Baku and Nakhchivan. The resumption of air traffic between Nagorno-Karabakh and Yerevan will ease the lot of the long-suffering population of Nagorno-Karabakh. Because of the political pressure

exerted on Armenia by the co-chairs of the Minsk group, the resumption of flights out of Stepanakert has been adjourned indefinitely.

It remains to be seen to what extent the Nagorno-Karabakh conflict-resolution process, which has clearly reached an impasse, or the Minsk Group and its co-chair format, can achieve the goal it has set itself, namely “to reach a framework agreement for the settlement of the Nagorno-Karabakh conflict in line with the L’Aquila (2009), [...] Muskoka (2010) [...] and Deauville (2011) [...] [author’s note: the latter on the eve of the trilateral presidential summit in June 2011] G8 joint statements by the presidents of France, Russia and the United States”¹⁹ in the foreseeable future.

The L’Aquila, Muskoka, and Deauville statements are high-profile joint political declarations by the Minsk Group co-chairing countries France, Russia, and the United States, specifying the basic principles for the ultimate resolution of the conflict. Commonly known as the Basic (or Madrid) Principles, they were first presented to the Armenian and Azerbaijani foreign ministers at the OSCE Ministerial Council in Madrid in November 2007. In line with the principles of the 1975 Helsinki Final Act – namely refraining from the threat of or use of force, territorial integrity, and equal rights and self-determination of peoples – they include the following six elements for the conflict’s settlement: “return of the territories surrounding Nagorno-Karabakh to Azerbaijani control; an interim status for Nagorno-Karabakh providing guarantees for security and self-governance; a corridor linking Armenia to Nagorno-Karabakh [author’s note: the so-called Latchin corridor]; future determination of the final status of Nagorno-Karabakh through a legally binding expression of will; the right of all internally displaced persons and refugees to return to their former places of residence; and international security guarantees that would include a peacekeeping operation.”²⁰ The peacekeepers would certainly need a “robust mandate” in view of the passions that have been aroused by the indoctrination of sections of the population of both countries, including by means of educational programmes that run counter to the politically desirable de-escalation of an ideologically “poisoned” population.

The Deauville Declaration again stresses that “only a negotiated settlement can lead to peace, stability, and reconciliation” and that the “use of force [...] would be condemned by the international community”.²¹ The ex-

19 Ibid., p. 22.

20 The White House, Office of the Press Secretary, *Joint Statement on the Nagorno-Karabakh Conflict*, by U.S. President Obama, Russian President Medvedev, and French President Sarkozy at the L’Aquila Summit of the Eight, July 10, 2009, 10 July 2009, at: http://www.whitehouse.gov/the_press_office/Joint-Statement-on-the-Nagorno-Karabakh-Conflict/. Cf. also Ghazaryan, cited above (Note 15), pp 22-23, and Schmidt, cited above (Note 16), p. 167.

21 *Joint Statement on the Nagorno-Karabakh Conflict* by Dmitry Medvedev, President of the Russian Federation, Barack Obama, President of the United States of America, and Nicolas Sarkozy, President of the French Republic at the Deauville Summit of the Eight, 26 May 2011, at: <http://www.osce.org/mg/78195>.

tent to which a self-confident oil state like Azerbaijan – which is continuing to build up its military strength and believes it has the right to restore the status quo ante as soon as possible – will be impressed by such a warning is questionable.

The presidential summits between the Nagorno-Karabakh conflict parties held between 2008 and 2012 and moderated by the then Russian president Dmitry Medvedev made it abundantly clear that there can be no lasting resolution of the Nagorno-Karabakh conflict, if the political leaderships of the conflict parties are not willing:

- not only to work seriously to reach a compromise solution that takes account of the interests of both sides, but to actively seek to bring this about politically (good examples of cases where political courage guided action include post-war reconciliation and rapprochement between Germany and France and Germany and Poland, and Charles de Gaulle's policy of granting Algeria "independence" despite vehement domestic opposition);
- to prepare the populations on both sides for the necessity of reaching a compromise and to take the political risk of convincing them of this (as well as refraining from a build-up of arms that is damaging to the prospects of conflict resolution, and from sabre-rattling statements that contradict in action the supposed political desire to achieve a resolution).

There are a number of further points missing from the catalogue contained in the above-mentioned L'Aquila declaration that need to be taken into account in the Nagorno-Karabakh negotiation process:

- the explicit inclusion of the Nagorno-Karabakh Republic as a party in the negotiating process (at present it is only included indirectly via the mediation talks regularly held by the co-chairs in Stepanakert; Nagorno-Karabakh was included as a party in the ceasefire agreement of 1994 and took part in the mediation talks held when Robert Kocharyan was president of Nagorno-Karabakh during the 1990s);
- the conclusion of a nonviolence agreement between Azerbaijan, Armenia, and Nagorno-Karabakh; and
- the abandonment of nationalistic hate propaganda on all sides as a form of "verbal disarmament" and confidence-building measure in the spirit of the Helsinki Final Act.²²

22 Cf. Otto Luchterhandt, Berg-Karabachs Selbstbestimmungsrecht: Begründung und praktische Folgerungen [Nagorno-Karabakh's Right to Self-Determination: Its Basis and Practical Consequences], in: Vahram Soghomonyan (ed.), *Lösungsansätze für Berg-Karabach/Arzach: Selbstbestimmung und der Weg zur Anerkennung* [Solutions for Nagorno-Karabakh/Artsakh: Self-Determination and the Path to Recognition], Baden-Baden 2010, pp. 11-78, here: pp. 70-71.

- It remains to be seen whether the “historical” meeting of the Armenian and Azeri presidents in Vienna on 12 November 2013 has been conducive to at least reinvigorating the Nagorno-Karabakh peace process and breaking the vicious circle that has left both sides the prisoners of their own national posturing. The meeting was brokered by the Minsk Group of the OSCE, and has since been followed by further meetings of the Armenian and Azeri foreign ministers (e.g. at the OSCE Ministerial Council Meeting in Kiev on 5 December 2013) as well as visits to the region by the co-chairs. The 2014 Swiss OSCE Chairmanship also plans to attempt to overcome the stalemate in Nagorno-Karabakh by means of supplementary conflict-resolution initiatives planned to coincide with the 20th anniversary of the Nagorno-Karabakh ceasefire agreement.

The Armenian Apostolic Church

Over centuries, the Armenian Apostolic Church was the “cement” that held the Armenian people together, as well as the surrogate for a state that was either weak or entirely absent. However, in terms of the creation of a civil society that is capable of articulating the needs of the people and effectively representing and defending their interests, for which the need is greater than ever, it is unfortunate that this church has never regarded itself as a counterweight to the state, and hence is unwilling to act as a mouthpiece for disadvantaged citizens by supporting urgently needed social and economic reforms. The church can likewise be criticized for the role it has played in the Nagorno-Karabakh conflict, where it failed to actively support a compromise solution in the interests of both peoples. It would be helpful for the formation of a “mature” civil society if the church’s leadership were to take a position that was less “system-immanent” and more focused on improving the lot of a population many of whom are in dire need.

Armenian-Turkish Relations

Following the war between Georgia and Russia in August 2008, the hope was raised that the Turkish-Armenian border, which is, since the fall of the Berlin Wall, one of the last highly negatively symbolic remnants of the Cold War in Europe, could also “be brought down”. This was to be accomplished by means of the negotiation and conclusion of the Armenia-Turkey protocols (which were signed in Zurich on 10 October 2009) and the subsequent establishment of diplomatic relations “without preconditions”. In practice, this would have entailed the opening of the border to people and goods and the establishment of a cross-border energy network (in view of Armenia’s potential over-production of energy, a significant source of revenue), which would have followed the removal of the sanctions imposed by Turkey following the 1991-1994 Nagorno-Karabakh War.

The opening of the border with Turkey is one means by which Armenian could liberate itself from the isolation that causes it so many problems. The “football diplomacy”, which saw the Turkish and Armenian presidents attend World Cup qualification games between their national teams, was seen as a catalyst of improvements in relations between the two countries. However, this revealed itself as unable to fulfil its much-touted potential when, following the conclusion of the protocols, Turkey, against the backdrop of strong Azerbaijani criticism and keen to avoid damaging Turkish interests by alienating Azerbaijan, the major “new” energy player in the region (as well as a “brother in faith”), refused to ratify the protocols,²³ the signing of which (in the presence of the foreign ministers of the USA, Russia, France, and Switzerland as well as the EU High Representative on Common Foreign and Security Policy), had already been a cause of political disagreement.

The Turkish proposal (made by Prime Minister Recep Tayyip Erdoğan at the time of the South Ossetia War) to negotiate a Caucasus Stability and Co-operation Pact was quickly revealed to be a political non-starter.

It is regrettable that the temporary rapprochement between Armenia and Turkey characterized as “football diplomacy” was stillborn. All the more so since Armenia’s president no longer demanded the Turkish recognition of the Armenian genocide as a *conditio sine qua non* for the establishment of diplomatic relations (according to a statement he made on television in September 2008).

One recent encouraging sign is the number of events that have been held bringing together people from Turkey and Armenia for discussion and cultural exchange. These have been supported by numerous NGOs, political foundations, and institutions such as the German Adult Education Association (*Deutscher Volkshochschulverband*). Their aim is to ease the tensions in Armenian-Turkish relations while also making a vital socio-political contribution to dealing with the terrible historical legacy. It is to be hoped that such initiatives will also indirectly have a positive impact on the two nations’ executives – particularly on the Turkish one, which continues to act in a doggedly autistic manner and seems not be able to assume moral responsibility for the genocide committed during the Ottoman empire.

Turkey, in striving to play the role of a regional power in the Southern Caucasus (on the basis of a political strategy adopted shortly after the war between Georgia and Russia in 2008), should have the political courage to reach out to Armenia and its people, who suffered tremendously from Turkish persecutions at the end of the 19th century and in 1915. This could lay the foundations for regional co-operation in the Southern Caucasus while also stabilizing the precarious security situation there. Cross-border internet platforms could also help to overcome the “speechlessness” regarding the recog-

23 Armenia’s reaction to the Turkish refusal to ratify was to put its own ratification process “provisionally” on ice.

dition of the Armenian genocide and to bring about the politically necessary catharsis that comes from dealing with the past.

In view of the forthcoming centenary commemoration of the genocide, Armenia will once again make a dedicated effort to find allies in the international community willing to persuade Turkey to acknowledge the genocide committed on the Armenian people. As a consequence, Turkey will place pressure on its “allies”, “brothers in faith”, and trading partners to reject Armenia’s bid for international acknowledgement of the genocide. In contrast to Germany, which has recognized (or was required to recognize – as the price of readmission to the international family of nations) its guilt and responsibility for the genocide of the Jews in the Holocaust, Turkey has so far eluded acknowledging the well-documented genocide that almost led to the “annihilation of the Armenian people in Anatolia”.²⁴

If efforts to open the border had succeeded, this would in all probability have had a positive effect on the development of Armenian trade and economic relations with Turkey and the European Union (Turkey and the EU are in a customs union). The opening of the border would have forced the Armenian economy to improve its competitiveness (and reform competition law) as a result of economic and trade competition from abroad. Opening the border might also have had a positive effect on the way Armenia dealt with the Nagorno-Karabakh negotiations, which were politically deadlocked.

Turkey’s demand, made after the initialling of the Armenian-Turkish negotiation protocols on the eve of the day of memorial for the Armenian genocide (commemorated on 24 April 2009), that the border only be opened once Armenia had withdrawn (in part or fully) from the occupied areas around Nagorno-Karabakh was immediately and unambiguously rejected as diametrically opposed to the premise of the negotiations, which was to establish diplomatic relations “without preconditions”. Armenia is determined that the Turkish attempt to create a linkage between Armenian withdrawal from the occupied territories and the opening of the Armenian-Turkish border is politically unacceptable.

It remains to be seen whether Switzerland will succeed, when it holds the OSCE Chair in 2014, in creating movement in Armenian-Turkish relations and the Nagorno-Karabakh conflict-resolution process. The so-called “frozen conflicts” are one of Switzerland’s priorities for its OSCE Chairmanship.

24 *Erinnerung und Gedenken an die Vertreibungen und Massaker an den Armeniern 1915 – Deutschland muss zur Versöhnung zwischen Türken und Armeniern beitragen* [Remembering and Commemorating the Expulsion and Massacre of the Armenians in 1915 – Germany Must Contribute to Reconciliation between Turks and Armenians], Antrag der Fraktionen SPD, CDU/CSU, Bündnis 90/Die Grünen und FDP [Motion by the parliamentary groups of the SPD, CDU/CSU, BÜNDNIS 90/DIE GRÜNEN and FDP] German Bundestag, Drucksache 15/5689, 15 June 2005 [author’s translation].

In view of its isolation, it is vital for Armenia to place its political and economic/energy policy co-operation with Iran on a solid basis that will also allow for future expansion.

Iran, which is home to both Azeri and Armenian minorities, which shares a border with Afghanistan and is used as a transit country for drug trafficking, and which is also a potential regional power in the Gulf region and the South Caucasus, is assuming an increasingly important role in regional politics. This is not surprising, given its historical record of involvement in the South Caucasus/Caspian region, including Nagorno-Karabakh. This is reflected in the lively exchange of diplomatic visits between Armenia and Iran, and can be seen in the number of Iranian licence plates visible on the streets of Armenia (both goods vehicles and tourist cars).

Armenia also hopes that agreement on an Iranian nuclear programme that would serve exclusively peaceful ends will lead to a de-escalation of the continuously deteriorating situation in Syria. The growing exodus of Syria's Armenian Christian minority (who numbered ca. 140,000 before the outbreak of the civil war) means that Armenia is facing a growing refugee problem. Given the tense situation in the country and the poor state of the job market, Armenia will be hard pressed to integrate them rapidly and smoothly into its struggling social structures.

The Armenian diaspora in Iran provides a promising means for intensifying co-operation between the two countries, which is in the interests of both parties (e.g. supply of Armenian electricity in return for gas and oil, tourism, export of agricultural products such as mutton). The 5+1 talks on Iran's nuclear programme are therefore vital for Armenian interests, thanks to the trade sanctions imposed by the USA and the EU on Iran, which affect Armenian economic and trade relations and the financial-services sector. A relaxation or end of the sanctions regime would revive economic and trade relations between Armenia and Iran.

The Parliamentary and Presidential Elections 2012-2013

The Armenian parliamentary elections of 6 May 2012 and the presidential elections of 18 February 2013 were conspicuous by the lack of debating "fireworks". The blame can be laid at the feet of the existing party structure and Armenia's largely apolitical civil society. There were no televised debates between the presidential candidates or leaders of the major parties.

The following foreign-policy topics played no perceptible role in the election campaigns:

- the Armenian-Turkish normalization process,
- the Nagorno-Karabakh conflict/the conflict-settlement process,
- European Neighbourhood Policy and Eastern Partnership/conclusion of an Association Agreement (including a DCFTA),
- accession to the Eurasian Union/Customs Union, and
- EU-Armenia visa regime liberalization.

It is highly problematic that the key political actors do not allow Armenian citizens to have a say in key foreign policy decisions that have a major impact on society.

There was also little public debate of domestic issues such as

- the political instrumentalization of the judiciary,
- growing income disparity,
- the precarious social situation (unemployment, unsustainable health and social security systems),
- increasing migration/brain drain (lack of job prospects),
- the growing urban/rural divide (60 per cent of GNP is generated in the Yerevan region), and
- corruption and the ongoing oligarchization of the economy.

Nonetheless, a number of NGOs have denounced cases of corruption, environmental damage caused by mining, the construction of ecologically questionable power stations, and damage to buildings in Armenia's few remaining old towns. A key role in this has been played by the rapid spread of internet use, which is a potential catalyst for the formation of "civic consciousness" and the articulation of opinions on socio-political issues. The 2012 and 2013 election campaigns do thus indicate that information technology can be used successfully to place issues on the political agenda.

It is encouraging that, following the events around the 2008 presidential elections, the executive has successfully undertaken to provide for equal access for party representatives to TV and radio air time²⁵ and to resolve legal issues relating to the freedom of assembly and the right to demonstrate.²⁶

Before both elections, the OSCE, the EU, the Council of Europe, and numerous political think tanks and NGOs funded programmes designed to

25 Cf. OSCE Office for Democratic Institutions and Human Rights, *Republic of Armenia, Presidential Election, 18 February 2013, OSCE/ODIHR Election Observation Mission, Final Report*, cited above (Note 7), pp. 1-2, 14-16; OSCE Office for Democratic Institutions and Human Rights, *Republic of Armenia, Parliamentary Elections, 6. May 2012, OSCE/ODIHR Election Observation Mission, Final Report*, Warsaw, 26 June 2012, pp. 2, 14-17, at: <http://www.osce.org/odihr/91643>.

26 Cf. OSCE Office for Democratic Institutions and Human Rights, *Republic of Armenia, Presidential Election, 18 February 2013, OSCE/ODIHR Election Observation Mission, Final Report*, cited above (Note 7), p. 4; OSCE Office for Democratic Institutions and Human Rights, *Republic of Armenia, Parliamentary Elections, 6. May 2012, OSCE/ODIHR Election Observation Mission, Final Report*, cited above (Note 25), pp. 5, 11-13.

ensure that the polls would be held in line with internationally recognized electoral standards. They also gave training to local election monitors, to election commissions (on the correct application of electoral law), and to police on legal issues relating to freedom of assembly and the right to demonstrate.

Sadly, the disentanglement of politics and business – a goal often cited before the elections – was not realized. Thanks to the use of a majoritarian (first-past-the-post) system for a proportion of constituencies in Armenian parliamentary elections, members of the oligarchical class again succeeded in gaining a major influence in parliament.

As long as it is not possible to accomplish the following goals, it will remain difficult to encourage the development of a politically active, effective, and broad-based civil society in Armenia and to create a state that will be both effective and viable in the long term:

- to raise the majority of the population out of poverty,
- to disentangle politics and business.
- to “install” a free-market economy that takes effective account of the interests of small and medium-sized enterprises (with a judiciary that does not feel compelled to take account of the interests of the powerful in its decision making but acts solely according to its obligation to the law),
- to strengthen the independence of the judiciary,
- to seriously and effectively combat corruption,
- to make sustainable improvements to the education system, ensuring that the future elite is formed in a socially just way, and to provide the necessary financial means for this (also covering secondary education and not just the tertiary sector), and
- to counteract the brain drain by creating adequate employment opportunities.

The parliamentary and presidential elections gave President Sargsyan and his Republican Party a strong mandate to take a courageous approach to tackling existing domestic and foreign policy challenges.

In its final report on the 6 May 2012 parliamentary elections, the ODIHR Election Observation Mission concluded that “the elections [...] were held under an improved legal framework [...] and] characterized by a competitive, vibrant and largely peaceful campaign, which was, however, marked by a low level of confidence in the integrity of the process”.²⁷ In a statement on the 18 February 2013 presidential elections, the representatives of the OSCE/ODIHR, the Parliamentary Assembly of the Council of Europe

27 OSCE Office for Democratic Institutions and Human Rights, *Republic of Armenia, Parliamentary Elections, 6 May 2012, OSCE/ODIHR Election Observation Mission, Final Report*, cited above (Note 25), p. 1.

(PACE), and the European Parliament, concluded that “Armenia’s presidential election was generally well-administered and was characterized by a respect for fundamental freedoms, including those of assembly and expression”.²⁸ The statement went on to strike a more critical note: “At the same time, [...] a lack of impartiality on the part of the public administration and the misuse of administrative resources resulted in a blurred distinction between the activities of the state and those of the ruling party.”²⁹

The observers confirmed that there have been clear improvements in the electoral process since the previous presidential elections. According to Karin Woldseth, head of the PACE delegation, noteworthy progress could be seen in many areas, including the media environment and the legal framework.³⁰

The final reports of the ODIHR Election Observation Missions on the parliamentary and presidential elections were published on 26 June 2012 and 8 May 2013, respectively. They give a well-documented factual analysis of the electoral process, and its inefficiencies and deficits, including recommendations on where and how the quality of elections should be further raised in the future.

Representatives of NGOs and the media have frequently drawn attention to and criticized ballot-stuffing, the use of removable ink (thereby failing to prevent double voting), problems with electoral registers (despite their being available online for “anyone” to inspect), vote-buying, etc. One problem is the identification of infringements of electoral law. The OSCE election observation mission can only criticize infringements that are substantiated, i.e. can be documented as a breach of election law in a way that has legal significance.

In view of the association with the EU, which Armenia had been seeking for some time, as well as the EU’s “more for more” policy (increasing EaP funding in return for targets being achieved), it was important for Armenia that both the parliamentary and presidential elections passed the democracy test, broadly speaking, in the eyes of the EU and the OSCE.

As the Danish philosopher Søren Kierkegaard wrote: “It is really true what philosophy tells us, that life must be understood backwards. But with this, one forgets the second proposition, that it must be lived forwards.”³¹ Armenia needs to liberate itself from the role of victim and from backwards-

28 OSCE Office for Democratic Institutions and Human Rights, Press Release, *Armenian election generally well-administered with fundamental freedoms respected, but some key concerns remain, international election observers say*, Yerevan, 19 February 2013, at: <http://www.osce.org/odihr/elections/99676>.

29 Ibid. Cf. also OSCE ODIHR/Parliamentary Assembly of the Council of Europe/European Parliament, International Election Observer Mission, Republic of Armenia – Presidential Election, 18 February 2013, Statement of Preliminary Findings and Conclusions, Yerevan, 19 February 2013, pp. 1, 2, at: <http://www.osce.org/odihr/elections/99675>.

30 Cf. OSCE Office for Democratic Institutions and Human Rights, Press Release, cited above (Note 28).

31 Søren Kierkegaard, *Journalen [Journals] JJ:167 (1843)*, in: *Søren Kierkegaards Skrifter [The Writings of Søren Kierkegaard]*, Copenhagen 1997, volume 18, p. 306 [translation by Palle Jorgensen].

looking patterns of thought. Without sustainable reform of the systemic barriers that stand in the way of healthy economic and societal development, and a visionary settlement of the still smouldering Nagorno-Karabakh conflict, Armenia is unlikely to be able to free itself from the “Babylonian captivity” in which it appears to be sinking ever more deeply. This has the consequence of causing it to fall ever further behind its South Caucasian neighbours Georgia and Azerbaijan in terms of socio-economic development. The conclusion of an Association Agreement (including a DCFTA) and the opening of the border to Turkey would have certainly created enormous challenges for the Armenian economy and political system, yet successfully dealing with these challenges could have permanently improved the socio-economic conditions of the long-suffering and disaffected Armenian population.

Concluding Remarks

Questions of security policy in the South Caucasus are decisively influenced by Russia, Turkey, and Iran, all of which have key interests in the region. Armenia has been able to create a stable basis for its relations with two of these regional powers – the exception being Turkey – with trade and energy deals (importing oil, exporting electricity), and tourism playing the key roles in Armenia’s bilateral co-operation relations. Following the 2008 South Ossetia War, the EU, via its ENP/EaP and the related negotiations over an Association Agreement (including a DCFTA), started to play a more prominent role as a partner for co-operation and an initiator of political, economic, and trade reform programmes in the South Caucasus, where it is becoming an ambitious political player. Though the EU was successful in using its Monitoring Mission (EUMM) in Georgia to raise its profile as a security policy actor at the Georgian-Russian border, it could not perform a similar manoeuvre with regard to Armenian-Azerbaijani relations. While the three co-chairs of the OSCE Minsk Group regularly hold political discussions in Stepanakert, the EU’s Special Representative for the South Caucasus does not. The EU has managed to make itself Azerbaijan’s political hostage and has so far failed to participate effectively in the Nagorno-Karabakh conflict-resolution process by conducting political discussion and assistance programmes with relevance for conflict resolution within the conflict region itself. The EU’s attempt to reduce the potential for conflict between Armenia and Azerbaijan in the medium term (in imitation of the long-term Franco-German and German-Polish conflict settlement processes) by means of regional assistance programmes, Association Agreements that are almost identical in terms of content for Armenia and Azerbaijan, and cross-border co-operation initiatives, undertaken within the framework of the EaP, has proved illusory. At the EaP summit in Vilnius in November 2013, only Georgia and

the Republic of Moldova initialed Association Agreements (though the summit was overshadowed by Ukraine's last-minute refusal to do so).³²

The EU's attempt to raise its political profile in the South Caucasus by concluding Association Agreements appears to have failed for the time being. This follows the earlier bitter blow to the EU's hopes of establishing itself as a player in the energy pipeline business (and simultaneously gaining an advantage over Russia in the South Caucasus) that was represented by the collapse of the Nabucco pipeline project.

A matter of decisive significance for the EU is how it can succeed in reaching agreement with Russia over the various goals of its neighbourhood policies in Russia's "back yard". Russia is likely to continue for some time to seek to tie countries such as Armenia to itself out of both historical and security considerations.

As co-chair of the Minsk Group, Russia's interests mean it will continue to have no genuine and constructive interest in finding an "ultimate" resolution to the Nagorno-Karabakh conflict that takes account of both the facts on the ground (in view of their normative power) and the interests of both sides. Russia appears to consider the precarious "balance of strengths" at the line of contact to be more in line with its interests than the attachment of countries such as Armenia to the EU. As long as the Nagorno-Karabakh conflict remains unresolved, the current Armenian leadership will continue to see Russia as an indispensable guarantor of security, and Russia takes advantage of this dependency.

As long as Russia does not accept that the co-operation of states such as Armenia with the EU can be understood as a win-win situation, the Putin regime is likely to continue to push ahead with the project of a Eurasian Union/Customs Union. Russia considers the EaP to be a rival project, and the affected states are considered part of Russia's "sphere of influence". The idea, propounded for a time, of establishing four EU-Russia "common spaces" – in the areas of the economy; freedom, security, and justice, including the free movement of people; external security; and research and education – which has never been realized in the form originally intended, would provide an opportunity to "neutralize" the conflict potential provoked by the EaP, which "irritated" Russian interests not so much by stressing free trade but rather by focusing on the need for fundamental changes in the judiciary, introducing a coherent market economy system based on competition rules, and promoting human rights as a precondition for the establishment of a vigorous civil society.

As a result of Armenia's dependence on Russia in the fields of security, energy, finance, economic, trade, and banking policy; bearing in mind the 1.8

32 This despite the fact that negotiations on the textual details of an Association Agreement with Armenia were concluded in July 2013. As far as Ukraine's refusal is concerned, cf., for example, RFE/RL, Ukraine, *EU's Eastern Partnership Summit Opens Amid Ukraine Tensions*, 28 November 2013, at: <http://www.rferl.org/content/ukraine-eu-yanukovych-vilnius-partnership-summit/25182851.html>.

million Armenian migrant workers in Russia, and their considerable value their remittances have for the Armenian economy; and in view of the cross-border financial flows between Armenian and Russian enterprises, President Sargsyan executed a political about-turn on 3 September 2013 by announcing Armenia's intention to join the Russian-dominated Customs Union. This decision could also be interpreted as a decision in favour of the continuation of economic clientelism (and against the introduction of a free market in line with EU competitiveness principles).

This about-face can be considered as a sign that Armenia appears to be unready to seriously and "radically" engage with the political and economic reforms associated with a closer treaty relationship with the EU and to push these reforms through against institutional opposition from a ruling elite determined to protect its vested interests, i.e. to pursue policies that would amount to a fundamental restructuring of the oligarchic economic system and would lead to major changes affecting the vested interests of Russian and Armenian businesspeople. Furthermore, in countries like Armenia, there is little desire to become subject to the EU's canon of values (democracy and electoral standards, the freedom of the judiciary from political interference, an economic system based on competition, public tendering processes free of corruption, etc.).

With Russia exerting pressure in the areas of energy, trade, and security to deter ex-Soviet countries from making deals with the EU (such as EU Association Agreements), it will be interesting to see how Armenia and the EU will be able to implement the joint statement issued at the EaP summit in Vilnius on 29 November 2013, i.e. to pursue EU-sponsored programmes aimed at "large scale reforms" in the areas of the economy, fighting corruption, and further developing civil society. It has been difficult for Armenia to understand that it is impossible to simultaneously benefit from increased EU financial support (according to the more-for-more principle) and the advantages of a far-reaching EU Association Agreement (with a focus on transforming state structures and developing civil society) and to accede to the Customs Union (dominated de facto by Russia), which looks like developing into a Eurasian Union from 2015.

The German-backed EU approach of fostering cross-frontier (sub-) regional structures in the fields of transport, energy, trade, and the economy and thus creating a Southern Caucasus regional structure conducive to co-operation among the countries of the Southern Caucasus and with neighbouring countries, and consequently leading to a diminution of tension in that area, has, for the time being, been thwarted, primarily by Turkey and Russia, as well as the South Caucasus States and their stubborn-mindedness.

The extremely limited international presence along the line of contact between the occupied territories and Azerbaijan is problematic. It is also troublesome that one of the two conflict parties is not prepared to approve confidence-building measures that would serve to de-escalate the conflict,

such as the withdrawal of snipers, the establishment of a conflict-monitoring scheme (a step down from the conflict-prevention scheme that Russia and Georgia agreed in relation to their conflict over South Ossetia), the opening of the border to local traffic, and the provision of access to municipal services (water, power) to residents in the border area.

Finally, the international community (including the OSCE) deserves criticism for failing to condemn unequivocally the disproportionate build-up of arms in Armenia and Azerbaijan that is diametrically opposed to a conflict settlement and contradicts the expressed political goal of refraining from supplying weapons to trouble spots. The extensive deliveries of arms by countries including Israel, Russia, and Turkey are politically counterproductive, as they raise tensions considerably in an already precarious situation, and have a negative effect on the security climate in the South Caucasus as a whole.

Kazakhstan: Will Conservative Modernization Succeed?

Democracy and the rule of law play an important role in the OSCE, at least in official documents. In practice, however, the Organization has long accepted that there will be no democratization or rule of law in a number of participating States – at least not in the short to medium term. Nonetheless, from time to time calls for democratic change are still made to take advantage of “windows of opportunity”. The rarity of such occurrences, one recent example being Kazakhstan’s bid for the OSCE Chairmanship, demonstrates how the balance of power has shifted between the democratic and authoritarian states in the OSCE.

While, by signing the Charter of Paris, the Central Asian states professed that democracy is the only legitimate system of government, at that time no one could have foreseen the domestic effects that democratization and privatization would bring with them. Furthermore, there were fundamental differences between the early 1990s and today in terms of both the domestic and foreign policy situation. As regards the latter, the states of Central Asia were at that time significantly more dependent on the West than they are at present, both economically and on an ideological and symbolic level. In economic terms, they required development assistance and foreign direct investment. Most of the states had compensated for the sudden disappearance of the Soviet model of modernization as an ideological resource by turning to the tripartite Western model of democracy, the market economy, and civil society. Finally, the new states also needed the symbolism of foreign recognition to strengthen their domestic position. All these factors provided the Western states with sources of power to influence the domestic affairs of the Central Asian countries – sources that have now largely run dry. Not only are many of the states financially independent, but they have created their own symbolic orders in which democracy no longer plays a major role. While the Western states certainly remain economically important for Central Asia, a range of alternative partners has emerged, including China and Iran, who offer not even the slightest incentives for democratization.

Against this background, one likely direction of change for many states in the medium or even longer term will not be democratization but rather conservative modernization. While this strategy does pursue fundamental economic and political reforms, it does not follow the path of democratization; the reforms rather serve to perpetuate authoritarian rule. What pitfalls and prospects for success can be observed in the case of Kazakhstan?

Particularly in European schools of thought, democracy is considered one of the core components of modernity. Several decades ago, it was assumed that colonial and post-colonial states would converge on the European model of statehood, i.e. that their modernization would follow the European model, and that the result would be the creation of democratic states. This assumption became influential again in the 1990s with regard to the post-Soviet states. More recent discussions of non-European modernity tend to stress the variety of modernization processes without making claims about their results: Instead of the spread of European modernity, “multiple modernities” will co-exist.¹

Conservative modernization thus defies the – European – interlinkage of modernity and democracy. It is quite capable of aiming for comprehensive structural reforms, such as industrialization oriented towards world markets. Yet it has no intention of abandoning authoritarian rule. While Europe is considered to provide the template for the unity of modernity and democracy, it is to precisely the same continent that conservative modernization nonetheless looks for both its practical and its ideological origins. In Germany, in particular, modernization was initially restricted to the economic sphere. Calls for democracy were warded off. The German ideological construct of conservative modernization was later taken on by Japan and “migrated”, so to speak, to South Korea, Singapore, and ultimately Kazakhstan.²

In Europe and Asia, conservative modernization initially meant the introduction or acceleration of a capitalist economic model by way of industrialization. In Europe, industrialization was driven by the bourgeoisie, who, under conditions of increasing differentiation of the political and economic spheres, developed a strong interest in a predictable state. Patrimonial forms of government that had existed up to that point were increasingly subject to rationalization, and “modern” bureaucracies developed. A key stage in Germany and France was the age of absolutism, during which the power of the nobility was broken and replaced by that of the new, legally trained “state nobility”.³ The structural foundations for the rule of law were thus laid in Europe during the age of absolutism.

The modernization process in the developing states of Asia differed from the European model above all in that the key driver of industrialization was not the bourgeoisie but the state itself. Nonetheless, the result in Asia was also the emergence of a class of industrialists with an interest in rational governance. In Japan and South Korea, the professionalization of the state

1 Cf. Shmuel Noah Eisenstadt, Multiple Modernities, in: *Daedalus* 1/2000, pp. 1-29.

2 Cf. Mark R. Thompson, Whatever happened to “Asian Values”? In: *Journal of Democracy* 4/2001, pp. 154-165, here: p. 158.

3 Pierre Bourdieu, Rethinking the State: Genesis and Structure of the Bureaucratic Field, in: *Sociological Theory* 1/1997, pp. 1-18, especially pp. 9-18.

was able to build on a centuries-old bureaucratic tradition and a civil service to which attached a high degree of prestige.⁴

Viewed historically, therefore, there is no absolute contradiction between authoritarian governance, on the one hand, and economic modernization and the development of the *Rechtsstaat*, on the other. The latter pair may lead to democratization at a later date (e.g. Germany, Japan, South Korea), but need not (e.g. Singapore). The relationship between patrimonial rule and economic modernization is more problematic. Patrimonialism is typically characterized by a strong personalized monopoly of power at the apex of the state, the dominance of client/patron groups both in the state and in the economy, and corruption. The boundaries between the private and public, economic and political, and political and administrative spheres are fuzzy. Under such conditions, a free market economy cannot develop, only a kind of patrimonial capitalism dominated by the state. The compatibility of patrimonialism and economic modernization has frequently been denied in the literature. However, this overlooks two factors: First, it was patrimonial rulers who carried out – with the support of the bourgeoisie – the rationalization of the state in Europe. Second, the case of Kazakhstan indicates that patrimonial rule and attempts at fundamental economic modernization are not incompatible, even in the absence of a bourgeoisie. The following section gives an overview of structures of state authority that pose a problem for the modernization project in Kazakhstan. This is followed by an analysis of the reform project itself.

State Authority in Kazakhstan

The state in Kazakhstan is “typical” of the southern periphery of the former Soviet Union inasmuch as it can be considered a patrimonial-bureaucratic state.⁵ The patrimonial elements are evident in the president’s comprehensive monopoly of power. At the same time, the bureaucratic element is also strong and one may speak of an extensive “etatization” of society. The bureaucracy itself, however, is pervaded by patrimonialism, as is made clear by the existence of client/patron groups within it and the widespread practice of “informal appropriation” by agents of the state. Further underlining Kazakhstan’s status as a patrimonial-bureaucratic state, the levers of social power are concentrated within the state rather than outside it. This is evident at the formal

4 Cf. Peter B. Evans, *Embedded Autonomy. States and Industrial Transformation*, Princeton 1995, pp. 47-60.

5 For details of the patrimonial-bureaucratic state, see: Max Weber, *Economy and Society*, Berkeley 1978, pp. 226-241 and 1006-1069; Aleksandr Fisun Postsovetskie neopatrimonial’nye rezhimy: genezis, osobennosti, tipologiya [Post-Soviet Neopatrimonial Regimes: Genesis, Development, Typology, in: *Otechestvennye Zapiski* 6/2007, pp. 8-28; Stephan Hensell, *Die Willkür des Staates. Herrschaft und Verwaltung in Osteuropa* [The Arbitrariness of the State. Government and Administration in Eastern Europe], Wiesbaden 2009, pp. 122-124.

level in the concentration of economic capital in the state. Informally, it is shown by the powerful position of the oligarchs within the state.

Although conditions have changed in the post-Soviet period, the parallels between the Soviet era and contemporary Kazakhstan are easy to spot: the concentration of power in the state, client/patron groups, and the omnipotence of the “supreme leader”. Patrimonial-bureaucratic authority developed on the Kazakh steppe during the socialist state-building project. The preconditions for patrimonial authority, too, were only established in this period: Soviet industrialization created new monopolizable resources; the sedentarization of the nomads created a society of subjects that could be put to work for the socialist project, but also created expectations among the population with regard to the state. The collapse of the Soviet Union not only led to Kazakhstan’s independence, but also caused serious disruptions to the architecture of state power: Privatization and democratization led to the creation of economic centres of power outside state control for the first time and to a deep interpenetration of politics and economics, which have remained tightly entangled to this day. The implications of these dynamics have often been underestimated: This was a major decentralization of political power. The recipients of this transfer of power had little interest in democracy and the common good. The dominant logic of their actions was rather the principle of informal accumulation, something that began to develop already in Soviet times.

Nursultan Nazarbayev’s strategy for consolidating power lay in the re-acquisition of power through reauthoritarianization and patrimonialization. Both phenomena are generally viewed negatively. Nonetheless, their function is ambivalent: They secured Nazarbayev’s authority, the ability of the state to act, and thereby created the conditions that enabled subsequent modernization processes. At the same time, however, this shored up political structures that already stood in the way of reform in the Soviet period and now threaten the goal of economic modernization.

While post-Soviet Kazakhstan, with its capitalist forms of economic activity and comparatively free society, could not be mistaken for the same country in the Soviet period, nonetheless, patrimonial-bureaucratic authority has not led to the development of a free market economy, but to patrimonial capitalism. Nowhere is the market free of political influence, not even in democracies. Patrimonial-bureaucratic states, however, have a specific influence on economic matters. Patrimonial capitalism can emerge when two conditions are fulfilled: a high degree of centralized state control of the economy and the preponderance of informal forms of interaction between state and business over formal rules.⁶ Both factors are present in Kazakhstan: *Samruk-Kazyna* accounts for over 50 per cent of Kazakhstan’s GDP (2010) and pos-

6 Cf. Oliver Schlumberger, Structural reform, economic order, and development: Patrimonial capitalism, in: *Review of International Political Economy* 4/2008, pp. 622-649, particularly pp. 633-636.

sesses holdings in a number of banks.⁷ In addition, high-level politicians control large portions of the economy, which has granted them considerable power to shape the economic landscape via the rapid concentration of political and economic power.⁸ That is significant if one bears in mind that the way prices are negotiated and contracts concluded and enforced depend heavily on the resources available to the contracting parties. When formal institutions are weak, a “normal” businessperson can do little to resist the power of an oligarch and their clients. The second factor that facilitates the emergence of patrimonial capitalism is already tied up with this: Kazakhstan is a country where the relationship between the state and the economy is strongly influenced by informal norms. There are several areas where the dominance of practices that are formally prohibited in law can be observed. As already mentioned, civil servants frequently do not restrict their activities to the state sector, but rather, despite this being forbidden, keep one foot in the public sector and one in the private.⁹ Organs of the state, such as the financial police, which should in fact be combating informality, are suspected of abusing their powers of office for purposes of personal enrichment.¹⁰ Other state institutions are influenced by patrimonial logics: The courts are not independent, and patrimonial-bureaucratic rule makes it almost impossible for the monopolies commission to perform its work effectively.¹¹

A further feature of Kazakhstan that has a major influence on the political and social order is the rentier economy. The bulk of public revenue in Kazakhstan is generated from the export of resources.¹² Rentier states are relatively free from the need for popular taxation, which they can effectively bypass to generate financial resources. The relationship between state and society is thus altogether different from that which prevails in tax states. The inflow of rents is certainly a vital component of Nazarbayev’s authority. The effective monopolization and subsequent redistribution of economic capital has a powerful stabilizing effect. Recent research into rentier states has made clear, however, that simplistic conclusions that see export rents as either a

-
- 7 Cf. International Monetary Fund, *Republic of Kazakhstan: 2011 Article IV Consultation – Staff Report; Supplement; and Public Information Notice*, IMF Country Report No. 11/150, Washington, D.C., 2011, p. 18, at: <http://www.imf.org/external/pubs/ft/scr/2011/cr11150.pdf>.
 - 8 Cf. Heidi Kjærnet/Dosym Satpaev/Stina Torjesen, Big Business and High-level Politics in Kazakhstan: An Everlasting Symbiosis? In: *China and Eurasia Forum Quarterly* 1/2008, pp. 95-107.
 - 9 Cf. e.g. Zautbeg Turisbekov et.al., *Administrativnye bar’ery kak istochnik korruptsionnykh pravonarushenij v sfere gossluzhby* [Administrative barriers as a source of corruption in the state administration], Almaty 2007, at: <http://www.sange.kz>.
 - 10 This fact has been officially acknowledged, as shown in the establishment by the president of an initiative to protect businesses from administrative abuse.
 - 11 For further details of the judiciary in Kazakhstan, see e.g. OSCE Office for Democratic Institutions and Human Rights/OSCE Centre in Astana, *Results of Trial Monitoring in the Republic of Kazakhstan 2005-2006*, s.l. 2006, available at: <http://www.osce.org/astana/24153>.
 - 12 Cf. International Monetary Fund, *Republic of Kazakhstan: 2011 Article IV Consultation*, cited above (Note 7).

curse or a blessing are not accurate.¹³ The curse can arise if the influx of rent leads to a rentier mentality among the elite, which then concentrates exclusively on the appropriation of rent, at the expense of modernization processes. Authoritarianism, repression, corruption, and patronage through welfare payments thus appear to be inescapable. The blessing can consist in the state's possession of the means to ensure political stability and provide it – theoretically at least – with opportunities to carry out structural economic and political reforms. Older studies of rentier economies concluded that the dominance of rents leads to authoritarianism, clientelism, and corruption, in other words – in the language of the World Bank – to bad governance. In the case of Kazakhstan, however, this direct causal connection should be considered as nothing more than a hypothesis. For one thing, the post-Soviet state is in many regards a replica of the Soviet state, and the phenomena were already present before the start of the oil boom. Furthermore, the effects of rents depend on the political institutions. These, however, can, in principle, be changed. In the research into rentier states, democratization is often invoked as a means of reducing the negative political and economic consequences of rentier economies. This is justified with reference to Norway, whose rentier economy has not suffered negative consequences. The comparison with Norway, however, is problematic, as it differs from Central Asia in many ways: historically, socially, and politically. Moreover, Central Asia is unlikely to undergo democratization in the short term.

It seems more realistic to expect the transformation of the rentier economy to take the form of conservative modernization, with, in the first instance, structural economic reforms reducing dependency on oil, and, second, the necessary political institutions being created. However, there is tension between the structural features, as described above, and the plans for modernization. In the following two sections, I argue that Kazakhstan is in fact pursuing a project of conservative modernization, yet needs to deal with the contradictions of patrimonial-bureaucratic authority.

Economic Reforms

Rentier economies are problematic in two regards: The first danger is the overall deterioration in the economic situation as a result of the one-sided reliance on the export of resources. The second is that the rentier economy generates few incentives for structural reform. The elite is far more concerned with avoiding losing its monopoly on access to economic rents. And there is a serious danger that the income from rents will not be invested in structural reforms for the post-oil period.

13 Cf. Andreas Heinrich, Introduction: Political Challenges of a Resource Boom, in: Andreas Heinrich/Heiko Pleines (eds), *Challenges of the Caspian Resource Boom. Domestic Elites and Policy-making*, Houndmills 2012, pp. 1-22.

Kazakhstan is often accused of undertaking cosmetic reforms to suggest a willingness to reform to both the population of Kazakhstan and to the international community. This view is partially justified when it comes to political reforms, where promises to strengthen democracy have been made, but the results have been the opposite. Can the same thing be said of economic modernization? Are reforms being faked so that the elite do not lose their exclusive control of resources? Initially, the sheer number of reform plans that have been adopted since 1990 and then discarded with no significant results suggests that this suspicion is well founded. These include the “Strategy for Rapid Development” from 1991, the “Programme for Innovative Development” from 2001, the “Strategy for Industrial and Innovative Development 2003-2015” from 2003, and the strategic target, set in 2006, of making Kazakhstan one of the world’s 50 most competitive states. All these strategies remained largely unrealized and were later superseded.

However, only limited conclusions regarding the ability and willingness to undertake reforms in the future can be drawn from this. The 1990s were characterized, above all, by the consolidation of state power, while the 2000s saw the technocratic preconditions established that provide the basis for the developmental-state model. The first attempts at industrialization were undertaken in the mid 2000s, but these were choked off by the 2008 financial crisis. During the 2010s, however, a move towards industrialization and economic diversification in order to reduce the significance of the rentier economy is perceptible. At the same time, these reforms serve to maintain patrimonial power, i.e. to support the accumulation of political and economic power at the apex of the state.

The 1990s in Kazakhstan were characterized by the influence of the Bretton Woods institutions and a politico-economic ideology according to which restraint on the part of the state and the right structural reforms at the mesoeconomic level would lead to the development of a free market economy. This approach was made explicit in Kazakhstan’s 2030 development strategy,¹⁴ which still postulated decentralization and the primacy of the market. Towards the end of the 1990s, these neoliberal views were increasingly discredited. With the start of the oil boom and the repayment of the country’s debts to the IMF, Kazakhstan was able to enjoy a degree of economic and ideological independence from the West. In 2000, Kazakhstan took up the developmental state model, borrowed from the Asian tiger economies.¹⁵ According to this model, the role of the motor of economic development is assumed less by the society than by the state. In the decade that followed, eco-

14 Cf. *The Strategy for development of the Republic of Kazakhstan until the year 2030*, at: http://www.akorda.kz/en/category/gos_programmi_razvitiya.

15 Cf. Ukaz Prezidenta Respubliki Kazakhstan ot 04.12.2001 N 735, *O dal’nejshikh merakh po realizatsii strategii razvitiya Kazakhstana do 2030 goda*, [Decree of the President of the Republic of Kazakhstan of 4 December 2001 No. 735, On Further Measures to Implement the Development Strategy of Kazakhstan until 2030], available at: <http://www.pavlodar.com/zakon/?dok=01434&all=all>.

economic resources were monopolized within the state and certain structures associated with the developmental state model were created. In economic terms, the key was the creation of the state holding company, *Samruk-Kazyna*, which is directly controlled by the president and, with holdings in over 400 enterprises, accounts for more than 50 per cent of Kazakh GDP.

The current modernization plan is contained in the “State Program of accelerated industrial and innovative development”,¹⁶ which was drawn up in 2010. This strategy pursues the goal of industrializing the country in a kind of “big push” and developing innovative products to generate competitiveness in world markets, thereby reducing dependency on the export of resources. The most important instrument for planning and monitoring is the “Map of Industrialization for 2010-2014”, which includes a breakdown of all subsidiary plans. These include major infrastructure projects, the development of industrial complexes, some in the form of international joint ventures, and the creation of special economic areas and technology parks.

The key actors are the Ministry for Industry and New Technologies, on the government side, and *Samruk-Kazyna*, as the key implementing agency. In contrast to previous modernization plans, supreme oversight in the strategy for 2014 is the direct responsibility of the presidential administration, to which the ministry is required to give regular progress reports. These reports are published, and a website has been set up to provide a real-time overview of current and concluded projects from the 2014 roadmap.¹⁷

In order to evaluate the strategy, it is necessary at present to rely on data provided by the government. As of 1 June 2013, the roadmap included 779 individual projects, all of which are to be concluded by 2015. According to the roadmap, billions of US dollars have already flowed into industrialization. Within the scope of 537 projects started, 57,000 permanent jobs have been created. The question thus arises: To what extent has the programme already achieved a structural transformation of the national economy? According to the state Economic Research Institute, new products accounted for eight per cent of total industrial production in 2012. For purposes of economic diversification, Kazakhstan’s manufacturing sector is to produce 265 new products. According to government figures, 142 of these products are already being manufactured.¹⁸

A number of critics have questioned the successes claimed by the state, saying that these industrialization plans are also nothing but hot air. The critics’ key argument is that, in the last ten years, oil exports have not fallen as a proportion of GDP compared to the manufacturing sector, but have in fact

16 Cf. *2010-2014 State Program of accelerated industrial and innovative development of the Republic of Kazakhstan and cancellation of certain decrees of the President of the Republic of Kazakhstan*, Decree of the President of the Republic of Kazakhstan dated March 19, 2010 No. 958, at: <http://invest.gov.kz/upload/docs/en/f732a5d9895a1bf78512de1ea3457668.pdf>.

17 The website is here: <http://ip.economy.kz>.

18 The figures provided by the Ministry of Industry and New Technology are available at: <http://www.mint.gov.kz/index.php?id=444>.

risen. Kazakhstan's high GDP, the successes in combating poverty, and the rising standards of living of the population are – at least for the time being – not consequences of industrialization but rather down to the rentier economy.¹⁹ The view of the critics is, however, too narrow. Assuming that the official figures regarding the implementation of the plan so far are not entirely false, the achievements are considerable and demonstrate the state's ability to act effectively. Nevertheless, the current figures do not provide evidence of successful industrialization. After all, it took the Asian tigers 30 years to industrialize, and Europe needed over a century. While these economies also experienced sudden "big pushes" that overturned existing economic structures in a short period of time, these occurred under entirely different conditions than prevail in Kazakhstan. In order to give a prognosis, therefore, it is necessary to pay more attention to structural obstacles.

On the one hand, practical economic problems have an effect on long-term development. How innovative are the "new products" really, and can they compete on world markets? Does the country have a long-term supply of the well-trained specialists and managers necessary for the success of the strategy of innovation? Particularly outside the major urban centres, Kazakhstan's educational institutes do not always have the reputation of ensuring a level of training that would support competitiveness.

A problem that is at least equally large concerns Kazakhstan's political structures. The essence of conservative modernization is, after all, carrying out partial modernizations. This leaves the configuration of power in the society largely unchanged. As a consequence, the modernization strategy needs to negotiate with the structures and practices of Kazakhstan's patrimonial-bureaucratic state. This could also be the strategy's downfall, if the latter are not reformed in the medium term. Initial empirical indications of a conflict between the political structure and the economic reforms are provided by reports of "Potemkin villages", i.e. factories that were only built to create an appearance, but either never entered production or opened and then quickly ceased production. Examples include a chocolate factory that, despite claims to the contrary, does not produce any chocolate itself, but rather imports chocolate from China for relabeling.

Major projects can fail wherever in the world they are undertaken, and this can have various causes. In the case of Kazakhstan, however, chaos and bad planning are not sufficient explanations; the background is more complex: The patrimonial-bureaucratic state, by co-opting a broad section of the elite, has stabilized Nazarbayev's rule, thereby enhancing the state's ability to act effectively. The concentration of societal power in the state is shown by the fact that Kazakhstan's oligarchs find themselves within state structures

19 Cf. Nigmat Ramazanov, *Innovatsionyi proval* [Innovative Failure], in: *Delovaya Nedelya*, 8 May 2013, at: http://www.dn.kz/index.php?option=com_content&view=article&id=1179:2013-05-08-16-26-51&catid=4:2011-10-23-11-44-29&Itemid=5; Grigory Garanin, *Industrialnye Peripetii* [Industrial Vicissitudes], in: *Vremya*, 6 June 2013, at: <http://www.time.kz/articles/zloba/2013/06/06/industrialnie-peripetii>.

and not outside them, as is the case in Ukraine, for example. However, the problem with this is that there is no group of industrialists that is at least partially autonomous of the state, as this means that there is no one apart from the state to drive industrialization, as was the case in the Asian tiger economies. Although the government has announced that the bulk of industrialization projects will take the form of public-private partnerships, to the extent that “national companies” are involved, and given the nature of patrimonial capitalism, it cannot be ruled out that they are ultimately backed by state actors. This does not necessarily mean that all such endeavours are doomed to failure. In any case, it has certainly been demonstrated that members of the “state class” under patrimonial capitalism pay far less attention to the profitability of their investments than investors that are independent of the state. This is particularly true when informal institutions such as corruption dominate the life of society. Directly skimming off state subsidies can prove more attractive than investing them in factories that offer only a prospect of profitability ten years down the line.

Whether the current level of investment in the billion range will pay off in the long run depends, therefore, also on the extent to which the fields of politics and economic activity become differentiated and a class of industrialists emerges that is at least partly autonomous and has an interest in the profitability of their investments and in a reliable state. The patrimonial-bureaucratic state in Kazakhstan has one advantage over the kind of oligarchic patrimonialism that exists in Ukraine: The latter’s non-state oligarchs have no need to seek legitimacy. When oligarchs are positioned within the state, as in the case of Kazakhstan, they are more dependent on the state’s appearing legitimate in the eyes of the population. It can also be argued that a powerful pressure for modernization emanates from President Nazarbayev himself. The special difficulty with this, however, is that his modernization project runs against the interests of a part of his own state. The success of the strategy thus depends on the extent to which further modernization of the state proves possible, which is the subject of the following section.

Political Reforms

Political reforms are a further aspect of Kazakhstan’s conservative modernization, and they are by no means cosmetic or irrelevant. Rather they can be considered as an attempt to rationalize the state. In this case, rationalization means the suppression of patrimonial elements, particularly in the civil service, but also in the political sphere, at the level below the president.²⁰ In concrete terms, the rationalization of the state means selecting civil servants on the basis of technical qualifications; separating politics and administration, state and economy; and an effective prohibition on corruption. Historically,

20 For details of Max Weber’s theory of rationalization cf. Weber, cited above (Note 5).

the process of rationalization usually took place in Europe and Asia during periods of authoritarian rule. In most cases, the rulers were motivated by the desire to maintain or enhance their power. By supporting their rule with a new, rational state elite, they were able to further stabilize their position. In patrimonial states, the members of the administrative cadre are constantly looking for opportunities to increase their power, which can become dangerous for the president. In rationalized administrations, this problem is less critical. The process of reform in Kazakhstan also reveals this aspect of political power wrangling.

However, in Kazakhstan, state rationalization is also explicitly linked to the adapted developmental-state model.²¹ The success of the Asian tigers is said to rest decisively on a rational administration that is able to conceive of and implement effective political programmes. In contrast to Kazakhstan, the bureaucracies of Japan and South Korea had traditions going back centuries and were held in high regard. The reformers of the state administrations in those countries were thus able to build on a solid foundation that was less patrimonial than was the case in the post-Soviet space. The situation in Kazakhstan is different. A formal state administration was only established in the course of Tsarist and Soviet state formation. The patrimonial elements of the bureaucracy grew particularly in strength during the 1980s, and the post-independence period, in particular. The attractiveness of a career in the service of the state in the 1990s was less as a result of a desire for the meritocratic recognition of being a civil servant and the promise of a decent salary than out of the logic of nepotism and corruption. The prestige of the civil service, which had already been low in the Soviet Union, sank further in the eyes of the population.

Serious attempts at reform can be said to have begun in 1999, with the founding of the Agency for Civil Service Affairs, which played an important – though not exclusive – role in reform.²² The strategy that was applied had three core components, none of which has been fully implemented to this day: 1) the separation of politics and administration, 2) rationalization of the administration, and 3) the transfer of power from the political to the administrative level.²³

The first two components require the formal separation of administrative civil servants and political civil servants, a formalized recruitment process, and the introduction of appointment through examination for administrative civil servants. Although wages have risen steadily in recent years, they can apparently still not compete with the informal opportunities to earn that

21 Cf. *The strategic plan for development of the Republic of Kazakhstan until the year 2020*, at: http://www.akorda.kz/en/category/gos_programmi_razvitiya.

22 Cf. Saule Emrich-Bakenova, Trajectory of Civil Service Development in Kazakhstan: Nexus of Politics and Administration, in: *Governance. An International Journal of Policy, Administration, and Institutions* 4/2009, pp. 717-745.

23 Cf. Sebastian Schiek, *Widersprüchliche Staatsbildung. Kasachstans konservative Modernisierung* [Contradictory State Building. Kazakhstan's Conservative Modernization], Baden-Baden 2014, pp. 192-218.

civil servants have. Efforts to combat corruption have picked up pace since 2008. Since then, there have been regular convictions, including of high-level political civil servants.²⁴ Given the “endemic” nature of corruption at all levels of the state, however, these convictions are largely window dressing, though they did at least lead to a widespread fear of criminal prosecution among civil servants. One structural attempt at combating corruption was the establishment of “administrative service centres”. Alongside the improvement of service quality for the population, this initiative also aimed to remove direct contact between civil servants and citizens, i.e. the point of contact at which bribes can be paid. A clearer dividing line between politics and the bureaucracy is also the aim of a ban on staff rotation: Political civil servants who are posted elsewhere are no longer allowed to take their staff with them.

Each of these reforms has been accompanied by attempts at evasion, watering down, and resistance on the part of the civil servants. This allows us to conclude that a power struggle is taking place in which reformers seek to remove the patrimonial rights of civil servants, while those who are deprived of such rights seek to reacquire them. Although examinations for administrative civil servants have been introduced, and a complex technical procedure established to prevent corruption, nonetheless, according to Alikhan Baimenov, chairman of the Agency for Civil Service Affairs, the answers can now be bought. The service centres are another case in point. On the one hand, they can be considered a success. Yet now passports are once more only issued by the relevant ministry and no longer by the employees of the centres – contradicting the original intention. Attempts to restrict nepotistic recruitment have not been successful. Despite the institution of a formalized procedure, lucrative administrative staff positions, in particular, are still handed out according to nepotistic principles. When Baimenov, who had founded the Agency for Civil Service Affairs, was reappointed to its head in 2011, he made a point of drawing attention to this problem.²⁵ Whether he will succeed in further improving and advancing the framework of rational administration, which certainly has its benefits, only time will tell.

The most recent reform step covers the third aspect of administrative reform: the transfer of power from the political to the administrative level. This began in 2008, when President Nazarbayev called for a new career model for administrative civil servants, whereby a select number of positions in the state service would no longer be filled by political civil servants but by professional administrators. A plan drawn up in the same year initially vanished

24 This has been reported by Radio Free Europe, see e.g. Radio Free Europe/Radio Liberty, *New Wave Of Arrests Reported In Kazakhstan*, 3 June 2009, at: http://www.rferl.org/content/New_Wave_Of_Arrests_Reported_In_Kazakhstan/1746134.html.

25 Cf. V RK prodavut rezultati testov dlya gossluzhashchikh [In the Republic of Kazakhstan, Exam Answers can be Bought by Civil Servants], in: *Respublika. Informatsionno analiticheskii portal*, 10 August 2011, available at: <http://respublika-kz.info/news/doslovno/16736>.

in the cracks between the various state agencies. The project only picked up steam again in 2010, when Nazarbayev issued a decree ordering the introduction of the new model by 2012, and it has since been rolled-out.²⁶ To what extent this represents a genuine transfer of power will only become clear in the coming years.

Like industrialization, administrative reform, i.e. the transition from patrimonial to legal-rational forms of administration, requires decades. In Kazakhstan in recent years, the foundation has been laid for a rational administration. Whether this foundation can be built upon in the years to come, and whether patrimonial modes of behaviour, which contradict the logic of rational administration, disappear, will depend on Nazarbayev's successors and their reform-oriented colleagues.

Conclusions

Kazakhstan's project of conservative modernization is often either overlooked or, with reference to the currently prevailing patrimonialism and rentier economy, not taken seriously. The patrimonial-bureaucratic regimes in Kazakhstan and most of the other Central Asian countries are not primarily the product of elites that are opposed to modernization, but can only be understood in their historical context. From this perspective, it becomes evident that Kazakhstan is still in a process of state formation. Patrimonialism has an ambivalent function in this. It not only represents a hurdle to modernization but also has a stabilizing effect.

Both the economic reforms and the reforms of the state appear to go beyond the cosmetic in terms of both intention and practice. The struggle between proponents and opponents of modernization in the reform of the civil service shows particularly clearly that the reforms are genuine. Long-term success depends on many factors. Foremost among these are the impetus for reform of future presidents, and, above all, the extent to which groups within and outside the state develop an enduring interest in reform and are able to win out against the dominant rentier-state faction within the state.

26 Cf. V Kazakhstane sformirovan novyi klass gossluzhashchikh [In Kazakhstan, a New Class of Civil Servants Has Been Created], *Nur.kz*, 25 June 2013, at: <http://news.nur.kz/269455.html>.

II.

Responsibilities, Instruments, Mechanisms,
and Procedures

Conflict Prevention and Dispute Settlement

Early Warning and Early Action – Current Developments in OSCE Conflict Prevention Activities

In Ministerial Council (MC) Decision No. 3/11 on Elements of the Conflict Cycle,¹ adopted on 7 December 2011 at the OSCE Vilnius Ministerial Council Meeting, the OSCE participating States decided to “strengthen OSCE capabilities in early warning, early action, dialogue facilitation, mediation support and post-conflict rehabilitation on an operational level”.² Based on this decision, the OSCE Conflict Prevention Centre (CPC) has engaged in a range of activities, in co-ordination with other OSCE executive structures,³ to implement the decision and to develop and strengthen further the OSCE toolbox for early warning and early action. In 2012 and the first half of 2013, this work concentrated on three areas:

- (1) Developing a systematic early warning capacity,
- (2) Developing and adjusting OSCE tools for swift crisis response, and
- (3) Building up a systematic mediation-support capacity.

Note: This article is based on work carried out by the Operations Service of the OSCE Conflict Prevention Centre (CPC/OS) on the implementation of MC.DEC/3.11. The author would therefore like to acknowledge the contribution by the entire CPC/OS team to this chapter. Nonetheless, the views contained herein are the author’s own.

- 1 Decision No. 3/11, Elements of the Conflict Cycle, Related to Enhancing the OSCE’s Capabilities in Early Warning, Early Action, Dialogue Facilitation and Mediation Support, and Post-Conflict Rehabilitation, MC.DEC/3/11 of 7 December 2011, in: Organization for Security and Co-operation in Europe, *Eighteenth Meeting of the Ministerial Council, 6 and 7 December 2011*, Vilnius, 7 December 2011, pp. 11-16. (in the following cited as MC Decision No. 3/11).
- 2 Ibid., para. 1. For a review of the process that led to the decision and the initial steps taken towards its implementation, see: Alice Ackermann/Herbert Salber, The OSCE “Corfu Process” – A Preliminary View of the Security Dialogue on Early Warning, Conflict Prevention and Resolution, Crisis Management, and Post-Conflict Rehabilitation, in: Institute for Peace Research and Security Policy at the University of Hamburg (ed.), *OSCE Yearbook 2010*, Baden-Baden 2011, pp. 197-202, and Alice Ackermann, Strengthening OSCE Responses to Crises and Conflicts: An Overview, in: Institute for Peace Research and Security Policy at the University of Hamburg (ed.), *OSCE Yearbook 2012*, Baden-Baden 2013, pp. 205-211.
- 3 The OSCE executive structures comprise the Secretariat, institutions, field operations, and special representatives or other operational instruments of the Organization. Cf. Organization for Security and Co-operation in Europe, *Rules of Procedure of the Organization for Security and Co-operation in Europe*, MC.DOC/1/06, 1 November 2006, Part II, Section (A), para. 13.

The ability to provide timely early warning is an important, though by no means sufficient condition for effective conflict prevention. Accordingly, early warning has been an integral component of OSCE conflict prevention work since the early 1990s. The 1992 Helsinki Document gave the High Commissioner on National Minorities (HCNM) the mandate to “provide ‘early warning’ and, as appropriate, ‘early action’ at the earliest possible stage in regard to tensions involving national minority issues”.⁴ OSCE field operations have long served as the “eyes and ears” of the OSCE with regard to potential crises. However, the OSCE had not developed a systematic approach to early warning and, the special role of the HCNM with regard to national minorities apart, early warning was formally a matter for the Permanent Council (PC) and the Chairperson-in-Office (CiO).⁵ To that extent, MC Decision No. 3/11 broke new ground in two respects:

- (1) It provided the Secretary General (SG) with a clear and explicit mandate to provide, in consultation with the Chairmanship, “early warning to the participating States by bringing to the attention of the Permanent Council any situation of emerging tensions or conflicts in the OSCE area” and to “suggest to the Permanent Council, after consulting the participating State(s) concerned, possible options for timely and effective response(s) to escalating tensions or conflicts in the OSCE area”.⁶
- (2) It also called for the SG to “consolidate, in co-ordination with other executive structures, the OSCE’s early warning capacity in a more methodical, comprehensive and cross-dimensional manner”⁷ and to ensure that the CPC “assumes the role and functions as the focal point for the Organization-wide systematic collection, collation, analysis and assessment of relevant early warning signals from various sources, co-operating and co-ordinating closely with other OSCE executive structures and the Parliamentary Assembly”.⁸

Hence, while fully recognizing the special mandate of the HCNM and emphasizing the need for close consultation with other executive structures, MC Decision No. 3/11 elevated the role of the Secretary General and the CPC with regard to early warning.

4 CSCE Helsinki Document 1992: The Challenges of Change, Helsinki, 10 July 1992, Helsinki Decisions, Chapter II, para. 3, in: Arie Bloed (ed.), *The Conference on Security and Co-operation in Europe. Analysis and Basic Documents, 1972-1993*, Dordrecht 1993, pp. 701-777, here: p. 716.

5 Cf. *ibid.*, Chapter III.

6 MC Decision No. 3/11, cited above (Note 1), para. 4.

7 *Ibid.*

8 *Ibid.*, para. 2.

In the run-up to the 2011 Vilnius Ministerial Council Meeting, the CPC had already led an internal working group that brought together colleagues from the CPC, the Office of the HCNM, the Office for Democratic Institutions and Human Rights (ODIHR), the Office of the Co-ordinator for Economic and Environmental Activities (OCEEA), and selected field operations to develop internal guidelines for early warning. This work was finalized in early 2012. The *Early Warning: OSCE Internal Guidelines*⁹ aim to consolidate and further systematize the current practice of early warning within the Organization. The guidelines lay out an early warning methodology and provide a structure for information sharing and reporting.

Based on MC Decision No. 3/11 and the Internal Early Warning Guidelines, the CPC:

- (a) co-ordinated the establishment of a network of Early Warning Focal Points from all OSCE field operations, ODIHR, the HCNM, and relevant units of the Secretariat;
- (b) organized annual meetings of Early Warning Focal Points, fostering exchange of knowledge and best practices related to early warning methodologies;
- (c) developed a generic template to streamline and systematize internal reporting on developments that might lead to a situation requiring early warning, including proposals for OSCE response options;
- (d) developed a mechanism to follow-up on proposed response options;
- (e) developed an internal generic list of indicators to serve as an aide-memoire to guide the OSCE early warning process;
- (f) carried out a comprehensive mapping of conflict settings in the OSCE area;
- (g) developed an internal step-by-step guide on how to conduct conflict analysis;
- (h) established follow-up mechanisms to be used to monitor whether and how proposed response options have been implemented;
- (i) reached out to other international organizations and think tanks to share experience on early warning methodologies.

The intensive work done in developing a framework for a methodological and systematic approach to early warning and the inclusion of a wide network of OSCE staff in these efforts helped to raise awareness with regard to early warning throughout the Organization. As a result, analysis and reporting on emerging tensions and conflicts have become more frequent, more systematic, and more forward-looking and now include a strong emphasis on identifying potential response options. Based on analysis and assessments provided by the CPC, the Secretary General has, up to July 2013, raised his

9 The document was distributed to delegations for their information with the code SEC.GAL/52/12.

concerns to the participating States in the PC on eleven occasions with regard to worrying developments in the OSCE area. The term “early warning”, however, was only used on one occasion – at the PC on 13 December 2012 with regard to the situation around the Nagorno-Karabakh settlement process, and the pardoning of Ramil Safarov and the potential opening of the airport in Nagorno-Karabakh, in particular.

Early warning-related analysis and especially early warning communication need to be carefully balanced. On the one hand, it is important to avoid “crying wolf”, i.e. issuing early warnings so often that it becomes difficult to recognize situations when violent conflict is actually imminent. It is also essential that quiet-diplomacy efforts are not prejudiced. Yet on the other hand it is important not to be caught off guard with tensions escalating and no early warning issued in time. To address this dilemma, the term “early warning” has been reserved in the OSCE context for situations where the outbreak of large scale violence is considered likely, while tensions that need to be addressed in an “early prevention” mode are reported without using this particular term. Whether or not the term early warning is used, the conflict analysis conducted forms the basis for developing targeted response options that can be implemented within existing mandates, such as projects addressing root causes, high-level visits, or statements.

Early Action

Early warning is of little value for conflict prevention if it is not followed up by appropriate, timely early action. Early action requires a prompt decision to act quickly translated into action on the ground. Overcoming the so-called early warning response gap is one of the key challenges for all conflict prevention actors, and especially for international and regional organizations such as the OSCE, where the divergent views and differing interests of participating States need to be reconciled to allow the Organization to act.

A solid analysis of the structural causes and trigger factors of an emerging crisis, identifying targeted and workable response options is a good starting point for early action, as it can not only alert decision makers of the need to take action, but can also guide them on the best action to take. Hence a well-established early warning system is a key point of departure. A flexible and well equipped tool box for crisis response is another prerequisite for early action – an operational system that allows responses to be carried out quickly is a third one. The crucial link between early warning and early action, however, remains the political will to make the decision to act. While the OSCE Secretariat and the executive structures can further improve both their toolsets and the operational procedures for using them, the political will and courage of the respective Chairmanship and participating States to enable quick and decisive early action remain paramount.

The Chairmanship and executive structures have a wide range of early action tools available within their existing mandates, including the possibility to dispatch Special Representatives or fact-finding/expert teams without seeking formal approval by the PC. In this regard, MC Decision No. 3/11 states that the Ministerial Council “expects the OSCE Chairmanship and the executive structures to take full advantage of their respective mandates to address all phases of the conflict cycle and urges the Chairmanship and participating States to use, swiftly and to the greatest extent possible, all available tools and procedures as applicable to a particular crisis or conflict situation.”¹⁰ Thus, MC Decision No. 3/11 recognizes the importance of political will and the need to make full use of the OSCE toolbox across the conflict cycle.

With this in mind, over the past two years, the CPC has reviewed the OSCE’s crisis-response procedures and has developed and refined it with the aim of translating decisions to use the OSCE toolbox quickly into action on the ground. To this end, the CPC has concentrated on four pillars: finance, people, equipment, and knowledge. The CPC

- (a) developed a proposal for the inclusion of a conflict prevention and crisis management facility in the 2013 Unified Budget Proposal to ensure the availability of financial resources;
- (b) developed, together with the Department for Human Resources, an internal OSCE roster for rapid deployment. This roster is a prerequisite for a hybrid deployment approach, in which first responders to a crisis would be drawn from OSCE staff, who would be replaced by newly recruited staff;
- (c) developed, together with the Department for Management and Finance, a virtual pool of equipment as a tool for providing essential and timely material resources when required;
- (d) drafted an Operational Framework for Crisis Response and conducted crisis response simulations with one field operation and with the incoming Swiss Chairmanship.

The suggestion that the OSCE establish a modest conflict prevention and crisis management facility was welcomed by many delegations during the discussion on the 2013 budget, but ultimately did not find consensus. The logic of such a facility, however, remains unchallenged by a large majority of participating States. Budget planning is currently tighter due to the financial constraints faced by participating States, leaving less room for manoeuvre to finance crisis-response activities – which by their very nature cannot be budgeted in advance – out of existing budgets. In 2012, the OSCE Mission in Kosovo (OMiK) had to cover the extra costs involved in facilitating the par-

10 MC Decision No. 3/11, cited above (Note 1), para. 8.

ticipation of Serbian citizens living in Kosovo in Serbia's Parliamentary and Presidential Elections, which was in essence a conflict prevention activity, out of its own budget by identifying savings and cutting planned programmatic activities, as there was no mechanism in place to cover unforeseen expenses for crisis response in a timely manner. In the case of Kosovo, OMiK had only five days between the final understanding on the modalities of the facilitation and election day – far too short to engage the procedures usually used to raise funds. While OMiK's size allowed it to cover this unforeseen expense out of its existing budget, smaller field operations would not be in a position to muster such funds. Other tools that could be used to raise funds, such as budget revisions, the Contingency Fund, or the possibility of raising funds through extra-budgetary projects – some of which were used to finance the creation of the Community Security Initiative in 2010 in Kyrgyzstan – require time-consuming procedures. A reserve fund for crisis response, which could be activated within a couple of days or even hours, would add the flexibility and dynamism needed for rapid action carried out within existing mandates as called for in MC Decision 3/11.

Provided financing is secured and a mandate exists to send OSCE staff to a given crisis area, the OSCE still faces the challenge of identifying and deploying the necessary personnel quickly. The rapid deployment roster is designed to address this challenge in a cost-effective manner. It was developed following a debate on the OSCE's Rapid Expert Assistance and Cooperation Teams (REACT) and various other kinds of rosters and just-in-time approaches. Based on discussions held during the third Meeting of the Open-ended Working Group on the Conflict Cycle, the CPC proposed a hybrid solution: a phased approach for deployment in crisis situations, drawing initially on experienced staff from OSCE executive structures (both existing staff and recently departed staff members) as first responders to serve as either reinforcement to an existing OSCE field operation or as the nucleus of a new OSCE field presence. First responders would be replaced, if required, by international and local contract staff as well as seconded mission members recruited through standard OSCE procedures. A list of potential crisis response staff and key qualifications, generic job descriptions, and a staff instruction regulating the administrative procedures related to the functioning of the roster and eventual deployment were worked out. The roster is planned to be fully operational by early 2014.

The establishment of a virtual pool of equipment is a recognition of the fact that storing large amounts of items, from computers to armoured vehicles, as foreseen in the concept of Mission Start-up Kits developed in 2000 is too resource intensive and inefficient for the OSCE, which, unlike the UN, is nowadays not deploying large missions on a short term notice on a regular basis. The pool is intended to be sufficient for a team of up to ten experts deploying within three days. The items include vehicles, satellite and mobile phones, very high frequency (VHF) radios, GPS, generators, computers and

printers, office furniture, personal protective equipment, security cameras, and emergency rations. The pool is grouped in equipment to be: (1) held on stock; (2) purchased just in time; and (3) requested from existing OSCE field operations, other organizations, or participating States. Items are included in one or other of the various groupings based on: (1) the likelihood of the item being needed; (2) the importance of the item to the implementation of early action; (3) the cost of the item; and, (4) the procurement time for the item.

Setting up such tools as the rapid deployment roster or the virtual pool of equipment is a matter of operational preparedness, while using them is a question of an occurring crisis followed by a decision to act. Following the same approach to prepare for effective crisis response by increasing the operational preparedness of the Organization, the CPC has developed an Operational Framework for Crisis Response. The framework is intended as an internal document for use by OSCE executive structures and draws on good practices and lessons already identified from the OSCE's past experiences in crisis response. It covers the internal processes and procedures by which the Organization addresses a crisis/conflict in the OSCE area as well as threats to the security and safety of OSCE staff and assets and infrastructure. While not establishing fixed guidelines on exactly what should or should not be done, it does provide decision makers and those tasked with implementing decisions with details of existing procedures and an overview of what has worked in the past and what tools are available for crisis response in general. Combined with crisis simulations on various levels, this framework will enhance knowledge of OSCE crisis response within the Organization.

Dialogue Facilitation, Mediation, and Mediation Support

Recognizing the important role of mediation in conflict prevention and conflict resolution, MC Decision No. 3/11 mandated the OSCE to further strengthen OSCE capabilities in dialogue facilitation and mediation support. In particular, the decision tasked the Secretary General to designate a mediation-support focal point within the CPC and called for the development of a systematic mediation-support capacity within the CPC. MC Decision No. 3/11 outlines the following four pillars for a mediation-support capacity:

- (1) training and capacity-building within the OSCE structures;
- (2) knowledge management and operational guidance;
- (3) outreach, networking, co-operation, and co-ordination with relevant local/national actors and international, regional, and subregional organizations;

- (4) operational support to Chairmanships, their Special Representatives, heads of field operations, and other relevant OSCE mediators.¹¹

The OSCE can rely on a number of mediation actors as well as particular instruments, mechanisms, and procedures in support of dialogue facilitation and meditation, including the CiO and his or her Special Representatives and Envoys, the SG, the Director of the CPC, heads of OSCE field operations, and OSCE institutions such as the HCNM or ODIHR. The OSCE Parliamentary Assembly (PA) can also be involved in facilitation and mediation efforts. Furthermore, the OSCE possesses a number of mechanisms and procedures that entail some form of dialogue facilitation through a third party, such as the Mechanism for Consultation and Co-operation as regards Unusual Military Activities of the Vienna Document. Other mechanisms for the political management of crisis and conflict situations also have provisions relating to the CiO's exercise of good offices, mediation, and conciliation. Also worth mentioning are the specific mechanisms on the peaceful settlement of disputes based on conciliation and/or arbitration, such as the "Valletta Mechanism" and the "Provisions for an OSCE Conciliation Commission and for Directed Conciliation", both of which are based on the involvement of a third party, though neither has yet been activated.

Other mechanisms, while not specifically mentioning the role of a third party, can nevertheless be utilized for the peaceful settlement of a crisis or conflict situation. Ministerial Council Decision No. 3/01 on fostering the role of the OSCE as a forum for political dialogue, for example, allows for the PC and the Forum for Security Co-operation (FSC) to provide a platform for dialogue, with the FSC providing "third party" expert advice.¹² However, in practice these mechanisms are rarely if ever used. Mediation and dialogue facilitation in the OSCE context are mainly carried out by field operations, Special Representatives, and the HCNM, as well as high-level interventions by the CiO and the SG.

The OSCE has, in particular, been engaged in high-level mediation efforts with regard to the protracted conflicts, namely the Geneva International Discussions initiated following the August 2008 conflict in Georgia, the "5+2" negotiations on the Transdniestrian settlement, and the "Minsk Group" process on the conflict in and around Nagorno-Karabakh. These high-level mediation efforts are carried out in institutionalized negotiation frameworks that have been established over time. In addition to established formats, the OSCE conducts a number of dialogue facilitation efforts through its field operations. For example, the OSCE Centre in Bishkek established a local net-

¹¹ Cf. *ibid.*, para. 10.

¹² Cf. Decision No. 3, Fostering the Role of the OSCE as a Forum for Political Dialogue, MC(9).DEC/3, para. 8(b), in: Organization for Security and Co-operation in Europe, *Ninth Meeting of the Ministerial Council*, 3 and 4 December 2001, MC.DOC/2/01, Bucharest, 4 December 2001, pp. 25-27, here: pp. 26-27, at: <http://www.osce.org/mc/40515>.

work of peace messengers with the aim of diffusing tensions at the local level before they can erupt into full-scale conflict.¹³

Strengthening the ability of these actors to provide effective mediation is the aim of the mediation-support capacity within the CPC. Recent developments in other international and regional organizations underline the importance of mediation support. The most developed mediation-support capacity can be found in the United Nations (UN), which hosts a full-fledged Mediation Support Unit (MSU) within the Department of Political Affairs (DPA). The European Union (EU) has set up a Mediation Support Team within the European Union External Action Service (EEAS), and there are currently discussions about the possible establishment of a European Institute for Peace as a semi-autonomous institution to engage in and support mediation processes. The African Union (AU) is also strengthening its mediation-support capacity, with the assistance of non-governmental organizations, such as the Helsinki-based Crisis Management Initiative (CMI), as well as the UN and EU. Other key regional organizations are exploring opportunities for the development or enhancement of their mediation-support capacities, including the Organisation of Islamic Cooperation (OIC) and the League of Arab States (LAS). In other words, the OSCE is in tune with developments across the globe in this respect.

In the OSCE context, initial concrete steps in developing a mediation-support capacity were taken in 2012/2013 based on the mandate contained in MC Decision No. 3/11. Within the CPC, the position of a Mediation Support Officer was created and an Operational Framework for Mediation Support¹⁴ was developed. The aim of the latter document is twofold. Firstly, it provides a comprehensive overview of the OSCE's existing mediation-support capacity while giving senior management and OSCE staff involved in mediation and dialogue facilitation an outline of what mediation support entails and what assistance is available. Secondly, it provides a generic framework for further strengthening the OSCE's mediation-support capacity and thus helps to guide the further work in this respect.

The focus of concrete operational activities with regard to mediation support in 2012/2013 was on training and capacity-building. The integrated training and capacity-building strategy developed by the CPC foresees tailored coaching for high-level mediators, intensive training for mediation support staff working in conflict areas, and basic training for OSCE staff members (in particular in the field) involved in day-to-day mediation efforts. As a part of this strategy, the CPC organized two high-level mediation coaching sessions for Heads of Missions and Special Representatives, a one-

13 For an overview of the OSCE's various mediation activities, see a recent address by Secretary General Lamberto Zannier at the conference on "Mediation in the OSCE Area" in Bucharest, 15 July 2013, available at: <http://www.osce.org/sg/103723>.

14 The document was distributed to delegations for their information with the code SEC.GAL/110/13.

week peace-mediation training course for staff members involved directly in mediation processes, and three field training courses on dialogue facilitation.

Some operational support activities have also taken place with the aim of assisting OSCE representatives in ongoing processes. For example, the CPC organized a specialized process-design workshop in South Serbia; a workshop was also held with the Chişinău-based representatives of the mediators and observers in the Transdniestrian settlement process, which combined training on mediation skills with concrete reflections on process design. The CPC has been encouraged by the interest shown by OSCE staff involved in mediation and dialogue facilitation to receive additional training and operational support that will help them to carry out their work.

The CPC has also suggested that the role of OSCE mediators could be strengthened by giving Special Representatives of the CiO involved in the Transdniestrian settlement process and the Geneva Discussions multi-annual mandates. The incoming Swiss and Serbian Chairmanships have followed this advice by supporting the appointment of Special Representatives for the two-year period of their chairmanships (2014 and 2015, respectively).

On knowledge management, the CPC has developed a debriefing methodology to identify lessons from the experiences of high-level OSCE mediators, such as Special Representatives, Heads of Missions, and senior Secretariat representatives. In 2012 and 2013, five such mediation debriefings were organized for outgoing mediators and their support staff.

With regard to outreach and networking, the CPC has increased its contacts with the UN, the EEAS, the OIC, the LAS, the Spanish-Moroccan Initiative for Mediation in the Mediterranean, and relevant civil society actors.

Conclusions

As the Helsinki +40 Process moves from its initial orientation phase to discussions on concrete issues, the implementation of MC Decision No. 3/11 with regard to early warning, early action, and mediation is far advanced. That said, many of the tasks laid out in the decision recur, requiring constant action. However, the main work of deciding how to implement these tasks has been completed and concrete tools created and actions undertaken based on the concepts developed. As a result, the Organization is today better prepared and equipped to react quickly and effectively to newly emerging or re-emerging crises. Two caveats are, however, in order: (1) new concepts and procedures are yet to be fully tested in practice; and, (2) the main link between early warning and early action – the political will to take the necessary decision to act – remains unaddressed by this work. This is precisely where the Helsinki +40 Process comes into play: Realizing the vision of a common and indivisible Euro-Atlantic and Eurasian security community requires

overcoming old divisions and mistrust, building confidence, and transforming relations. Nothing less is necessary to ensure that decisions to address emerging crises and decisive steps to resolve existing conflicts can be taken in the OSCE area by consensus. The CPC's contribution over the past two years with regard to the implementation of MC Decision No. /3/11 has been to provide participating States with the best possible framework for effective conflict prevention and crisis response in the meantime. This work now needs to continue and to expand into other phases of the conflict cycle, in particular conflict resolution.

Comprehensive Security: The Three Dimensions and Cross-Dimensional Challenges

Internet Freedom – Past and Current Challenges

Ask anyone with a computer, tablet, or mobile phone. Ask them how the development of the internet has affected them, their work, and their lives. You will get a wide variety of answers, but they will have one common denominator: transformation.

From the very beginning, ever since the days of its predecessor, the Advanced Research Projects Agency Network (ARPANET) in the 1970s and 1980s, the internet has been developed with the goal of creating a simple and effective system for communication. Today, the internet is the world's largest computer network, a network that has made communication possible among people, organizations, and societies all over the world.

From Vancouver to Vladivostok, the OSCE region and its 57 participating States contains some 820 million internet users. They all bear witness to the difference the internet has made in their everyday lives and the benefits it offers, such as educational and economic opportunities, and improvements in human rights, including the freedom to seek, produce, obtain, and impart information.

Looking beyond the OSCE region, the statistics on the global development of the internet are even more staggering. In 2000, there were 360 million internet users around the world. Thirteen years later, there are approximately 2.5 billion. However, some 1.9 billion young people still have no access to the internet and, in developing countries, only a quarter of people are online today.

These numbers show what remains to be accomplished with regard to the development of the internet. However, they do not touch upon one of the core challenges we are facing regarding the internet as a communication platform: keeping it free.

The argument for internet freedom at its very core is plain and simple. Basic human rights, including freedom of expression and freedom of the media, should apply in the online world as they do in the offline world.

These rights must be enforced in the digital age because online media supplement traditional media in protecting democracy, peace, and stability. This should be the starting point for any discussion of internet freedom, and it is also the very foundation of the work on internet freedom that the Office of the OSCE Representative on Freedom of the Media has carried out during the 15 years of its existence.

The connection between the OSCE and the internet goes back to the early days of computer networks and the birth of the OSCE as an international body in 1975. In fact, if we carefully read Article 19 of the Universal Declaration of Human Rights, Article 19 of the International Covenant on

Political and Civil Rights, and the Helsinki Final Act, it is remarkable how the internet, its technology, and digitalization fits and supports these fundamental rights.

Article 19 of the Universal Declaration of Human Rights states as follows:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Even though this declaration was adopted in 1948, it has stood the test of time. In protecting freedom of opinion and expression, it clearly covers expression on the internet as much as an article in a newspaper or a conversation in a café.

The Helsinki Final Act of the Conference on Security and Co-operation in Europe (CSCE), signed in 1975, clearly formulated a specific approach towards the freedom and dissemination of information. This groundbreaking document still provides valid guidelines regarding the purpose and aim of the commitment today, i.e. the participating States should “facilitate the freer and wider dissemination of information of all kinds”.¹

Several other OSCE commitments have clarified how the principle of access to and dissemination of information is universally applicable to new technologies.

The 1989 Concluding Document of the Vienna Meeting further clarified the interpretation in relation to cable and satellite communication. The participating States committed themselves to “tak[ing] every opportunity offered by modern means of communication, including cable and satellites, to increase the freer and wider dissemination of information of all kinds”.²

Further, in Ministerial Council Decision No. 12/04, from 2004, the participating States committed themselves “to ensur[ing] that the Internet remains an open and public forum for freedom of opinion and expression, as enshrined in the Universal Declaration of Human Rights, and to foster access to the Internet both in homes and in schools”, and tasked the Representative on Freedom of the Media to “continue an active role in promoting both freedom of expression and access to the Internet” by observing relevant developments in all the participating States while advocating and promoting OSCE principles and commitments and monitoring compliance.³

1 Final Act of the Conference on Security and Co-operation in Europe, Helsinki, 1 August 1975, in: Arie Bloed (ed.), *The Conference on Security and Co-operation in Europe. Analysis and Basic Documents, 1972-1993*, Dordrecht 1993, pp. 141-217, here: p. 189.

2 Concluding Document of Vienna, Vienna, 15 January 1989, in: Bloed (ed.), cited above (Note 1), pp. 327-411, here: p. 362.

3 Permanent Council Decision No. 633, Promoting Tolerance and Media Freedom on the internet (PC.DEC/633 of 11 November 2004), Annex to Decision No. 12/04, in: Organ-

These documents and decisions included the internet as a platform to which the principles of freedom of expression and media freedom apply. They also established a general interpretation and practice regarding the inclusion of technological innovations under the protection of freedom of expression and the media.

In 2012, a landmark resolution was passed in the UN Human Rights Council in Geneva. With the adoption of Resolution 20/8, the UN Human Rights Council confirmed that Article 19 of the Universal Declaration of Human Rights applies online in exactly the same way as it does to conventional media.⁴ The resolution was adopted by consensus by 47 countries, including China and Russia.

The OSCE Representative on Freedom of the Media has a long track record in working on internet freedom issues. The Office marked a decade of dealing with the challenging task of promoting media freedom on this new platform by hosting a conference in February 2013 entitled “Internet 2013 – Shaping policies to advance media freedom”.

The Representative’s stance on internet freedom was expressed as early as 2003 when the internet really took off as a platform and means of communication. In the preamble of The Amsterdam Recommendations on Freedom of the Media on the Internet, a product of the 2003 Amsterdam Internet Conference, the Office’s overall position is clearly stated:

Convinced that no matter what technical means are used to channel the work of the journalists to the public – be it TV, radio, newspapers or the Internet – the basic constitutional value of freedom of the media as a basic human right must not be questioned.⁵

This general guideline is still very much valid, even though the internet’s scope and power to transform have developed exponentially in the decade since. The 2003 and 2004 Amsterdam Internet Conferences were the first events to bring the Office’s full focus to bear on the topic of internet freedom (the recommendations from the latter were published in *The Media Freedom Internet Cookbook*).⁶

Since then, online freedom has been a priority for the Representative on Freedom of the Media, as evidenced by the activities initiated and carried out

ization for Security and Co-operation in Europe, *Twelfth Meeting of the Ministerial Council, 6 and 7 December 2004*, MC.DOC/1/04, Sofia, 7 December 2004, pp. 34-35.

4 Cf. United Nations General Assembly, Human Rights Council, Twentieth Session, Resolution 20/8, The promotion, protection and enjoyment of human rights on the Internet, A/HRC/RES/20/8, 16 July 2012.

5 OSCE Representative on Freedom of the Media, *Amsterdam Recommendations, 14 June 2003, Freedom of the Media and the Internet*, at: <http://www.osce.org/fom/41903>.

6 OSCE Representative on Freedom of the Media, *The Media Freedom Internet Cookbook*, Vienna 2004, at: <http://www.osce.org/fom/13836>.

by the Office on this subject. These initiatives can be divided into three broad categories.

The first is that of the joint declarations. In 2005, the Representative presented a joint declaration with Reporters Without Borders on *Guaranteeing Media Freedom on the Internet*.⁷ In 2011, the document entitled *International Mechanisms for Promoting Freedom of Expression, Joint Declaration on Freedom of Expression and the Internet* was presented by the Representative together with Special Rapporteurs from the United Nations, the Organization of American States, and the African Commission of Human and Peoples' Rights.⁸

The second category is the publication of articles from leading experts issued in the Office's annual yearbooks, as well as thematic publications, such as *Governing the Internet – Freedom and Regulation in the OSCE Region*⁹ (2007), the *Social Media Guidebook*¹⁰ (2013), and the *Online Media Self-Regulation Guidebook*¹¹ (2013).

The third way in which the Office has promoted the debate on internet-related topics is via the regional media conferences organized in Central Asia and the South Caucasus. These include the 7th Central Asia Media Conference (CAMC) in Almaty (2006), the 6th South Caucasus Media Conference (SCMC) in Tbilisi (2009), the 13th CAMC in Dushanbe (2011), and the 9th SCMC in Tbilisi (2012). Declarations were concluded at each of these conferences.

Ten years after the 2003 Amsterdam Internet Conference, the Office organized an OSCE-wide conference in February 2013 with more than 400 experts. The participants debated the most pressing issues of internet governance and self-regulation, social media and new media services, hate speech, the freedom of expression of minorities, and the future of copyright. The conference recognized that "the Internet, which is free by design, will only remain so by enlightened decisions of legislators, industry and users".¹²

During the last decade, the internet has evolved considerably. It has become an integral part of many citizens' everyday lives. It has changed how we engage with society, and it has brought new services and innovations we

7 OSCE Representative on Freedom of the Media/Reporters sans frontières, *Joint Declaration of the OSCE Representative on Freedom of the Media & Reporters Sans Frontières on Guaranteeing Media Freedom on the Internet*, June 2005, at: <http://www.osce.org/fom/15657>.

8 *International Mechanisms for Promoting Freedom of Expression, Joint Declaration on Freedom of Expression and the Internet*, at: <http://www.osce.org/fom/78309>.

9 OSCE Representative on Freedom of the Media, *Governing the Internet. Freedom and Regulation in the OSCE Region*, Vienna 2007, at: <http://www.osce.org/fom/26169>.

10 OSCE Representative on Freedom of the Media, *2013 Social Media Guidebook*, Vienna 2013, at: <http://www.osce.org/fom/99563>.

11 OSCE Representative on Freedom of the Media, *The Online Media Self-Regulation Guidebook*, Vienna 2013, at: <http://www.osce.org/fom/99560>.

12 OSCE Representative on Freedom of the Media, Dunja Mijatović, *Shaping policies to advance media freedom, OSCE Representative on Freedom of the Media Recommendations from the Internet 2013 Conference*, at: <http://www.osce.org/fom/100112>.

could not even imagine only ten years ago. Even though the development of the internet has brought – and will continue to bring – unprecedented opportunities for all of us, we still have to be firm in safeguarding media freedom and freedom of expression regardless of the technology. Freedom of expression today means the internet has to be free.

If access to the internet is restricted, media freedom is under attack. It is as simple as that. That is why governments have an obligation to make sure their citizens' access to the internet is unhindered. It is also governments' obligation to implement laws and regulations that allow for independent and pluralistic media, regardless of platform. Freedom of expression and freedom of the media apply universally, regardless of how the technology develops.

One major change in the digital age is that the power to control and regulate content has shifted away from governments and towards users and platform providers. Governments do not have the same legitimacy or capacity to regulate the internet compared to traditional mass print and broadcast media.

Even though there is still a significant digital divide to overcome, it is clear that content is growing in importance over channels. It is the message itself – its credibility, usefulness, and appeal – that determines its reach, not access to powerful distribution channels.

While the fight used to be all about channels, today we see a tendency for governments to limit, regulate, filter, and block content on the internet under a range of pretexts, often sidelining international standards and due process. It is nothing less than an act of censorship if governments resort to direct orders to block and filter, sidelining public control and the courts. In many cases, blocking also results in even more attention being paid to the very information that regulators deem harmful.

The digital age requires a new way of thinking about security. Borders, walls, and fences do not work well in a networked world. With control, responsibility, and risks being shifted towards the users, governments need to play a different role: that of the facilitator. Governments need to help users to protect themselves from harmful information, criminal activities, and other dangers.

It is the individual user and citizen that must be empowered to protect themselves from harmful content by means of internet literacy programmes. Users should be enabled to operate filters and other means of blocking undesired websites themselves. We need to spend much more effort and resources on this, and less on trying to control or regulate centrally.

Resources must also be invested in campaigns to raise awareness of existing risks and measures that can be taken for protection. Just consider distributed denial-of-service (DDoS) attacks; if users were better informed about how to protect their devices from being hacked or hijacked by botnets, the risk of cyber-attacks would be significantly reduced.

No one claims that internet regulation is an easy task. Yet there is one very easy rule that we could apply: Those who govern least, govern best. Any regulatory or legislative measures must be decided upon with the backing of all stakeholders. Civil society, governments, and businesses should all work together to safeguard user control, choice, and privacy.

Another factor affecting internet freedom is the fast growing world of social media and how it is transforming the media landscape as we know it. Social media and social networks have definitely changed the way news is generated and accessed. They influence media in three ways: as a tool for the creation of content, in distributing and imparting information, and as a means for seeking, receiving, and accessing information. Needless to say, social media and social networks are becoming instrumental for the exercise of the right to media freedom and free expression.

But the rapid development of the internet and associated technologies also presents a challenge for our societies. This challenge consists of safely embedding the core principles of media freedom, free expression, and access to information within these new technologies. It is as relevant to the older democracies of the West as it is to the more recently democratized states of the OSCE area.

The OSCE promotes and fosters comprehensive security, an approach that takes human rights into account, many of which are increasingly exercised online. The logic is clear; human rights and human security support and reinforce each another. This translates into an understanding that there is no security without free media and free expression, and that there is no free expression and free media without security. These two terms should fit hand in glove and not fight each other as we see in so many parts of the world.

Freedom of expression – exercised online and offline – is also often a litmus test for the observance of other human rights in any given country. That is why issues viewed as serious threats to the development of internet and media freedom, no matter where they take place, must be publicized and dealt with.

It is our duty as citizens to ensure that the internet remains an open and public forum for the freedom of opinion and expression, as guaranteed by OSCE commitments, enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the European Convention on Human Rights.

It is the duty of the OSCE Representative on Freedom of the Media to continue to work for internet freedom. It has been – and will continue to be – one of the biggest challenges and most important tasks of this Office.

Focus on Transnational Threats and Challenges:
Policing, Anti-Terrorism, and Border Management

Transnational Threats and Challenges – An Emerging Key Focus of the OSCE

In 2003, the OSCE Maastricht Ministerial Council Meeting adopted the “OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century”,¹ the Organization’s first comprehensive approach to transnational threats and challenges. Since then, this issue has become one of the key activities of the OSCE, in terms of both policy and practical activities. At the same time, addressing transnational threats marks one of the few fields where the 57 OSCE participating States can agree both on substantive documents and on concrete action. This contribution gives an overview of the development of the OSCE’s *acquis* in the field of transnational threats and challenges, both at a general level and in terms of the Organization’s sector-specific strategies on anti-terrorism, policing, and combating trafficking in human beings. It analyses the scope and quality of the OSCE’s approaches, as well as the related working instruments and types of activity. An assessment of the impact of the OSCE’s activities, including possible counter-productive effects, is beyond the scope of this article.

*The 2003 Maastricht Strategy*²

During the 1970s and 1980s, the CSCE focused on the Cold War, trying to contain, defuse, and even overcome it through dialogue, norm-setting, and co-operation. In the 1990s, the OSCE refocused its activities primarily on the resolution of (ethno-) national conflicts, seeking to prevent and manage them and to rehabilitate war-torn countries. Although transnational threats are touched upon in earlier OSCE documents, e.g. the 1999 Charter for European Security, the 2003 Maastricht Strategy is the first OSCE document that deals in depth with this “new” type of threat. The primary motivation for doing so was certainly the post-9/11 environment, in which terrorism and related transnational threats were seen as the paramount issues of international security. The Maastricht Strategy consists of two parts: an analysis of the nature and causes of transnational threats, titled “Threats to security and stability in

1 Cf. OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century, in: Organization for Security and Co-operation in Europe, *Eleventh Meeting of the Ministerial Council, 1 and 2 December 2003*, MC.DOC/1/03, Maastricht, 2 December 2003, pp. 1-10 (herein after referred to as “Maastricht Strategy”). OSCE documents are available at the OSCE’s website, at: <http://www.osce.org>.

2 This section represents a revised and enlarged version of the first section of Wolfgang Zellner, The OSCE and transnational security threats, in: *Security and Human Rights* 4/2008, pp. 311-321.

the twenty-first century”, and a section on “The OSCE response”, containing a more general strategic approach as well as sector-specific strategies.

The two key sentences of the Strategy’s analytic section read as follows: “Threats to security and stability in the OSCE region are today more likely to arise as negative, destabilizing consequences of developments that cut across the politico-military, economic and environmental and human dimensions, than from any major armed conflict.” And: “Furthermore, threats often do not arise from within a single state, but are transnational in character.”³ As factors that may cause transnational threats, the document identifies, among others, “weak governance, and a failure by States to secure adequate and functioning democratic institutions”, “systematic violations of human rights and fundamental freedoms”, “deepening economic disparities”, “environmental degradation”, and “demographic factors”.⁴ As is the case with many other key OSCE terms (such as “national minority”), the document does not make any attempt to define the term “transnational”. However, the use of the expression “not within a single State” and the cases of transnational threats dealt with in the Maastricht Strategy show that the term is used in a way consistent with a scholarly understanding of it. In accordance with this understanding, a transnational relationship (whether conflictual or not) is one with a trans-boundary character that includes at least one non-state actor.

Although the Maastricht Strategy recognizes that “threats emerging from inter-State and intra-State conflicts remain the broadest category of threat”,⁵ it stops short of discussing the highly complicated relationship among international, national, and transnational conflict constellations. While it is clear that these terms represent Weberian ideal types rather than concrete empirical findings, it is always tempting to simply declare the predominance or even exclusivity of a single, one-dimensional conflict constellation during a certain period. However, the reality is more complex: While the ethno-political conflicts in the 1990s were predominantly national in character, they have almost always included an international dimension, and, though this is frequently overlooked, transnational aspects, e.g. war economies driven by guerilla groups or breakaway regions based on smuggling, trafficking, and blackmail “taxes”. In the same way, the 2008 war in Georgia and the disputes between Russia and Western countries remind us of the fact that the “old” inter-state conflicts in Europe have not simply been replaced by “new” national and/or transnational ones. Rather, transnational threats and challenges have added a new dimension of conflict that is interlinked with other conflict dimensions in multiple ways. For example, while the causes of the conflict in Afghanistan are predominantly national and transnational, the political answers given are clearly international in character.

3 Maastricht Strategy, cited above (Note 1), paras 3 and 7.

4 Ibid., paras 4 and 5.

5 Ibid., para. 9.

While the Maastricht Strategy does not address these complex interrelationships, it clearly identifies the major types of transnational threats and outlines ways to address them. The document starts with terrorism, the specific danger of which is characterized by “its ability to use asymmetric methods to bypass traditional security and defence systems”.⁶ In this way, the document nicely paraphrases one key feature of transnational relations, namely the relative loss of power by state actors compared to non-state actors. Further on, the Strategy mentions organized crime, which “often runs parallel with terrorism, regarding both actors and methods”,⁷ also noting that economic and environmental factors “can provide a breeding ground for other major threats”.⁸ A major achievement of the Maastricht Strategy lies in the fact that it does not simply refer to “hard” factors such as terrorism and organized crime, but also points to practices of “discrimination and intolerance” that can “threaten the security of individuals and may give rise to wider-scale conflict and violence”.⁹ The document thus links soft and hard security factors and shows how seemingly soft factors can result in very hard consequences. Although the Strategy does not systematically differentiate between “threats” and “challenges”, the “mobility of migrant populations” is characterized as a potential challenge and not as a threat like all the other factors. “Threats of a politico-military nature” are only partially identified as transnational “armed threats posed by terrorists and other criminal groups”, while the mention of “destabilizing accumulations of conventional weaponry”¹⁰ points to the traditional inter-state level of conflict. Possible relations between these two dimensions are not discussed.

On the whole, the analytical section of the 2003 Maastricht Strategy tends to link the term “transnational” with the concepts of “threat” and “challenge”. By making this association, it restricts its analysis of the transnational agenda to malign phenomena and actors, losing sight of the fact that the term “transnational” is neutral and also covers benign phenomena and actors such as transnational enterprises and non-governmental organizations (NGOs), which can act to strengthen stability, co-operation, and welfare. As we will see, this analytical reduction leads to a limitation of strategic perspectives.

The second part of the 2003 Maastricht Strategy contains both a general strategic approach and sector-specific strategies. The latter have, meanwhile, been overtaken by more recent and more specific OSCE documents. The following section therefore deals with these newer approaches rather than the relevant parts of the Maastricht Strategy. In general, the Maastricht Strategy “aims to contribute to a more cohesive and effective international system for

6 Ibid., para. 10.

7 Ibid., para. 11.

8 Ibid., para. 14.

9 Ibid., para. 12.

10 Ibid., para. 15.

responding to global threats and challenges”.¹¹ Key elements of the OSCE’s response are the “multidimensional”¹² character of its efforts as well as the Organization’s institutions and field operations.¹³ While the OSCE provides a “forum for political and security dialogue, for setting consensually based, politically binding norms and principles and for promoting their implementation”,¹⁴ the “prime responsibility for providing security for their citizens lies with individual participating States”.¹⁵ Thus, the two core elements mentioned in the OSCE’s strategic response to transnational threats and challenges are states and international organizations.¹⁶ NGOs are only mentioned in three lines, and their role appears supplementary rather than central: “The OSCE has developed strong substantive interaction with non-governmental organizations whose contributions to the overall efforts of the Organization remain significant. This interaction should be further strengthened.”¹⁷ Even in the section on “Addressing threats related to discrimination and intolerance”,¹⁸ the mention of civil society and NGOs appears to be more of a statement of intention than a representation of an integral part of the OSCE’s strategic approach: “Civil society has an important role to play in this regard, and the OSCE will continue to support and help strengthen civil society organizations.”¹⁹ As we will see in the following discussion of sector-specific strategies, this rather casual and non-systematic approach to transnational civil society actors leads to a significant shortening of strategic perspectives in the OSCE’s sector-specific approaches to transnational threats and challenges.

Although its strategic section lags behind its analysis, the 2003 Maastricht Strategy represented, at the time of its adoption, a fairly innovative and solid document for dealing with transnational threats and challenges. A decade later, things have changed significantly. Compared to the most recent sector-specific documents produced by the OSCE on anti-terrorism, policing, and combating human trafficking (see below), the strategic approach of the Maastricht Document appears rather raw and undeveloped, although some of its basic messages and strategic orientations are still valid. This only shows the degree to which strategic thinking in the field of transnational threats and challenges has been refined over the last decade. The following sections focus on the OSCE’s sector-specific strategies in the fields of counter-terrorism, policing, and combating trafficking in human beings.

11 Ibid., para. 2.

12 Ibid., para. 17.

13 Cf. *ibid.*, para. 20.

14 Ibid., para. 19.

15 Ibid., para. 18.

16 Cf. *ibid.*, paras 52-57.

17 Ibid., para. 56.

18 Ibid., paras 36-41.

19 Ibid., para. 36.

The 2011 Vilnius Ministerial Council Meeting was supposed to adopt a number of consolidated OSCE sector-specific strategies related to transnational threats, namely the draft decisions on an “OSCE Strategic Framework for Police-Related Activities”, an “OSCE Concept for Combating the Threat of Illicit Drugs and the Diversion of Chemical Precursors”, and an “OSCE Consolidated Framework for the Fight against Terrorism”. However, this was prevented by deep disagreement on human-dimension issues. After US Secretary of State Hillary Clinton had spent most of her speech on human-dimension issues, including those arising during the Russian Duma elections just days before, the Russian delegation, under Foreign Minister Sergei Lavrov, blocked all human dimension-related decisions. Western delegations, in turn, retaliated by blocking the adoption of the aforementioned draft decisions on transnational threats.²⁰ However, in the following year, the Irish OSCE Chairmanship succeeded in bringing all three draft decisions through the Permanent Council, followed by an umbrella decision by the 2012 Dublin Ministerial Council Meeting that again endorsed those three decisions. This shows two trends: Disputes over the human dimension and other issues have the capacity to temporarily take hostage and block decisions on transnational threats. Nevertheless, after a while, these decisions are taken, if necessary at a less prominent level. Thus, while disputes on other issues may delay the participating States’ co-operation on transnational threats and challenges, they have not been able to derail it completely, at least not for the time being.

The OSCE's Anti-Terrorism Approach

As early as in the 1975 Helsinki Final Act, the participating States committed themselves to “refrain from direct or indirect assistance to terrorist activities, or to subversive or other activities directed towards the violent overthrow of the regime of another participating State”.²¹ However, this clearly refers to state terrorism or state support for terrorists and not to transnational terrorism as currently understood. In the 1999 Istanbul Document, terrorism in the modern transnational sense is mentioned, but only as one among many security challenges, and not a prominent one: “International terrorism, violent extremism, organized crime and drug trafficking represent growing challenges to security. Whatever its motives, terrorism in all its forms and manifestations is unacceptable.”²² It is only since the 9/11 attacks that counter-

20 Cf. Wolfgang Zellner, Back to reality: The 2011 Vilnius Ministerial Council meeting, in: *Security and Human Rights* 1/2012, pp. 7-9.

21 Final Act of the Conference on Security and Co-operation in Europe, Helsinki, 1 August 1975, in: Arie Bloed (ed.), *The Conference on Security and Co-operation in Europe. Analysis and Basic Documents, 1972-1993*, Dordrecht 1993, pp. 141-217, here: p. 146.

22 Organization for Security and Co-operation in Europe, Istanbul Summit 1999, *Istanbul Document 1999*, Istanbul 1999, January 2000/Corr., para. 4.

terrorism has become a key issue in the OSCE. Thus, the 2001 Bucharest Ministerial Council Meeting adopted the “Bucharest Plan of Action for Combating Terrorism”²³ followed by the “OSCE Charter on Preventing and Combating Terrorism”²⁴ adopted by the 2002 Porto Ministerial Council Meeting, as well as the 2007 “Ministerial Statement on Supporting the United Nations Global Counter-Terrorism Strategy”²⁵ and the 2007 Ministerial Decision on “Public-Private Partnerships in Countering Terrorism”²⁶, which was jointly sponsored by the Russian Federation and the US. The substance of these and many other terrorism-related documents is summarized in the “Consolidated Framework for the Fight against Terrorism”, which was adopted by OSCE Permanent Council Decision No. 1063 of 7 December 2012, and which lists 53 decisions and documents related to terrorism. In the following, we will refer to this latter document.²⁷

According to the 2012 Consolidated Framework, “terrorism remains one of the most significant threats to peace, security and stability”.²⁸ The “OSCE participating States stand united in their resolution to implement effective measures to combat terrorism, in all its forms and manifestations, as a serious crime that has no justification, whatever its motivation or origin may be.”²⁹ The Consolidated Framework thus follows the language of the 1999 Istanbul Document and basic UN documents. It focuses on an “inclusive and co-ordinated approach”³⁰ to countering terrorism and states “that similar approaches can be used to address terrorism and other transnational threats to security, such as organized crime; the proliferation of weapons of mass destruction; illegal activities endangering cyber security; and illicit trafficking in small arms and light weapons, drugs and human beings”.³¹ The term “war on terrorism” is not used in OSCE documents. Rather, counter-terrorism is implicitly portrayed as a task for the police and other non-military security services. In its counter-terrorism efforts, the OSCE States “recognize the

23 The Bucharest Plan of Action for Combating Terrorism, Annex to Decision No. 1, Combating Terrorism, MC(9).DEC/1, in: Organization for Security and Co-operation in Europe, *Ninth Meeting of the Ministerial Council, 3 and 4 December 2001*, MC.DOC/2/01, Bucharest, 4 December 2001, pp. 7-13, here: pp. 8-13.

24 OSCE Charter on Preventing and Combating Terrorism, in: Organization for Security and Co-operation in Europe, *Tenth Meeting of the Ministerial Council, 6 and 7 December 2002*, MC.DOC/1/02, Porto, 7 December 2002, pp. 9-11.

25 Ministerial Statement on Supporting the United Nations Global Counter-Terrorism Strategy, MC.DOC/3/07 of 30 November 2007, in: Organization for Security and Co-operation in Europe, *Fifteenth Meeting of the Ministerial Council, 29 and 30 November 2007*, MC.DOC/1/02, Madrid, 30 November 2007, pp. 6-9.

26 Decision No. 5/07, Public-Private Partnership in Countering Terrorism, MC.DEC/5/07 of 30 November 2007, in: *ibid.*, pp. 23-24.

27 Cf. OSCE Consolidated Framework for the Fight against Terrorism, Annex to OSCE, Permanent Council, *Decision No. 1063, OSCE Consolidated Framework for the Fight against Terrorism*, PC.DEC/1063, 7 December 2012.

28 *Ibid.*, para. 2.

29 *Ibid.*, para. 3.

30 *Ibid.*, para. 6.

31 *Ibid.*, para. 7.

leading role of the United Nations”³² and “support the UN Global Counter-Terrorism Strategy”³³ of 2006. The UN Global Counter-Terrorism Strategy in turn refers to the *annex* of UN General Assembly Resolution 49/60 of 9 December 1994, the Declaration on Measures to Eliminate International Terrorism, which contains the following definition of terrorism: “Criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them”.³⁴ It can therefore be concluded that the OSCE indirectly uses this definition as a basis for its counter-terrorism activities, without adding a definition of its own.

In its counter-terrorism approach, the OSCE distinguishes between “activities to eliminate the conditions conducive to the spread of terrorism” in a broader sense and more practical measures: the “strategic focus areas for OSCE counter-terrorism activities”. The first category includes “addressing negative socio-economic factors”, “strengthening democratic institutions and the rule of law”, “combating intolerance and discrimination” as well as “preventing violent conflicts and promoting peaceful settlement of disputes”.³⁵ Yet although such activities might contribute, indirectly, to eliminating conditions conducive to terrorism, they are not translated into focused work on the part of the OSCE. Hence, though the OSCE does address these areas in a way that is distinct from its counter-terrorism efforts, their mention in this context is largely rhetorical.

The operational items within the OSCE’s counter-terrorism approach are far more concrete and focused. They include “promoting the implementation of the international legal framework”, including United Nations Security Council Resolution 1540 (2004) on non-proliferation of weapons of mass destruction, “countering violent extremism and radicalization that lead to terrorism”, “suppressing the financing of terrorism”, “countering use of the Internet for terrorist purposes” as well as “strengthening travel document security”.³⁶ As for the nature of the OSCE’s counter-terrorism measures, the Consolidated Framework for the Fight against Terrorism specifies: “Through the holding of conferences and workshops, programmatic activity, training and information-sharing, the OSCE enables the exchange of good practices and lessons learned and customized capacity-building [...]”.³⁷ Thus, the

32 Ibid., para. 8.

33 Ibid., para. 9.

34 Declaration on Measures to Eliminate International Terrorism, Annex to United Nations, General Assembly, *Resolution 49/60, Measures to eliminate international terrorism*, A/RES/49/60, 9 December 1994, Article I (3).

35 *OSCE Consolidated Framework for the Fight against Terrorism*, cited above (Note 27), paras 15, 17.

36 Ibid., para. 17.

37 Ibid., para. 13.

measures envisioned aim primarily at disseminating and inculcating norms and strengthening capacities in states where they are comparatively weak.

Information on the implementation of the OSCE's counter-terrorism projects can be found in several reports, most concisely in the Secretary General's Annual Report on Police-Related Activities.³⁸ This is a further indication that counter-terrorism is primarily perceived within the OSCE as a police-related task. As the 2011 Report shows, the projects implemented mirror almost perfectly the focus foreseen in the Consolidated Framework, para. 17. Accordingly, the focus in Kyrgyzstan, Tajikistan, and Uzbekistan is on projects concerning travel document security, while questions of violent extremism and radicalization are addressed in terms of community policing, the most prominent target group being women.³⁹ In addition, the OSCE Forum for Security Co-operation (FSC) regularly addresses terrorism-related questions of arms control, such as the control of small arms and light weapons (SALW) and of man-portable air defence systems (MANPADS).⁴⁰

Issues relating to counter-terrorism are dealt with by the Action against Terrorism Unit (ATU), which was set up in 2002 and is part of the Transnational Threats Department (TNTD). The TNTD was established in 2012, and is led by a seconded Russian official. The ATU has a staff of about ten.

The OSCE's Approach to Policing

As early as the 1999 Charter for European Security, the OSCE participating States pledged that they "[would] work to enhance the OSCE's role in civilian police-related activities",⁴¹ particularly related to police monitoring, police training, and law enforcement. This has been followed by a myriad of more detailed decisions, the most prominent being the decision of the 2001 Bucharest Ministerial Council Meeting on "Police-Related Activities",⁴² the 2001 Permanent Council Decision on the "Establishment of the Seconded Post of Senior Police Adviser in the OSCE Secretariat",⁴³ which was the origin of the Strategic Police Matters Unit (SPMU) in the OSCE Secretariat, and the decisions of the 2005 Ljubljana and 2006 Brussels Ministerial Council Meetings on "Combating Transnational Organized Crime",⁴⁴ and "Organized

38 OSCE, *Annual Report of the Secretary General on Police-Related Activities in 2011*, Vienna 2012.

39 Cf. *ibid.*, pp. 24-28.

40 Cf. OSCE, The Secretary General, *OSCE Annual Report on OSCE Activities 2011*, Vienna 2012, pp. 33-34.

41 *Istanbul Document 1999*, cited above (Note 22), here: para. 44.

42 Decision No. 9, Police-Related Activities, MC(9).DEC/9, in: Organization for Security and Co-operation in Europe, *Ninth Meeting of the Ministerial Council*, cited above (Note 23).

43 OSCE, Permanent Council, *Decision No. 448, Establishment of the Seconded Post of Senior Police Adviser in the OSCE Secretariat*, PC.DEC/448, 4 December 2001.

44 Decision No. 3/05, Combating Transnational Organized Crime, MC.DEC/3/05 of 6 December 2005, in: Organization for Security and Co-operation in Europe, *Thirteenth*

Crime”,⁴⁵ respectively. The substance of these and other police-related decisions is summarized in the 2012 “OSCE Strategic Framework for Police-Related Activities”, adopted by OSCE Permanent Council Decision No. 1049, which describes the OSCE’s role in policing and lists the priority topics of the OSCE’s police-related work, and contains an annex of 31 police-related decisions.⁴⁶

Despite this wealth of decisions, the OSCE does not have a basic document that spells out the specific norms of an OSCE approach to policing beyond general principles such as “the rule of law, respect for human rights and fundamental freedoms” contained in the 2012 Strategic Framework.⁴⁷ Because the style of policing in a given society is closely related to the type of political regime that exists there (democratic vs. [semi-]authoritarian), and given that the OSCE only began to become involved in policing at a time when agreement on human dimension issues had already become very difficult, this is not particularly surprising. This normative gap is partially filled by a series of handbooks published by the OSCE Senior Police Adviser, particularly the “Guidebook on Democratic Policing”.⁴⁸ The guidebook establishes “Key Principles of Democratic Policing”, including “Objectives of Democratic Policing”, “Upholding the Rule of Law”, “Police Ethics and Human Rights”, “Police Accountability and Transparency” and “Police Organization and Management Issues”.⁴⁹ It was not simply written by the Senior Police Adviser, but was also thoroughly discussed by a 38-strong working group representing OSCE participating States, institutions, and field operations. Thus, as it was impossible to elaborate and adopt norms on democratic policing at the political level, these tasks were delegated to an epistemic community, which was able to agree on a set of principles. Formally, these principles do not belong to the OSCE’s normative *acquis*. In practical terms, however, the “Guidebook on Democratic Policing” frequently serves as a source of legitimacy. As a consequence, there has been a kind of norm-setting on OSCE policing, though at a level less binding than official OSCE decisions.

Against this background, the Strategic Framework for Police-Related Activities limits itself to describing the role of the OSCE and the added value it can provide to police-related activities in a pragmatic manner: “The OSCE

Meeting of the Ministerial Council, 5 and 6 December, Ljubljana, 6 December 2005, pp. 22-23.

45 Decision No. 5, Organized Crime, MC.DEC/5/06 of 5 December 2006, in: Organization for Security and Co-operation in Europe, *Fourteenth Meeting of the Ministerial Council, 4 and 5 December 2006*, Brussels, 5 December 2006, pp. 20-23.

46 Cf. OSCE Strategic Framework for Police-Related Activities, Annex to OSCE, Permanent Council, *Decision No. 1049, OSCE Strategic Framework for Police-Related Activities*, PC.DEC/1049, 26 July 2012.

47 *Ibid.*, para. 10.

48 Cf. OSCE, *Guidebook on Democratic Policing*, by the Senior Police Adviser to the OSCE Secretary General, Vienna 2008 (second edition).

49 Cf. *ibid.*, pp. 9-10.

has realized concrete achievements in the area of capacity-building, such as the delivery of police training; the development of strategic planning capacities; the building of law enforcement capacities; the creation of transparent, effective and efficient police human resources management systems; and the development of police accountability structures.”⁵⁰ Priority topics are “general police development and reform”, and “threats posed by criminal activity” including organized crime, terrorism, illicit drugs, trafficking in human beings, and cyber crime.⁵¹

The content of the Secretary General’s 2011 report on police-related activities follows almost precisely this schema. One of the largest current OSCE police reform projects is the “Community Security Initiative in Kyrgyzstan”,⁵² an effort to restructure the Kyrgyz police following the 2010 crisis. Other OSCE police reform efforts have been carried out in Tajikistan and Uzbekistan.⁵³ The regional focus of the OSCE’s police reform activities has thus also shifted from South-eastern Europe to Central Asia. In the early 2000s, the OSCE implemented large projects for the creation of multi-ethnic police forces in Kosovo, South Serbia, and Macedonia.⁵⁴ However, critics bemoan the fact that, as David Lewis puts it, the “OSCE’s experience in policing in the Balkans was an inadequate basis for engagement in policing in Central Asia. Security sector reform in authoritarian or semi-authoritarian states needs to be approached in a completely different way to security sector reform in countries in transition, or in post-conflict environments, such as Kosovo.”⁵⁵ Lewis goes into more detail, commenting critically that “police assistance in authoritarian states such as Uzbekistan has done nothing to improve the performance of the police, but has undermined the reputation of the OSCE [...] In Kyrgyzstan, the OSCE failed to respond to concerns about the drift towards highly authoritarian governance under President Bakiev [...] In Tajikistan, the willingness of the Tajik authorities to begin discussions about police reform [...] has not yet been accompanied by any significant change in police behaviour.”⁵⁶ While I am unable to verify the facts behind these statements in detail, it seems that they reflect at least one important aspect of the situation. Police reform is always a fundamentally political matter. And hence, succeeding in terms of democratizing police services or making them more sensitive to citizens’ human and political rights requires positive

50 OSCE *Strategic Framework for Police-Related Activities*, cited above (Note 46), para. 8.

51 Cf. *ibid.*, paras 14-19.

52 Cf. *Annual Report of the Secretary General on Police-Related Activities in 2011*, cited above (Note 40), here: pp. 109-112.

53 Cf. David Lewis, Security Sector Reform in authoritarian regimes: The OSCE experience of police assistance programming in Central Asia, in: *Security and Human Rights*, 2/2011, pp. 103-117, here: pp. 108-117.

54 Cf. Thorsten Stodiek, The OSCE and the Creation of Multi-Ethnic Police Forces in the Balkans, CORE Working Paper 14, Hamburg 2006; Thorsten Stodiek/Wolfgang Zellner, Multiethnische Polizeien auf dem Balkan [Multi-Ethnic Police Forces in the Balkans], in: *Die Friedens-Warte* 1-2/2005, pp. 83-111.

55 David Lewis, cited above (Note 53), p. 117.

56 *Ibid.*

changes in the political regimes. However, with the partial exception of Kyrgyzstan, such changes have not taken place – quite the reverse.

The OSCE's larger police reform projects are amplified by a myriad of workshops and seminars on issues such as "Contemporary Police Training: E-Learning", "International Co-operation in Criminal Matters for Legal Experts in Central Asia", "Regional Workshop on Computer Forensics and Digital Evidence for Police, Prosecutors and Judges in Southeastern Europe", and "Leveraging Anti-Money Laundering Regimes to Combat Trafficking in Human Beings".⁵⁷ In addition, the OSCE convenes an "Annual Police Experts Meeting". Workshops in this field are almost invariably organized in collaboration with other international organizations and/or the OSCE's field operations, whose police or law enforcement departments are sometimes better staffed than the SPMU, with its team of ten. Training courses offered by OSCE field operations have been known to last several weeks. Training activities are complemented by the guidebooks published by the Senior Police Adviser, including the aforementioned "Guidebook on Democratic Policing", as well as "Good Practices in Building Police-Public Partnerships", "Good Practices in Basic Police Training – Curricula Aspects",⁵⁸ "Police and Roma and Sinti: Good Practices in Building Trust and Understanding",⁵⁹ and, most recently, "Police Reform within the Framework of Criminal Justice System Reform".⁶⁰ In 2006, the OSCE High Commissioner on National Minorities (HCNM) contributed a set of "Recommendations on Policing in Multi-Ethnic Societies".⁶¹ In addition, the OSCE maintains the Policing OnLine Information System (POLIS) Digital Library – a digitized document collection covering many aspects of policing.

Overall, the OSCE's focus in the area of policing lies on the elaboration of norms, standards, and best practices that are codified in guidebooks and handbooks and then disseminated and inculcated through workshops and conferences. It is interesting to note that most of these norms and standards have been developed below the threshold of the official normative *acquis* of the OSCE as enshrined in Permanent Council, Ministerial Council, or Summit decisions. Nevertheless, these "unofficial" norms and standards are frequently applied throughout the OSCE area and can thus be seen to be making a real impact. Although these kinds of norms are substantially less binding

57 These examples were drawn from the *Annual Report of the Secretary General on Police-Related Activities in 2011*, cited above (Note 38), pp. 17-20.

58 OSCE, *Guidebook on Democratic Policing*, by the Senior Police Adviser to the OSCE Secretary General, cited above (Note 48); *Good Practices in Building Police-Public Partnerships*, by the Senior Police Adviser to the OSCE Secretary General, Vienna 2008; *Good Practices in Basic Police Training – Curricula Aspects*, by the Senior Police Adviser to the OSCE Secretary General, Vienna 2008.

59 OSCE ODIHR, *Police and Roma and Sinti: Good Practices in Building Trust and Understanding*, Vienna 2010.

60 OSCE, *Police Reform within the Framework of Criminal Justice System Reform*, Vienna 2013.

61 OSCE, High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies*, The Hague 2006.

than official OSCE commitments adopted by the 57 states, they represent an interesting way to bypass the current standstill in all kinds of norm-setting linked to democracy, the rule of law, and other human dimension issues. This assessment is also supported by the fact that such norms, particularly the “Guidebook on Democratic Policing”, are not simply decreed by some OSCE executive official, but are elaborated by working groups of 35-40 officials representing the most relevant OSCE participating States. This can be considered as a means of mirroring the usual OSCE discussion and decision-making process on a smaller and less formal scale.

The OSCE Approach to Combating Trafficking in Human Beings

The first CSCE/OSCE document that explicitly addressed trafficking in human beings was the 1991 Moscow Document.⁶² Here we read that the participating States “seek to eliminate all forms of violence against women, and all forms of traffic in women and exploitation of prostitution of women including by ensuring adequate legal prohibitions against such acts and other appropriate measures”.⁶³ Interestingly, the 1990 Copenhagen Document did not mention trafficking in human beings at all.⁶⁴ While the wording used in the 1991 Moscow Document referred solely to trafficking in women, the 1999 Charter for European Security was the first OSCE document that used the language that remains current. Here, the participating States decided to “undertake measures to eliminate all forms of discrimination against women, and to end violence against women and children as well as sexual exploitation and all forms of trafficking in human beings”.⁶⁵ The development of a broader set of policies only started in 2000 with the adoption of a “Decision on Enhancing the OSCE’s Efforts to combat Trafficking in Human Beings”⁶⁶ by the Vienna Ministerial Council Meeting, followed by a modest decision of the 2001 Bucharest Ministerial Council Meeting⁶⁷ and the “Declaration on Trafficking in Human Beings”⁶⁸ adopted by the 2002 Porto Ministerial Council Meeting. However, the key documents that continue to guide the OSCE’s

62 Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, Moscow, 3 October 1991, in: Bloed (ed.), cited above (Note 21), pp. 605-629.

63 Ibid., para. 40.7.

64 Cf. Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, Copenhagen, 29 June 1990, in: Bloed (ed.), cited above (Note 21), pp. 439-465.

65 Cf. *Istanbul Document 1999*, cited above (Note 22), para. 24.

66 Decision on Enhancing the OSCE’s Efforts to Combat Trafficking in Human Beings, MC(8).DEC/1, in: Organization for Security and Co-operation in Europe, *Eighth Meeting of the Ministerial Council, 27 and 28 November 2000*, MC.DOC/2/00, Vienna, 28 November 2000, pp. 7-8.

67 Decision No. 6 by the Ministerial Council, MC(9).DEC/6, in: Organization for Security and Co-operation in Europe, *Ninth Meeting of the Ministerial Council*, cited above (Note 23), p. 30.

68 Declaration on Trafficking in Human Beings, in: Organization for Security and Co-operation in Europe, *Tenth Meeting of the Ministerial Council*, cited above (Note 24), pp. 15-17.

efforts to combat trafficking in human beings to this day are the “OSCE Action Plan to Combat Trafficking in Human Beings”, which was adopted by the Permanent Council on 24 July 2003,⁶⁹ and the “Addendum to the OSCE Action Plan” adopted by the Permanent Council on 7 July 2005.⁷⁰ In the ten years since then, this has only been followed by decisions on details, such as the decision on “Combating Trafficking in Human Beings for Labour Exploitation”⁷¹ adopted by the 2007 Madrid Ministerial Council Meeting, or decisions that confirmed the existing *acquis* in this field, such as the “Ministerial Declaration on Combating all Forms of Human Trafficking”⁷² adopted by the 2011 Vilnius Ministerial Council Meeting.

In contrast to its approach in almost every other area in the field of transnational threats and beyond, the OSCE does provide a definition of trafficking in human beings, which it borrowed from the 2000 “United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children”: “Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”⁷³ The existence of an agreed definition points to the fact that trafficking in human beings is one of the least disputed issues in the OSCE. The 2011 Vilnius Ministerial Council Meeting, which was unable to agree on almost anything, at least agreed on a decision on combating human trafficking.

In the 2002 Porto Declaration on Trafficking in Human Beings, trafficking in human beings is qualified as a “modern form of slavery” that constitutes a “rapidly expanding area of transnational organized crime” that “represents a dangerous threat to security in the OSCE area and beyond”.⁷⁴

69 OSCE Action Plan to Combat Trafficking in Human Beings, Annex to OSCE, Permanent Council, *Decision No. 557, OSCE Action Plan to Combat Trafficking in Human Beings*, PC.DEC/557, 24 July 2003.

70 OSCE, Permanent Council, *Decision No. 685, Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: Addressing the Special Needs of Child Victims of Trafficking for Protection and Assistance*, PC.DEC/685, 7 July 2005.

71 Decision No. 8/07, Combating Trafficking in Human Beings for Labour Exploitation, MC.DEC/8/07 of 30 November 2007, in: Organization for Security and Co-operation in Europe, *Fifteenth Meeting of the Ministerial Council*, cited above (Note 25), pp. 29-31.

72 Ministerial Declaration on Combating all Forms of Human Trafficking, MC.DOC/1/11/Corr.1 of 7 December 2011, in: Organization for Security and Co-operation in Europe, *Eighteenth Meeting of the Ministerial Council, 6 and 7 December 2011*, Vilnius, 7 December 2011, pp. 45-47.

73 Cited in: *OSCE Action Plan to Combat Trafficking in Human Beings*, cited above (Note 69), pp. 1-2.

74 *Declaration on Trafficking in Human Beings*, cited above (Note 68), Section I.

The root causes of trafficking in human beings are seen in “economic and social inequalities and disadvantages” and in the fact “that, in countries of destination, demand for the activities of persons trafficked for the purposes of sexual exploitation, forced labour, slavery or other practices similar to slavery is an integral part in trafficking in human beings”.⁷⁵ This prominent mention of countries of destination makes trafficking in human beings one of the few fields of OSCE activity where “Western” and “Eastern” countries are dealt with in an equal manner. The 2003 Action Plan to Combat Trafficking in Human Beings is a systematic 18-page document that contains chapters on “Investigation, law enforcement and prosecution”, “Prevention of trafficking in human beings”, “Protection and assistance” as well as a “Follow-up and co-ordinating mechanism”.⁷⁶ Objectives are defined in each of these areas. For instance, “Investigation, law enforcement and prosecution” covers criminalization, law enforcement response, law enforcement co-operation and information exchange, assistance and protection of witnesses and victims, training, and border measures, with additional specific measures to come. The Action Plan is thus one of the OSCE’s most comprehensive and systematic documents. At the same time, it shows what quality OSCE documents can achieve if there are no major disagreements.

The 2003 Action Plan created the “Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings”. The current incumbent is the Italian judge, Maria Grazia Giammarinaro. The Co-ordinator’s mandate involves assisting the “OSCE participating States in the implementation of commitments” by, among other things, raising “the public and political profile of the combat against trafficking in human beings”, giving advice to the participating States on related legislative, judicial, and executive matters, and ensuring co-ordination of OSCE efforts in combating trafficking in human beings.⁷⁷ The Office of the Special Representative currently has about ten members of staff. The Special Representative issues publications such as the “Reference Guide for Anti-Trafficking Legislative Review”⁷⁸ and “Building the Capacity of Roma Communities to Prevent Trafficking in Human Beings”,⁷⁹ organizes conferences such as a “Seminar on Cooperation to Prevent Trafficking in Human Beings in the Mediterranean Region”, which was held in February 2013 in Rome, and conducts country visits. In 2012, visits were carried out in Azerbaijan, Bosnia and Herzegovina, Ireland, and Portugal. To improve international co-ordination, the first Special Representative, Helga Konrad, initiated the Alliance Against Traf-

⁷⁵ Ibid., Section II.

⁷⁶ *OSCE Action Plan to Combat Trafficking in Human Beings*, cited above (Note 69).

⁷⁷ OSCE Secretariat, Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *Mandate*, at: <http://www.osce.org/cthb/43466>.

⁷⁸ Angelika Kartusch, *Reference Guide for Anti-Trafficking Legislative Review*, Warsaw 2001.

⁷⁹ OSCE ODIHR, *Building the Capacity of Roma Communities to Prevent Trafficking in Human Beings*, Warsaw 2007.

ficking in Persons, a platform of 29 international organizations and NGOs: from the European Commission, the Council of Europe, and several UN organizations, to Amnesty International and Terre des Hommes. Thanks to this Alliance, combating human trafficking is the only OSCE field of activity within the larger area of addressing transnational threats and challenges in which transnational NGOs are included in a systematic manner. The Alliance Against Trafficking in Persons is also innovative in the way it links and integrates the efforts of international and transnational actors. As a result, combating trafficking in human beings is the only OSCE field of activity where a transnational threat is addressed by including benign transnational actors.

Within the OSCE, the Special Representative co-operates primarily with the Office for Democratic Institutions and Human Rights (ODIHR) and the OSCE field operations, all of which run a counter-trafficking focal point, as well as with the Strategic Police Matters Unit. It is no exaggeration to say that the OSCE is, in its area of application, a leading force in the coordination of combating trafficking in human beings.

OSCE Regime-building in Addressing Transnational Threats and Challenges

Since 2000, the OSCE has dealt with the key transnational threats and challenges by means of “strategic frameworks”, “consolidated frameworks”, “action plans”, and other comprehensive strategy documents, and has developed a range of implementation instruments. The clear progress made in this area stands in stark contrast to the almost universally shared perception of a “deep crisis of the OSCE”, which is characterized as an organization that cannot agree on anything, has difficulties taking action, and is therefore losing relevance. This apparent contradiction requires an explanation.

In most cases, OSCE strategy documents in the field of transnational threats and challenges combine the formulation of sector-specific norms, rules, procedures, and working routines with sector-specific objectives, strategies, and practical implementation measures. This can be considered as a process of issue-specific regime-building. The norm-setting consists less of the introduction of new norms than of the adaptation of existing ones to the needs of specific issues. Two developments within this process are striking. First, the normative coverage and depth, and thus the regime density, are unevenly distributed among the individual issue areas. While the field of anti-trafficking is characterized by full normative coverage, including a definition of human trafficking (something that is rare in international organizations), the field of policing lacks any substantive norms, at least at the level of formal decisions adopted by the OSCE’s participating States. Second, this normative deficit is at least partially compensated for by a number of police-related guidebooks that do not contain official OSCE commitments, but rather sets of norms, rules, and best practices that exert a degree of normative

guidance by way of their very existence and the way in which they were drafted. A possible explanation for this uneven normative coverage of different subfields of transnational threats and challenges may be the following: The closer a specific transnational threat sub-area is to the locus of state power, the more difficult it is to achieve some kind of normative regulation, and vice versa. The striking differences in normative coverage for anti-trafficking, which is seen as a general human dimension issue concerning all states in an equal manner, and policing, which is an issue at the very heart of state power, are a good example.

The OSCE's implementation strategy in the field of transnational threats (but not only there) aims at teaching, inculcating, and putting into practice the adopted norms and procedures through handbooks, workshops, conferences, and training courses. Since implementation is fundamentally seen as the task of the participating States themselves, the OSCE limits itself to the role of an assisting and facilitating institution that does not take on the implementation of large sets of measures. That explains the comparatively small size of OSCE projects and of the units and departments dealing with transnational threats.

In its co-operation strategy, the OSCE aims primarily at "international" co-operation, i.e. co-operation with other international organizations, and particularly the UN (and the UN family). The OSCE understands itself as a "regional arrangement in the sense of Chapter VIII of the Charter of the United Nations"⁸⁰ This declaration finds practical expression in the fact that almost all OSCE documents include a substantive reference to the United Nations, be it by taking over a definition, such as the one on human trafficking, by making use of comprehensive UN documents, or by an orientation towards the ratification and implementation of global UN instruments by the OSCE participating States, as in the case of the UN anti-terror conventions. This orientation towards the UN is also expressed by the frequent co-operation of OSCE bodies with specialized UN institutions. Transnational co-operation in the sense of co-operation with transnational NGOs is less relevant. But here, too, the OSCEs activities exhibit significant differentiation. While areas that are relatively distant from state power, such as anti-trafficking, show a higher level of transnational co-operation, co-operation on issues that are closer to the state's key powers, such as policing, is almost completely international in character.

Altogether, the OSCE shows a remarkable convening, agenda-setting and, in general, regime-building power in the area of transnational threats and challenges. This means that the Organization has the ability to bring the relevant stakeholders together on a given set of issues, to initiate and conclude discussion processes on objectives, norms, rules, procedures, and working

80 CSCE Helsinki Document 1992: The Challenges of Change, Helsinki, 10 July 1992, Helsinki Summit Declaration, Section 25, in: Bloed (ed.), cited above (Note 21), pp. 701-777, here: p. 707.

instruments, and, to some extent, to implement this sector-specific regime. The stakeholders in this process are states, international organizations and, in specific areas, transnational and international NGOs. How is the OSCE able to exercise this kind of convening power despite its frequently cited crisis? The following factors may contribute to an explanation.

First, despite all disputes over and contradictions related to power and normative questions, almost all participating States share a number of parallel interests not only, but primarily, in the field of transnational threats and challenges. The political experience of recent years has shown that differences regarding norms and power can delay co-operation on transnational threats and challenges, but cannot stop it. The adoption in 2012 of a number of decisions on transnational threats by the Permanent Council, after these decisions had been taken hostage at the 2011 Vilnius Ministerial Council Meeting, is a striking example. The ongoing co-operation between Russia and the NATO states on Afghanistan despite an extremely wide range of disputed issues is another one.

Second, despite and perhaps even because of the OSCE's permanent crisis, its institutions have developed a remarkable degree of resilience. The three OSCE institutions – ODIHR, the HCNM, and the Representative for the Freedom of the Media (RFOM) – have successfully defended their autonomy, while the Secretariat and the Secretary General, who, for a long time, represented not much more than the “chief administrative officer”, providing administrative support for OSCE Chairmanships, have also gained a significant degree of political room to manoeuvre. This can be illustrated in terms of both the development of the OSCE budget and the Secretary General's own political projects. In the eleven years from 2001 to 2012, the three OSCE institutions plus the Secretariat increased their relative share of the OSCE's Unified Budget from 14.08 per cent to 40.00 per cent, or, in nominal terms, from 29.458 million euros to 59.804 million euros. This doubling of budgetary funds received by the institutions is all the more remarkable since the OSCE Unified Budget as a whole decreased in the same period from 209.329 million euros to 148.055 million euros, i.e. by about one quarter.⁸¹ At the level of politics, Secretary General Lamberto Zannier, who entered office in July 2011, introduced the OSCE Security Days, high-level events for practitioners and experts from think tanks, civil society, and the media to discuss prominent focal areas of the Organization's work. The Secretary General has thereby successfully strengthened his capacity to take political initiatives.

Third, for a range of issues, the OSCE is better placed politically and in terms of legitimacy and has better access to relevant stakeholders than do other international organizations. This applies completely to transnational threats and challenges and partially to conflict regulation. In regional terms, it applies particularly to Central Asia, and, to a lesser degree, to the South Cau-

81 Author's own calculations, based on the Annual Reports of the OSCE Secretary General from 2001-2012, Vienna 2002-2013.

casus and Eastern Europe. A good example is the 2010 Kyrgyzstan crisis, where the UN, the EU, and NATO refrained from any action, but encouraged the OSCE to get involved.

Fourth, the comparative advantages of the OSCE in terms of legitimacy and access result from the Organization's inclusive character. While in some cases it is more difficult for exclusive international organizations such as the EU and NATO to gain access and to muster sufficient legitimacy, the OSCE, with its broad membership, enjoys a structural advantage. It is, however, one that is balanced by other disadvantages, for example by the fact that the OSCE is not a donor organization.

Fifth, and finally, its comprehensive policy approach combined with its smallness and flexibility make it easier for the OSCE to address new fields as they arise.

It is important to note that the evaluation of the performance of an (international) organization must be based on the entirety of its activities and its output. It is not sufficient to refer to more prominent or more easily accessible levels such as political decision-making. So-called "routine functions" of an organization also have to be taken into account. For the OSCE, this does not mean that there is no crisis in areas such as political decision-making, particularly on questions relating to power and norm-setting. However, there is a brighter side of the OSCE's performance. Besides the many activities of ODIHR, the HCNM, and the RFOM, this particularly involves the Organization's activities in the field of transnational threats and challenges.

The OSCE Strategic Framework for Police-Related Activities

Introduction

The OSCE has been involved in the field of international police activities since the deployment of the OSCE Police Monitoring Group to Eastern Slavonia, Croatia, in October 1998. Already at the OSCE's Istanbul Summit in December 1999, police-related activities were recognized in the Charter for European Security as an essential element of conflict prevention, crisis management, and post-conflict rehabilitation.

In the following 13 years, the participating States concretized the areas of responsibility and roles of the OSCE executive structures with regard to OSCE police-related activities in 24 separate Permanent Council (PC) and Ministerial Council (MC) decisions. The continually growing spectrum of activities ranged from the improvement of the quality of life of Roma and Sinti; via the promotion of gender equality; combating transnational organized crime, with an emphasis on trafficking in illicit drugs and precursors, trafficking in human beings, and the sexual exploitation of children on the internet; to the fight against terrorism.

After more than a decade of rather piecemeal expansion in the area of police matters, a review and evaluation of existing OSCE police activities was undertaken on the initiative of a number of participating States (France, Germany, and Sweden). This led to the publication in 2010 of a comprehensive analytical report of the Secretary General¹ and, in July 2012, to the adoption of the *OSCE Strategic Framework for Police-Related Activities*² and the *OSCE Concept for Combating the Threat of Illicit Drugs and the Diversion of Chemical Precursors*.³

In 2012, the participating States also adopted a PC decision on the *Development of Confidence-Building Measures to Reduce the Risks of Conflict Stemming from the Use of Information and Communication Technologies*,⁴

1 See Organization for Security and Co-operation in Europe, *Report by the OSCE Secretary General on Police-Related Activities of the OSCE Executive Structures up to the End of 2009*, SEC.GAL/62/10, Vienna, 1 April 2010.

2 See OSCE Strategic Framework for Police-Related Activities, in: Organization for Security and Co-operation in Europe, Permanent Council, *Decision No. 1049, OSCE Strategic Framework for Police-Related Activities*, PC.DEC/1049, 26 July 2012, Annex.

3 See OSCE Concept for Combating the Threat of Illicit Drugs and the Diversion of Chemical Precursors, in: Organization for Security and Co-operation in Europe, Permanent Council, *Decision No. 1048, OSCE Concept for Combating the Threat of Illicit Drugs and the Diversion of Chemical Precursors*, PC.DEC/1048, 26 July 2012, Annex.

4 See Organization for Security and Co-operation in Europe, Permanent Council, *Decision No. 1039, Development of Confidence-Building Measures to Reduce the Risks of Conflict*

and the *OSCE Consolidated Framework for the Fight against Terrorism*.⁵ In 2013, the participating States also adopted a PC Decision on an *Initial Set of OSCE Confidence-Building Measures to Reduce the Risks of Conflict Stemming from the Use of Information and Communication Technologies*.⁶

The *OSCE Strategic Framework for Police-Related Activities* (hereafter “Strategic Framework”) analyses the OSCE’s role and added-value in policing. On the basis of this analysis, the Strategic Framework sets down where the OSCE should concentrate its police-related efforts within the scope of its comprehensive approach to ensuring security and combating transnational threats such as organized crime.

The following sections explicate the key provisions of the Strategic Framework and present a number of examples of how these tasks have been implemented by the OSCE executive structures.

The OSCE’s Role and Added-Value in Policing

The Strategic Framework defines the role of the OSCE in the area of policing as “assist[ing] the law enforcement agencies of participating States in addressing threats posed by criminal activity, while upholding the rule of law and ensuring respect for human rights and fundamental freedoms” via “needs assessment, capacity-building, institution-building, training and evaluation” carried out “at the request of the participating States and with their agreement”. The emphasis on capacity-building is a result of the fact that the OSCE has neither a mandate for operational crime-fighting activities nor the means to carry them out.

By stating that “the OSCE’s civilian police-related activities are an integral part of its efforts in conflict prevention, crisis management and post-conflict rehabilitation”, the Strategic Framework underscores earlier decisions.

In addition, it stresses that the OSCE “also works with other international organizations in promoting international and national legal frameworks within which the police can perform their tasks effectively in accordance with the principles of the rule of law and national legislation”.

Stemming from the Use of Information and Communication Technologies, PC.DEC/1039, 26 April 2012.

5 See OSCE Consolidated Framework for the Fight against Terrorism, in: Organization for Security and Co-operation in Europe, Permanent Council, *Decision No. 1063, OSCE Consolidated Framework for the Fight against Terrorism*, PC.DEC/1063, 7 December 2012, Annex.

6 See Organization for Security and Co-operation in Europe, Permanent Council, *Decision No. 1106, Initial Set of OSCE Confidence-Building Measures to Reduce the Risks of Conflict Stemming from the Use of Information and Communication Technologies*, PC.DEC/1106, 3 December 2013.

Box 1: Measures to Combat Transnational Threats (TNT)

The four PC decisions taken in 2012 were formally endorsed at ministerial level at the Ministerial Council Meeting in Dublin in December 2012 in a package entitled *OSCE's Efforts to Address Transnational Threats*.⁷

This process had already been heralded by Ministerial Council Decision No. 2/09 on *Further OSCE Efforts to Address Transnational Threats and Challenges to Security and Stability* taken at Athens,⁸ and the subsequent (2010) report by the Secretary General reviewing efforts to implement this decision.⁹ A further significant measure in this process was Ministerial Council Decision No. 9/11 on *Strengthening Co-ordination and Coherence in the OSCE's Efforts to Address Transnational Threats*, taken in Vilnius.¹⁰ This decision welcomed the proposal by the Secretary General for the establishment of a transnational threats department, tasked, in a way “consistent with the OSCE’s mandates and within available resources”, with “ensuring better co-ordination, strengthened coherence and more efficient use of the OSCE’s resources in addressing transnational threats”. The Transnational Threats Department (TNTD), which became operational on 1 January 2012, is tasked with optimizing the support provided to the Secretary General, the Chairmanship, and the participating States on TNT matters including anti-terrorism, border management and security, and cyber-security, as well as police-related activities. The TNTD has the role of supporting the Secretary General as a focal point for Organization-wide programmatic activities that relate to countering transnational threats, and ensuring the co-ordination and coherence of action across all three OSCE dimensions and among all OSCE executive structures, while respecting their mandates.

The TNTD is led by a Co-ordinator and comprises the following units: a Co-ordination Cell (CC), the Action against Terrorism Unit (ATU), the Border Security and Management Unit (BSMU), and the Strategic Police Matters Unit (SPMU).

-
- 7 See Organization for Security and Co-operation in Europe, Ministerial Council, Dublin 2012, *Decision No. 4/12, OSCE's Efforts to Address Transnational Threats*, MC.DEC/4/12, Dublin, 7 December 2012.
 - 8 See Organization for Security and Co-operation in Europe, Ministerial Council, Athens 2009, *Decision No. 2/09, Further OSCE Efforts to Address Transnational Threats and Challenges to Security and Stability*, MC.DEC/2/09, Athens, 2 December 2009.
 - 9 See Organization for Security and Co-operation in Europe, *Report by the OSCE Secretary General on the Implementation of MC.DEC/2/09 on Further OSCE Efforts to Address Transnational Threats and Challenges to Security and Stability*, SEC.GAL/107/10, Vienna, 11 June 2010.
 - 10 See Organization for Security and Co-operation in Europe, Ministerial Council, Vilnius 2011, *Decision No. 9/11, Strengthening Co-ordination and Coherence in the OSCE's Efforts to Address Transnational Threats*, MC.DEC/9/11, Vilnius, 7 December 2011.

The added value that the OSCE brings to collaboration with other international organizations in the area of policing is based above all on the Organization's cross-dimensional and comprehensive approach to security: The OSCE's police-related activities pertain not only to enforcing the letter of the law, but also to economic issues such as tackling corruption and money laundering, and to ensuring respect for human rights and fundamental freedoms.

Furthermore, the OSCE has an extensive field presence in the OSCE region: In 2013, the Organization maintained 15 long-term field operations in South-eastern Europe, Eastern Europe, the South Caucasus, and Central Asia. The OSCE's field presences have developed an expertise and a network of government and civil-society partners in their host countries that make it possible to customize policing programmes in consultation with all relevant stakeholders. This approach is essential for fostering local commitment to police development and reform in the host states, as well as ownership and sustainability of the achievements that are made.

The OSCE also maintains a strong framework and effective mechanisms for co-operation at national, international, and expert levels. Externally, the 1999 Platform for Co-operative Security provides the basis for the OSCE's co-operation with the United Nations and its structures as well as other international, regional, and subregional organizations.

When it comes to external co-operation, the Strategic Framework places great emphasis on achieving unity of purpose and action and avoiding duplication. Within the OSCE, the Strategic Police Matters Unit of the Transnational Threats Department (TNTD/SPMU) serves as the main focal point for ensuring co-ordination and coherence of police-related activities by facilitating the exchange of information and providing conceptual and operational guidance.

In the overall field of combating TNT, the TNTD plays the role of focal point for Organization-wide programmatic activities, seeking to ensure co-ordination and coherence of action across all three OSCE dimensions and among all OSCE executive structures. In doing this, it is required to respect the specific mandates of the various executive structures (see box 1).

Guiding Principles and Thematic Priorities of the OSCE's Police-related Activities

A particularly significant aspect of the Strategic Framework is the reference to "guiding principles of the OSCE's police-related activities", which are considered to be one of the key distinguishing features of the OSCE's involvement in policing. The Strategic Framework stresses the primary importance of the norms, principles, and standards of relevant UN and OSCE documents, and emphasizes their promotion as the foundation of all police-related activities.

The principles and elements of democratic policing include the importance of the rule of law; respect for human rights and fundamental freedoms, including gender and minority issues; police-public partnerships; and effective and accountable criminal justice systems.

The OSCE executive structures are requested to take these principles and elements of democratic policing into account consistently in the process of police development and in the comprehensive approach to reform of criminal justice systems, as well as in the fight against transnational threats.

The executive structures are further requested to foster enhanced co-operation among participating States and international and regional organizations.

Since the OSCE – as stated above – has neither a mandate nor the means to carry out operational measures in the area of policing, the Strategic Framework indicates five “lines of action” for police-related assistance:

- institution- and capacity-building;
- confidence-building, police monitoring and advice;
- police training in line with international policing standards;
- facilitation of information sharing and exchange of best practices; and
- analysis of lessons learned to develop programmatic, conceptual, and methodological guidance.

In view of the Organization’s available capacities, the Strategic Framework also sets six thematic priorities:

- general police development and reform; as well as efforts to combat the threats posed by
- organized crime in general;
- terrorism;
- illicit drugs and chemical precursors;
- trafficking in human beings; and
- cybercrime.

General Police Development and Reform

Activities to promote and support general police development and reform in the participating States focus mainly on:

- Community policing/police-public partnerships: This is at the very core of what policing is. The OSCE works for good relations, better communication, and joint problem-solving among police, government agencies, and all segments of society.

- Exchange of best practices: The OSCE assists with the development of training strategies, modern teaching methods (e-learning and multi-media), and delivers training in democratic policing.
- Victim protection: The OSCE provides advice on protecting victims and witnesses to crime.
- Multi-ethnic policing and gender mainstreaming within police forces: The OSCE promotes the adequate representation of women, ethnic minorities, and members of marginalized groups in the police.
- Guidelines: The SPMU develops conceptual and operational guidelines on various aspects of police development and reform, including a holistic approach to police reform within the framework of criminal justice-system reform, and assists participating States in implementing them.
- Anti-corruption: In line with the UN Convention against Corruption (UNCAC), the OSCE develops strategies and instruments to fight corruption.

Addressing Threats Posed by Criminal Activity

With regard to activities to address threats posed by criminal activity, the OSCE's effort focuses on:

- *Addressing organized crime:* Implementing the United Nations Convention on Transnational Organized Crime (UNTOC) and the UNCAC. The OSCE assists participating States in implementing these conventions in close co-operation with the United Nations Office on Drugs and Crime (UNODC).
 Law enforcement co-operation: The OSCE strengthens international, regional, and national law enforcement co-operation.
 Investigation: the OSCE provides specialized investigation training for law enforcement agencies and other criminal justice-system institutions, in areas including financial investigations, seizure of proceeds of crime, and tracing of laundered money.
- *Countering extremism and terrorism:* The OSCE promotes policing strategies and capacity-building activities to address the fight against radicalization and extremism, including through a community policing approach, and a focus on involving women in conflict resolution; and assists participating States in developing police strategies, tactics, mechanisms, and training guidelines on counter-terrorism.
- *Fighting drug trafficking:* The OSCE assists participating States in developing strategies to fight trafficking in illicit drugs and the diversion of chemical precursors, as well as in developing and implementing training plans and programmes addressing drug-related issues for relevant law enforcement agencies.

In line with the *OSCE Concept for Combating the Threat of Illicit Drugs and the Diversion of Chemical Precursors*, the Organization's anti-drug-activities promote the exchange of best practices and scientific, evidence-based information on combating the threat of illicit drugs; as well as the facilitation and promotion of cross-border interaction between relevant criminal justice agencies and other competent national structures of the participating States in the prevention, identification, suppression, detection, and investigation of drug-related crimes, and the apprehension and extradition of criminals in accordance with existing legal frameworks. Preventive measures also aim at reducing drug abuse and dependence, and drug-related harm to health and society, especially to children and young people.

- *Combating trafficking in human beings*: The OSCE supports the enhancement of strategies to prevent and combat human trafficking. It promotes the broader involvement of stakeholders in identifying victims and seeks to facilitate their referral to services. It encourages links between law enforcement agencies and civil society, including via police-public partnership structures. It also seeks to promote outreach to vulnerable groups, the protection of witnesses and the prosecution of traffickers through specialized financial investigations, as well as the seizure of proceeds of crime and activities targeting corruption and money-laundering.
- *Investigating cybercrime*: The OSCE develops regional and national capacities and facilitates the exchange of information and best practices in investigating cybercrime and dealing with cyber-evidence, with a special focus on fighting hate and the sexual exploitation of children on the internet and countering the use of the internet for terrorist purposes in conformity with human rights, fundamental freedoms, and the rule of law.

Implementation of the Strategic Framework for Police-Related Activities

OSCE executive structures have been active in addressing the police-related tasks defined in the Strategic Framework for many years.

The remainder of this contribution looks in detail at examples of activities where the OSCE has developed a wealth of experience and can refer to successful projects.

Development of OSCE Policing Guidelines

The TNTD/SPMU aims to provide a democratic vision of policing for the whole OSCE region and to put that vision to work. The TNTD/SPMU therefore supports the OSCE participating States in developing baseline police

capacities for better compliance with the requirements and obligations they accepted by ratifying fundamental international legal instruments. Furthermore, the TNTD/SPMU aims to develop a conceptual foundation for a coherent OSCE approach to promoting the democratic vision of policing.

Since 2006, the TNTD/SPMU has therefore collaborated with hundreds of criminal justice system experts from OSCE participating States, executive structures, and international and regional partner organizations to collect and analyse good policing practices, resulting in the development of twelve guidebooks so far.

Upon request from participating States and in support of OSCE field operations and OSCE institutions, the TNTD/SPMU promotes these guidebooks at regional roundtables and training events. It has also started developing specific training curricula on the basis of the good practices detailed in the books.¹¹

Box 2: Examples of OSCE Policing Guidebooks

*Guidebook on Democratic Policing by the Senior Police Adviser to the OSCE Secretary General*¹²

This is the foundational document of the TNTD/SPMU guidebook series. It articulates the objectives of democratic police services; the importance of their commitment to the rule of law, police powers, police ethics, and human rights standards; the essential nature of police accountability; and the need for police co-operation with communities.

*Reference Guide to Criminal Procedure*¹³

This is a tool for law enforcement agencies, prosecutors, judges, and defence lawyers. The guide synthesizes a vast body of international procedural law and standards to provide practical support for the reform of criminal procedure in OSCE participating States.

11 The guidebooks can be ordered directly from the TNTD/SPMU (spmu@osce.org) or downloaded from the OSCE POLIS website at: <http://polis.osce.org/library>.

12 SPMU Publication Series Vol. 1, Vienna, second edition, May 2008, available in Albanian, Arabic, Armenian, English, French, Macedonian, Russian, and Serbian.

13 SPMU Publication Series Vol. 2, Vienna, December 2006, available in English and Russian.

*Good Practice in Building Police-Public Partnerships by the Senior Police Adviser to the OSCE Secretary General*¹⁴

This overview of the basic principles and good practices of community policing analyses the various steps of its implementation, potential challenges, and ways to address them. It also describes a variety of specific community-policing activities and the requirements for successful and sustainable police-public partnerships.

*Good Practices in Basic Police Training – Curricula Aspects by the Senior Police Adviser to the OSCE Secretary General*¹⁵

The guidebook is the result of a comprehensive analysis of basic police-training models in the OSCE participating States. The book aims to facilitate the sharing of good training practices among police-training institutions. It covers curricula aspects including general ethics, the theory of policing, and practical policing skills.

*Police and Roma and Sinti: Good Practices in Building Trust and Understanding*¹⁶

The book provides a compilation of good practices in improving relations between the police and Roma and Sinti communities, with the overall goal of combating discrimination and racial violence and ensuring that Roma and Sinti people are able to play a full and equal part in society. It assists the participating States in implementing their commitments under the OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area.

*Trafficking in Human Beings: Identification of Potential and Presumed Victims: a Community Policing Approach*¹⁷

This book provides policing practitioners with clear guidance for the identification of trafficked persons and promotes multiagency co-operation between law enforcement agencies, public institutions, and civil society in the fight against trafficking in human beings.

*Police Reform within the Framework of Criminal Justice System Reform*¹⁸

Police reform cannot be successful if it is not complemented and synchronized with the reform of other institutions within the criminal justice

14 SPMU Publication Series Vol. 4, Vienna, May 2008, available in Albanian, English, Russian, and Serbian.

15 SPMU Publication Series Vol. 5, Vienna, October 2008, available in English and Russian.

16 SPMU Publication Series Vol. 9, Vienna, April 2010, available in Albanian, English, Romanian, Russian, Serbian, and Slovakian.

17 SPMU Publication Series Vol. 10, Vienna, June 2011, available in English and Russian.

18 TNTD/SPMU Publication Series Vol. 11, Vienna, July 2013, available in English and Russian.

system. The guidebook provides a compilation of good practices from the OSCE area in a holistic approach to police reform. It details reform steps to enhance the collaboration of the police with other criminal justice institutions as well as with civil society and non-state security and justice providers to make the entire criminal justice process more effective and efficient, resulting in improved delivery of security and justice to the public.

*OSCE Resource Police Training Guide: Trafficking in Human Beings*¹⁹

The training guide provides a minimum set of standards for law enforcement training in the OSCE participating States and Partners for Co-operation. It aims to strengthen law enforcement capacities for preventing and combating trafficking in human beings, and to facilitate the identification of emerging trends and new forms of human trafficking. The guide introduces case studies illustrating good practices in investigating human trafficking cases and victim identification.

*Guidelines on Human Rights Education for Law Enforcement Officials*²⁰

Developed jointly with ODIHR, the guidebook promotes systemic and effective human-rights education for police and other law enforcement personnel. The document was prepared on the basis of broad consultations involving police trainers, university lecturers, and representatives of national human rights institutions and civil society organizations, as well as experts involved in the design and delivery of educational curricula for law enforcement officials.

Preventing Terrorism and Countering Violent Extremism and

Radicalization that Lead to Terrorism: a Community Policing Approach

Currently being drafted jointly by the TNTD/ATU, the TNTD/SPMU, and ODIHR, the guidebook is expected to be published in 2013. It aims to provide guidance, based on international experiences and in line with OSCE commitments in the field of counter-terrorism and human rights, on how to leverage community policing as part of an effective human-rights compliant, gender-sensitive, and multi-disciplinary approach to countering terrorism.

19 TNTD/SPMU Publication Series Vol. 12, Vienna, July 2013, available in English and Russian.

20 OSCE ODIHR, Warsaw, September 2012, available in English and Russian.

Community policing is at the heart of the OSCE's police-related activities, since it is a philosophy and organizational strategy that promotes a partnership-based, collaborative effort between the police, other governmental agencies, and the community. This is a prerequisite for successful crime prevention and thus for the reduction of fear of crime and the improvement of the quality of life in a community. Crime prevention requires a shared commitment and shared ownership on the part of the police and the public. This can only be achieved by establishing trustworthy police-public partnerships, where the entire police organization, all government agencies, and all segments of society actively co-operate in identifying and solving problems.

Interactive community-outreach programmes, such as the creation of formal or informal forums for open discussions between the police and representatives of all communities, are particularly valuable for eliciting the views of the public and promoting co-operation and the exchange of views. This can lead to community involvement in crime-prevention programmes, including by developing problem-solving coalitions, and to the development of a sense of mutual responsibility for enhancing public safety. Special attention should be paid to ensure that a wide section of society, including minorities and vulnerable groups, are represented in these forums. In addition to the support of the residents in local communities, the police will need the support of local authorities to be successful in their work. In certain cases, other departments may be better suited than the police to solve social problems in a community.²¹

Moreover, community-policing projects often have a specific reconciliation and confidence-building goal (addressing policing in multi-ethnic societies) as well as a gender mainstreaming focus (addressing gender-based violence and improving the representation of women in the police and in police-community forums).

The spectrum of the OSCE's activities and tasks in implementing community-policing programmes is very wide, but there have been a number of relatively common programme elements in almost all of the host countries. In general, the OSCE executive structures have:

- conducted needs assessments and provided advice to host governments in developing community-policing strategies and programmes;
- organized national and international conferences and workshops, and facilitated study tours for policy-makers and police leaders to other participating States to familiarize them with foreign models of community policing;

21 Cf. *Guidebook on Democratic Policing by the Senior Police Adviser to the OSCE Secretary General*, cited above (Note 12), p. 44.

- assisted in identifying pilot sites for the introduction of community policing;
- developed training curricula and provided training to future community-policing officers on issues such as: communicating, building trust, mediating in conflicts, developing creative approaches to addressing community concerns, conducting problem-solving and gathering information, translating general mandates into appropriate action, and conveying the concerns of the community to the police leadership and other stakeholders;
- provided office equipment to reception areas in police stations at pilot sites;
- provided transport equipment to community-policing officers in order to enhance their ability to reach the public;
- supported host states in public-outreach activities that seek to introduce community policing, including: police open days, media campaigns, interactive communication forums, and school visits;
- supported the creation and management of police-public forums at the local, municipal, regional, and national levels, where representatives of the police, other government agencies, civil society, and the private sector have had the opportunity to jointly identify and solve problems. The most common issues of concern have included traffic safety, drug abuse at schools, environmental issues, petty crimes, domestic violence, and the improvement of relations between different ethnic/national communities in general;
- provided office space and office equipment for formal forum structures;
- supported these forums by training community members to improve their ability to actively contribute to problem-solving; and
- regularly evaluated community-policing projects by, for instance, undertaking public perception surveys.

Box 3: Example of a Community-Policing Project: The Community Security Initiative (CSI) in Kyrgyzstan

The CSI is the latest example of a comprehensive community-policing initiative carried out by the OSCE. The project was established following interethnic violent conflict in southern Kyrgyzstan in June 2010.

The community-policing element of the CSI mandate includes:

- provision of advice and support to the territorial units of the ministry of the interior on their co-operation with local communities, including through the development of a police-public partnership;
- provision of advice and support to local civil authorities and representatives of the local population on issues related to their security concerns and needs, thus contributing to the reduction of inter-

- ethnic tension and facilitating confidence-building between the police and local communities; and
- a mediation service to facilitate, enhance, and encourage dialogue and co-operation between the police and the civil population and between ethnic communities.²²

Since its inauguration in January 2011, the project has co-located teams of international police consultants to 14 project sites throughout four provinces in Kyrgyzstan, where they worked in police stations with their Kyrgyz counterparts, primarily neighbourhood officers and juvenile delinquency officers, assessing them and advising them on international community-policing standards. This arrangement allowed the consultants to follow developments and daily challenges that the communities and police face. Over 400 police officers received training via the CSI on applying community-policing principles or communication skills in their work.

In addition to the training and mentoring of police officers on community-policing skills, improvements in police-community relations were primarily achieved through the introduction of Mobile Police Receptions (MPRs); the establishment of police-community forums such as Community Safety Working Groups (CSWGs); the revitalization of existing Local Crime Prevention Centres (LCPCs); and the promotion of various police-community gathering events, such as sports events, police open days, and youth-police engagements, which were used to rebuild bridges between communities and the police.

Eighteen MPR minibuses, which have been funded by the project and delivered since July 2011, are a community policing instrument that enhances visibility and connectivity between the police and the community, particularly in remote areas where the public has little access to the police. By the end of 2013, the MPRs had visited some 130 rural and urban sub-districts. Deployed to mainly multi-ethnic neighbourhoods where inter-ethnic tensions have been high in the past, the MPRs allow citizens to approach and interact with the police. The MPRs are not intended to function as patrolling or crime scene/incident control units, although they could be used to provide a quick response to rising police/community or inter-community tensions resulting from an incident. Each MPR is always manned by an assigned officer, who, in some districts and at designated times, may be accompanied by a community representative. There were two core tenets that the CSI conveyed through the MPR. First, that even if a matter is not criminal and is not by nature a “police” issue, a small matter may escalate into community unrest, and should be resolved in order to avert future community problems. Even questions relating to public utilities or problems with schools should therefore be taken seriously. Second,

22 Cf. Organization for Security and Co-operation in Europe, *Concept for Community Security Initiative*, PC.DEL/1081/10.

that building a positive public perception requires the police to follow up problems that are reported, as resolving someone's personal concern, or visiting them to inform them of the status of their case can make an indelible impact on their impression of the police.

To raise awareness among the population of these new communication and co-operation tools, the MPRs were introduced at various police-community events and commercials were published in newspapers, played on local television, and shared through electronic billboards in several CSI areas of responsibility, reaching out to all community members to take advantage of their availability.

By the end of 2013, more than 40,000 community members had used the MPRs to raise problems, file complaints, work out solutions, and initiate an open dialogue. Community members and police management stated in their talks with the CSI consultants that the MPRs had brought several benefits, including increasing access to the police, raising the profile of the police, and reducing crime.

CSWGs are forums at municipal level, where police, local authorities, and civil-society representatives can talk over their concerns and create methods of resolving them to prevent conflict. Any community-level problems that arose during MPR runs were relayed back to the CSWGs to deliberate on, and public events were designed and implemented under their supervision. These matters were often centred on youth questions, particularly issues such as antisocial behaviour among young people and the related problem of absentee parents in the district. Problems with utilities, such as water distribution, electricity provision, and rubbish collection were also reviewed, where they existed. When community reports of police abuse surfaced, CSWGs provided an open forum for discourse and evaluation with police representatives. Police were also able to share information on criminal incidents so as to gather community assistance in their resolution. If individuals were reported as missing, or a string of robberies erupted in a neighbourhood, the police were able to alert the local representatives to be vigilant.

LCPCs are intended to serve as the backbone of the CSWGs at the local level. Since September 2011, the CSI, in co-operation with the police, CSWGs, LCPCs, and NGOs, has addressed a number of important safety and security issues of concern to national stakeholders, such as domestic violence, bride kidnapping, school racketeering, and juvenile delinquency. These initiatives are very much appreciated by all stakeholders. However, LCPCs suffered from a lack of administrative and financial support from their districts and the ministry of the interior. To counter this, in 2012, the CSI offered training to its members, fortified their relationships with CSWGs, police, and the community, and offered assistance in the renovation of their facilities. In 2012, there were 114 LCPCs of varying activity levels at CSI project sites, composed of representatives of the

Court of Elders, Women's Committees, Youth Councils, and Veterans' Councils.

In autumn 2012, the CSI, together with the OSCE Centre in Bishkek's Police Reform Programme, introduced a neighbourhood management project. The project aims to strengthen mutual trust and co-operation between Neighbourhood Inspectors and LCPC members represented in Neighbourhood Management Teams. The teams also serve as interfaces between the communities and the police, gathering complaints from the communities, forwarding them to the relevant stakeholders in the LCPCs, and initiating projects to solve the problems. The Neighbourhood Management Team members were selected, trained, and mentored by the CSI. By November 2013, a total of 23 Neighbourhood Management Teams had been created at all 14 CSI project sites.

The various police-community forums have also initiated small-scale community initiatives such as sports events, police open days, and youth-police engagements in order to rebuild bridges between communities and the police.

Both national and international stakeholders have welcomed the CSI's community-policing initiatives and acknowledged a notable improvement of the relationship between the local neighbourhood police and communities, including minority groups, as well as better relations between the different ethnic communities as a result of these initiatives.

The Fight against Organized Crime in General

The *United Nations Convention against Transnational Organized Crime* (UNTOC), adopted by General Assembly Resolution 55/25 of 15 November 2000, is the main international instrument in the fight against transnational organized crime. The Convention is further supplemented by three Protocols. Countries must become parties to the Convention itself before they can become parties to any of the Protocols. These Protocols target specific areas and manifestations of organized crime:

- the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
- the Protocol against the Smuggling of Migrants by Land, Sea and Air;
- the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition.

The Convention represents a major step forward in the fight against transnational organized crime and signifies the recognition by UN member states of the seriousness of the problems posed by it, as well as the need to foster and enhance close international co-operation to tackle those problems. States that ratify this instrument commit themselves to taking a series of measures

against transnational organized crime, including the creation of domestic criminal offences (participation in an organized criminal group, money laundering, corruption, and obstruction of justice); the adoption of new and sweeping frameworks for extradition, mutual legal assistance, and law enforcement co-operation; and the promotion of training and technical assistance for building or upgrading the necessary capacity of national authorities.

When the TNTD/SPMU began its work supporting the implementation of the UNTOC in March 2006, only 38 OSCE participating States had ratified the Convention. By the end of 2013, 56 out of 57 participated States had ratified it.

OSCE executive structures have been supporting participating States in drafting strategies and action plans for fighting organized crime, and have been reviewing relevant legislation, including criminal procedure codes, with a view to enhancing the response of criminal justice systems to organized crime at the national and regional level in line with the provisions of the UNTOC and its Protocols.

The executive structures have also been delivering or facilitating specialized training in criminal investigations for law enforcement agencies and other elements of the criminal justice system, focusing on criminal analysis in general, and on forensic analysis, financial investigations, seizures of proceeds of crime, and tracing of money laundering in particular. Capacity-building support has also been focusing on establishing and equipping specialized investigation units.

Box 4: Regional Workshops in Central Asia on International Co-operation in Criminal Matters

Between 2008 and 2012, the TNTD/SPMU, in close co-operation with the OSCE Office of the Co-ordinator of Economic and Environmental Activities (OCEEA) and the UNODC, organized five regional workshops on international co-operation in criminal matters for criminal justice practitioners from Central Asia, held in different countries in the region. This series of workshops contributed to mutual understanding of regional legislation, regulations, systems, and structures. In 2012, the focus was on strengthening the existing information exchange mechanisms in response to organized crime and terrorism in the area. Focusing on a number of case studies, the workshop highlighted local best practices as well as challenges experienced in regional co-operation. As in the previous four workshops, participants included law enforcement and judicial experts from Central Asia, Afghanistan, Iran, and Pakistan. In view of the positive evaluation that these workshops received from the participants, the TNTD/SPMU intends to continue organizing such regional meetings.

In the context of financial investigations and the enhancement of police accountability, OSCE executive structures have also been assisting participating States in developing anti-corruption strategies and instruments.

Furthermore, the executive structures have been enhancing the capacity of national criminal justice systems to properly interview, assist, and protect victims and witnesses of crime.

The Fight against Trafficking in Illicit Drugs and Precursors

Illicit drug trafficking remains one of the most common forms of organized crime in the OSCE region. It delivers the highest profits and has one of the most negative impacts on individuals and society. The global trade in illegal drugs is a vast enterprise, estimated at more than 300 billion US dollars a year. To a large extent, criminals are organized and operate at the international level beyond national borders.

Afghanistan remains the main cultivator of the opium poppy, accounting for approximately 63 per cent of global cultivation.²³

Effective law enforcement is essential in combating drug trafficking and transnational organized crime. Drug supply reduction activities by the police need to focus on disrupting the production and supply of illicit drugs, enhancing efforts to control the inappropriate supply and diversion of pharmaceutical drugs and precursor chemicals, dismantling organized crime groups, and examining mechanisms to ensure that all relevant stakeholders participate in implementing law enforcement strategies in all jurisdictions.

Box 5: Counter-Narcotic Training for Afghan Law Enforcement Officers

In response to various drug-related Permanent Council and Ministerial Council decisions as well as Ministerial Council Decision No. 4/07 on OSCE Engagement with Afghanistan (Madrid 2007), the OSCE executive structures have invested great efforts in providing training for Afghan police officers in the fields of border security and combating drug trafficking. Since 2007, nine training courses have been delivered for 95 Afghan officers at specialized training institutions in Kazakhstan, the Russian Federation, Tajikistan, and Turkey, focusing on the planning and practical conduct of drug searches.

The majority of these courses were delivered as training-of-trainers courses, aiming to build up a national cadre of trainers for the Counter-Narcotics Training Academy of Afghanistan, who would be able to cascade the training throughout the Afghan counter-narcotic agencies.

23 Cf. UNODC, *World Drug Report 2012*, Vienna, June 2012, p. 27.

Specialists in the fight against drugs need to be well trained and equipped and should apply harmonized and/or complementary working methods, particularly when it comes to cross-border police operations. The OSCE, with its various field operations in a number of regions, is particularly well prepared to promote regional and international cross-border co-operation in the fight against drugs, in co-operation with the UNODC and other specialized regional organizations.

The OSCE executive structures, in close co-operation with the UNODC, designed and conducted various inter-regional, regional, and national training courses and workshops relating to the fight against drugs for police officers, lawyers, prosecutors, and judges. Furthermore, participating States were supported in developing self-sufficient narcotics investigation training programmes.

A number of OSCE training courses aimed at increasing police officers' operational skills to detect and identify chemical precursors used for drug production and conduct backtracking investigations to trace the sources of chemicals diverted from the legal market. The courses were integrated in the UNODC "Rainbow Strategy" for Central Asia. The delivery of training has often been complemented by the provision of relevant specialized equipment. For instance, the OSCE has donated test kits for precursors and precursor identification manuals.

In co-operation with national stakeholders from criminal justice systems, health and education authorities, and civil society, OSCE executive structures have also supported drug prevention awareness-raising events in various participating States.

Box 6: Controlled Delivery Exercise in South-Eastern Europe

In March 2011, the Department for Security and Public Safety of the OSCE Mission in Kosovo²⁴ conducted a controlled delivery live exercise involving law enforcement agencies from Albania, Bulgaria, the Former Yugoslav Republic of Macedonia, Germany, Montenegro, Slovenia, and Turkey. The Operation & Co-ordination Centre was established at Kosovo Police Headquarters. The controlled delivery practical exercise was carried out for the first time in Kosovo and enhanced the capacities of law enforcement agencies (police, customs, and judiciary) to fight drug trafficking and improve regional co-operation. The benefits for the agencies involved were increased mutual exchange of information and trust. The regional partners assessed the Kosovo Police as a reliable partner in combating drug trafficking. The Kosovo Police also started paying more attention to international and regional co-operation.

24 All references to Kosovo institutions or leaders refer to the Provisional Institutions of Self Government.

Trafficking in human beings (THB) is a serious crime against an individual that entails violations of the whole spectrum of human rights and fundamental freedoms, undermines human dignity and integrity, and poses a real threat to human security. Estimates by the International Labour Organisation (ILO) in 2012 provide an indication of the scale of trafficking: At any moment 20.9 million people are victims of forced labour globally, although the organization stresses that this is a conservative estimate.²⁵ Many THB and people smuggling operations are conducted by organized criminal groups, which makes them an aspect of organized crime.

Police and their various units are among the front-line actors when it comes to stopping the crime as such, identifying its victims, and immediately protecting them on the spot; this work is crucial to the successful prosecution of each THB case and to the rescue and restoration of the rights of trafficked persons. It is impossible to overestimate the role of the police, who are often the first representatives of state authority to meet severely traumatized victims.

The OSCE pursues a victim-centred and human rights-based approach to the fight against human trafficking. The executive structures support the participating States in enhancing strategies for preventing and combating THB. They provide assistance in developing national legislative frameworks enabling more effective prosecution of THB cases and promoting non-punishment provisions with regard to victims. Executive structures have also provided assistance in drafting standard operating procedures for improving the functioning of National Referral Mechanisms.

Box 7: International Conference on Enhancing Co-operation to Combat THB and Forced Labour

From 6-7 December 2012, the OSCE Office in Baku organized this conference, which brought together government departments and civil society organizations from Azerbaijan, Bosnia and Herzegovina, the Russian Federation, Serbia, Turkey, Turkmenistan, Ukraine, and Uzbekistan, as well as international and bilateral organizations. Some 100 participants discussed how participating States address THB, how migration policies could contribute to or reduce the vulnerability of migrants for trafficking, and highlighted the international instruments that call for the need to protect THB victims. Participants also focused on trafficking for labour exploitation as an emerging form of exploitation in particular. They reiterated the necessity of assistance and support before, during, and after criminal proceedings, victims' rights to compensation and non-prosecution for deeds committed while they were THB victims.

25 Cf. International Labour Organization, *Global Estimate of Forced Labour*, Geneva 2012.

Capacity-building assistance provided by the OSCE in the area of THB has included support in designing training curricula, manuals and modules for the police, border guards, judges, prosecutors, labour inspectors, migration officers, and other professionals. These address topics such as THB for sexual, labour, and other types of exploitation. Specialized training courses and workshops at the national and regional level have focused on topics including the identification, interviewing, referral, and protection of victims of trafficking; and financial investigation techniques, including the seizure of criminal assets and countering money-laundering to disrupt trafficking networks.

The executive structures have also focused on the broader involvement of a range of stakeholders in the identification of trafficked persons; their referral to services, outreach to vulnerable groups; and closer co-operation between law enforcement agencies and the civil society in awareness raising activities, including, where appropriate, through police-public partnership structures. They advise inter-ministerial and inter-agency working groups as well as civil society on how to identify, refer, and protect trafficked persons and how to prevent crime. Furthermore, executive structures facilitate the reinforcement of co-ordination between international organizations and national civil society organizations; and advocate for and monitor the implementation of National Actions Plans and National Referral Mechanisms.

Box 8: Regional Training Courses on Identification, Seizure and Confiscation of Criminal Assets arising from THB

From 18-20 July 2012, the TNTD/SPMU organized a regional training seminar on the Identification, Seizure and Confiscation of Criminal Assets arising from Different Forms of Human Trafficking – A Practical Perspective in Prague. The seminar was a follow-up event to the OSCE/UNODC Expert Seminar on Leveraging Anti/Money Laundering Regimes to Combat Human Trafficking, held in 2011. The target audience for this seminar consisted of criminal police and financial investigators dealing with human trafficking from all regions covered by the OSCE field operations. The seminar aimed to provide operational guidance to police investigators dealing with criminal investigations into human trafficking and financial investigators involved in the search, seizure, and confiscation of the proceeds of various forms of human trafficking. The seminar also promoted co-operation, co-ordination, and information-sharing among law enforcement agencies, financial intelligence units, banks, and other financial institutions.

According to a 2013 UNODC study, in 2011, at least 2.3 billion people, more than one third of the world's population, had access to the internet. Victimization studies demonstrate that individual cybercrime victimization is significantly higher than for "conventional" forms of crime. Victimization rates for online credit card fraud, identity theft, responding to a phishing attempt, and experiencing unauthorized access to an email account, vary between one and 17 per cent of the online population for 21 countries across the world, compared with typical burglary, robbery, and car theft rates of under five per cent for these same countries. Cybercrime victimization rates are higher in countries with lower levels of development, highlighting a need to strengthen prevention efforts in these countries.²⁶

The OSCE executive structures have been raising participating States' awareness of the dangers emanating from cybercrime and improving prevention efforts, information exchange, investigative training, and co-operation with the private sector and internet providers. The 2012 Annual Police Experts Meeting was devoted to the topic of "Fighting the Threat of Cyber Crime" and addressed the topic at the OSCE-wide level, convening 90 experts from academia, the private sector, and criminal justice bodies. Awareness-raising activities have also included the provision of support, upon request, to participating States in reviewing national legislation with regard to compliance with the international cybercrime convention, and assistance with the practical application of the convention.

The training and capacity-building activities of the executive structures have focused primarily on enhancing the capacities of participating States' criminal justice system institutions (CJSIs), including law enforcement agencies, prosecution offices, and courts, in computer forensics and digital evidence. This can increase their ability to investigate and prosecute cybercrime, including financial crimes and the online abuse of children, and to undertake the confiscation of criminal assets. These training courses often take place at the regional level, including CJSI representatives from various participating States. They are usually carried out in collaboration with international partners such as Europol, Eurojust, Interpol, the UNODC, and the World Bank; as well as specialized law enforcement agencies, universities, and the private sector. Partners have included the German Federal Criminal Police Office (BKA), the Cybercrime Research Institute (Cologne, Germany), the Basel Institute of Governance, the Anti-Phishing Working Group (APWG), the International Association of Computer Investigative Specialists (IACIS), University College Dublin (UCD), Microsoft, McAfee, and the Cybersecurity Information Exchange Framework (CYBEX).

26 Cf. UNODC, *Comprehensive Study on Cybercrime*, New York 2013, pp. xvii-xviii.

Training is also often complemented with the donation of specialized computer hardware and software that has been used during training.

In order to co-ordinate training activities with other international partners and to further develop a network of training institutions and private sector companies, the TNTD/SPMU regularly participates in meetings such as the Council of Europe's "Octopus" annual meeting on cybercrime; Europol's Cybercrime Training Experts Group meetings; and the APWG steering committee meetings.

Box 9: Regional Cybercrime Investigation Training

From 1-19 November 2010, the TNTD/SPMU, in collaboration with the OSCE Mission to Serbia and the ministry of the interior of the Republic of Serbia, organized a three-week cybercrime training course for police investigators, which was held in Belgrade. The course had initially been developed by UCD's School of Computer Science and Informatics to train police officers in EU States. Eighteen police officers from six countries in South-eastern Europe (Albania, Croatia, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, Montenegro, and Serbia) were trained. The course was designed to give investigators an introduction to computers, computer operating systems, computer crimes, computer forensics, and computer investigative resources. The students were also trained as trainers with the view to passing on what they learned to their colleagues in their countries. The ultimate goal was to build cybercrime investigation capacity in South-eastern Europe as a step towards establishing specialized cybercrime units. The students who successfully complete the training received academic credit from UCD and an opportunity to take additional courses in 2011 and 2012, such as an advanced week-long "Regional Cyber-Crime Training Course on Using Linux as an Investigative Tool", provided by instructors certified by UCD and Europol's Cybercrime Training Experts Group; a Seminar of the APWG, addressing emerging transnational threats, trends, and forensic methods for combating cybercrime; and another advanced week-long "Regional Training Course on Advanced IT Forensics, Network Investigations, and Forensic Computer Skills", provided by the German BKA in connection with the Seventh European Computer Forensic Training event of the European Anti-Fraud Office (OLAF) in Wiesbaden, Germany, and accredited by International Association of Computer Investigative Specialists) and the BKA.

Conclusion

With their adoption of the *OSCE Strategic Framework for Police-Related Activities*, the participating States have reaffirmed their acknowledgement of the key role police-related activities play with respect to addressing organized crime, conflict prevention, and the rule of law.

They have committed themselves to a democratic vision of policing for the whole OSCE region and provided the OSCE executive structures with a robust mandate and a clear set of guiding principles as they put that vision to work. And, as new threats and challenges are sure to develop, they have decided to subject the Strategic Framework to regular review.

It remains to be seen whether these regular reviews, in view of ever-shrinking resources due to the current worldwide financial crisis, will lead to a further prioritization of thematic activities. An increase of thematic areas without an increase of available resources would result in huge challenges for the OSCE to effectively implement its mandates.

OSCE Action against Terrorism: Consolidation, Continuity, and Future Focus

In December 2012, after discussions lasting more than a year, the participating States of the Organization for Security and Co-operation in Europe (OSCE) made a significant step towards enhancing the profile and identifying the added value of the OSCE's contribution to global efforts to eradicate terrorism.

All 57 participating States adopted the OSCE Consolidated Framework for the Fight against Terrorism¹ (referred to from here on as the Consolidated Framework), which provides the OSCE with a new blueprint for its contribution to efforts to combat terrorism. Importantly, while the Consolidated Framework gives OSCE executive structures renewed direction, this sharpened profile in terms of counter-terrorism activities also allows for more targeted and strengthened co-operation with key partners and organizations.

Building on past commitments and mandates related to the fight against terrorism and pertinent work carried out by the Organization, the Consolidated Framework highlights operational principles and identifies the strategic focus of future OSCE counter-terrorism activities. In short, the Framework consolidates existing mandates into a single strategic vision, provides continuity, and sets the course for OSCE action against terrorism in the future.

Why Is the Consolidated Framework Important?

Consolidation

The Consolidated Framework brings the *acquis* of previous political decisions into a single strategic statement or vision. Over the years, the participating States have adopted some 52 political commitments and principles in a variety of areas relevant to the fight against terrorism, across the three dimensions of the OSCE. They address the conditions that may encourage, enable, foster, and sustain terrorism and states' capacities to prevent and combat terrorism. In parallel, the participating States have tasked OSCE executive structures with assisting participating States in their efforts to address the aforementioned areas in all three OSCE dimensions.

¹ Cf. Organization for Security and Co-operation in Europe, Permanent Council, *Decision No. 1063, OSCE Consolidated Framework for the Fight against Terrorism*, PC.DEC/1063, 7 December 2012, at: <http://www.osce.org/pc/98008>.

With an ever increasing number of commitments and tasks, it became apparent in the past couple of years, that it was “high time” to underscore – in one document and in clear language – to states and international partners what the profile, comparative advantages, and unique organizational strengths of the OSCE are related to countering terrorism. A clear organizational profile is particularly important at a time when fewer resources are available, while an increasing number of actors seek to contribute to global efforts against terrorism.

Certainly as far as the OSCE executive structures were concerned, having witnessed a multi-year zero-growth policy for the Organization running in parallel with an increase in tasks as the terrorist threat was growing, there was a real worry that at some point the OSCE executive structures could become overwhelmed and that efforts were spread too thinly to be effective. Coupled with an increased demand for effectiveness and a growing number of international actors active in the field of countering terrorism, the Organization was in danger of doing too much to achieve too little.

The objective of the Consolidated Framework is therefore twofold: It gives the Organization a clear and instantly recognizable profile in the area of preventing and countering terrorism founded on its existing mandates, principles, and comparative advantages, while, at the same time, also setting the course for the future in terms of strategic priorities for OSCE executive structures.

Continuity

The Consolidated Framework reiterates the relevance and full applicability of the OSCE’s trademark concept of common, comprehensive, co-operative, and indivisible security with regard to the fight against terrorism.

The OSCE’s multidimensional approach underlines that alongside politico-military aspects of security, the protection and promotion of human rights as well as economic development and environmental sustainability are inextricable parts of security and stability. It prescribes an effective framework for coherent and sustained actions to prevent and combat terrorism at a regional level while ensuring respect for the rule of law, human rights, and fundamental freedoms; to identify and address the factors conducive to the spread of terrorism; and to explore synergies in addressing new and emerging transnational threats and challenges to security and stability.

The Consolidated Framework also underlines the fact that multi-stakeholder dialogue and collaboration are required at all levels in order to meet modern security threats and challenges – collaboration that is indispensable on multiple levels: between countries, within countries, among international organizations, but also between state authorities, the private sector, civil society, and the media. Most fundamentally, the Consolidated Framework affirms that the OSCE is a platform for such multi-stakeholder dia-

logue, as well as for awareness raising, exchange of expertise, and networking. This is rooted in its status as the largest, most inclusive, and comprehensive regional security organization.

In performing this task, the OSCE can draw on a unique set of complementary executive structures, including the Secretariat's Transnational Threats Department (TNTD), the Office of the Co-ordinator of OSCE Economic and Environmental Affairs (OCEEA), the Office for Democratic Institutions and Human Rights (ODIHR), and the Representative on Freedom of the Media (RFOM). Each of these possesses recognized expertise in the relevant area and has access to extensive networks of experts in the public and private sectors, civil society, and the media, which facilitate the delivery of counter-terrorism activities at the regional, subregional, and national levels.

One of the Organization's key assets, which is also relevant in the area of counter-terrorism activities, remains its wide presence in the field. This allows the OSCE to assess and respond to specific national requirements and to run numerous programmes that contribute to strengthening states' capacities to prevent and combat terrorism.

Partnerships

The Consolidated Framework underscores the leading role of the United Nations in international efforts to eradicate terrorism. In it, the participating States reiterate that the relevant UN conventions and protocols, together with Security Council Resolutions, constitute the primary international legal framework for the fight against terrorism. It notes that the OSCE approach to the fight against terrorism corresponds to the UN Global Counter Terrorism Strategy in addressing not only manifestations of terrorism, but also the conditions conducive to the spread of terrorism.

As a regional arrangement under Chapter VIII of the UN Charter, it is vital that the OSCE co-operate and co-ordinate its activities with UN entities involved in counter-terrorism and with relevant specialized organizations in implementing capacity-building activities. OSCE efforts to support the UN in the global fight against terrorism are most clearly reflected in the work on the ratification and implementation of the UN conventions and protocols relating to terrorism, one of the major requirements of United Nations Security Council Resolution 1373 (UNSCR 1373). Likewise the OSCE and the UN work closely together on enhancing international legal co-operation in criminal matters related to terrorism; strengthening national efforts to implement UNSCR 1540 on non-proliferation of weapons of mass destruction (WMD); as well as other regional efforts related to the implementation of the UN Global Counter Terrorism Strategy.

The OSCE also regularly supports UN Counter Terrorism Executive Directorate (CTED) country visits to OSCE participating States. The most

recent such visits were paid to Serbia (2013), Albania and Kyrgyzstan (2012), and Greece (2010). The purpose of OSCE participation, apart from helping CTED to get the correct picture of each country's need in terms of counter-terrorism capacity-building assistance, is to avoid duplication of efforts and to identify additional areas for counter-terrorism co-operation between the OSCE and the visited state.

In terms of internal partnerships and co-ordinated organizational output, the Consolidated Framework stresses the role of the OSCE Secretariat in ensuring the facilitation of cross-dimensional and cross-institutional co-ordination of all OSCE counter-terrorism activities. Specifically, the TNTD/Action against Terrorism Unit (TNTD/ATU) is confirmed as the principal focal point, information resource, and implementation partner of OSCE counter-terrorism activities.

Future Focus

The Consolidated Framework identifies eight strategic focus areas for counter-terrorism activities on the part of the OSCE and its executive structures. It does so under the premise that the threat of terrorism is multi-faceted and evolving and that the OSCE therefore needs to remain flexible in its thematic focus and in responding to the various concerns and needs of its broad membership.

Promoting the Implementation of the International Legal Framework against Terrorism and Enhancing International Legal Co-operation in Criminal Matters Related to Terrorism

The promotion of the legal approach to countering terrorism will remain a major component of the OSCE's work in the area. In their first consensually agreed OSCE anti-terrorism documents, the participating States determined that all counter-terrorism actions must be carried out within the confines of international law, including international human rights, refugee and humanitarian law. The universal implementation of the international legal framework against terrorism deprives terrorists of safe havens, and allows national authorities to pursue and prosecute terrorists even beyond national boundaries based on the uniform criminalization of terrorist acts.

The TNTD/ATU, together with the United Nations Office on Drugs and Crime (UNODC), assists participating States in ratifying the Universal Anti-terrorism Instruments (UATIs). Specifically, the OSCE collaborates with relevant national institutions, and offers drafting advice to bring national criminal legislation in line with these instruments. The results of this work

are encouraging: While the ratification rate of the UATIs in the OSCE region was 65 per cent in 2001, in 2012 it was 96 per cent.²

Efforts to assist states in translating the UATIs into national law are complemented by endeavours to enhance co-operation between states in criminal matters related to terrorism. The participating States committed themselves to co-operate actively and fully among themselves, in accordance with applicable rules under domestic and international law, in efforts to find and to bring to justice perpetrators, organizers, supporters, and sponsors of terrorist acts, on the basis of the principle *to extradite or prosecute*. Jointly with the UNODC, the OSCE contributes to enhancing cross-border judicial counter-terrorism co-operation through the exchange of experiences on extradition processes and mutual legal assistance. So far the TNTD/ATU has organized more than 42 conferences, workshops, and capacity-building events at national, regional and OSCE-wide level, focusing on the implementation of the Legal Framework and the use of its tools for co-operation in criminal matters. More than 2,300 experts from the OSCE participating States and Partners for Co-operation have participated in these activities.

Most recently, and building on the high ratification rate of the UATIs in the OSCE region, the OSCE is focusing on streamlining and reinforcing preventive measures that are related to the UATIs. For instance, in May 2012, the TNTD/ATU, jointly with the UNODC, held a conference on *Enhancing Implementation of Universal Anti-terrorism Instruments on Terrorist Use of Explosive Substances* in Vienna, focusing on preventive aspects related to the investigation and the control of explosive substances and their precursors. This workshop is being followed up with a series of national roundtables.

The underlying rationale of these activities is that the criminalization of certain terrorist activities, such as the use of explosives, does not necessarily always translate into practical, proactive, and co-operative steps related to controlling such materials, especially if they are legally available, as is the case, for instance, with ammonium nitrate fertilizers. These roundtables look at how to better enable co-operation to prevent terrorists getting their hands on such materials through enhanced co-operation and raising awareness among relevant industries.

Countering Violent Extremism and Radicalization that Lead to Terrorism, Following a Multidimensional Approach

The effective prevention of terrorism requires countries to counter violent extremism and radicalization that lead to terrorism (VERLT) – an approach that was re-affirmed through the Consolidated Framework.

While the topic featured indirectly in various work streams of different OSCE executive structures, in 2007 and 2008, countering VERLT emerged

2 With reference to the first twelve UATIs, in force in 2001.

distinctly on the OSCE's counter-terrorism agenda, when participating States explicitly called on the Organization to counter VERLT from a multidimensional perspective and pledged to use OSCE executive structures in countering VERLT in their respective countries. Since then, a series of initiatives have sought to establish a distinct OSCE contribution to countering VERLT.

The TNTD/ATU established an overall awareness-raising and capacity-building programme with the inter-related objectives of (1) promoting a multidimensional understanding of VERLT, driven by more than just intelligence and law enforcement, to inform the formulation of context-specific preventive actions that complement the criminal-justice response to VERLT; (2) addressing human-rights aspects and supporting the formulation and implementation of human-rights compliant policies and measures to counter VERLT; and (3) encouraging multi-stakeholder collaboration, in terms of both a whole-government approach and co-operation between public authorities and civil society, the media, and the business community at national and local levels.

Taking this programme forward, the TNTD/ATU first organized a series of four VERLT-related regional and sub-regional conferences and workshops between 2008 and 2010 to facilitate the exchange of views, lessons learned, and good practices related to VERLT and effective counter-measures. This was followed by more targeted activities that harnessed the OSCE's multidimensional expertise to tackle specific VERLT-related issues. For instance, in 2011-2012, the TNTD/ATU and ODIHR organized two expert round-tables focusing on preventing female terrorist radicalization and the role and empowerment of women in countering VERLT; a third round-table in late 2012 discussed youth engagement in countering VERLT. Current work also focuses on the use of community policing to prevent terrorism and counter VERLT through the organization of national seminars and the development of a guidebook to provide guidance to policy-makers and senior police professionals.

Furthermore, the TNTD/ATU seeks to engage interested participating States in more systematic, tailored capacity-building projects, where possible in co-operation with relevant OSCE field operations. Bosnia and Herzegovina has, for instance, requested the OSCE's assistance in elaborating and implementing a National Action Plan to Counter VERLT. The OSCE Office in Tajikistan has been carrying out the first ever OSCE VERLT field programme since 2010. It consists of three stages: a survey-based country-wide assessment of VERLT trends;³ targeted capacity-building activities for government and civil-society stakeholders; and support for the formulation of a national counter-radicalization policy.

3 See Michael Taarnby, *Islamist Radicalization in Tajikistan, an Assessment of Current Trends*, Dushanbe 2012. The report was based on a survey conducted by the Centre for Socio-Political Studies "Korshinos", which was supported and funded by the OSCE Office in Tajikistan, with a contribution from the Government of Denmark.

OSCE participating States have repeatedly emphasized that money laundering and the financing of terrorism are threats to security and have reaffirmed their commitment to combat these threats through the Consolidated Framework. Co-ordinating closely with the UNODC, the Financial Action Task Force on Money Laundering (FATF), the IMF, the World Bank, and other partners, the OCEEA has developed a range of activities to support the fight against both money laundering and the financing of terrorism.

These activities, which include legislative reviews, needs assessments, and capacity building for the implementation of international commitments, have been conducted in or with all of the participating States that host field operations. The OCEEA has supported the creation and development of financial intelligence units (FIUs), provided assistance to participating States seeking to join the Egmont Group of Financial Intelligence Units,⁴ and trained countries on the process of conducting national risk assessments on money laundering and the financing of terrorism, with the aim of allocating resources where they are most needed. The OCEEA fosters inter-agency co-operation to ensure that the financing of terrorism is effectively detected and prosecuted as well as international co-operation to support countries in investigating cross-border cases.

A key focus of the OSCE's future activities in countering the financing of terrorism will focus on preventing the abuse of non-profit organizations (NPOs) for purposes of financing terrorism. By providing public services and working to improve quality of life, often at the local level, NPOs serve as a vital complement to the economic and social activities of the public and private sectors. The abuse of NPOs for terrorism financing, however, can damage the reputations of NPOs and lead to criminal prosecution, and may have serious security consequences both nationally and internationally. Because the continued financial viability of NPOs depends on donors maintaining confidence in the non-profit sector, countries and NPOs face the challenge of effectively policing NPOs for abuse, while allowing them to continue their crucial work.

The OSCE has previously promoted international best practices on combating the abuse of NPOs. For instance, in 2009, the TNTD/ATU and the OCEEA jointly organized an OSCE-wide workshop in Vienna to raise awareness among both state and civil-society representatives of the importance of preventing the abuse of NPOs for terrorist financing, and of methods for doing so. In 2010, the TNTD/ATU also organized a panel discussion on the transparency of the non-profit sector during the annual general meeting of the International Committee on Fundraising Organizations (ICFO) – an association of national accrediting and monitoring bodies. In addition, in June

4 The Egmont Group is the umbrella organization for international FIUs, see: <http://www.egmontgroup.org>.

2011, an issue of the TNTD/ATU Counter Terrorism Network Electronic Journal was devoted to the implementation of FATF Special Recommendation VIII on NPOs.

Countering the Use of the Internet for Terrorist Purposes

The internet is a key strategic device and tactical facilitator for terrorists – and this threat is likely to grow with the proliferation of new technologies. Terrorists go online to identify, recruit, and train new members, to collect and transfer funds, to organize attacks, and to incite violence.

The OSCE participating States committed themselves to exchanging information on the use of the internet for terrorist purposes and to identify possible strategies to combat this threat, while ensuring respect for relevant international human-rights obligations and standards. They further decided to intensify their action by enhancing international co-operation on countering the use of the internet for terrorist purposes and to explore the possibility of more active engagement of civil society institutions and the private sector in work related to this topic. The Consolidated Framework identified the need to further assist states in their endeavours.

The TNTD/ATU assists states in their efforts by facilitating the exchange of information on potential threats and trends and best practices in countering terrorist use between authorities, the private and public sectors, and civil society in close co-operation with partner structures such as ODIHR and RFOM. So far, TNTD/ATU has organized or facilitated two OSCE-wide and five national workshops (in Serbia, Bosnia and Herzegovina, Armenia, Azerbaijan, and Kyrgyzstan) on this topic, and on cyber-security in general. The national events, in particular, offer host countries an opportunity to take stock of their overall national cyber-security efforts and to identify potential gaps.

In 2012, the ATU also organized a series of online expert forums on the latest developments and responses related to terrorist use of the internet. The forum discussions focused on four key issues: use of the internet as a tactical facilitator by terrorists, the use of social networking tools for terrorist purposes, right-wing violent extremism/terrorist use of the internet, and public-private partnerships to combat terrorist use of the internet. A consolidated report highlighted key recommendations and potential policy options.

The comparative advantage of OSCE efforts related to terrorist use of the internet is that they are embedded within the Organization's broader efforts to promote a comprehensive approach to (cyber-)security. It allows a specific perpetrator group to be looked at in a cross-dimensional and integrated way that recognizes interlinkages between cyber-threats and perpetrators, and stresses the need for human-rights-compliant responses – a key comparative advantage when looking at future endeavours in this area.

The primary responsibility for preventing and countering terrorism, as well as for managing the consequences of terrorist acts, rests with states. However, given the nature and scale of today's constantly evolving terrorist threat, states alone cannot successfully counter terrorism without deploying the full range of national power, which requires them to draw on the resources of the business community and civil society as a whole. The international community recognizes the importance of public-private partnerships (PPPs) in countering terrorism; for instance in the United Nations Global Counter-Terrorism Strategy, and the OSCE participating States once again underlined the strategic benefits of such partnerships in the Consolidated Framework.

Based on its platform for co-operative security, the OSCE strives to involve the private sector as much as possible in all its counter-terrorism activities. And while co-operation with the private sector, as well as civil society and academia, is a thread that runs through all OSCE counter-terrorism activities, such partnerships were also picked out as topic in their own right in two OSCE-wide workshops. In 2007, the OSCE organized a high-level political conference *Partnership of State Authorities, Civil Society and the Business Community in Combating Terrorism*; and a follow up conference was organized in 2008 to consolidate the positive momentum achieved and discuss opportunities and projects for public-private co-operation in specific fields, including with the media and civil society in countering VERLT, in protecting critical infrastructure and major events against terrorist attacks, and in countering the financing of terrorism.

As a result of the first conference, in 2007 the OSCE States adopted a decision on PPPs in countering terrorism, which acknowledges the usefulness of joint counter-terrorist efforts by government bodies and the private sector (civil society and the business community) in the form of voluntary co-operation, based upon the principles of partnership and mutual trust, in order to provide better security and benefits to all parties. Based on this decision, the OSCE is organizing thematic workshops to further raise awareness, identify priority areas for partnerships, disseminate good practices, and support networking. Looking at the future, a particular focus when it comes to promoting PPPs will include preventing the abuse of NPOs for the purpose of terrorist financing.

Strengthening National Efforts to Implement United Nations Security Council Resolution 1540 (2004) on Non-Proliferation of Weapons of Mass Destruction

The participating States identified the OSCE as a key asset in promoting the implementation of UNSCR 1540 at the regional level. Ten years prior to the adoption of UNSCR 1540 in 2004, the OSCE States had already affirmed their commitment to preventing the proliferation of WMD and their means of delivery by agreeing on the 1994 Principles Governing Non-proliferation. Based on this work, the OSCE States adopted a mandate to facilitate regional implementation of UNSCR 1540, providing assistance to those states that require it.

In 2010, a four-year project to support the implementation of UNSCR 1540 was created to strengthen OSCE expertise, and to transform existing political tasking into concrete assistance activities and support for global processes. For instance, in 2011, in order to define the OSCE's role in these global efforts, the OSCE held a *Workshop to Identify the Proper Role of the OSCE in Implementation of United Nations Security Council Resolution 1540*. It provided a comprehensive platform for exchanging views on policy issues, implementation practices, and needs for further dialogue, co-operation, and assistance among national representatives and international organizations involved in implementing UNSCR 1540 – including the OSCE.

Since 2011, the OSCE's Conflict Prevention Centre (CPC) has been instrumental in facilitating assistance to interested participating States in implementation of the Resolution, by, for instance, providing them with assistance in developing their voluntary National Action Plans. More specifically, advice and technical assistance is currently being provided to more than a dozen OSCE participating States. The 1540 Committee and its Group of Experts, together with the UN Office for Disarmament Affairs (UNODA), have played a vital role in these activities and provided expertise to support the OSCE participating States in their implementation efforts.

Strengthening Travel Document Security

Almost all cross-border criminal activities involve false identity or travel documents. Enhancing Travel Document Security (TDS) is therefore an integral part of addressing transnational threats, including terrorism. With the Consolidated Framework, participating States have reaffirmed that TDS will remain a vital component of preventing terrorist movement and will therefore remain high on the OSCE agenda.

Over the years, the TNTD/ATU has developed a comprehensive TDS programme to assist states in this area. So far the TNTD/ATU has conducted over 50 TDS capacity-building activities in 18 countries. Importantly, while the ATU is leading this effort, the security of documents and associated pro-

cesses and controls has the potential to impact positively on eradicating many additional transnational threats as well as terrorism. Consequently TNTD/ATU TDS activities involve several other executive structures as well as field operations.

The TDS programme comprises several interrelated components: To help secure identities, the OSCE improves the documents, civil and population registration systems, and other methods and processes used to verify and/or validate a citizen's identity during the travel document application process. As part of enhancing the security of the travel document itself, the OSCE supports the introduction of electronic Machine Readable Travel Documents (eMRTDs) with biometric identifiers and participation in the International Civil Aviation Organization Public Key Directory (ICAO PKD), allowing effective validation of the authenticity of electronic security features and biometric data stored in eMRTDs at the border. To strengthen border security, the OSCE facilitates access to international passport control databases and modernizes border equipment in order to better inspect, capture, verify, share, and analyse information on cross-border movements. Moreover, the OSCE trains border officers in identifying forged documents with the use of basic forensic tools.

With a view to the future of travel documents, the OSCE has two clear strategic goals: to strengthen identity management, and to bring border controls up to speed on biometrically enabled travel documents. A negative trend related to the former is that the enhanced physical security of travel documents may lead individuals or groups who wish to use travel documents for terrorist activities or other illegal purposes to apply for legitimate documents under false identities. Worryingly, some states have decided to introduce eMRTDs without integrating them with or using identity-management data from existing passport-issuing databases or other databases that could prove an applicant's identity beyond reasonable doubt – though these databases might themselves be insufficiently protected against abuse. Claiming and establishing one's identity has become a ubiquitous task and one which will only grow in importance. To accommodate wider implications of the development of identity management systems and identity or travel documents, the TNTD/ATU promotes a comprehensive approach to identity management, not only for purposes of travel-document security but also in other areas that require the protection of identities in line with human-rights concerns.

The second strategic goal will be to centralize information about passport bearers and travel documents as part of modernizing a country's travel document inspection process, thereby allowing this information to be accessed and an inspection carried out via a single, machine-assisted transaction. In this way, the border control officer is able to ensure the authenticity of the passport, conduct law-enforcement and database checks and, critically, verify identity by matching the document to the bearer. The machine-assisted check ensures consistency and standardization of the data being checked and

recorded and makes control procedures faster and more comprehensive. The OSCE will increasingly focus on assisting states in bringing their border controls up to speed and suggesting how most effective use can be made of the new technologies being enabled by the introduction of biometric passports.

Promoting and Protecting Human Rights and Fundamental Freedoms in the Context of Counter-Terrorism Measures

The OSCE's approach to countering terrorism links guarantees of human rights to effective protection from terrorism. OSCE States have repeatedly acknowledged this link, stressing that counter-terrorism measures that do not protect human rights are counter-productive and that responses to the threat of terrorism must not unlawfully infringe upon, damage, or destroy the very standards, principles, and values of human rights, the rule of law, and pluralistic democracy. With the OSCE Consolidated Framework, the OSCE States have once again committed themselves to preventing and combating terrorism in full compliance with OSCE human-dimension commitments and international human-rights standards.

In line with the OSCE's comprehensive and multidimensional approach to security threats, human rights are an integral part of all OSCE anti-terrorism action across all of the three dimensions. Nevertheless, of special relevance are the contributions of the ODIHR that aim to strengthen compliance with international human-rights standards and OSCE commitments relating to the protection of human rights in the fight against terrorism. Most ODIHR activities in this field are implemented by the ODIHR Human Rights and Anti-Terrorism Programme.

ODIHR provides advice and analysis on key human-rights issues as well as on the conditions that may foster and sustain terrorism. ODIHR has produced a number of background papers and has organized expert meetings focusing on civil society, victims of terrorism, incitement to terrorism, and international co-operation in counter-terrorism, among other topics. Most recently, ODIHR and the TNTD/ATU have organized a series of expert meetings on the role of women and young people in countering VERLT. In addition, ODIHR and TNTD are jointly elaborating a guidebook for policy-level officials and senior police professionals on *Preventing Terrorism and Countering VERLT: a Community Policing Approach*.

ODIHR has also developed a training manual and module on *Countering Terrorism, Protecting Human Rights*. The module provides law-enforcement officials and counter-terrorism practitioners with a better understanding of the main human-rights concerns that may arise in the anti-terrorism context as well as ways to ensure that such rights are protected. The module has also been adapted for delivery to border officials. ODIHR also supports the implementation of the training module as a sustainable compon-

ent of national training programmes. In particular, ODIHR and the relevant OSCE field operation assisted the main law enforcement-training institutions of Tajikistan in elaborating a specific course on these issues as part of their regular curricula. In 2013, in co-operation with the TNTD/SPMU, ODIHR will publish a new manual focusing on *Human Rights in Counter-Terrorism Investigations*, which will be utilized for future training sessions.

Upon request, ODIHR also assists OSCE participating States in drafting anti-terrorism legislation and strengthening existing legislation in line with international human-rights standards. The online legislative database (www.legislationline.org) is intended as a resource for lawmakers in the OSCE region to support the implementation of relevant anti-terrorism instruments.

Borders and Borderlands: Working across the Lines That Divide Us in Central Asia

Introduction

Since ancient times, people have built walls to defend and protect themselves from enemies and invasions, and to announce to the world the common will of a community bound together within those walls. Through the centuries these walls have been destroyed, and raised again. The geographic lines that divide us – our borders – have been probed by assault, erased by conquerors, redrawn by political alliances, challenged by criminals and, like those early walls, they remain a visible statement of our existence and our sovereignty. Through the gates of walls, or borders, come vibrant trade, dynamic people, and the mysterious opportunities of the external world. And through those same gates also come deceit, threats, and the worries of our modern world. It is the modern challenge then to best secure those borders, while ensuring that trade and people flow to the advantage of our economies.

During the 38-year lifespan of the Organization for Security and Co-operation in Europe (OSCE), the borders of more than 20 nations within the Organization have seen change. The borders of larger political alliances – Yugoslavia, the Soviet Union, and Czechoslovakia – have been redrawn to define new nations sovereign unto themselves. These “new” borders represent a challenge, as nations work to secure them against all manner of threats, while remaining economically viable partners with neighbours and beyond. The specific challenges that Central Asia faces contain many aspects, and the OSCE has been involved with the national efforts of Central Asian participating States since the early-to-mid 1990s. Recent years have seen the addition of Afghanistan to the Organization’s dialogue, initiatives, and capacity-building efforts. This contribution examines what has been involved in all this work and where the OSCE’s efforts to tackle cross-border, transnational threats might be effective in the future.

Sharing frontiers with Afghanistan, the People’s Republic of China, and Iran, Central Asia has a special position in the OSCE’s border-related activities. All five Central Asian countries (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan) receive support that seeks to strengthen their ability to assess, prevent, detect, interdict, and prosecute transnational threats emanating from past conflicts, global challenges, ethnic divisions, vulnerable populations, and conflicts over natural resources. The key cross-border challenges in the region are well known and include illicit drug trafficking, organized crime, irregular migration, violent extremism and its impact on young people, and the cross-border movement of terrorists. Coupled with un-

checked corruption (both petty and grand), the challenges for the Central Asian states remain considerable. Many of these phenomena are interconnected with similar challenges in South-eastern Europe, Russia, Eastern Europe, and across the Atlantic. It is therefore in the interest of the OSCE as a whole to strengthen the capabilities of the national border security and management agencies in Central Asia, as well as to foster greater bilateral, regional, and international co-operation.

In this contribution, the authors describe current OSCE activities in the domain of border security and border management. Several key areas are examined in particular: first, the threats and challenges that are most prevalent in the states of Central Asia; second, the OSCE's comprehensive approach to border security and border management, as exemplified by the commitments of the OSCE Border Security and Management Concept, and its mechanisms and contributions to address transnational threats at, near, and crossing borders; third, the OSCE's major current and historical efforts and initiatives that have shaped the Organization's core programme activities in all five Central Asian states; fourth, OSCE border-related activities and projects in the Central Asian nations; fifth, the obstacle of corruption in the region, and its impact on efforts to ensure open and secure borders; and sixth, co-operation and co-ordination with other organizations – with the aim of ensuring that they complement each other and avoid duplicating each other's key strengths. In the conclusion, the authors seek to set a hopeful but pragmatic tone for the future.

Transnational Threats and Challenges

It should be of no surprise to anyone that Central Asia attracts a great deal of attention within the OSCE. While many observers quickly ascribe this to the proximity of Afghanistan and the many years of conflict, whose effects the Afghan people continue to struggle to overcome, the fact of the matter is that Central Asia has unique characteristics arising as a result of the way in which the region's boundaries were defined during the Soviet period. The complexity of border challenges in the region facilitates cross-border criminal activities, allowing the proliferation of drugs, weapons, illicit goods, and forged documents, trafficking in human beings, as well as the potential influence of extremism and terrorism.

Illegal drug trafficking is a key threat to the region itself and a transnational risk that commands the attention of the international community due to the fact that the trafficking routes reach to all corners of the globe, crossing many borders on the way. According to the United Nations Office on Drugs and Crime (UNODC), some 95 metric tons, or 25 per cent of all Afghan heroin exports are transported from Afghanistan to Russia via Central Asia, with

much of this passing through Tajikistan.¹ Every nation in Central Asia has transport routes across its borders, which allows traffickers to adjust when the law enforcement authorities in a given nation begin to impact upon the illegal flow. Compounding the risks associated with trafficking, official statistics indicate that, in the past ten years, Central Asia has experienced the highest increase in the prevalence of drug abuse worldwide. The estimated value of opiates trafficked through Central Asia is approximately 350-400 million US dollars, and the price per gram increases as opiates travel northward towards the Russian Federation.² While illicit drug trafficking is not the only challenge whose origin is attributed to Afghanistan, experts note that the narcotics trade itself may be a source of extremism, terrorism, and regional instability. Furthermore, the impact of drug use and addiction is a burden that the health systems and social programmes of Central Asia can ill afford. Nonetheless, the roots of these problems do appear to lie mostly in domestic and historical factors.

After the dissolution of the Soviet Union, many of the newly independent states assumed the previous administrative boundaries of the former Soviet Socialist Republics. Local communities and their citizens suddenly found themselves divided from family, services, natural resources, and property. As these new states had no experience of demarcating frontiers and introducing the processes and procedures needed to support borderland communities, the cross-border challenges quickly overcame their capacity and wherewithal. The human impacts of these cross-border administrative challenges are very evident today when looking at the Ferghana Valley, which straddles the borders of Uzbekistan, Tajikistan, and Kyrgyzstan. The ongoing failure to complete the border and boundary treaties and mechanisms for daily co-existence continues to fuel interethnic tensions and aggravate border management, with a great human cost, including loss of life. Imposing restrictions on the movement of people and goods is a common response by border agencies. This reaction, in combination with high population density, a wide variety of ethnic origins, and a lack of direct access to health and education programmes, has too often resulted in vulnerable populations being influenced

-
- 1 Cf. UNODC, *The Globalization of Crime. A Transnational Organized Crime Threat Assessment*, 2010, p. 114, at: https://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf.
 - 2 For further details of illicit drug trafficking and other crime, see: UNODC, *Opiate flows through Northern Afghanistan and Central Asia. A threat assessment*, May 2012, at: https://www.unodc.org/documents/data-and-analysis/Studies/Afghanistan_northern_route_2012_web.pdf; European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), *2012 Annual report on the state of the drugs problem in Europe*, Lisbon, November 2012, at: <http://www.emcdda.europa.eu/publications/annual-report/2012>; UNODC, *Crime and instability. Case studies of transnational threats*, 2010, February 2010, at: http://www.unodc.org/documents/data-and-analysis/Studies/Crime_and_instability_2010_final_26march.pdf.

by transnational organized crime³ and recruiters for violent extremist groups, involvement in corruption and trafficking in human beings,⁴ smuggling of all varieties of contraband, caching of weapons transported across borders, and the facilitation of the movement of terrorists themselves. While the Central Asian states continue to discuss the delimitation and demarcation of their mutual borders, no significant progress has been reported in the most troubling of areas requiring agreement – including Ferghana. Such bilateral agreements might prove to be the best tools in the fight against transnational threats. Moreover, they might also be the most effective means of stimulating trade for small business entrepreneurs.

Modernizing the border security and management systems in these countries has been a difficult and slow process, as the old Soviet protocols, tactics, and legislative frameworks have remained in place. These systems failed to stem the insidiousness of corruption, and the “stovepipe” hierarchical structures of militarized border-guard services have stifled the development of incentive, risk taking, curiosity, delegation, and accountability. Recent attempts at developing national border-management strategies in several of the Central Asian states have addressed these issues of necessary change, but progress has been agonizingly slow. Governmental corruption alone is a major barrier to reform, and short-term donor support for infrastructure and training projects makes only a limited contribution to the fundamental change that needs to be realized. The longer it takes to address the need for legislative change, budgetary support, and leadership accountability, the longer organized crime and transnational threats will remain active, ebbing and flowing geographically in response to national and regional enforcement operations, which are few and far between. Despite their common history and very similar traditions and cultural identity, the Central Asian states are reluctant, according to the experts, to engage in close bilateral collaboration, and each state tends to find strategic partners outside the region.⁵

Difficult frontier terrain, multifaceted socio-economic challenges in the region, the disparity in the presence of natural resources amongst the nations, and convoluted political and ethnic relations continually draw the international community’s attention to Central Asia. With such a mix of risks, threats, challenges, and human needs, creating open and secure borders sometimes appears impossible, and the discussion often appears futile. Those are the times when dialogue remains the best option, as it makes it possible to keep an open mind regarding future developments. Focusing on the lines that

3 Cf. United Nations Office on Drugs and Crime, *An Assessment of Transnational Organized Crime in Central Asia*, New York 2007, at: http://www.unodc.org/documents/organized-crime/Central_Asia_Crime_Assessment.pdf.

4 Cf. Liz Kelly, *Fertile Fields: Trafficking in Persons in Central Asia*, IOM report, April 2005, at: http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/fertile_fields.pdf.

5 Cf. Firuza T. Achilova, *ISAF troops withdrawal from Afghanistan in 2014: How should Tajikistan be prepared for that?* PASOS policy paper, 2012, p. 163, at: <http://pasos.org/wp-content/uploads/2012/10/firuza-achilovaPASOS.pdf>.

divide us – borders – the OSCE, with its field presences in the region, creates a platform for lively and frank discussion that can provide a better understanding of cross-border challenges, their impact on the wider OSCE area, and the future potential for change. When it comes to addressing and managing challenges at the borders, the implementation of the OSCE commitments, including those on border security and management, utilizes confidence-building measures and bilateral and multilateral partnerships that recognize that the challenge of combating cross-border threats is larger than a single nation. Creating trust and confidence between neighbours is always high on the OSCE's list of relationship-building priorities.

The OSCE Border Security and Management Concept

The OSCE's comprehensive approach to border security and management, which has its roots in the Helsinki Final Act, applies fundamental principles from across the three dimensions – politico-military, economic and environmental, and human. The OSCE's current border security and border management efforts reflect the 2005 Border Security and Management Concept (BSMC), adopted at the Ljubljana Ministerial Council in 2005.⁶ The Concept remains just as relevant today. It captures core aspects of transnational threats and related cross-border phenomena for countries to focus upon and balance with the need for open and secure borders. Specifically, by adopting the Concept, participating States committed themselves to:

- Promoting free and secure movement of persons, goods, services, and investments across borders, in conformity with relevant legal frameworks, international law and OSCE commitments, *inter alia*, through enhancing the security of travel documents and encouraging, as appropriate, circumstances that could allow liberalization of visa regimes, in the spirit of the commitments under the documents mentioned above;
- Reducing the threat of terrorism, including by preventing cross-border movement of persons, weapons, and funds connected with terrorist and other criminal activities;
- Preventing and repressing transnational organized crime, illegal migration, corruption, smuggling, and trafficking in weapons, drugs, and human beings;
- Promoting high standards in border services and competent national structures;

6 Organization for Security and Co-operation in Europe, Ministerial Council, Ljubljana 2005, *Border Security and Management Concept. Framework for Co-operation by the OSCE Participating States*, MC.DOC/2/05, 6 December 2005, at: <http://www.osce.org/mc/17452>.

- Promoting dignified treatment of all individuals wanting to cross borders, in conformity with relevant national legal frameworks, international law, in particular human rights, refugee, and humanitarian law, and relevant OSCE commitments;
- Creating beneficial conditions for social and economic development in border territories, as well as for the prosperity and cultural development of persons belonging to all communities residing in border areas, with access to all opportunities;
- Fostering prospects for joint economic development and helping to establish common spaces of freedom, security, and justice in the OSCE area; and
- Ensuring the security of international transport routes for the supply of commodities.⁷

The Concept outlines possible OSCE contributions based on lessons learned from border-related programmes. These are broad and allow for creative implementation: facilitation of political and technical dialogue, and of confidence-building measures, possible mobilization and co-ordination of assistance; technical assistance and information sharing; as well as possible specialized assistance in different fields.

While the Transnational Threats Department/Border Security and Management Unit (TNTD/BSMU) in the Secretariat can be considered the “custodian” of the Concept, many other OSCE units and structures provide efforts that support the implementation of the BSMC. The Strategic Police Matters Unit (SPMU), the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, the Action against Terrorism Unit (ATU), the Office of the Co-ordinator of Economic and Environmental Affairs (OCEEA), and the Office for Democratic Institutions and Human Rights (ODIHR) are all important partners in bringing the Concept to life. In addition, the OSCE field missions provide critical support to participating States and Partners for Co-operation in the area of border security and management. The field missions are the OSCE’s eyes and ears on the ground, and the local relationships that are forged with the host nations are, in many cases, as valuable as the training and capacity-building efforts provided to national border services.

⁷ Cf. *ibid.*, pp. 2-3.

Shared cross-border challenges and threats provide the foundation for ongoing OSCE-wide efforts in the field of border security and management. These broad efforts offer unique opportunities for practitioners from all corners of the OSCE region to interact and develop an understanding of problems and good practices from multiple points of view, while also establishing a network of experts that may assist when specific issues arise. Key issues that have been addressed include border demarcation and delimitation, with the establishment, operation, and maintenance of boundary commissions; civil-military co-operation at the border; the nexus between customs and licensing – two sides of the same coin, both with the ability to detect and intercept goods being illegally transported; and identity management. Border-monitoring operations have assisted participating States in confidence building and conflict prevention.

When threats become transnational, they rarely cross only one border. Transport routes that start in Central Asia easily reach Eastern and South-eastern Europe, the Russian Federation, and beyond. They are a negative identifier of the OSCE region, truly linking the participating States from Vancouver to Vladivostok. Globalization has not only opened numerous legitimate economic markets, it also has presented black markets around the world with an open door that facilitates the operations of criminal organizations active in trafficking drugs, human beings, small arms and light weapons, and other commodities, all of which presents a challenge to the commitment to open and secure borders.

In its role as a platform for discussing and tackling challenges in border security and management, the OSCE has tackled the majority of these issues since the Central Asian states joined the Organization on 30-31 January 1992. They have been important elements in the OSCE's internal capacity-building efforts, as exemplified by the 1999-2004 Georgia Border Monitoring Operation, and the 2003-2007 Ohrid Border Process. The most visible current OSCE-wide effort is the OSCE Border Management Staff College (BMSC),⁸ established in 2009 in Dushanbe, Tajikistan. Originally part of the first package of extra-budgetary projects to support OSCE engagement with Afghanistan, the College has (as of spring 2013) provided training to 1,186 individuals from 35 participating States and six Partners for Co-operation, 395 of whom came from Afghanistan. Training activities at the OSCE BMSC address border security and management not only in a comprehensive way through a month-long staff course, but also through targeted shorter training efforts on issues such as human rights and terrorism at frontiers, the identification of forged travel documents, implementation of the Basel Convention on the Control of Transboundary Movements of Hazardous Waste and Their

8 For further details, see the website of the Border Management Staff College, at: <http://www.oscebmsc.org/en/>.

Disposal, and more. While the College is physically located in Central Asia, the courses are open to applicants from the entire OSCE region, including Partners for Co-operation. The exposure to border experts from different countries also adds to the value of the courses by providing unique opportunities to share experiences at first hand. Moreover, the college facilitates the creation of a permanent network of border officials who have attended courses, and they may reach out to each other well into the future.

Planned OSCE-wide future activities include efforts to address commodity identification, to enhance trade-facilitation processes in the operations of border crossing points, to update anti-corruption publications and training, to further facilitate delimitation and demarcation processes, to assist with tracing of arms across borders and regions, and to augment national preparedness that in turn would facilitate cross-border co-operation following a disaster or crisis – all areas that will help to increase the abilities of the participating States and Partners for Co-operation to deal with their front line challenges.

OSCE Border-Related Projects and Initiatives in Central Asia

While many of the targeted efforts in Central Asia were introduced and developed as part of the OSCE's overall engagement with Afghanistan and promote regional co-operation, several projects are designed to bring specific benefits to the host nation. It should be noted that while the OSCE's efforts are concentrated on Tajikistan, Kyrgyzstan, and Turkmenistan, all five Central Asian participating States engage in the OSCE-wide efforts mentioned above. Moreover, Tajikistan and Kyrgyzstan invite their Afghan counterparts to train in their country on a regular basis as part of OSCE activities. Some key projects aimed at strengthening border security and management in Central Asia since the first Ministerial Council Decision No. 4/07 on OSCE Engagement with Afghanistan are as follows:

- *Development of the Tajik National Border Strategy*: The OSCE Office in Tajikistan provided experts to assist the Tajik authorities in drafting their National Border Strategy and the associated implementation plan. The strategy was approved in 2010, and guides the OSCE's ongoing assistance in the elaboration of an implementation plan, which it is providing via assessments and the identification of specific projects and training activities that could be developed and conducted to meet the requirements of the strategy.
- *Customs Assistance Project – Murghab, Gorno-Badakhshan, Tajikistan*: This project supported the construction of a customs cargo terminal with the aim of enhancing the capacity of the Tajik customs service to detect the illegal movement of goods. The facility is situated on the

northern distribution route for illegal drug trafficking emanating from Afghanistan, and, moreover, is a key point through which precursor chemicals for narcotic production are believed to pass. Non-intrusive technologies were provided to seven border-crossing points and to the customs terminals in Murghab and Khorog. Chinese imports are critical to the Pamir region, and the facility allows for clearance in Murghab, rather than transport to Dushanbe for clearance before returning to market in Murghab. This strengthens the economy in several ways that benefit the daily lives of citizens.

- *Patrol Programming and Leadership for Borders – Dushanbe, Tajikistan:* This project aimed at strengthening the capacities of the Tajik border troops to detect and interdict illegal movement across the Tajik/Afghan border. While the original project was conducted solely for Tajik border troops, and a separate project was implemented to conduct similar training for Afghan border police at the same facility in Gissar, Tajikistan, the current phase of the project provides independent training for both services as well as several modules for joint training. The training covers land-border patrolling, management and leadership, alpine operations, map reading and usage, extended patrols in extreme weather, and medical training, among other things. Following the request of the Tajik and Afghan Governments for additional training, the project has been extended into 2015.
- *National Afghan Liaison Officers Project – Dushanbe, Tajikistan:* This project sponsors two Afghan Border Police Liaison Officers attached to the Tajik national border agencies and training institutions and hosted within the OSCE Office in Tajikistan. The two officers provide a vital link with the Afghan authorities and facilitate the identification of participants to several ongoing training efforts and other OSCE projects that are strengthening regional co-operation.
- *Customs Training Development Project – Bishkek, Kyrgyzstan:* This effort aimed to enhance the training capabilities of both the Kyrgyz and Afghan national customs services and to leave behind a cadre of instructors capable of delivering training programmes they have designed to customs officers from entry level to senior inspector level. The results far exceeded the original proposal, as demonstrated by the development of a National Customs Training Strategy for the state customs service, and the construction of a building for classroom training and mock practical exercises. The project engaged with the EU Border Management Programme in Central Asia (BOMCA) and the US Export Control and Related Border Security (EXBS) programme to enhance the benefits to Kyrgyzstan. Officials from the Afghan Customs Department participated in an extended train-the-trainer programme, and then took part in a larger effort in Bishkek, where Kyrgyz customs officials and their Afghan colleagues delivered entry-level training to more than 150

newly recruited Afghan customs officers. A new project, expanded to cover more advanced topics and processes, was launched in 2013, and will reach more than 200 Kyrgyz customs officers and approximately 150 Afghan officials.

- *Promoting Bilateral and Regional Co-operation on Border Security and Management:* At the request of the Afghan Ambassador to the OSCE in 2011, the BSMU developed a two-part project to promote bilateral and regional co-operation in Central Asia on border security and management. A seminar was held at the State Border Guard School in Medininkai, Lithuania from 5-9 November 2012. Twenty-one officials from the border guard, border police, and customs agencies of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Afghanistan participated in this effort, which was designed to foster professional relationships and a common understanding among the participants.

The second phase of the project took place in Austria from 11-15 March 2013. Plenary discussions and informal bilateral consultations intended as confidence-building steps were held for border officials from Afghanistan, Belarus, Kyrgyzstan, Russia, Tajikistan, and Turkmenistan. The meeting also fostered information sharing and good practices on illicit drug trafficking, the activities of criminal groups, customs-data exchange, joint training of customs officials and border guards, the development of cross-border protocols, and co-operation with the new Customs Union (Belarus, Kazakhstan, and the Russian Federation).

In addition to these larger efforts, the field missions continue to conduct projects on key border security and management topics, such as interdiction and detection; to host round-table events to initiate and encourage dialogue on key issues such as maritime security in the Caspian Sea region; and to facilitate the deployment of experts to address specific issues, such as airport security, travel document security, and the identification of forged documents.

Moreover, the OSCE field missions, relevant units of the Secretariat, and the OSCE Institutions continue their intense efforts, which include: demining along the borders and in near-border areas in Tajikistan; coordinating awareness-raising and engagement with communities and authorities to counter violent extremism; and establishing cross-border markets to provide economic opportunities and development.

Casting a Long Shadow – Endemic Corruption

Corruption can broadly be defined as the abuse of entrusted power for private gain. Every country is subject to corruption, but levels and the spheres of corruption differ from country to country. Men and women working in the areas

of border security and management are no different from other officials who may fall into temptation. Maintaining open and secure borders is a matter of both security and economic policy. Unfortunately, the duties of border officials mean that they are presented with many opportunities for corruption. This is particularly true of those who are in direct contact with the public – in passport control, visa issuance, commercial cargo clearance, transport-terminal security – and those who work to process victims of trafficking, persons requesting refugee status, and persons discovered committing acts of criminality. The opportunities for corruption are essentially the same whether they arise in a busy airport or on a dusty horse trail in the mountains. Representatives of many international organizations working in the region have noted that it is hard to develop and operate projects in Central Asia because of corruption at various levels. This has been a major theme in discussions on the establishment of “single windows”, often touted as an anti-corruption tool as well as a means of facilitating trade. Corruption hampers effective border management, increasing distrust between citizens and officials. It also provides an opportunity for organized crime to travel unhindered across borders.

The 2012 report of the international watchdog organization Transparency International indicated that, of 176 countries and territories, the five states of Central Asia plus Afghanistan are consistently near the bottom of the list. Relying on a wide variety of surveys and available data, the organization assigns each country a Corruption Perception Index (CPI) score ranging from zero to 100, with 100 representing the complete absence of corruption. Thus, the lower the CPI rank, the higher the corruption level in a given country. Central Asian CPI scores range from 17 to 28. Turkmenistan and Uzbekistan share 170th place on the list with a score of 17, Tajikistan was pegged at 157th with 22, Kyrgyzstan was 154th with 24 points, while Kazakhstan scored 28 – the highest in the region, and was thus 133rd. Afghanistan scored lower than all the other countries, coming 174th with a score of 8.⁹ Such indicators cannot be ignored, as they influence the effectiveness of attempts to modernize border security and management processes within the rule of law.

Several high-level speakers at the 2012 Central Asian Border Security Initiative (CABSI) meeting lamented the endemic nature of corruption in the border-related services of the Central Asian region. Overcoming this plague, which nullifies so many of the benefits of domestic strategies and implementation plans, as well as the efforts of regional and international organizations, while also deterring donors from supporting additional funding requests, will require political decisions at the highest levels and willingness on the part of the Central Asian governments to legislate, facilitate, and enforce change.

9 Cf. Transparency International, *Corruption Perception Index 2012*, at: <http://www.transparency.org/cpi2012/results>.

Experts are quick to ascribe the corruption and conservatism of border officials in the region to the legacy of the Soviet Union and its bureaucratic style of management (as well as to the availability of personal financial gain through corruption). Yet it seems unfair to continue to make this point so many years after the USSR's demise. While acknowledging the ongoing influence of the Soviet period, it is important to update our understanding and to take a more global perspective. The key is to recognize that controlling the transnational flow of commodities – whether licit or illicit – is far more profitable than petty corruption. Anti-corruption efforts can take money that is currently being lost and turn it back into a national revenue stream, to the benefit of the citizens. This is what the Central Asian participating States can gain when they embrace the anti-corruption efforts and activities provided by the OSCE and other institutions.

In line with the OSCE's "good governance" mandate in the economic and environmental dimension and the 2005 BSMC, several training activities and capacity-building efforts have targeted corruption within border and customs agencies. The OSCE OCEEA published Best Practices in Combating Corruption in 2004 and the OSCE Handbook of Best Practices at Border Crossings – a Trade and Transport Facilitation Perspective (together with the United Nations Economic Commission for Europe, UNECE) in 2012. In addition, the TNTD/BSMU, in co-operation with the OCEEA and with the assistance of national experts, recently completed development of an anti-corruption training course that targets border and customs officials. The course was delivered at the OSCE Border Management Staff College in November 2012 and the spring of 2013. During this and other customs-related courses provided by the BSMU and the OSCE Border Management Staff College, the underlying message was that eliminating corruption would facilitate the collection of revenue for the government in the form of customs duty and taxes, benefitting the country as a whole by fuelling economic development. Trade and investment generally increases in those places where the business community finds that practices are fair and rules are transparent. In terms of the free movement of people, eliminating petty corruption can change the international profile of a nation, as happened in Georgia following that country's 2004 reforms,¹⁰ as well as in other countries. A rapid reduction in petty corruption among front line officials in Georgia – brought about by the will and commitment of the government – left citizens and visitors feeling increased trust towards border agencies and police as they entered and exited the country, and improved Georgia's national image overall.

In addition, building and maintaining integrity in the border and customs institutions of Central Asia introduces a new degree of professionalization among officials and provides them with enhanced opportunities for career development. It also fosters the development of human-resources systems

10 For details, see: *Caucasus Analytical Digest* No. 26, Anti-Corruption Reforms in Georgia, 26 April 2011, at: <http://www.isn.ethz.ch/Digital-Library/Publications/Detail/?id=128742>.

that have the potential to enhance institutional effectiveness, personal initiative, and resistance to corruption.

The Cup Overflows – Partnership, Co-operation, and Co-ordination

During the past decade, considerable attention has been paid to the national resources available to the Central Asian states as they confront cross-border challenges in the region and numerous border-related programmes and other international efforts have aimed to enhance these capabilities. The work of the OSCE predates many of these efforts. The Organization opened field missions in Tajikistan in 1994, Kyrgyzstan and Kazakhstan in 1998, Turkmenistan in 1999, and Uzbekistan in 2000 (after having run the Central Asian Liaison Office in Tashkent since 1995). This presence strengthens the OSCE, enabling it to offer a unique set of multi-dimensional training and capacity-building initiatives, as well as efforts to promote regional co-operation. Since 2001, the OSCE has partnered with many other organizations and implementing institutions including the EU's BOMCA and Border Management in Northern Afghanistan (BOMNAF) programmes, UNODC, and bilateral donors such as the United States, Germany, and France. These partners have provided significant infrastructure upgrades and equipment to the various Central Asian states – an area where the OSCE is limited due to a lack of financial resources. In addition, several of the partners can and do operate across the Afghan border, a capability that the OSCE does not possess.

Typically, the division and co-ordination of responsibilities between the various regional and international organizations and national donors has been undertaken informally, sometimes by groups meeting in Central Asian capitals. For example, the OSCE took the lead in assisting the Tajik government to develop its national border strategy, while BOMCA assisted the Kyrgyz authorities to do the same. The strategies and implementation plans produced by these groups have been adopted by the respective governments. Tajikistan's border strategy was adopted in April 2010 and Kyrgyzstan's in 2011. Both governments are in the process of establishing national working groups to facilitate the implementation of these strategies. These implementation plans will also guide the future efforts of the donor community. Early on, duplication occurred when information gathered through assessments might have been shared more readily among all stakeholders. Further duplication was avoided by creating local incentives for all organizations to co-ordinate. Initiatives like the Borders International Group (BIG), husbanded by the OSCE and BOMCA in Tajikistan for all donors, have led to similar informal co-ordination meetings at other BOMCA offices.

At a politically higher level, in 2003, the Austrian Ministry of the Interior (MOI) took charge of organizing and implementing the EU's CABS initiative. This project is a forum where the numerous regional and international

organizations and countries that are providing infrastructure, equipment, and training in Central Asia can meet and discuss the status of border security and management and their respective efforts. In April 2012, the OSCE joined the Austrian MOI, the EU, the UNDP, and the UNODC in hosting the tenth meeting of CABSİ at Ministerial level in the Hofburg Congress Centre in Vienna.¹¹ These meetings provide a venue for the national authorities from the region to come together and present their views of the current situation, including existing and emerging threats and challenges. In 2012, all five Central Asian countries reported that their capacities had improved thanks to the assistance they had received, while some highlighted the need for additional efforts. The gathering also allowed face-to-face meetings between senior officials from many organizations and countries, a key tool for furthering dialogue.

There is still room for improvement in involving other actors in border-related project development. As one expert has observed: “Local NGOs and civilians living in border regions are most attuned to how borders function and are – with rare exceptions – an untapped source of data on corruption rates, emerging crises, and the quality of border officials. They are the best gauge of where the international community stands in fostering ‘open and secure borders’.”¹² This is precisely where the extensive field presence of the OSCE Missions in Central Asia can create value and bridge that gap. Cross-border markets in Gorno-Badakhshan, Tajikistan, are a locus of education as well as entrepreneurship. To complement these efforts, the OSCE maintains local offices that provide economic assistance to people living in border regions. One could also refer to Chapter V of the 2005 OSCE Border Security and Management Concept, where the participating States recall that the OSCE is also a forum for co-operation with subregional organizations. The increased co-ordination on border security and management at the subregional level may constitute a stepping stone towards more balanced management of borders across the OSCE area. Border projects from 2005-2008 in the area south of Osh, Kyrgyzstan, were partnerships between the field office and NGOs active in these borderland communities. Positive communications with trusted representatives – and with the OSCE logo ever-present – created additional opportunities for development for the villages and populations involved. These opportunities should be explored further in the near future.

Promising Horizons and Questions for the Future

Many countries in the OSCE have been expressing concern at how the security balance may change after 2014. The International Security Assistance

¹¹ For further details, see the BOMCA website at: <http://www.bomca.eu/cabsi.html>.

¹² George Gavrilis, *Central Asia's Border Woes and the Impact of International Assistance*, Central Eurasia Project, Occasional Paper Series No. 6, May 2012, p. 8.

Force (ISAF) presence in Afghanistan will decrease, and transport routes to and from operational forces will be dramatically altered. The flow of currency through local markets and the jobs attached to these logistics chains will rapidly dry up. These impacts will occur in every nation of Central Asia. Who among today's key players will remain active tomorrow? Will the nature of threats also change? Will nations close their borders?

As the OSCE and other organizations debate these questions, they will assuredly continue to provide assistance to the Central Asian participating States with the goal not only of sharpening their national capacities to protect and manage their borders, but also to increase regional communications and co-operation on cross-border issues. These are critical considerations for the future, and the OSCE will continue to promote a multi-dimensional approach to border security and management to facilitate open and secure movement of persons and goods.

ISAF's imminent withdrawal from Afghanistan reinforces the perception that the country will continue to be a trouble hotspot and a source of future threats. The withdrawal may lead to the emergence of more challenging border problems that had been previously deterred or overshadowed by the international presence, thus increasing the vulnerabilities of the Central Asian participating States.

Given the shared nature of the challenges that participating States are facing at their borders, no matter where they are located on the globe, it is increasingly hard to criticize the sharp focus on efforts in Central Asia. Tackling the threats at or near the source, while simultaneously strengthening capacities to detect, interdict, and suppress criminal organizations and illegal activities along the routes that lead to countries of destination greatly contributes to one of the overarching goals of the OSCE – building a security community within which all people can lead free and prosperous lives.

According to regional experts from within Central Asia¹³ and from international think-tanks and universities, ISAF's withdrawal will inevitably exacerbate existing challenges such as drugs, weapons, radical extremism, and refugees. Weaknesses in the rule of law throughout Central Asia and Afghanistan remain a wide-open door. There is widespread agreement that investing (in the sense of preparedness and planning) in the region in 2013 will pre-emptively address the transnational, cross-border risks of 2014 and beyond. The elephant in the room is corruption, as discussed above. And it is what causes many potential actors and donors to be reluctant to actually make the necessary investments. The surrounding dialogue resembles a marketplace more than a security discussion, and "caveat emptor" remains the rule.

Coming at a time when financial contributions are more limited than in the recent past, an effort to expand the OSCE's activities and programmes

13 Cf. Jeffrey Mankoff, *United States and Central Asia after 2014*, A report of the CSIS Russia and Eurasia Program, January 2013 at: http://csis.org/files/publication/130122_Mankoff_USCentralAsia_Web.pdf.

relating to the better management of the Organization's external borders must be carefully formulated. Large donations can no longer be reasonably expected, nor perhaps are they desirable. While large-scale projects look attractive, it is likely that smaller projects (which may be considered components of larger undertakings) are most likely to find support and funding. Smaller projects will also require less equipment and/or infrastructure, and will be less susceptible to corruption and coercion. Domestic contributions and visible determination will fuel further external donations. Building upon these foundations and the documented successes of 2006-2013, the OSCE's efforts in border security and management will remain viable and valuable in the changing security arena of Central Asia. Further strengthening co-ordination with the other programmes and partners described in the previous section can help to overcome the financial restraints that will remain a reality.

All stakeholders will need to contribute if the overall goal to which the participating States have committed themselves – that of establishing and maintaining open and secure borders – is to be achieved. In the absence of a political incentive such as the promise of EU membership that has been so effective in the Western Balkans, it is up to the Central Asian states themselves to make a commitment to the creation of open and free societies in which the rule of law leads to the strongest possible domestic and international results – and to act on this commitment. A start would be the passing of high-profile anti-corruption legislation and corresponding prosecutions. In the current economic climate, the donor community must collectively insist on well-developed border strategies that allow for clear co-ordination and a minimum of duplication. Finally, as it is in the interest of the entire OSCE to curb the flow of drugs, to crack down on criminal organizations involved in trafficking in all its forms, and to counter violent extremism and terrorism, it is incumbent on the participating States to make a pronounced and visible effort to increase their sharing of information and good practices that will enable them to take action at or near the source of these transnational threats, along their transport routes, and finally at destinations.

There are cross-border risks and transnational threats in all three dimensions of the OSCE – politico-military, economic and environmental, and human. The greatest concern in Central Asia stems from the politico-military dimension. Yet the solutions are likely to be found in the economic and environmental basket, just as Maslow's hierarchy of needs builds from the ability of a person or a family to eat, sleep, earn a living, and be safe. This is also true of the OSCE's achievements in the human dimension.

To answer some of the questions that linger: Yes, the OSCE should remain active and interested in Central Asia through the years to come, initiating and responding to requests for modernizing practices, processes, and procedures at or near the borders of each Central Asian State. Yes, the structure of security threats in the OSCE will continue to change, and the capacity to respond to transnational threats and their cross-border evolution should re-

main a priority in Central Asia and beyond. Yes, the OSCE participating States within Central Asia (and their neighbours) have the capacity to make early and determined changes, without external assistance, that will immediately have positive impact on security – if they choose. And, yes, it is expected that sovereign states will continue to select their partners based either upon mutual interests in wealth creation and economic development (not only symmetrical) or on common threats to their sovereign security. The OSCE should continue to offer a forum in which such relations can be nurtured, with all participating States sharing the commitments that support such beneficial undertakings. The OSCE Border Security and Management Concept, and the Organization itself have the ability to serve Central Asia well into the future, by making imaginative and responsive contributions to the changes likely to occur as these states (and their economies) strive to ensure open and secure borders.

Community Policing in Germany

Introduction

The discussion of the role and function of the police in society moves between seeing them as an “instrument of state power” and as a “provider of services to the community”. In recent years, the latter understanding of the work of the police, according to which they should primarily focus on the needs of the citizens, has become increasingly predominant. According to this view, the police and the citizens work together to generate the security that is seen by the citizens of a modern state – and particularly a state undergoing transformation – as an extremely important good with a major influence on their quality of life. Under the heading of “community policing”,¹ preventive approaches that aim to improve the population’s feeling of security have been under discussion in Germany since the late 1980s. The start was a conference at the University of Heidelberg, where US proponents of community policing presented their ideas, and efforts to put them into practice were discussed.² Community policing is not to be understood as a new policing *method*, but rather as a philosophy of how policing should be carried out: a guiding vision for the police that needs to encompass the entire police service. Hence, the establishment of a separate community-policing department is only sensible to the extent that the entire working philosophy of the police is simultaneously adapted to this core idea. The objective is as follows: The police are responsible for upholding public security and public order, preventing crime, and catching criminals. At the same time, they also need to deal with the fears and concerns of citizens.

Community Policing as a New Philosophy

Community policing requires not only organizational change, but also a fundamental shift in the administration of police work and in management philosophy. One may therefore speak of a “paradigm shift in German criminal

1 The term most commonly used in Germany is *bürgernahe Polizeiarbeit*, literally “citizen-oriented policing”.

2 Cf. Thomas Feltes/Erich Rebscher (eds), *Polizei und Bevölkerung. Beiträge zum Verhältnis zwischen Polizei und Bevölkerung und zur gemeindebezogenen Polizeiarbeit* (“Community Policing”) [The Police and the People. Essays on the Relationship between the Police and the People and on Community Policing], Holzkirchen 1990. Cf. also Dieter Dölling/Thomas Feltes (eds), *Community Policing. Comparative Aspects of Community Oriented Police Work*, Holzkirchen 1993.

policy”³ that requires citizens to be treated as partners and not merely the objects of policework. The decentralization of power is a precondition for this, as is support for grassroots initiatives. Job satisfaction, motivation, and cooperative leadership are closely interlinked. The conventional yardsticks used to evaluate police work (crime rates, clear-up rates, etc.) are based on the desires of politicians rather than the requirements that citizens make of the police. Community policing therefore requires a change of mindset on the part of politicians, too, though the “zero-tolerance” concept, imported to Germany from New York, and often mentioned in this context, has nothing in common with this approach.⁴

Community Policing and Community Crime Prevention

A precondition for this kind of citizen-focused policing is a local situation report, drawn up to answer the following questions: What problems exist in a given community (not just those that are directly related to policing)? Who defines them? Who can influence them? The aim of community crime prevention, which goes hand in hand with community policing yet is often erroneously thought of as an alternative to it, is, taking into account local differences, to strengthen citizens’ subjective sense of security and to give them a sense that their problems, fears, and difficulties are being taken seriously. They need to be involved in efforts to find solutions to local problems.⁵

Community policing also assumes that the police service is the only public agency that provides citizens with aid and other services around the clock. It should also be noted that the demand for police services, including proactive conflict resolution, is increasing, and not only in Germany. However, the means that are available to fight crime are limited, and the view that crime is primarily a community problem and that prevention is a task for the whole of society is becoming ever more widely accepted. Both community crime prevention and community policing involve working more closely with

3 Wiebke Steffen, *Bürgernähe und gemeinwesenorientierte Polizeiarbeit in Deutschland* [Public Responsiveness and community-oriented police work in Germany], in: Manfred Berg/Stefan Kapsch/Franz Streng (eds), *Criminal Justice in the United States and Germany – Strafrecht in den Vereinigten Staaten und Deutschland*, Heidelberg 2006, pp. 117-128, here: p. 119.

4 See Hans-Dieter Schwind, *Kriminologie. Eine praxisorientierte Einführung mit Beispielen* [Criminology. A Practical Introduction with Case Studies], Heidelberg 2011, p. 338; Thomas Feltes, *Das Zero-Tolerance-Konzept: Gartenzwerge aus New York. Oder: Was fangen wir mit der US-amerikanischen Polizeistrategie an?* [The Zero-Tolerance Concept. Garden Gnomes of New York. Or: What Are We Doing with US Policing Strategy?], in: *Kriminalistik* 2/2001, pp. 85-89; Gunter Dreher/Thomas Feltes (eds), *Das Modell New York. Kriminalprävention durch “Zero Tolerance”? Beiträge zur aktuellen kriminalpolitischen Diskussion* [The New York Model. Crime Prevention through “Zero Tolerance”? Contributions to a Current Discussion in the Field of Criminal Policy], Holzkirchen 1998.

5 Cf. Schwind, cited above (Note 4), pp. 369ff.; Dölling/Feltes (eds), cited above (Note 2); Thomas Feltes, *New Philosophies in Policing*, in: *Police Studies* 2/1994, pp. 29-48.

citizens to place crime in the context of other social problems in a community and to deal with it accordingly. The aim is to prioritize prevention over law enforcement, with the police sharing responsibility for upholding public security and public order. In this way, the police acknowledge the “impossible mandate” that gives them sole responsibility for security and order in society.⁶ Community policing draws other state agencies, private organizations, NGOs, business owners, householders, and private individuals into the production of security.

The role of the police in this is to provide advice and, where law enforcement measures do prove necessary, to execute these with due regard for the rule of law. Despite many differences in implementation, all the models of community policing that have been put into practice so far have two things in common: They create better links between the police, communities, and citizens, enabling law enforcement to be augmented or, where possible, replaced by other public and private services that can raise the quality of life of the citizens. They also enhance the police’s ability to systematically identify and analyse problems in the community and to decide who is able or required to deal with them and how. One consequence of this approach is that this cannot – and should not – always be the police. Experience has so far shown that this strategy can improve relations between the population and the police, while raising levels of citizen satisfaction with the latter’s work, lowering the fear of crime, and raising the quality of life in affected areas. Wesley Skogan considers community policing to have three defining characteristics: decentralization, citizen involvement, and problem-solving.⁷ The problem has always been that, while engagement is relatively easy to achieve in middle-class areas, residents in socially disadvantaged neighbourhoods, which are generally more affected by crime, have to suffer far more before becoming involved.

At the same time, community crime prevention also attempts to determine the individual and social causes of deviant behaviour in a local context in order to develop, implement, and evaluate viable methods of crime prevention. The key question here is whether efforts to “combat crime” can ever be decisive, or whether the social peace might not be disturbed by other factors having little to do with crime. If it becomes apparent that it is difficult or impossible to achieve a significant reduction in crime by means of prevention or law enforcement, it becomes necessary to learn to live with crime to a certain extent and to strengthen the sense of security of the citizens, which usually bears no relation to actual levels of crime.

6 Peter K. Manning, *Police Work: The Social Organization of Policing*, Cambridge, MA, 1977, p. 155. Manning’s book was a groundbreaking contribution to the sociology of policing.

7 Cf. Wesley Skogan, Probleme gemeinwesenorientierter Polizeiarbeit am Beispiel des Houston-Projektes [Problems of Community-oriented Policing with Reference to the Houston Project], in: Feltes/Rebscher (eds), cited above (Note 2), pp. 117-130; Wesley Skogan, *Community Policing. Can it work?* Belmont 2004.

The switch to a preventive model of community policing usually takes place via the creation of a working group, whose tasks include analysing the social structure and the crime situation in a community, and conducting a survey of attitudes. This can also provide an insight into people's sense of security and fear of crime as well as the likelihood that they will report a crime.

After the analysis is complete, specific problems can be addressed via measures tailored to the individual situation. The goal of these measures may be the quantitative and qualitative reduction in crime. However, they must seek to reduce the fear of crime, strengthen individuals' sense of security, and to remove the causes of fear.

At the same time, direct contact between institutions is encouraged, to enable the development of common solutions. Minorities and so-called "problem groups" need to be included in the problem-solving process so that their issues and viewpoints can be taken into account. This strategy does not generally show results quickly, but only in the medium to long term. Yet the intensive co-operation between police, citizens, and other institutions does lead to the growth of mutual understanding and trust in the short term and to citizens feeling more at ease in their home towns and cities.

Experience shows that community crime prevention needs to extend beyond co-operation between the police and the population if problems relating to public security and public order are to be alleviated in the long-term. The police alone cannot create jobs, improve schools, or ensure that refuse collection and street-cleaning services function effectively. In most cases, public-order problems arising from or in connection with such failures of public services can only be solved with the assistance of other public agencies or institutions. In the realm of crime fighting and crime prevention, effective police work is also a function of the effectiveness or ineffectiveness of co-operation and co-ordination with other institutions of the criminal justice system. This requires the development of strategies that encompass multiple agencies. Consequently, there have been attempts not only to place policing on a community-oriented footing but also to decentralize the work of public prosecutors and the courts and achieve neighbourhood-level co-operation between these institutions, particularly on problem topics.

Structural Questions

Community crime prevention and community policing need to go hand in hand with changes in police organizational and management structures. If the concept of community policing assumes that the role of the police in the community needs to be expanded, this is not primarily a matter of politics or operational tactics but rather because, as communities become more diverse and social solidarity declines, the institution that assumes responsibility for

managing the various everyday conflicts and problems of public order increasingly takes centre stage, namely the police.

Community policing demands a decisive shift in the philosophy and culture of policing. It entails greater openness and democracy, as well as a redefinition and expansion of the role of the police. This can only be based on an organic organizational design (non-authoritarian) and participatory management (delegation of responsibility). The bulk of the work must consist in defining local problems and finding creative ways to solve them.

In Germany, in recent years, many forms of co-operation between the police and local populations have emerged, based on the assumption that crime needs to be solved in a local context. In terms of their concrete application, they have a wide variety of approaches, and it is rarely possible to draw a clear boundary between community crime prevention and community policing.⁸

Starting in 1990, Germany began to establish “crime prevention councils” (*kriminalpräventive Räte*). As well as crime prevention bodies such as the councils, a number of German states also possess additional networks. For instance, in the state of North Rhine-Westphalia, some 700 “partnerships for public order” (*Ordnungspartnerschaften*) have been established in 179 towns and cities.⁹ Participants in partnerships for public order may include the police and other local government departments with responsibility for public order (*Ordnungsbehörden*), schools, universities, and local public transport providers. These and other networks that integrate the police with local authorities and their departments of public order, social services, and youth, have the goal of bringing all the stakeholders in a given city or community to the table so that their grievances can be addressed. The issues they deal with range from the sponsorship and supervision of playgrounds, via the provision of support to young immigrants, to co-operation between local authorities, the police, and the federal police (*Bundespolizei*) with regard to public order problems in railway station forecourts. While crime prevention bodies deal with a wide range of issues, they tend to focus on children and young people. More than 2,000 crime prevention networks now exist in Germany at local and regional level, with the busiest phase of new foundations falling in the second half of the 1990s.¹⁰

8 Cf. Thomas Feltes, *Bürgernahe Polizeiarbeit – neuer Wein in alten Schläuchen?* [Community Policing – New Wine in Old Wineskins?] In: *Jahrbuch für Rechts- und Kriminalsoziologie 1995* [Yearbook for the Sociology of Law and Crime], Baden-Baden 1996, pp. 125-148.

9 Cf. Bernhard Frevel (ed.), *Kooperative Sicherheitspolitik in Mittelstädten – Studien zu Ordnungspartnerschaften und Kriminalpräventiven Räten* [Co-operative Security Policy in Medium-sized Towns – Studies on Partnerships for Order and Crime Prevention Councils], Frankfurt 2007.

10 The searchable “Infopool” of the German Federal Criminal Police Office (*Bundeskriminalamt, BKA*) can be accessed at: http://www.infopool-polizeikonzepte.bka.de/index_internet.php; a (somewhat older) overview of projects can be found in: Bundeskriminalamt (ed.), *Kriminalprävention in Deutschland* [Crime Prevention in Germany], Munich 2004, at: http://www.bka.de/nm_205998/SharedDocs/Downloads/DE/ThemenABisZ/

Security and a sense of security are key aspects of quality of life. In many communities, the enhanced focus on the needs of citizens has led to the issues of “security” or “crime” being included in local authority planning. Until the mid-1990s, local authorities did not have access to materials that could support them in this undertaking. This led the Community Crime Prevention Research Group of the German state of Baden-Württemberg (*Forschungsgruppe Kommunale Kriminalprävention in Baden-Württemberg*) to carry out studies of victimization and fear of crime in towns and communities in Baden-Württemberg and produce a handbook and standard questionnaire for use in conducting further surveys.¹¹ The standard questionnaire¹² supports the planning of community crime prevention measures and provides assistance in implementation. It was based on the studies undertaken by the Research Group, which, since 1993, had been performing research to support the “Community Crime Prevention” pilot project initiated by the Ministry of the Interior of Baden-Württemberg.¹³ The citizen surveys of victimization, fear of crime, specific local problems and their possible solutions together with the attitudes of citizens to bodies charged with maintaining social order were also compared with data from the whole of Germany.¹⁴

Citizen surveys provide an indispensable basis for the provision of community policing and citizen-oriented public security services. They serve to determine how citizens view the public security situation and, above all, to what degree they are affected by crime and where and why they experience fear or insecurity. They also catalogue which problems citizens consider to be the most urgent and troubling ones in their communities and how much they are considered “security issues”. Surveys help local governments to better understand security problems and the concerns of the population, not only in terms of the community as a whole but also for specific neighbourhoods. The results need to be used as a basis for planning and measuring progress in

Kriminalpraevention/bundLaenderProjektsammlung2003,templateId=raw,property=publicationFile.pdf/bundLaenderProjektsammlung2003.pdf.

- 11 Cf. Forschungsgruppe Kommunale Kriminalprävention in Baden-Württemberg, *Viktimisierungen, Kriminalitätsfurcht und Bewertung der Polizei in Deutschland* [Victimization, Fear of Crime, and Assessment of the Police in Germany], in: *Monatsschrift für Kriminologie und Strafrechtsreform* 2/1998, pp. 67-82.
- 12 Cf. Landeskriminalamt Baden-Württemberg (ed.), *Handbuch zur Planung und Durchführung von Bevölkerungsbefragungen im Rahmen der Kommunalen Kriminalprävention* [Handbook for the Planning and Execution of Population Surveys in the Framework of Community Crime Prevention], Stuttgart 2000, at: <http://www.polizei-bw.de/praevention/Documents/kkp/BROSCH%C3%9CRE%20-%20Handbuch%20zur%20Bev%C3%B6lkerungsbefragung.pdf>.
- 13 Cf. the contributions in: Thomas Feltes (ed.), *Kommunale Kriminalprävention in Baden-Württemberg* [Community Crime Prevention in Baden-Württemberg], Holzkirchen 1995.
- 14 Cf. Forschungsgruppe Kommunale Kriminalprävention in Baden-Württemberg, cited above (Note 11).

local authorities.¹⁵ In the meantime, comparable surveys on fear of crime, views on appropriate punishments, and the perception of crime trends have been carried on a national scale.¹⁶ There is still a dearth of methodologically sound evaluations of community crime prevention projects and community policing initiatives.¹⁷

The criticisms sometimes made of community policing and community crime prevention should be taken seriously. These include being associated with practices that exclude certain groups from society, being the continuation of “neoliberal criminal policy”,¹⁸ and serving the “colonization of social policy by criminal policy”.¹⁹ The police have been accused of imposing themselves on local self government; their community policing activities are said to disguise the truth about power relations between citizens and the state and cover up or even exacerbate problematic police attitudes and behaviour towards minorities. The approach is also accused of stigmatizing certain population groups without addressing the underlying problems of social deprivation.²⁰ Against this, it can be argued that the description and analysis of problems at the neighbourhood level is necessary if appropriate solutions are to be found. One task for the police (among other actors) is to ensure that these solutions are not reduced to law enforcement or a combination of law enforcement and prevention, but rather that structural issues are identified and addressed. To this extent, the role of the police in community policing is catalytic: They can and must set processes of societal change in motion to achieve social changes that can reduce crime in the medium term. Short-term solutions largely serve political interests. A democratic police service should refuse to participate in this.

15 Cf. Christoph Hohage, “Incivilities” und Kriminalitätsfurcht [“Incivilities” and Fear of Crime], in: *Zeitschrift für soziale Probleme und soziale Kontrolle* 1/2004, pp. 77-95.

16 Cf. Dirk Baier/Stefanie Kemme/Michael Hansmaier/Bettina Doering/Florian Rehbein/Christian Pfeiffer, *Kriminalitätsfurcht, Strafbedürfnisse und wahrgenommene Kriminalitätsentwicklung. Ergebnisse von bevölkerungsrepräsentativen Befragungen aus den Jahren 2004, 2006 und 2010*, [Fear of Crime, Views on Punishment, and Perceived Crime Trends. Results of Representative Surveys from 2004, 2006, and 2010] Hanover 2011, available at: www.kfn.de/versions/kfn/assets/fob117.pdf.

17 Cf. Joachim Obergfell-Fuchs, Wirkung und Effizienz Kommunalen Kriminalprävention [The Effectiveness and Efficiency of Community Crime Prevention], in: Hans-Jürgen Kerner/Erich Marks (eds), *Internetdokumentation Deutscher Präventionstag* [Online Archive of the German Congress on Crime Prevention], Hanover 2004, at: <http://www.praeventionstag.de/nano.cms/dokumentation/details/61>.

18 Verena Schreiber, *Fraktale Sicherheiten. Eine Kritik der Kommunalen Kriminalprävention* [Fractal Security. A Critique of Community Crime Prevention], Bielefeld 2013, p. 13.

19 Reinhard Kreissl, Die präventive Polizei. Auf dem Weg zur gläsernen Gesellschaft? [The Preventive Police. On the Way to a Transparent Society?] In: *Kritische Justiz* 2/1981, pp. 128-139, here: p. 133.

20 Cf. Schreiber, cited above (Note 18).

The work of community crime prevention starts with the neighbourhood. Considering this arena holistically in terms of its infrastructure, architecture, public utilities, social integration, gentrification processes, and crime statistics makes it possible to identify and localize the causes of crime. Neighbourhood-based community development seeks to empower inhabitants to exercise pressure on political and administrative authorities to bring about change. The question of the usefulness of publicly financed measures, which is being asked with increasing frequency in the current economic crisis, means that their effectiveness, cost-benefit ratio, and efficiency need to be evaluated objectively. Experience shows that performing such analyses frequently increases the acceptance of community crime prevention. Alongside the crime situation, three levels of analysis are relevant for both community crime prevention and the neighbourhood approach, because they create a framework for human action and hence for deviancy: infrastructure, social structure, and situational conditions. This approach has been criticized for potentially contributing to the “stigmatization” of certain districts. Some local authorities have thus been unwilling to contribute towards activities aimed at creating “socially integrative cities”,²¹ which seek to bring together various activities aimed at improving living conditions in local neighbourhoods. However, the fact that problems are distributed unevenly among city districts is undeniable. Areas with the highest rates of criminality are also often disadvantaged in terms of community infrastructure in the areas of social welfare, health, and education.

The data gathered and methods developed for regional, small-scale analysis of various forms of crime offer great potential for the structuring of police work. This applies to both preventive and enforcement measures, but particularly to general (social) pedagogical and socio-spatial measures. The collation of data from departments of social services, health, education, and police is one key means of ensuring that they work together to develop solutions.

In many localities, the idea of “neighbourhood management” continues to be pursued and expanded so as to take advantage of benefits of prevention for neighbourhoods and communities. This reflects the findings of modern criminology, which has analysed connections between the socio-structural features of space and levels of crime and criminals and finds that clustering of unfavourable factors leads to deviancy and crime. The police alone, whether through prevention or enforcement measures, cannot effectively and sustainably bring about the tangible changes that are needed. Prevention cannot be the responsibility of the police and justice departments alone. Crime prevention is only possible through co-operation between the departments

21 Cf. *The Socially Integrative City in NRW*, at: http://www.soziale-stadt.nrw.de/index_en.php.

responsible for police, justice, social affairs, children, youth, health, the environment, planning and public works, transport, and education.

Crime Mapping

The idea of analysing the geographical distribution of crime is nothing new. Current German practices in the computerized graphical representation of crime data, however, go far beyond the “crime mapping” systems widely used in the US, in particular, but also in the UK, which are largely intended for use by the public.²² The analysis of data at a local level and on a small scale is seen as offering great potential for the fine-tuning of police activities – not just prevention and enforcement, but also (social) pedagogical and socio-spatial measures.

Experts in police science have discussed the possibility of using “hot-spot mapping” to improve the deployment of police resources.²³ Such deployment plans have been criticized for concentrating excessively on police data. The focus should be broadened. Amalgamating data from the areas of social policy, health, schools, and law enforcement can provide insights that are relevant to both crime prevention and law enforcement. Multi-agency approaches of this kind are considered to be particularly effective and efficient means of performing crime analysis and crime prevention²⁴ when their results are discussed by the participating institutions, as this enables deep expertise gained from practical experience to be better applied to decision making.

The combination of intelligence-led policing (ILP), problem-oriented policing (POP) and community policing is also being discussed as a promising means of combining location-specific or situation-specific prevention with successful law enforcement. In concrete terms, this means that the information gathered by the police (e.g. the information that was used to charge someone with a crime, as well as the results of crime-scene investigations and witness statements) should be evaluated as rapidly as possible, problem-solving approaches need to be developed, and these need to be implemented by means of community policing. The police in The Hague have developed the concepts of “hot crimes” (crimes that are causing a great deal of damage/suffering at a given point in time), “hot shots” (particularly active recidivists and/or multiple offenders), “hot victims” (individuals who have suffered particularly as a result of crime), and “hot groups” (gangs, criminal or-

22 For Los Angeles, see: http://www.lapdonline.org/crime_mapping_and_compstat; for England, Wales, and Northern Ireland and London, respectively, see: <http://www.police.uk> and <http://maps.met.police.uk>.

23 Cf. Rachael Reece-Smith/Stuart Kirby, Exploring the VLI, for Identifying Priority Neighborhoods, in the Context of Multi-Agency Community Safety Initiatives, in: *Policing* 1/2013, pp. 42-52; Spencer Chainey/Jerry Ratcliffe, *GIS and Crime Mapping*, Chichester 2005.

24 Cf. Reece-Smith/Kirby, cited above (Note 23), p. 51.

ganizations)²⁵ and believe that crime can be reduced by combining the approaches mentioned above – provided that the participation of citizens is properly organized and fine-tuned, as this is considered vital to success.

Consequently, recent studies in criminal geography have concentrated on the analysis of relationships between socio-structural features of space and levels of crime and criminality. Research in the field of socio-ecology research confirms that the accumulation of unfavourable factors produces deviancy and crime. In districts with high concentrations of poverty, delinquency levels are also high, particularly among teenagers.

In their long-term research project, Weisburd et al.²⁶ focused on “micro communities”, which they define as “street segments”. They were able to demonstrate that half of all crimes were committed in only five or six per cent of street segments in the city they had chosen as a subject. These crime hot spots are not all located in the same neighbourhood, and there are major differences between the various affected segments. Vital details and insights are lost whenever one focuses on large units such as neighbourhoods and towns. Weisburd et al. also identify a large number of both risk factors and protective factors, which can be used to develop preventive strategies. Their message was: Look at the streets, lanes, and public squares that are particularly troubled by criminality; do not make comparisons at the level of municipality or district. Only this allows us to get close to the causes of crime and thus to develop effective strategies for prevention.²⁷ Ultimately, Weisburd et al. want to combine what has been called “hot-spot policing” with effective methods of crime prevention. The fact that this has to concentrate largely on social aspects of public life should come as no surprise, but is bad news for those who call for “more of the same” (Paul Watzlawick) in the fight against crime. More prosecutions, new and tougher laws, more law enforcement, more police or police with greater powers – all are bound to fail. The challenge is to make effective and appropriate use of the available resources. This is called “smart policing”²⁸ and consists in developing strategies that are effective, efficient, and economical.

25 Cf. Peter Versteegh/Theo Van Der Plas/Hans Nieuwstraten, The Best of Three Worlds: more effective policing by a problem-oriented approach of hot crimes, hot spots, hot shots, and hot groups, in: *Police Practice and Research: An International Journal* 1/2013, pp. 66-81, here: pp. 71 ff.

26 David Weisburd/Elisabeth R. Groff/Sue-Ming Yang, *The Criminology of Place. Street Segments and Our Understanding of the Crime Problem*, New York 2012.

27 Cf. Rüdiger Wulf/Joachim Obergfell-Fuchs, Prävention an Orten. Kriminologische Grundlagen und kriminalpräventive Ansätze [Location-Specific Prevention. Criminological Foundations and Approaches to Crime Prevention], in: Klaus Boers/Thomas Feltes/Jörg Kinzig/Lawrence W. Sherman/Franz Streng/Gerson Trüg (eds), *Kriminologie – Kriminalpolitik – Strafrecht. Festschrift für Hans-Jürgen Kerner zum 70. Geburtstag* [Criminology – Crime Policy – Penal Law. Festschrift for Hans-Jürgen Kerner on the occasion of his 70th Birthday], Tübingen 2013.

28 Cf. the website of the Smart Policing Initiative at: <http://www.smartpolicinginitiative.com>.

During the search for factors that could reduce both crime and the fear of crime, the concept of “collective efficacy” has been coined. This describes a form of social capital, one feature of which is a willingness to intervene on noticing the presence of a suspicious individual in the neighbourhood. Other features of collective efficacy include a willingness to take responsibility for the behaviour of young people in a community and to provide “reciprocal social support” to others – i.e. to help them – when they are in difficulties. The neighbourhood as a whole should be a “helpful place” and should be perceived as such. Residents need to intervene (within the legally permissible limits), which requires the strengthening of the informal means of social control, which are more capable of reducing crime rates than formal ones (police, courts).

The concept of “social cohesion” is also used in this context. It describes the cohesiveness among members of a group in which there is mutual trust and solidarity. Social cohesion is said to exist where people know and trust each other and share common values. It is therefore a key precondition for resilience. Research has shown that urban areas with a high degree of social cohesion have lower crime rates than areas where there is little social solidarity. Urban areas whose residents develop their power of collective or common action and are ready and willing to assume responsibility are not only more secure in the sense of having lower crime rates, their residents are also less likely to feel insecure. The inhabitants of such areas are able to meet internal and external dangers with greater vitality and to generate powers of self-healing when they suffer exceptional misfortune. Strengthening social cohesion is seen as a holistic approach to preventing crime. The central, overriding goal is to develop strategies that will strengthen the social cohesion of a community so that the community can act to meet dangers without external assistance while building up the power to self-heal and support its members.

In general, there are good indications that “problem-oriented policing” and “evidence-based policing”²⁹ can be successful when properly prepared. In attempting to evaluate such measures, however, it is important to consider what counts as evidence of how and whether police measures are “effective”. The question of how the necessary data is to be gathered and evaluated also needs to be part of the process from the beginning. It is also important to raise awareness of the significance of such measures so as to enable more intensive examination of the policing process than has tended to be the case. The police’s expectations of their own actions should also be re-examined and, if necessary, modified. “Good-practice models” should be developed and translated into practice. As long as this is not carried out systematically,

29 Karen Bullock/Nick Tilley, Police Reform: the Prospects for Evidence Based Policing and Crime Reduction, in: *Policing: An International Journal of policy and Practice*, pp. 381-387.

we can do no more than “grope around in the dark”. And while we may indeed achieve some high-profile “successes”, their reality and sustainability are usually highly questionable. Genuine successes are only achieved when they can be replicated, in other words, when cause and effect can be defined.

The European Border Surveillance System EUROSUR: The Computerization, Standardization, and Virtualization of Border Management in Europe

The borders of Europe have always been subject to negotiation. While the Treaties of Osnabrück and Münster still assigned political authority by listing in detail the lands and cities that would fall under a particular reign, the Congress of Vienna led to the establishment of the territorial principle and hence to the congruency of the concepts of rights, territory, society, and state. Various aspects of globalization are now scratching the container of the modern nation-state with its territorial borders. It is in this context that Europe – as a political actor – is once again faced with the challenge of re-bordering.

This contribution deals with a technically mediated arena in this process of re-bordering, namely with the European Border Surveillance System, EUROSUR. EUROSUR establishes a network through which border-related information, collected by individual member states, partner organizations, and surveillance gadgetry is gathered, processed, and exchanged. The diverse information – risk analyses, geodetic data, daily news reports, police information, and (virtually real-time) surveillance data – from various sources and sections along the EU's external borders is used to create a common European situational picture (ESP) concerning the overall situation at the external borders of the EU. The resulting ESP is, in turn, passed on to the member states by means of the same information and communications technology (ICT) infrastructure, i.e. the EUROSUR network. By establishing and standardizing the exchange of information among EU member states, the EUROSUR network institutes a supranational, i.e. a European, external border.

Yet, while border management in Europe is based on the notion of a supranational EU external border, the mandate to control parts of that border rests with the individual member states. The EUROSUR network mediates this tension between management and mandate. It does so by standardizing the exchange of information for the purpose of creating a common situational picture.

The development and establishment of this European communication schema involves the parallel development of technology and legislation, i.e. the formulation of a European regulation on EUROSUR, on the one hand, and a ICT system based on a geographic information system (GIS) – the EUROSUR network – on the other. Consequently, this contribution deals with EUROSUR in terms of the interplay between the development of the technology and the lawmaking process. These interlocking developments are shaped by processes of computerization, standardization, and virtualization. It

is only possible to make qualitative assessments of a common EU external border following a description of these intermeshing and mutually reinforcing processes.

From the EUROSUR Roadmap to the EUROSUR Regulation: What Is the Technology of the “Technical Framework”?

On 13 February 2008, the European Commission presented what is known as the “Border Package”. The Border Package consists of three communications containing detailed plans for bringing forward integrated border management (IBM) in Europe.¹ One of these communications, concerning the creation of a European Border Surveillance System (EUROSUR), and hereafter referred to as the “EUROSUR Roadmap”, describes potential elements of a reconfiguration and reorganization of border management itself. It underscores the necessity of making use of synergies in surveillance technology and sharing information to prevent “unauthorised border crossings, to counter cross-border criminality and to support measures to be taken against persons who have crossed the border illegally”.² Almost four years later, on 12 December 2011, the European Commission proposed the EUROSUR draft regulation.³ At this point, the member states were called upon to clarify the issue of subsidiarity, i.e. to determine in their own parliaments whether the EU had competency in this area.⁴ After the Council of the European Union and the European Parlia-

1 As well as plans for a European border surveillance system, the Commission also presented the findings of an initial evaluation of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex), and proposals based on these results for the strengthening of Frontex’s competencies and resources. A further communication called for the creation of an entry/exit registration system. Cf. Commission of the European Communities, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Report on the evaluation and future development of the FRONTEX Agency*, COM(2008) 67 final, Brussels, 13 February 2008; Commission of the European Communities, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Examining the creation of a European Border Surveillance System (EUROSUR)*, COM(2008) 68 final, Brussels, 13 February 2008 (hereinafter cited as “EUROSUR Roadmap”); Commission of the European Communities, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Preparing the Next Steps in Border Management in the European Union*, COM(2008) 69 final, Brussels, 13 February 2008.

2 EUROSUR Roadmap, cited above (Note 1).

3 Cf. European Commission, *Proposal for a Regulation of the European Parliament and of the Council – Establishing the European Border Surveillance System (EUROSUR)*, COM(2011) 873 final, Brussels, 12 December 2011 (hereinafter cited as “EUROSUR draft regulation” or “EUROSUR legislative proposal”).

4 Cf. Article 5 (3) of the Treaty on European Union (TEU) and the Protocol on the Application of the Principles of Subsidiarity and Proportionality. In the case of the proposed EUROSUR regulation, only the Swedish parliament had concerns regarding the competency of the EU.

ment had determined their positions, the “trialogue” between Council, Parliament, and Commission was inaugurated under the presidency of Cyprus, with the ultimate aim of adopting the regulation by October 2013.⁵ On 10 October 2013, the EUROSUR regulation was approved by the European Parliament by 479 votes to 101, with 20 abstentions.⁶ The Council of the European Union then adopted the regulation on 22 October 2013 without discussion.⁷ It entered into force on 2 December 2013.⁸

In the EUROSUR Roadmap of 13 February 2008, EUROSUR is described as a “common technical framework”, whose aim is

to support Member States’ authorities to act efficiently at local level, command at national level, coordinate at European level and cooperate with third countries in order to detect, identify, track and intercept persons attempting to enter the EU illegally outside border crossing points.⁹

If one looks at the levels at which EUROSUR seeks to improve border protection – reaction capability at local level, allocation of resources and personnel at national and European planning levels, and facilitating inter-organizational information sharing and co-operation with third countries – the political and geographic reach of the EUROSUR integrated border surveillance system is remarkable.

The publication of the Roadmap in February 2008 was followed by a period during which political and technical feasibility studies were carried out. The Roadmap explicitly invited research and development on border surveillance within the framework of the Seventh Framework Programme for Research and Technological Development (FP7). By 2012, the EU had provided funding worth over 170 million euros to 16 projects that promised synergies with the EUROSUR system. These include the development and testing of unmanned aerial vehicles (UAV) and satellites for use in civil-security applications.¹⁰ During this period, public discussion focused on EUROSUR

5 Cf. EUROSUR draft regulation, cited above (Note 3), Article 21 (2).

6 Cf. European Parliament News, *EU border surveillance: MEPs approve Eurosur operating rules*, press release, 10 October 2013, at: <http://www.europarl.europa.eu/news/en/news-room/content/20131007IPR21624/html/EU-border-surveillance-MEPs-approve-Eurosur-operating-rules>.

7 Cf. Council of the European Union, *Council adopts regulation establishing the EUROSUR system*, 15031/13, PRESSE 426, Brussels, 22 October 2013.

8 Cf. Regulation (EU) No 1052/2013 of The European Parliament and the Council of the European Union of 22 October 2013 establishing the European Border Surveillance System (Eurosur), in: *Official Journal of the European Union L 295/11*, 6 November 2013, at: http://www.frontex.europa.eu/assets/Legal_basis/Eurosur_Regulation_2013.pdf.

9 EUROSUR Roadmap, cited above (Note 1).

10 Cf. Ben Hayes/Matthias Vermeulen, *Borderline. The EU's New Border Surveillance Initiatives*, Berlin 2012.

as a contribution to the expansion of surveillance at Europe's external borders and as an indirect means of subsidizing the arms industry.¹¹

Yet neither the two EUROSUR pilot projects¹² nor the Commission's legislative proposal of 12 December 2011 are concerned with the apparatus of border surveillance technology. Their focus is rather the establishment of a communication platform that regulates the exchange of information via standardized solicited input and representation of data. Merely criticizing EUROSUR as a surveillance behemoth overlooks the changes that an "intelligent information system" brings at the inter-organizational and administrative levels. In fact, the EUROSUR project aims to achieve the goals detailed above less by reinforcing the EU's external borders than by means of inter-organizational co-operation and information sharing. The EUROSUR network is the implementation of the latter. The visualization in a common European situational picture of data captured nationally is supposed to provide an image of the added value of information sharing. This visualization lends plausibility to the idea of integration – i.e. the Europeanization of border management.

As EUROSUR has evolved, the common ESP has thus moved to the centre of attention. The ESP displays the data gathered from various sources on a map of Europe. The EUROSUR network is based on ICT and uses a GIS to turn data gathered intermittently into situational pictures in the form of electronic maps. The development of the software began in 2010 and is linked to the two pilot projects. Structures and definitions that proved themselves in the software's test phase were included in the legislative proposal. Consequently, the EUROSUR regulation covers the composition of situational pictures, the necessary communication routines to stipulate the network, as well as the final ESP. The EUROSUR regulation also touches upon the competencies and hierarchies within the network; it proposes a schema for a supranational, i.e. European management of borders.

11 Cf. *ibid.*; cf. also Jörg Stickan, *The secrets of Fortress Europe*, *presseurop*, 4 October 2012, at: <http://www.presseurop.eu/en/content/article/2803431-secrets-fortress-europe>, and Matthias Monroy, *Militarisierung des Mittelmeers* [The Militarization of the Mediterranean], in: *Telepolis*, 8 April 2011, at: <http://www.heise.de/tp/artikel/34/34515/1.html>, 8 April 2011.

12 In December 2009, a small EUROSUR network pilot project began with the participation of Finland, France, Italy, Poland, Slovakia, and Spain. The second pilot phase, which began in November 2010, has seen additional member states successively join the original six. Participation in the pilot is conditional on the existence of a national coordination centre (NCC). A memorandum of understanding (MoU) between Frontex and the individual member states governs further details of the pilot project, but is not in the public domain. Frontex engaged the Spanish company GMV to carry out technical implementation of the network. The contract with GMV is worth 1.5 million euros. Cf. European Commission, Commission Staff Working paper, *Impact Assessment accompanying the Proposal for a Regulation of the European Parliament and of the Council establishing the European Border Surveillance System (EUROSUR)*, SEC(2011) 1536 final, Brussels, 12 December 2011.

One requirement for being connected to the EUROSUR network is the restructuring of national authorities.¹³ It can also be assumed that the introduction of such a technologically advanced and proactive approach will lead to a shift in the everyday working practices of border protection.¹⁴ Furthermore, the information to be exchanged via the network will also be aggregated and analysed centrally, which points to an increase in competencies on the part of the Frontex agency.

The EUROSUR Network and the Classification of Network Data – The Interplay of Computerization and Europeanization

The EUROSUR regulation defines the communications routines that are necessary for the creation of a common European situational picture at the EU's external borders. Article 4 (1) details the components of the EUROSUR framework as follows:

For the exchange of information and for the cooperation in the field of border surveillance, and taking into account existing information and cooperation mechanisms, Member States and the Agency shall use the EUROSUR framework, consisting of the following components:

- (a) national coordination centres;
- (b) national situational pictures;
- (c) a communication network;
- (d) a European situational picture;
- (e) a common pre-frontier intelligence picture;
- (f) a common application of surveillance tools.¹⁵

The national coordination centres (NCC) are the central location for European border management in each member state. They are to assume responsibility for communication and co-ordination with the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) and the other member states. This organizational change turns border management into a supranational concern. Each NCC creates a national situational picture by entering infor-

13 The establishment of a single NCC in each member state is a direct consequence of the recommendations made in Frontex's 2007 BORTEC study, which called for the streamlining of border protection authorities in the individual member states.

14 On proactive border management, which has been advanced, in particular, via concepts of a common pre-frontier intelligence picture (CPIP), cf. Julien Jeandesboz, *Beyond the Tartar steppe: EUROSUR and the ethics of European border control practices*, in: J. Peter Burgess/Serge Gutwirth (eds), *A Threat Against Europe? Security, Migration and Integration*, Brussels 2012, pp. 111-131.

15 EUROSUR Regulation, cited above (Note 8), Article 4 (1).

mation into the EUROSUR application.¹⁶ This information is shared with Frontex via the network. Frontex, in turn, integrates this data with the common pre-frontier intelligence picture (CPIP)¹⁷ to create a European situational picture.¹⁸ Each situational picture consists of three layers. Article 8 (2 a-c) of the regulation distinguishes between the events layer, the operational layer, and the analysis layer. The CPIP provides the member states with considerable added value, giving them an incentive to enter the information that they possess in order to receive more information in return, particularly from the pre-frontier area.

The centre of the EUROSUR graphical user interface (GUI) consists of an outline of the European continent in white on a light-blue background. This acts as a kind of “pinboard” to which information can be added to a given geographical location in the form of “tags” that include various expandable data fields. The EUROSUR GUI is used for both entry and retrieval of information. Menu items include options for the standardized entry of information and for search filtering.

The information to be entered is categorized according to various types of border-related incidents. Meetings of ministers and working groups defined what kinds of incidents were relevant for EU border management; i.e. which incidents were not merely local phenomena but should be considered a problem for the EU’s Schengen Area. The result of these discussions is the “incident catalogue”. The incident catalogue is translated into menu items in the EUROSUR GUI. In this way, the implicit consensus reached on what counts as a border-related incident is reflected in the classification of network data.¹⁹ Thus, the classification of border-related incidents is translated into IT classifications which in turn consolidate the political agreement by structuring the communication routines between border control authorities in Europe.

To enter information on an incident, the user chooses the appropriate category and uses an electronic form to make an incident report. The information entered is generally shared with Frontex, where it is used for risk analysis.

16 For details of the content and the various layers and sub-layers of the national situational picture, cf. *ibid.*, Article 9.

17 For details of the content and the various layers and sub-layers of the CPIP, cf. *ibid.*, Article 11.

18 For details of the component data and the organizational layers of the European situational picture, cf. *ibid.*, Article 10.

19 Consequently, the events layer of the national situational pictures consists of the following four sub-layers:

“(a) a sub-layer on unauthorised border crossings, including information available to the national coordination centre on incidents relating to a risk to the lives of migrants;
(b) a sub-layer on cross-border crime;
(c) a sub-layer on crisis situations;
(d) a sub-layer on other events, which contains information on unidentified and suspect vehicles, vessels and other craft and persons present at, along or in the proximity of, the external borders of the Member State concerned, as well as other event which may have a significant impact on the control of the external borders”, *ibid.*, Article 9 (3 a-d).

The standardization of information specifications and processing via the EUROSUR network has created new, EU-wide ways of understanding Europe's border regions. Not only are certain types of incident defined as relevant in terms of EU or Schengen standards, member states are also required to assign each incident an "indicative impact level, ranging from 'low' and 'medium' to 'high'".²⁰ The assignment of impact levels is monitored by Frontex (consistency check) and aggregated so that specific border sections can be marked in colour in the European situational picture according to the impact level and frequency of incidents. Sections where incidents with a high impact occur are coloured red; sections with medium-impact events are yellow, and sections with low-impact events are green. Ultimately, this colour-coding may provide for a supranational mandate, which can also be read on the electronic map.²¹

By structuring the communication and representation of data, EUROSUR enables the integration of European border management. By requiring the definition and dissemination of technical standards, the network has become the technical arena for and means of Europeanization. There are many reasons why EUROSUR has been accepted by EU member states since 2010, and why its use appears to be becoming established. One is that it embodies the concept of the virtual border, which has been a buzzword since 2003, i.e. since before the drafting of the EUROSUR Roadmap. This concept is echoed in the virtual EUROSUR network, and further reflected in the representation of a broad variety of data in the European situational picture. This interplay between virtualization and computerization is the subject of the following section.

The "Virtual Border" as the Guiding Model ("Leitbild") for European Integrated Border Management (IBM) and the Visualization of a Supranational Mandate

The following section seeks to demonstrate that the concept of the virtual border functions as a guiding model ("*Leitbild*", plural "*Leitbilder*", literally "guiding image") for the integration of EU border management, thereby enabling both a more flexible approach to the geography of border controls and an expansion of the competencies of border services. The foundational function of the concept of the virtual border and its functioning in practice can best be understood in terms of the *Leitbild* concept, as developed by a group of authors around the organizational scientist Günther Ortmann in 1991 with regard to the introduction of computer systems in organizations.²²

20 Ibid., Article 9 (4).

21 Cf. *ibid.*, Article 15 (1 c).

22 Cf. Günther Ortmann/Arnold Windeler/Albrecht Becker/Hans-Joachim Schulz, *Computer und Macht in Organisationen. Mikropolitische Analysen* [Computers and Power in Organizations. Micropolitical Analyses], Opladen 1990.

The *Leitbild* concept makes clear how EUROSUR can function as a technical framework. It explains, first, why it is accepted by the member states, and, second, why EUROSUR set changes in motion that had previously failed to find a supranational consensus.

Ortmann et al. define *Leitbilder* or “put more generally, interpretive schemas” as “‘tools’ that agents make use of to interpret their world and for purposes of communication”.²³ *Leitbilder* may be vaguely worded, but they are capable of creating consensus. They make it possible to speak about a shared conception that has not yet taken on a specific form, and whose precise significance only becomes evident at a later date. Nonetheless, the agents – whether at the level of management, production, or in the world of politics – cannot simply choose a *Leitbild* out of thin air. They are not arbitrary linguistic images and cannot be mobilized on an ad hoc basis to achieve a desired political outcome. Rather, *Leitbilder* serve to provide structure, particularly with regard to the cognitive and normative acts of alignment that are necessary to promote the dissemination of the *Leitbild*, thereby encouraging its acceptance and functioning.²⁴ A *Leitbild*, as the etymology of the German suggests, is a “guide” that influences the development process, while also remaining – the other half of the German word’s meaning – “pictorial” or “imagistic”, and thus open to reinterpretation, extension, adaptation. Ortmann et al. define *Leitbilder* as “pictorial interpretive and normative schemas that are ‘abstracted’ from a cognitive and/or normative structure, which is thus both reproduced and adapted”.²⁵ Accordingly, even when formulated as a utopia, a *Leitbild* can still have an effect by providing the management of an organization with inspiration. In this way, *Leitbilder* address and delineate both the problem and potential solutions. Once admitted to a discourse as a structuring instance and reproduced in a field, they can be supplied with alternative meanings and used in flexible ways.

The concept of the virtual border was already being circulated five years before the Commission released the EUROSUR Roadmap. It first appears in a 2003 study carried out by the French think tank CIVIPOL.²⁶ In November of the same year, it was taken up by the Council of the European Union in its “Programme of measures to combat illegal immigration across the maritime borders of the Member States of the European Union”, which states:

The programme adopts the concept of the virtual maritime border in order to reinforce the legal borders of Member States by means of joint

23 Ibid., p. 8 [author’s translation].

24 Cf. *ibid.*, p. 62.

25 Ibid., p. 439.

26 Cf. Dimitris Papadopoulos/Niamh Stephenson/Vassilis Tsianos, *Escape Routes. Control and Subversion in the 21st century*, London 2008, pp. 178-181.

operations and specific measures in the places where illegal migratory flows originate or transit.²⁷

Linking the concept of the virtual border to the idea of a maritime border made it possible to open up the idea of precise territorial borders in their spatial dimension and introduce geographical ambiguity. This makes it possible to carry out the classical tasks of border protection and border control beyond the frontier. In this connection, Ben Hayes comments: “The underlying principle is that the EU’s ‘sea border’ extends to any country with which it shares an ocean, basically giving it the right to police the entire sea.”²⁸ The ambiguity and invisibility of this border establish a grey area that is deeply problematic but tolerated politically because it opens up the (national) mandate in both geographical and institutional terms. The similarity of connotations of the concepts of the sea and virtuality lends plausibility to the concept of a virtual maritime border. At the same time, this transforms the problem of migration across the maritime frontier of the Mediterranean by introducing the concept of flexible borders, which more closely corresponds to the experiences of both border services and migrants and is consequently gaining favour.

A further reinterpretation or extension of the meaning of the concept of the virtual border is also evident in the EU’s 2008 Border Package. The re-orientation of border management initiated in those documents reframed the concept of the virtual border in terms of data gathering and border management driven by investigation and prevention. The concept of the virtual border is linked to an intelligence-driven approach to border management. In an article in “Focus”, the in-house magazine of the AeroSpace and Defence Industries Association of Europe (ASD), Ilkka Laitinen, the Director of Frontex, explicitly referred to the necessity and effectiveness of the concept of the virtual border:

In the 21st century border management must be intelligence-driven. This is a prerequisite of all actions taken regarding borders. Effective border management does not exist without sophisticated systems of data collection and analysis followed by its timely dissemination to officers making decisions on the ground, such as the eligibility for crossing of a person or cargo. [...] That’s why the concept of a “virtual border” is so important, because the management of a border starts even while

27 Council of the European Union, *Programme of measures to combat illegal immigration across the maritime borders of the Member States of the European Union*, 15445/03, Brussels, 28 November 2003, p. 2.

28 Ben Hayes, *Cover Up! Proposed Regulation on Border Guards hides unaccountable, operational bodies*, Statewatch analysis, November 2003, at: <http://www.statewatch.org/news/2003/nov/10euborders.htm>.

gathering intelligence or issuing a visa in a third country. The physical border is, so to say, the “last border line”.²⁹

Gathering, aggregating, and evaluating data is the basis for the distribution of resources and personnel along a frontier, but also for individual checks and other measures carried out by border service staff. Border service personnel on the ground should base their actions on up-to-date information from databases rather than heuristic talent – arriving at suspicion on the basis of experience and intuition.

The concept of analytical and preemptive border management that must be distinguished from the classical preventive approach depends on the development of a situational picture of the pre-frontier area. Accordingly, only information that indicates a potential border violation should be included in the CPIP, as only this information is crucial to the ability of border service staff to react. However, the pre-frontier area lies outside the area in which (European) border service staff are able to exercise sovereign authority. The virtuality of the CPIP undercuts this limitation by shifting the locus of border security to a non-territorial space, namely in the virtual sphere of data collection and analysis. This data-gathering and analysis process, which is based on intelligent information systems, then feeds into the common European situational picture via the CPIP. The EUROSUR network, a GIS-supported virtual ICT network that enables the creation of the ESP on the basis of information exchange, ultimately manifests the guiding model of a virtual border.

At this point, an observation by Ortmann et al. is particularly relevant. The authors conclude that “*Leitbilder* [...] are almost automatically associated with new technology, particularly information technology. A new solution means: A new IT-based solution.”³⁰ The *Leitbild* is thus not only made manifest and concrete in the form of technology, the virtual network is the medium for the creation of a new spatial border. Operations are no longer based on the geographical frontiers measured by land surveyors, but rather on border-related incidents that are already relevant for border management in the pre-frontier area. The virtual border has made possible new ways of dealing with the border mandate, which continues nonetheless to justify intervention by executive organs in terms of territorial integrity without binding the executive forces to the territory itself. At the same time, however, legal titles and jurisdiction for unauthorized migrants or refugees are reserved.³¹

The digital map visualizes the concept of a European external frontier that is characterized by the concept of virtuality. The *Leitbild* is made mani-

29 Ilkka Laitinen, Shaping European Security, in: *Focus* 2/2008, p. 8.

30 Ortmann et al, cited above (Note 22), pp. 442-443 [author’s translation; emphasis added].

31 On the “territorial differentiation” of access to justice by migrants and refugees on the way to Europe, cf. Silja Klepp, *Europa zwischen Grenzkontrolle und Flüchtlingsschutz. Eine Ethnographie der Seegrenze auf dem Mittelmeer* [Europe between Border Control and Refugee Protection. An Ethnography of the Mediterranean Maritime Frontier], Bielefeld 2011.

fest by means of technology, and, as a result, the electronic map (the collective product of the virtual EUROSUR network) ultimately itself becomes a *Leitbild*. In this way, the process of deploying a new technology leads to an interplay between the establishment of the technology itself and the ongoing Europeanization of border management. The acceptance of the *Leitbild* and thus, via the medium of technology, of the associated Europeanization, is consolidated by the visualization of the ESP. This is well illustrated by the words of a border official who has been working with the network in the pilot project: "When I first saw the EUROSUR on the screen, I finally understood what it was all about."

What Will EUROSUR Change about Integrated Border Management in Europe?

The mutually reinforcing interplay between computerization, standardization, and virtualization in the EUROSUR network are leading to the emergence of an external EU border. The development of the network that, along with the relevant EU regulation, has organized border management in Europe in a binding fashion, makes possible, on the basis of the relevant technology, a degree of Europeanization and integration that would have been unthinkable only ten years ago.

The EUROSUR network promotes new formats for communication while encouraging information exchange and interorganizational cooperation. At the same time, the use of its enabling application might rapidly make these changes permanent. Europe's external frontier is thus being created by means of interorganizational co-operation and data exchange. As this takes place, the frontier region is also being restructured in political and administrative terms. In this, the function of technology is not only to measure and to represent (instrumentally), but is rather the concrete embodiment of political will, the *sui generis* motor for harmonization of EU border management and border demarcation. The computerization of border surveillance, and, indirectly, of border demarcation, makes the standardization and virtualization of a European border model plausible.

In terms of the demarcation and operationalization of borders, a situational picture creates possibilities that go beyond the possibility of cross-border hot pursuit up to 30 km in cases of justified suspicion. The exchange of information regarding border-related incidents at the EU's common borders and the collection and representation of this information in a situational picture not only make proactive border management possible but make a visual suggestion that some course of action should be undertaken even by those who are not yet (geographically) responsible. The pre-frontier intelligence picture contained within the ESP implies that those involved in using EUROSUR are engaged in proactive border management.

Correspondingly, the EUROSUR project is premised on the argument that enhanced co-operation and information exchange between EU member states and EU authorities will lead to better results in investigations and more efficient border protection and will be able to make a decisive contribution to the rescue of migrants in distress at sea. Michele Cercone, spokesperson of EU Commissioner for Home Affairs Cecilia Malmström, agrees: “We need Eurosur, because we realised in the last years that we do already have a lot of information, very worthy information that is not shared. Not only between member states, but between national authorities themselves.”³²

In evaluating EUROSUR, it is important to bear in mind the premise that improved information flow and reaction times will raise the quality of border management. For, to consider just the example of maritime rescue, it is questionable whether the number of deaths at sea can really be explained as the result of a lack of information (flow),³³ and hence could be reduced by better communication. Not every EU member state takes the view that EUROSUR should be used as a multi-purpose system, i.e. both for detecting unauthorized immigrants, preventing cross-border crime, and carrying out border patrols, and in the co-ordination of maritime rescue operations. Furthermore, the EU member states do not share a generally accepted definition of maritime distress. Hence, one passage may state that every small wooden boat on the high seas should be treated as a case of maritime distress, as such craft are simply unsuited for the likely conditions, while another passage states that one should only speak of maritime distress when a ship or boat actually sinks. Nonetheless, “maritime distress” was included as a category in the catalogue of border-related incidents and can be selected in the EUROSUR GUI. In this case, the agreement on the form was reached before consensus on the content. This shows that the format clearly has the potential to encourage further harmonization.

Aside from this question of political will, the “technical argument” that supposes EUROSUR will enable the rescue of migrants at sea by making it possible to find them more quickly is also questionable. If it is to provide early warning, the information needs to be made available almost in real time. In the test phase, however, it was considered a success if a report of an incident was entered into the system on the same day. Furthermore, the operational layer, which provides the most up-to-date information, where applicable, is so far only accessible by management and not staff working on the ground. The formalization and standardization of communication pro-

32 Caroline Nökel, *Seenotrettung nur Vorwand für Abschottung? Eurosur, die lückenlose Überwachung des Mittelmeers* [Is Maritime Rescue Just a Pretext for Sealing the Borders? Eurosur, the Seamless Surveillance of the Mediterranean], at: <http://www.wdr5.de/sendungen/politikum/s/d/20.06.2013-19.05/b/seenotrettung-nur-vorwand-fuer-abschottung.html>. The broadcast describes EUROSUR as a “data leviathan”. (Cercone quotation originally in English).

33 Cf. Klepp, cited above (Note 31).

cesses and information exchange appear to be more important than the acceleration of data flow.³⁴

In general, the EUROSUR technical framework has a Europeanizing effect that it realizes via IT-based formats for communication. Whether this improves border management depends on whether the network is accepted. Which itself, paradoxically, depends on whether the interests of the member states are served. And while EUROSUR is supposed to increase situational awareness of border authorities in Europe, some member states fear that this awareness will also reveal situational failure. Under these circumstances, it is unlikely that the EUROSUR network will unfold its potential as a multi-purpose system, even if this would be technically possible.

34 Cf. Nils Ellebrecht/Konrad Feldmeier/Stefan Kaufmann, IT's about more than speed. The impact of IT on the management of mass casualty incidents in Germany, in: Tina Comes/Frank Fiedrich/Stephen Fortier/Jutta Gelderman/Tim Müller (eds), *Proceedings of the 10th International Conference on Information Systems for Crisis Response and Management (ISCRAM)*, Baden-Baden, May 2013, pp. 391-400.

The OSCE's Final Frontier

I dream that one day, in the not-so-distant future, borders between States will simply vanish from our maps and our minds. Who knows, perhaps delegations of the Organization for Security and Co-operation in the Galaxy (OSCG) will be discussing the elements of an inter-galactic concept of border security and management.

Ambassador Marianne Berez,
Head of the Hungarian Mission to the OSCE (2003-2007)¹

The significance and consequences of territorial state borders have been matters of concern for the OSCE since its earliest days as the CSCE. Yet the Organization's name indicates two perhaps contradictory intentions with regard to borders. In simplified terms: While the desire for security seeks to strengthen borders, co-operation aims to eliminate them. This concerns not only state territorial borders as such, but also the functions they are intended to perform. Frontiers delineate the space of sovereignty and territorial integrity in political, legal, and ideological terms. Borders are a valve and a filter between spaces; they can enhance or prohibit communication, commerce, and movement. Finally, borders provide a basis for defence and the protection of a society against the threats and dangers that it faces. In the terminology of the OSCE, border issues can be said to be definable in all three dimensions – the former baskets – of the OSCE.

This contribution aims to show in three sections how the OSCE has tended to involve itself or, perhaps more accurately, to become involved very selectively with border problems as they have arisen in ever changing forms, and how the focus of its efforts has shifted from the securing of borders to the protection provided by borders.

One thing that cannot be overlooked is that the proliferation of states since the emergence of the CSCE/OSCE has led to a simple quantitative increase in the number and length of borders in the area between Vancouver and Vladivostok. In 1975, there were 43 discrete state borders in the OSCE area; in 2013, there are 81.² In numerous locations, the region has been surveyed and territory redistributed. Since further redistribution on the Eurasian continent is sooner or later inevitable, the current borders must be considered unstable.

1 Marianne Berez, Open, safe and secure. Managing borders in the OSCE area, in: *OSCE Magazine*, July 2006, pp. 4-6, here: p. 6.

2 Counting only borders shared by CSCE/OSCE participating States in the years in question.

For a long time, the external borders of the CSCE/OSCE were stable. The OSCE area expanded with the accession of Albania in 1991, Andorra in 1996, and Mongolia in 2012, and new external and internal borders were thereby created.

If the quantitative aspects of OSCE borders are easy to capture, their qualitative significance for the CSCE/OSCE, and particularly the way this has changed, are harder to evaluate, particularly since – as already mentioned – the OSCE has engaged with territorial borders in general and the borders internal to its space in a range of very different ways. As in other policy areas, there are particular questions relating to border issues that the participating States have either not wanted the OSCE to deal with (and have consequently passed responsibility for the settlement of these issues to other bodies, such as the UN, EU, or NATO), or where they have even denied the right for any third party involvement, reserving the privilege of controlling border policy for themselves. The result of such refusals to observe their OSCE commitments has usually been some kind of compromise. The states in question have rarely been excluded from the Organization, and only when they were already quite obviously in a state of collapse, as in the Bosnian war.

No frontier has posed a greater challenge to the CSCE/OSCE than the so-called “Iron Curtain”. Without it, there would have been no OSCE. The Organization was fixated on this particular internal border until it was overcome. Subsequently, its decisions and activities continued to focus on the internal borders of the CSCE/OSCE area, i.e. the borders between its participating States, until very recently, when it was allowed to turn to the border with Afghanistan.

In the following, I discuss a number of propositions relating to borders in general, then turn to the OSCE’s particular concern with specific border problems, before finally considering the reasons for the Organization’s refusal to become involved in others.

Principles

In the Final Recommendations of the Helsinki Consultations of 8 June 1973, the “inviolability of frontiers” is described as a principle “of particular importance”.³ This represented a softening of the concept of the “immutability” of borders, which had also been discussed at the time. In the Final Act of Helsinki of 1 August 1975, this principle is formulated as follows: “The participating States regard as inviolable all one another’s frontiers as well as the frontiers of all States in Europe and therefore they will refrain now and in the

3 Final Recommendations of the Helsinki Consultations, Helsinki, 8 June 1973, in: Arie Bloed (ed.), *The Conference on Security and Co-operation in Europe. Analysis and Basic Documents, 1972-1993*, Dordrecht 1993, pp. 121-140, here: p. 124. All OSCE documents are also available at the OSCE’s website at: <http://www.osce.org>.

future from assaulting these frontiers.”⁴ It is notable here that this declaration extends to the European states – such as Albania – that were not represented at the Helsinki Conference in 1975.

While CSCE declarations and regulations in the first “basket” (“Questions relating to security in Europe”) at Helsinki and in subsequent negotiations dealt directly with issues relating to territorial borders, the other two baskets (“Co-operation in the field of economics, of science and technology and of the environment” and “Co-operation in humanitarian and other fields”) also touched upon the indirect effects of territorial frontiers. For instance, in the Helsinki Final Act, the participating States “declare themselves in favour of a simplification and a harmonization of administrative formalities in the field of international transport, in particular at frontiers”.⁵

Elsewhere, in hedged and convoluted language, the Final Act states that: “In order to promote further development of contacts on the basis of family ties the participating States will favourably consider applications for travel with the purpose of allowing persons to enter or leave their territory temporarily, and on a regular basis if desired, in order to visit members of their families.”⁶

Similarly, later sections speak of simplifying the issuing of visas and travel documents to allow citizens of different states to marry.

From 1989, such cautious declarations of willingness to adopt a compassionate border regime were replaced by an almost unconditional policy of liberalization. The 1992 Helsinki Document, for instance, contained the following passage: “We encourage wide-ranging transfrontier co-operation, including human contacts, involving local and regional communities and authorities.”⁷

Details of this principle are elaborated in a dedicated chapter of the Helsinki Document: “The participating States welcome the various regional co-operation activities among the CSCE participating States as well as transfrontier co-operation and consider them an effective form of promoting CSCE principles and objectives as well as implementing and developing CSCE commitments. [...] [They] will encourage and promote [...] transfrontier co-operation between territorial communities or authorities, involving border areas of two or more participating States with the aim of promoting friendly relations between States.”⁸

4 Final Act of Helsinki, Final Act of the Conference on Security and Co-operation in Europe, Helsinki, 1 August 1975, in: Bloed (ed.), cited above (Note 3), pp. 141-217, here: p. 144. It should be noted that the Helsinki Final Act also contains the following statement: “[The participating States] consider that their frontiers can be changed, in accordance with international law, by peaceful means and by agreement.” Ibid.

5 Ibid., p. 176.

6 Ibid., p. 185.

7 CSCE Helsinki Document 1992: The Challenges of Change, Helsinki, 10 July 1992, in Bloed (ed.), cited above (Note 3), pp. 701-777, here: p. 708.

8 Chapter IX, The CSCE and Regional Transfrontier Co-operation, *ibid.*, p. 763.

This section even touches upon the sensitive question of minorities, albeit rather cryptically: “Transfrontier co-operation should be as comprehensive as possible, promoting increased contacts at all levels, including contacts among persons sharing a common origin, cultural heritage and religious belief.”⁹

Indeed, granting minorities their rights poses a particular challenge in two regards. On the one hand, it is a question of autonomy and granting specific rights within a state that have the effect of separating one part of the population from another. Then there is the problem of cross-border relations between members of the same ethnic group, and the consequent need to loosen border regimes that stand in the way of such relations. Thus the conclusions of the second meeting of the CSCE Council in Prague in 1992 spoke – albeit against the background of the crisis in Yugoslavia – of “the equal legitimate aspirations of all the peoples concerned”,¹⁰ which the participating States committed themselves to respect as part of their commitment to seek a peaceful and lasting settlement of the crisis. This entails “guarantees for the rights of ethnic and national communities and minorities, in accordance with the commitments subscribed to in the framework of the CSCE; respect for the inviolability of all borders, whether internal or external, which can only be changed by peaceful means and by common agreement; commitment to settle by agreement all questions concerning State succession and regional disputes; guarantees for the absence of territorial claims towards any neighbouring State, including abstention from hostile propaganda activities that would, *inter alia*, promote such territorial claims.”¹¹

Yet as soon as it is proposed that frontiers be changed, redrawn, or even abolished completely, or that a territory threatens or actually begins to secede from a larger entity, “territorial integrity” is evoked. This expression has been used in all kinds of CSCE/OSCE documents down to the present day. The participating States even declared upholding the permanence of frontiers to be a collective task, albeit once more expressed rather obliquely and with various caveats, in the draft charter on European Security adopted at Copenhagen in 1997: “[The participating States] will explore further ways jointly to consider actions that may have to be undertaken [...] in the event that any State threatens to use or uses force against the sovereignty, territorial integrity or political independence of another State.”¹²

9 Ibid.

10 Prague Meeting of the CSCE Council, 30-31 January 1992, in: Bloed (ed.), cited above (Note 3), pp. 821-839, here: p. 823.

11 Ibid.

12 Decision on Guidelines on an OSCE Document-Charter on European Security, MC(6).DEC/5, in: Organization for Security and Co-operation in Europe, *Sixth Meeting of the Ministerial Council, 18-19 December 1997*, MC.DOC/1/97, Copenhagen, 16 March 1998, pp. 18-23, here: p. 19, at: <http://www.osce.org/mc/40427>.

The border-related problems that emerged in the final decade of the 20th century – sometimes breaking out suddenly, sometimes developing gradually – left the participating States no choice but to extend their considerations beyond the formulation of norms and standards, and their commitment to uphold these, but required them to respond to contemporary challenges in concrete terms. With the institutionalization of the CSCE, they began to consider the options and means available for specific action to contain and resolve border-related problems.

Key OSCE documents now tend to begin with declarations and admonitions making specific reference to the various problem situations. In December 1993, for instance, the Rome Ministerial Council “strongly condemned [...] the attempt of countries to acquire territories by the use of force”,¹³ reconfirmed the participating States’ support for the sovereignty, territorial integrity, and independence of the Republic of Bosnia and Herzegovina, and refused “to recognize any territorial acquisition by force”.¹⁴ The participating States also resolved that the United Nations Protected Areas in Croatia, “should be peacefully reintegrated into the political and legal system of Croatia”.¹⁵

Similar demands were made with regard to other troubled territories, such as Nagorno-Karabakh, Moldova, and Georgia. It is true that some affected states rejected certain phrases, which meant, in view of the CSCE’s consensus principle, that a number of carefully worked out apparent compromises fell at the final hurdle. At the Lisbon Summit in 1996, for instance, the Chairman-in-Office was forced to explain that principles that were supposed to form part of the settlement of the Nagorno-Karabakh conflict and were supported by all the member States of the Minsk Group had ultimately been rejected by the delegation of Armenia. These principles included the “territorial integrity of the Republic of Armenia and the Azerbaijan Republic” and the “legal status of Nagorno-Karabakh defined in an agreement based on self-determination which confers on Nagorno-Karabakh the highest degree of self-rule within Azerbaijan”.¹⁶

There were no objections to the Lisbon Summit’s declaration on Georgia: “We reaffirm our utmost support for the sovereignty and territorial integrity of Georgia within its internationally recognized borders. We condemn the ‘ethnic cleansing’ resulting in mass destruction and forcible expulsion of pre-

13 CSCE, *Fourth Meeting of the Council*, Rome, 30 November-1 December 1993, in: Arie Bloed (ed.), *The Conference on Security and Co-operation in Europe. Basic Documents, 1993-1995*, The Hague 1997, pp. 192-214, here: p. 192.

14 *Ibid.*, p. 195

15 *Ibid.*, pp. 195-196

16 Statement of the OSCE Chairman-in-Office, in: Organization for Security and Co-operation in Europe, *Lisbon Document 1996*, DOC.S/1/96, Lisbon, 3 December 1996, Annex 1, p. 15.

dominantly Georgian population in Abkhazia. Destructive acts of separatists, including obstruction of the return of refugees and displaced persons and the decision to hold elections in Abkhazia and in the Tskhinvali region/South Ossetia, undermine the positive efforts undertaken to promote political settlement of these conflicts.”¹⁷

The decision at the 1992 Helsinki Summit to enable the deployment of fact-finding and rapporteur missions as instruments for conflict prevention and crisis management and the deployment of observer and monitor missions for peacekeeping purposes backed up such words with deeds.¹⁸

As a consequence, in 1999, the Permanent Council decided to expand the mandate of the OSCE Mission to Georgia to encompass monitoring and reporting on movement across the border between Georgia and the Chechen Republic of the Russian Federation, and this was later expanded to also encompass the Ingushetian and Dagestani sections of the Georgian-Russian frontier.¹⁹ While border monitoring operations (BMO) at that time, such as the one run by the OSCE Mission to Georgia in the years prior to the 2008 war, were focused on securing frontiers by means of demilitarization, the OSCE’s border-related activities took an entirely new direction with the adoption of the Border Security and Management Concept (BSMC) in 2005.²⁰

The political mandates of missions such as those in Moldova,²¹ Georgia,²² Nagorno-Karabakh,²³ and Kyrgyzstan,²⁴ have either been watered down

17 Lisbon Summit Declaration, para. 20, in: *Lisbon Document 1996*, cited above (Note 16), pp. 5-9, here: p. 8.

18 Cf. CSCE Helsinki Document 1992, cited above (Note 7), pp. 724-725.

19 Cf. OSCE, Permanent Council, *Decision No. 334*, PC.DEC/334, 15 December 1999; OSCE, Permanent Council, *Decision No. 450, Geographical Expansion of the Border Monitoring Operation of the OSCE Mission to Georgia*, PC.DEC/450, 13 December 2001; OSCE, Permanent Council, *Decision No. 523, Border Monitoring Operation of the OSCE Mission to Georgia*, PC.DEC/523, 19 December 2002).

20 Border Security and Management Concept, MC.DOC/2/05 of 6 December 2005, in: Organization for Security and Co-operation in Europe, *Thirteenth Meeting of the Ministerial Council, 5 and 6 December 2005*, Ljubljana, 6 December 2005, pp. 9-15, at: <http://www.osce.org/mc/18778>. The Supplementary Human Dimension Meeting, organized by the Ukrainian OSCE Chairmanship and the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and held in Vienna on 25 April 2013 provided a plethora of relevant material dealing with specific cases.

21 On the struggles of the Mission and the ongoing delays in implementing certain regulations, see Claus Neukirch, *From Confidence Building to Conflict Settlement in Moldova?* In: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2011*, Baden-Baden 2012, pp. 137-150, here: pp. 142 and 147-149.

22 The marginalization of the OSCE and its reduction to a “reference model” is presented solidly in vivid detail in: Silvia Stöber, *The Failure of the OSCE Mission to Georgia – What Remains?* In: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2010*, Baden-Baden 2011, pp. 203-220, here: pp. 203-205, 208, 211-212, 218-219.

23 The ongoing failure to reach an agreement on territories and frontiers, which has dragged on for almost two decades, is described in all its gory detail in: Hans-Joachim Schmidt, *Could War Return to Nagorno-Karabakh?* In: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2011*, cited above (Note 21), pp. 167-180.

or failed to achieve their goals. On border issues, as in other matters in the politico-military dimension, the OSCE has become blocked, paralysed, or isolated and incapable of acting as a result of participating States opposing measures or turning to other forums and organizations. Consequently, the OSCE's treatment of border issues is reduced to the training of border guards/police and customs officials.²⁵

Contradictions

Under the canopy of the general norms and standards that the OSCE stands for, few of the controversial or disputed borders in the area between Vancouver and Vladivostok are subject to (more or less intensive) attention and monitoring by the OSCE. These include, above all, the borders of territories involved in the protracted conflicts between Transdniestria and Moldavia, and between Armenia and Azerbaijan over Nagorno-Karabakh. Another case is the relationship between Kosovo and Serbia. Many border problems have either fallen off the OSCE's radar or were never on it in the first place. Many of Europe's smouldering visible and invisible border disputes have never been dealt with by the OSCE and probably never will.

Alongside the latent and manifest conflicts detailed in the table below, there are a number of contradictions in the positions of OSCE States over border demarcations that emerge only rarely from statements in the files of government departments. These include the cases of the Lake Constance frontier between Switzerland and Austria, the frontier on Mont Blanc between France and Italy, and the maritime border between Germany and the Netherlands.

On a different level, and with a far higher public profile are the set of conflicts with various self-rule movements that exist in the OSCE area and actively seek or could potentially lead to secession. Movements of this kind exist in Catalonia, the Basque Country, Flanders, Scotland, and Kaliningrad Oblast. Quebec can also be included in this category, though one may ask with good reason whether a conflict here would be a matter for the OSCE.

-
- 24 On the OSCE's failure to act on the violent conflict at the border between Kyrgyzstan and Uzbekistan, see Pál Dunay, Kazakhstan's Unique OSCE Chairmanship in 2010, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2011*, cited above (Note 21), pp. 49-63, here: pp. 58-60. On the conflict and the border dispute itself, see Thomas Kunze/Lina Gronau, From the Tulip Revolution to the Three-Day Revolution: Post-Soviet Kyrgyzstan's Failure to Find Stability, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2010* cited above (Note 22), pp. 145-156, here: pp. 145-146 and 150-152.
- 25 An excellent report on developments up to 2009 is Herbert Salber/Alice Ackermann, The OSCE's Comprehensive Approach to Border Security and Management, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2009*, Baden-Baden 2010, pp. 289-301.

Yet putting such futurism aside, contemporary reality shows clearly enough that potentially politically explosive border problems are no longer being taken to the OSCE for negotiation or settlement, and this reflects the Organization's general decline in significance.²⁶

Border disputes with and without OSCE activity (selected)

<i>Conflict Parties</i>	<i>Object</i>	<i>OSCE Activity</i>
Abkhazia and Georgia	secession	reduced, marginal
South Ossetia und Georgia	secession	reduced, marginal
Transdnistria and Moldova	secession	paralysed
Kosovo und Serbia	secession	indirectly involved
North Cyprus and Cyprus	secession	no involvement
Azerbaijan and Armenia	Nagorno-Karabakh	reduced, marginal
Macedonia and Kosovo	Tanusevci	indirectly involved
Turkey and Armenia	Kars, Van	no involvement
UK and Spain	Gibraltar	no involvement
Slovenia and Croatia	land frontier	no involvement
Slovenia and Croatia	maritime frontier	no involvement
Greece and Turkey	Imia	no involvement
Croatia and Serbia	Danube frontier	no involvement
Romania and Bulgaria	Black Sea frontier	no involvement
Russia and Estonia	Ivangorod	no involvement
Spain and Portugal	Olivenza	no involvement
UK and Denmark	Rockall	no involvement

26 This is described in strong terms by Marc Perrin de Brichambaut, *Six Years as OSCE Secretary General: An Analytical and Personal Retrospective*, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2011*, cited above (Note 21), pp. 25-48, here: pp. 27-28.

III.

Organizational Aspects

OSCE Institutions and Structures

Ireland's 2012 Chairmanship of the OSCE

The Decision on the Chair

This was the first time that Ireland took on the role of OSCE Chairmanship country; we had not originally sought to be a candidate to take up the helm of political leadership of the Organization, but when it became clear that no other participating State was prepared to come forward, we came under intense pressure and received strong support from other participating States to accept the task. We therefore announced our candidature in November 2009, and the decision was adopted formally at the Athens Ministerial Council the following month. While Ireland has always been a committed participant in the CSCE and then the OSCE, taking on the Chairmanship in 2012 presented a formidable challenge to a small state going through a period of severe recession with consequent pressure on resources.

Despite the challenges and the somewhat less than ideal timing, the Chairmanship was seen as an opportunity for Ireland not only to play a leading and constructive international role but also to demonstrate to our international partners our willingness and ability to take on such a task even at a time of domestic stress. It was an opportunity for Ireland to showcase concretely its longstanding commitment to multilateralism and to live up to its reputation as an “honest broker” on the international stage. The fact that Ireland had chaired the Human Dimension Committee in 2008, on behalf of the Finnish Chairmanship, and the Forum for Security Co-operation (FSC) in the last trimester of 2010 provided valuable experience in preparing for the Chair.

Once the political decision had been made, the practicalities of carrying out such a role needed to be tackled quickly. The financial constraints on Ireland meant that a lean team had to be put in place both in Dublin and Vienna under the able leadership of Ambassadors Frank Cogan and Eoin O’Leary. The Chair was greatly helped by Ambassadors Tacan İldem, Eustathios Lozos, and Thomas Greminger of Turkey, Greece, and Switzerland, respectively, who chaired the Security, Economic and Environmental, and Human Dimension Committees on behalf of the Chair.

Revitalizing the OSCE: From Corfu to Helsinki +40

What was the state of the OSCE we inherited at the start of our Chairmanship? While apparently fully functioning and intact, the Organization was, and indeed, is, suffering from a number of internal and external stresses. Its

relatively modest core budget (approximately 150 million euros) had been reduced in real terms over recent years, restricting scope for any significant expansion of its activities and necessitating prioritization of existing ones. The OSCE was a major positive force during the conflicts in the former Yugoslavia in the 1990s, and continues, with its strong field presence, to contribute to the overall stability of the region. The Organization still has nearly 70 per cent of its personnel deployed in field missions in areas of past, potential, or protracted conflict, such as Eastern and South-eastern Europe, the South Caucasus and Central Asia. However, the stalemate on conventional arms control, the increasing difficulty in finding a common language and understanding in the human dimension, and the failure to make significant progress on the protracted conflicts in relation to Transdniestria, Georgia, and Nagorno-Karabakh have severely weakened the Organization.

Indeed, the war in Georgia in August 2008 and its aftermath, including the closure of the OSCE Mission in that country, was a rude awakening for the Organization. It came just a few short months after a new Treaty on European Security was first proposed by then President Dmitry Medvedev of Russia. Both the proposal and the conflict paved the way for a dialogue on the future of European security, launched by the Greek Chairmanship in 2009 under the title “Corfu Process”.

The Corfu Process, which focused on a number of key areas of the OSCE’s comprehensive approach to security, including the full implementation of all OSCE norms and commitments, the role of the OSCE in the conflict cycle, arms control and confidence- and security-building measures (CSBMs), transnational threats, human rights and fundamental freedoms, economic and environmental challenges, and enhancing the OSCE’s effectiveness, in many ways set the tone for the work of the Organization right up to the present day.

The Corfu Process prepared the ground for the OSCE Astana Summit in December 2010, the first meeting of OSCE Heads of State or Government since Istanbul in 1999. Kazakhstan threw down the gauntlet to the participating States, and the vision for the Summit was ambitious, bold, and testing. In addition, the time to prepare was extremely tight. The Summit had the task of translating the discussions that had been held in Corfu into a Declaration by the Heads of State or Government that would identify key threats and challenges in the OSCE region and agreeing a workable action plan for the Organization. This would set the agenda for the coming years and put flesh on the general aspirations and reiterated values set out in the Declaration. Ultimately, the goal of an agreed action plan proved a bridge too far, although the Summit outcome document, the Astana Commemorative Declaration, contains some crucially important elements, such as a solid reaffirmation by the participating States, at the highest level, of “full adherence to the Charter of the United Nations and to all OSCE norms, principles and commitments [...] and our responsibility to implement them fully and in good faith”, and

the determination “to work together to fully realize the vision of a comprehensive, co-operative and indivisible security community throughout our shared OSCE area”.¹

Another important element was the tasking of incoming Chairmanships with developing a concrete action plan for the Organization. The Lithuanian Chairmanship in 2011 sought to bring the tasking from Astana forward by developing the so-called V to V Dialogues (Vancouver to Vladivostok via Vienna and Vilnius). This series of meetings at ambassadorial level aimed to build on the discussions in Corfu by identifying small but meaningful steps forward and led to useful progress and deliverables in a number of areas at the Vilnius Ministerial Council.

The Irish Chair built on the V to V Dialogues by launching the “Helsinki +40 Process” at the Dublin Ministerial the following year. However, the seeds to capitalize on the upcoming 40th anniversary of the signing of the Helsinki Final Act in 2015, not simply as a moment of commemoration, but as a genuine opportunity to achieve real progress within a multi-year perspective, were planted from the beginning of our Chairmanship. As any participating State that has held the Chairmanship will tell you, twelve months is a very short time in which to achieve real progress. Ambition needs to be tempered with political realities and the knowledge that you will undoubtedly face unforeseen challenges or crises. Therefore, from an early stage in our Chairmanship we were clear in our intention to focus the minds of the participating States on efforts to rebuild confidence in the “comprehensive” security approach of the OSCE. This was a formidable task in the light of a clear divergence of views on some fundamental issues, notably in relation to the overall security architecture, and the growing divergences in relation to priorities and practice in relation to human rights and respect for democratic rules and practices. A core objective was the passing of a decision at the Dublin Ministerial Council setting out a clear path from now until 2015, the 40th anniversary of the signing of the Helsinki Final Act, as a framework for strengthening the work of the Organization and the renewal of the Helsinki principles. The overall idea of the Helsinki +40 Process is to raise the level of the debate in the Organization from the day to day to the more strategic, taking advantage of the unusual but happy circumstance that the Chairs of the Organization up to 2015 are already known. In so doing, we aimed to address the challenge given in the Astana Declaration to the Chairs of the OSCE to develop an action plan for the Organization.

Much of our work during the year was aimed at obtaining the endorsement of the participating States at the Dublin Ministerial Council for this framework. Over the year, we worked in close consultation with Lithuania and the three incoming Chairs up to 2015 – Ukraine, Switzerland, and Serbia

1 Organization for Security and Co-operation in Europe, Summit Meeting, Astana 2010, *Astana Commemorative Declaration. Towards a Security Community*, SUM.DOC/1/10, 3 December 2010, paras 2 and 11.

– to develop possible models for it. We were extremely pleased that consensus was reached at the Dublin Ministerial on a decision on this important task. In the days leading up to the Dublin Ministerial, intensive negotiating efforts were led by our Permanent Representative in Vienna, Ambassador O’Leary, and his team to finalize the document, but it was proving difficult to overcome divergences on the scope and length of the text. That it proved possible to reach final agreement was due in no small measure to the personal intervention and skill of Ireland’s Minister for Foreign Affairs and Trade and *Tánaiste* (Deputy Prime Minister), Eamon Gilmore, who brought the text of the decision to his Ministerial colleagues at the working lunch on the first day of the Ministerial Meeting, and secured their agreement to it. The final text was shorter than the Chair would have desired but met the key criterion of setting out a clear tasking to the Organization and its participating States.

Maintaining and Renewing

Helsinki +40 was, of course, only one task facing the Irish Chair. In addition we had to manage a complex and varied agenda across all dimensions of the Organization’s work.

While progress had been made on issues such as the conflict cycle, and on co-operation with the partner states during 2011, the closure of the OSCE presence in Belarus, the failure to find common language in the human dimension at the Vilnius Ministerial Council and the weakening of the “reset” in relations between the USA and the Russian Federation, especially in the period between the Russian presidential elections and the US presidential elections, combined with the falling into decay of the CFE Treaty over the recent past did not create the most auspicious atmosphere for the Irish Chair.

When the new Chairperson-in-Office presented Ireland’s priorities to the Permanent Council on 12 January 2012, he stressed, therefore, that in our approach as Chair, we would rely on our longstanding conviction that a truly comprehensive approach to security can only be achieved if all three baskets of the OSCE’s work in the politico-military, economic and environmental, and human dimensions are considered parts of a single and integrated whole. That being said, the Chair realized that a “building-blocks” approach that focused on defined achievable objectives was the only feasible one to take. Over the year, Ireland focused on a small number of key achievables. In doing so, we were careful to adopt and project an attitude of balance and fairness to all sides. Even though we were to assume the Presidency of the EU on the day we handed over the Chair of the OSCE to Ukraine, we were determined to be seen as a Chair for the OSCE as a whole and believe that we succeeded in gaining the trust of all sides. The key challenges that faced us can be summarized under the following headings.

While being realistic in not underestimating the complexities involved in dealing with these conflicts, Ireland felt it could bring some fresh thinking, drawing on our national experience, to the various talks processes that have been created to resolve these conflicts. While recognizing that there is no single blueprint or model that can be applied to different conflicts, we drew from our own positive experience with the Northern Ireland peace process.

In April, a Chairmanship conference took place in Dublin on lessons learned in the Northern Ireland peace process in the field of conflict resolution and reconciliation. Former President Martti Ahtisaari of Finland chaired the conference, whose main contributors included US Senator George Mitchell, the veteran peace mediator who had played a pivotal role in the negotiations leading up to the Good Friday and St Andrews Agreements that copper-fastened the Northern Ireland settlement. A notable feature of the conference was the appearance, sitting side-by-side, of former bitter political opponents – Peter Robinson, First Minister, and Martin McGuinness, Deputy First Minister, of the Northern Ireland Executive – who spoke extremely eloquently of the ongoing co-operation between former adversaries in making the peace agreements work in practice.

As regards the practicalities of the protracted conflicts where the Chairmanship has a role, the prospects for progress were markedly different. The “5+2” talks, which aimed at achieving a settlement on Transdniestria, offered the best prospects. Ireland was fortunate to have the services of a very astute Special Representative: former EU Ambassador Erwan Fouéré. We were also fortunate in that, towards the end of the Lithuanian Chairmanship in 2011, the formal talks that had been suspended since 2006 were resumed. Five rounds of discussions, including two in Ireland, produced agreement on important building blocks for a future settlement, including an agenda for the negotiating process, and agreed principles and procedures for the negotiations. Other positive developments included the resumption of freight traffic through Transdniestria and agreement on a civil society forum to accompany the formal talks. In the wider OSCE context, we were very satisfied with the adoption by the Ministerial Council in Dublin of an agreed declaration on the 5+2 process, which acknowledged the progress achieved. This was the first such statement adopted since 2002 and the first ever adopted since the broadening of the format to 5+2. The fact that such a statement could be agreed in the absence of the agreement of a general political declaration by ministers was particularly noteworthy.

The protracted conflicts in the South Caucasus were dealt with by another Special Representative, the very able former Irish Ambassador Pádraig Murphy. We were able to note some excellent work by the participants in the Geneva discussions, established following the 2008 war in Georgia, although progress was not as concrete as we would have liked. However, very sub-

stantial progress was made on the ground where the meetings of the Ergneti/Dvani Incident Prevention and Response Mechanism (IPRM) proceeded smoothly and productively, and new projects to address the needs of the local population, be they in facilitating agriculture or providing water, were agreed. The failure of the Gali IPRM to meet was a disappointment, and the Irish Chairmanship provided all possible support to UN efforts to resume meetings.

The Nagorno-Karabakh conflict proved a more difficult proposition. While we strongly supported the efforts of the Minsk Group Co-Chairs and Ambassador Andrzej Kasprzyk, the Personal Representative of the Chairperson-in-Office on the conflict dealt with by the OSCE Minsk Conference, and while this support was reiterated strongly in the course of a visit to Armenia and Azerbaijan, as well as Georgia, by Minister Gilmore in June, there was little progress to note. This was due to factors outside our control, including the calendar of elections in the key Minsk Group Co-Chair countries, as well as impending elections in Armenia and Azerbaijan, the pardoning by Azerbaijan of a military officer convicted of murdering an Armenian soldier during a NATO training course, and the announcement by Armenia that it would begin making flights into the airport in Nagorno-Karabakh.

Elections in Kosovo

Perhaps the most important achievement of Ireland's Chairmanship was the brokering of an agreement whereby the OSCE facilitated the voting of Serbian citizens resident in Kosovo for the Serbian president and parliament. This required intensive work over the weeks leading up to the elections, and the personal intervention of the *Tánaiste*, supported by the Secretary General, proved critical in obtaining the agreement of the Serbian authorities. The fact that the elections proceeded without difficulty, even though agreement was reached less than a week before the first round of voting, was a tribute to the flexibility and effectiveness of the OSCE Mission in Kosovo and the other OSCE missions in the region, which also assisted. This was a clear example of conflict prevention in action and is one of which the Irish Chair is justly proud. This was one of the occasions on which, despite the negative and somewhat jaded attitudes often encountered in OSCE affairs, it is possible to demonstrate that the spirit and the principles of Helsinki are still alive and can be adduced as directly to the benefit of the citizens.

Welcoming Mongolia

We were very happy to welcome in Dublin the formal accession of Mongolia as a new participating State. Securing agreement to Mongolia's accession involved a joint visit to Mongolia by Secretary General Lamberto Zannier and Ambassador O'Leary, supported by a team of experts. This visit enabled the Irish Chair to propose a solid basis for Mongolia's accession. Achieving agreement on this however, was not as easy as it might seem, as some participating States had reservations regarding the precedent that the admission of a state from outside the traditional boundaries of the OSCE region might set. In addition, as happens all too often in the OSCE, when it seemed as if agreement had been reached, unforeseen difficulties arose in relation to the Nagorno-Karabakh conflict. In the end, all the participating States came on board, and the admission of Mongolia to the table was warmly welcomed by all in Dublin.

The decision to admit Mongolia, and, indeed, Mongolia's own desire to join the OSCE, provides an important fillip for the Organization at a difficult time. That the Organization is attractive to a new member, willing to take on the demanding *acquis*, norms, and commitments that becoming a participating State entails, demonstrates both to existing states and to outsiders that the OSCE remains an inclusive and co-operative power and a valuable part of the overall European security architecture. It reinforced that the Organization continues to play a significant role in conflict resolution and in the promotion of peace, security, and respect for human rights and the rule of law.

Provoking Thought: Providing New Thinking

The Irish Chair was determined, where possible, to challenge the conventional wisdom and to provoke new thinking. The long-running issue of the legal status of the Organization was given a new impetus thanks to the excellent work of former Danish Ambassador John Bernhard. The Chair set out the issues in a succinct but comprehensive updated report and developed a number of innovative proposals. While progress remains to be made on this issue, the work of the Irish Chair provides a basis for further efforts when the political climate improves.

The question of relations between the OSCE and other international organizations, on which another excellent report was prepared on behalf of the Chair by the former head of the EU Delegation Ambassador Lars-Erik Lundin, was another area where the Irish Chair challenged the Organization to think anew. The Lundin Report was shared with partner organizations and will remain a road map for further progress in this area at a time when the demand from all sides for increased efficiency and co-operation continues to grow.

In the first or politico-military dimension, the Chair is responsible for the Security Committee, which deals largely with non-military aspects of politico-military security. We were pleased that it was possible to reach agreement in the course of the year on a package of measures on combating transnational threats, which was endorsed by the ministers in Dublin. This body of work, which sets out strategic priorities for the Organization in the area of combating transnational threats relating to cyber-security, combating illicit drugs, countering terrorism, and policing, had been in preparation since the Corfu Process, and the adoption of these measures by the Permanent Council and their subsequent endorsement by the ministers underpinned the value of the “building-blocks” approach that the Irish Chairmanship had been promoting. Now, in the words of the ministers, must begin the hard work of their “full operationalization and integration into the activities of the Organization with the aim of translating political commitments agreed by the participating States into effective and sustainable programmatic action”.²

We also noted considerable progress towards an agreement on a first set of confidence-building measures in the area of cyber-security and the security of information and communications technology (ICT) generally, though a formal decision on that could not command consensus support. Progress was also noted on work in the FSC in updating the Vienna Document and on control of small arms, though regrettably consensus was absent on a formal endorsement of this progress, despite Herculean efforts in the final hours by the then current and incoming FSC Chairmanships.

In the economic and environmental dimension, we highlighted the issue of good governance and its importance for comprehensive security for citizens in the OSCE region. This theme was the focus of the Economic and Environmental Forum during 2012. At the Dublin Ministerial Council, a Declaration on Good Governance, which affirmed the intention of the OSCE states to deepen their engagement to combat and prevent corruption, was adopted by consensus. Critically, at the core of this declaration of support for promoting good governance and transparency is the reaffirmation that the rule of law and respect for human rights are central to creating a climate of confidence necessary for positive economic and social development. The declaration also calls for strengthening the dialogue and co-operation between governments, civil society, and the private sector in order to support good-governance efforts. Furthermore, it acknowledges the role that freedom of information and access to information play in fostering openness and accountability. More specifically, the declaration recognizes the need to enhance the implementation of anti-corruption commitments by involving civil

2 Organization for Security and Co-operation in Europe, Ministerial Council, Dublin 2012, *Decision No. 4/12, OSCE's Efforts to Address Transnational Threats*, MC.DEC/4/12, 7 December 2012.

society and business, including through the mechanism for the review of the implementation of the UN Convention against Corruption.

This was another substantial achievement for the Irish Chairmanship, and it continues to serve as a starting point for discussions on good governance in the second dimension.

In the human dimension, from the outset we clearly indicated our priority attachment to freedom of the media, in particular internet freedom. Other priorities were also identified, such as tolerance, combating racism and xenophobia, and freedom of assembly. In our programme, we benefitted from the assistance of an international team of four excellent representatives of the Chairperson-in-Office for combating religious intolerance, discrimination, racism, and xenophobia (including a former Judge of the Irish Supreme Court, Judge Catherine McGuinness). However, the human dimension proved to be the most problematic of all areas for the Chairmanship, due to an underlying significant divergence over what is meant by fundamental rights and democratic principles in today's world.

Our main priority, internet freedom, was the subject of a very successful and rather innovative conference in Dublin in June, which featured interactive participation of both governmental and civil society representatives – including online participants. This we regarded as one of the highlights of our Chairmanship – not merely for the content of the conference but for its open, transparent style and active embracing of modern means of mass communication, especially in the use of social media (Facebook, Twitter, blogging, etc). In order to do this we had to tread on a few toes – some of the more traditional-minded delegates were rather disconcerted that we favoured inclusive and interactive panel-type discussions and discouraged set-piece formal delegation statements – but we felt it was a useful means of trying to engage participants in facing up to the realities of twenty-first century political communication and debate. The online debate received attention across a wide online audience and during the day it was reported to be “trending” on Twitter internationally.

We prepared a very balanced package of decisions for the Dublin Ministerial, following exhaustive consultations and discussions in Vienna. Despite this, it was not possible to reach consensus on any of the texts proposed in the human dimension. Right through the year, the third dimension was the most problematic area in the management of our Chairmanship business, despite the fact that it was probably the area in which we deployed more diplomatic effort than any other; in fact, enormous numbers of hours were devoted by both our small but dedicated Vienna and Dublin-based teams in trying to find a way through the tangle of conflicting positions and in ceaseless efforts to try to broker agreement between the main parties. Even getting to first base, as it were, was difficult.

In the opening months, agreement on our annual work programme in this dimension was held up for several weeks due to the bargaining attempts

by some states to obtain concessions not only on the content of the programme but on other fronts, principally in trying to force through “reforms” of the annual Human Dimension Implementation Meeting organized by ODIHR. We did, as it transpired, put forward a package for reviewing human-dimension events, and were grateful for the assistance afforded by a very useful Swiss-funded consultants’ study, but no agreement on our proposal was forthcoming. We remain of the view that this package is well balanced and, if implemented, would serve as a very valuable contribution to improving the functioning and impact of OSCE human dimension events.

As this was the second year in succession in which no decisions had been agreed in the human dimension, this was acknowledged as a disappointing outcome and a sign of a worrying trend by the Chairperson-in-Office, Minister Gilmore, in his closing speech at the Ministerial Council meeting and at the subsequent press conference; he noted “the sad reality that respect for basic human rights and fundamental freedoms is currently under great threat in many parts of the OSCE region”.³ Elsewhere, Minister Gilmore has noted that “if we are being true to our comprehensive approach to security we cannot let human rights and human security fall victim to disagreement”.⁴ There was, however, considerable satisfaction for many in that a Declaration on Fundamental Freedoms in the Digital Age was signed by over 48 delegations, including Ireland, by the conclusion of the Ministerial Council.

A Subjective Assessment

Overall, then, how do we think we did? The OSCE Chairmanship is a complex task, and one would be foolish to expect easy or dramatic breakthroughs in an organization in which there are significant divisions and where all decisions are taken by consensus. We can, however, look back on a generally positive experience in a year that saw some real progress. As we had set out in our Priorities for Action document at the very beginning of 2012, our overarching goal for the Chairmanship was to strengthen security across all dimensions of the OSCE and to enhance the Organization’s capacity to fulfil its fundamental objectives. Our assessment is that we left the Organization stronger than we found it, with a clear perspective for the next three years ahead. As the Chairperson-in-Office remarked in his closing speech at the end of the Dublin Ministerial Council on 7 December, “We can be satisfied that the Organization has emerged strengthened from the decisions we have

3 *Closing Statement by Chairperson-in-Office of the OSCE, Eamon Gilmore TD, Minister for Foreign Affairs and Trade of Ireland*, 19th OSCE Ministerial Council, Dublin, 7 December 2012, MC.DEL/54/12, 7 December 2012.

4 Eamon Gilmore, Strengthening good governance and human rights, in: *New Europe*, 17 December 2012, at: <http://www.neweurope.eu/kn/article/strengthening-good-governance-and-human-rights>.

made in Dublin” and “I am happy that we have renewed our determination to work together on many key issues, to the benefit of our citizens”.⁵

The adoption of the Helsinki +40 framework decision represents an important opportunity for the OSCE to re-examine its role and rededicate itself and its membership to those ideals, which are self-evidently worth striving to achieve. We will continue to take an active interest in the progress of this initiative, building on the good rapport we have already built up with the next three Chairmanships, those of Ukraine, Switzerland, and Serbia.

5 *Closing Statement by the Chairperson-in-Office*, cited above (Note 3).

The OSCE Network of Think Tanks and Academic Institutions: Baby Steps

Last year, at the request of the foreign ministers of Germany, France, Poland, and Russia, institutes from each of these countries¹ co-operated on the Initiative for the Development of a Euro-Atlantic and Eurasian Security Community (IDEAS). The result was a jointly drafted report on the prospects of a Euro-Atlantic and Eurasian security community, a concept adopted by the OSCE Heads of State or Government at their 2010 OSCE Astana Summit meeting.²

June 2013: Founding the OSCE Academic Network

As I wrote in the 2012 edition of the OSCE Yearbook, following the conclusion of this project, we have always perceived the IDEAS project as a contribution to a network of academic institutions.³ After an intensive exchange of emails and phone calls, the first decisive step towards establishing an OSCE academic network was undertaken during the OSCE Security Days on 17 and 18 June 2013: 16 institutions from all over the OSCE area founded the OSCE Network of Think Tanks and Academic Institutions and presented it to the OSCE community at a special meeting of the Security Days. The 16 institutions were: the Belgrade Centre for Security Policy (BCSP); the Carnegie Endowment for International Peace; the Centre for OSCE Research (CORE); the CIPI Foundation; the Dutch Clingendael Institute of International Relations; the Foreign Policy Research Institute of Ukraine; foraus – Forum Ausserpolitik from Switzerland; the Fundación para las Relaciones Internacionales y el Diálogo Exterior (FRIDE) from Madrid; the Geneva Centre for Security Policy (GCSP); the Institute of World Economy and International Relations of the Russian Academy of Sciences (IMEMO RAN); the International Peace Institute (IPI), Vienna; the Kazakhstan Institute for Stra-

1 The Centre for OSCE Research (CORE) at the Institute for Peace Research and Security Policy at the University of Hamburg (IFSH), the Fondation pour la Recherche Stratégique (FRS), the Polish Institute of International Affairs (PISM), and the Moscow State Institute of International Relations (MGIMO University) of the Russian Foreign Ministry.

2 Wolfgang Zellner (co-ordinator)/Yves Boyer/Frank Evers/Isabelle Facon/Camille Grand/Ulrich Kühn/Lukasz Kulesa/Andrei Zagorski, *Towards a Euro-Atlantic and Eurasian Security Community. From Vision to Reality*, Hamburg, Paris, Moscow, Warsaw 2012. Reprinted in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2012*, Baden-Baden 2013, pp. 409-433.

3 Cf. Wolfgang Zellner, The IDEAS Project: A Contribution to an OSCE Network of Academic Institutions, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2012*, cited above (Note 2), pp. 55-64, here: p. 56.

tegic Studies under the President of the Republic of Kazakhstan (KazISS); the OSCE Academy in Bishkek; the Peace Research Institute Frankfurt (PRIF); the Polish Institute of International Affairs (PISM); and the University of Bath.

As time was limited and many of the members of the founding group did not know one another, little of substance could be achieved at this first meeting. There was some discussion on a mission statement, but this was not concluded. There was also talk of a project on “threat perceptions in Europe” (see below). The only concrete result was the election of Wolfgang Zellner from CORE as network co-ordinator for one year. However, the lack of achievements at this early stage did not diminish the enthusiasm to continue. The participants agreed to meet again in the autumn to establish the foundations of the network’s functioning.

October 2013: Crafting the Network’s Instruments and Identifying Initial Activities

On 30 October 2013, the 16 institutions convened again in Vienna for a one-day meeting to create working instruments for the network, decide on the “threat perceptions” project, and discuss the Helsinki +40 Process and other possible activities. Ambassador Fred Tanner, Special Adviser to the Secretary General, participated in the meeting in his new capacity as the Secretariat’s network focal point. The meeting was sponsored by Germany and Switzerland, while the IPI under its Director Walter Kemp offered the use of its marvellous meeting room in the heart of Vienna.

Mission Statement

Work started with the discussion of a draft “Mission Statement”. In a concise debate, a number of amendments were made and included in the document, before it was adopted by electronic voting procedure. The Mission Statement is available at the network’s website.⁴ It defines the OSCE Network of Think Tanks and Academic Institutions as “an OSCE-related track II initiative”. It is open to think tanks and academic institutions from OSCE participating and partner States and “provides expertise, stimulates discussion and raises awareness of the OSCE. It contributes to the ongoing security dialogue within the OSCE framework. It helps to address common threats and challenges and contributes to the efforts supporting the Helsinki+40 process and future OSCE dialogue formats. In a more long-term perspective, the network helps to clarify the substance of and the process towards achieving the participating States’ shared vision of a Euro-Atlantic and Eurasian Security

4 OSCE Network of Think Tanks and Academic Institutions, *Mission Statement*, Vienna, 30 October 2013, at: www.osce-network.net.

Community. The network is used for the exchange of expertise and the co-ordination of activities between its members.” The network’s status as “an autonomous OSCE-related track II initiative” was strongly underlined, as was the fact that it is “neither an OSCE structure nor subordinated to the OSCE or its participating States”. However, the network “co-operates with a point of contact within the OSCE Secretariat” and conducts research, provides discussion papers, and offers expert presentations on “its own initiative or upon invitation by the OSCE Chairmanship, participating States, the OSCE Secretary General, OSCE Institutions or other OSCE structures”. As the network is an informal body and should remain so, it does not need any further (founding) document than this brief one-and-a-half page Mission Statement.

Working Instruments

The paper on working instruments,⁵ which was also adopted after a thorough discussion, several amendments, and an electronic voting procedure, describes the minimal set of instruments that even an informal network cannot do without. It contains five brief sections on “Network Meetings”, “The Steering Committee”, “The Network Co-ordinator”, “The OSCE Network Website”, and “Project Co-ordinators”. The network meeting ideally comprises representatives of all member institutions, will usually convene once a year, takes decisions on the network’s activities, and elects the co-ordinator and the members of the steering committee. New members need recommendations from two existing network members. In contrast to the OSCE, network decisions are taken by an absolute majority of those present. The steering committee is a narrower body of about five members, including the network co-ordinator, that takes decisions in the periods between the network meetings. The following were elected as members of the steering committee for a period of two years (2014 and 2015): Ambassador Jim Collins (Carnegie Endowment), Sonja Stojanović Gajić (BCSP), Andrei Zagorski (IMEMO), and Wolfgang Zellner. Wolfgang Zellner’s term as network co-ordinator was also extended to a period of two years (2014 and 2015). The network co-ordinator “serves as the contact point for the member institutes, the OSCE Chairmanship, the [...] OSCE Secretariat and the participating States”, “liaises with the Press and Public Information Department of the OSCE Secretariat”, and “steers the process of fundraising for and implementing network projects”. Project co-ordinators are responsible for the implementation of specific network projects in terms of both content and budget. The latter is of particular relevance, as the network itself, which is an informal body and has no legal status, can neither apply for nor administer any funds. A decision was also taken to create a network website, and its structure and content were discussed. CORE volunteered to undertake this

5 OSCE Network of Think Tanks and Academic Institutions, *Working Instruments*, Vienna, 30 October 2013, at: www.osce-network.net.

task, with financial support provided by the German Federal Foreign Office. The aim was to implement basic functionality before the OSCE Ministerial Council Meeting in Kyiv on 5 and 6 December 2013, and this was achieved. The fact that all these agenda items could be covered in roughly two hours shows how positive and results-oriented the atmosphere was among the participants.

The First Network Project: Threat Perceptions in Europe

The “Threat Perceptions in the OSCE Area” project⁶ brings together 20 network institutions from different subregions to analyse their governments’ perceptions of military, transnational, and other threats. This very first network project aimed to include as many network institutions as possible. According to the project proposal, the objective is “to analyze the threat perceptions of relevant state actors in the OSCE area” in the three categories mentioned above. Including the threat perceptions of the broader population would have been desirable, but would have gone beyond what is possible in this project. The study will analyse only governments’ threat perceptions and will not consider what any author may consider to be “objective threats”. There will also be no analysis of whether the threats perceived by this or that government are “true” or “realistic”. However, explanations by government officials and experts on the nature and quality of threat perceptions, as given in interviews, will be taken into account. The aim of the project is to provide background information to governments and “thus facilitate discussions in the OSCE’s Helsinki +40 Process”.

The project will be implemented in two stages. First, each participating institution shall write a 15-20 page country report on its government’s threat perceptions and preferred means of addressing these threats. On this basis, the project co-ordinator (Wolfgang Zellner), supported by a small editorial group, will draft a comparative report that will reveal where threat perceptions converge and thus allow joint action, and where they diverge and thus require further discussion. The draft report will be discussed and amended by all participating institutions, and their input used to produce a final report, which will be presented to the OSCE community in Vienna in co-operation with the 2014 Swiss OSCE Chairmanship. The threat perceptions project is sponsored by Switzerland, Germany, and Finland.

6 OSCE Network of Think Tanks and Academic Institutions, *Threat Perception in the OSCE Area*, at: <http://osce-network.net/activities.html>.

Helsinki +40 Discussion with Representatives of Present and Future Chairmanships

In a separate session of the October network meeting, the representatives of the network institutions met with members of the Ukrainian (Serhiy Dvornyk), Swiss (Andrea Rauber Saxer, Deputy Head of the Swiss Delegation), and Serbian delegations (Ambassador Sanja Milinković, Deputy Head of the Serbian Delegation) who gave presentations on the Helsinki +40 working process. The discussion ranged across issues such as the Eurasian element of the security community and the impact of developments in Afghanistan on the OSCE area. The participants also considered where the network's contributions could be included in the Helsinki +40 Process. The representatives of the Chairmanships stated that the co-ordinators of the Helsinki +40 working groups will be appointed by the end of 2013 and that liaising with them would be a good approach.

Topics for Future Projects

Finally, the network meeting brainstormed topics for possible future projects. Again, the impact of developments in Afghanistan on the OSCE area was mentioned. A proposal was also made to draft a comprehensive report on the Helsinki +40 Process. Also in the context of Helsinki +40, an oral history project was suggested. In a more general sense, it was ventured that more could be done with the OSCE Partners for Co-operation. Other suggestions concerned the problem of de facto regimes and cyber-security. One member informed the network on his plans to organize a "Next Generation Conference" in the OSCE context. The network co-ordinator encouraged the members to draft brief project proposals as a basis for decision-making on network projects and for fundraising.

Network Side Event at the Kyiv OSCE Ministerial Council Meeting, December 2013

At the 2013 Kyiv Ministerial Council Meeting, the network had its first opportunity to present itself to the track I OSCE community. On 4 December 2013, Wolfgang Zellner and Sonja Stojanović Gajić gave a presentation on the intentions and activities of the OSCE Network of Think Tanks and Academic Institutions at a side event titled: "Taking the Pulse of Helsinki +40. Academia Meets the OSCE", and discussed these issues with representatives of the current and forthcoming Ukrainian, Swiss, and Serbian Chairmanships and some other 50 participants, moderated by Ambassador Fred Tanner, Special Adviser to the OSCE Secretary General, Ambassador Lamberto Zannier.

There are several reasons why almost all international organizations and governments include a broad range of civil society organizations and track II initiatives in their work. The body of available knowledge has become so vast and differentiated that no state or international bureaucracy can master it without external support. Continuity is a huge problem in career organizations such as ministries, where incumbents change every three or four years. Processes of transnationalization have advanced so far that state actors need transnational civil-society agents to be able to follow them. And finally, legitimacy can no longer be sufficiently provided by state actors alone, but needs societal input. In brief, in order to develop more advanced approaches to governance, state and international structures have developed a variety of ways of using and including a broad range of track II initiatives.

Despite its civil-society rhetoric, the OSCE is not among the most advanced organizations in this respect, its use of civil-society organizations has been uneven and does not follow a consistent approach. The area in which civil-society participation is most developed is the human dimension. However, here too, at least at the central level, the inclusion of civil-society elements has less to do with networking and continuous co-operation than with participation in the OSCE's large human-dimension events, particularly the Human Dimension Implementation Meetings. At grassroots level, NGOs are also routinely included in the human-dimension projects of the OSCE field operations. This is also true of environmental NGOs, particularly at grassroots level, albeit to a far lesser degree. In the politico-military dimension, however, there is almost no organized inclusion of civil-society elements, apart from invitations to a rather narrow circle of experts to speak at OSCE events in Vienna and elsewhere.

Against this background, the double initiative of OSCE Secretary General Ambassador Lamberto Zannier to create a network of academic institutions and to establish the OSCE Security Days represents nothing less than a cultural shift towards the more systematic inclusion of civil-society actors. These two elements are mutually reinforcing, and, moreover, each is necessary for the other to work. The Security Days need a certain continuity of input in terms of people as well as issues, and these elements can be provided, at least in part, by the OSCE academic network. Equally, a network needs concrete events and practical projects if it is to be more than an email distribution list. In addition, both elements together can provide more continuity and institutional memory, something the OSCE urgently needs.

To make the network sustainable, changes in mentality and approach are necessary on both the supply and demand sides. On the side of the think tanks and academic institutions, there must be a readiness to engage, to invest, and to participate. They must be willing to engage in OSCE affairs even if these were not previously a focus of their work and to link these issues

with their core expertise. They must also invest time and money (where available) and not expect that everything will be paid for by third parties. Finally, the academic institutes must participate in various ways, thereby enabling meaningful intellectual and political exchanges. On the OSCE side – including the Chairmanship, Secretariat, institutions, and participating States – there must be a readiness to show interest, to give access, and to provide support. If the OSCE does not show interest in scholars' contributions, they will not regularly communicate with the Organization. And finally: In the project-driven world of today's academia, where more and more positions depend on third-party funds, the larger network projects need financial support.

Time and again during the last two decades, the inclusion of think tanks in the work of the OSCE has been spoken of. But the foundation of the OSCE Network of Think Tanks and Academic Institutions is the very first attempt that goes beyond these sporadic discussions. It will be interesting to see how this experiment develops.

OSCE Public Diplomacy – From Communiqués to Cyberspace

When the new Albanian government started its work this summer, it began with an important realization. New to power, and interested in how to communicate with important partners, it called the OSCE Mission to propose the idea of training in public diplomacy. The government's main concerns: getting its messages out in a clear and coherent manner, understanding the tools of the communications trade, and most of all, learning the tips and tricks that would make them fully able to share in a world where social media has become the preferred means of receiving information for most of the population.

Even before General Kitchener called soldiers to the First World War through posters on each British street corner proclaiming that "your country needs you", governments have been in the business of not only informing their different communities on plans and policies, but using persuasion to change opinions and behaviour. Now, in an era when messages can fly across the globe at the touch of a button, the art of communication has become more sophisticated and complex than ever. For an organization like the OSCE, with its many different mandates, geographical locations, and areas of interest, the art of public diplomacy can seem like a daunting task. Yet by using key elements of communications practice, and building on the experience of the past, the OSCE can succeed in growing its reputation and brand with a variety of audiences.

Many people outside the world of communications tend to misunderstand the complexity of building public engagement in their organization's work. The old model of a press conference, with a press release and perhaps a photo snapped in passing might be the immediate default idea for most; sadly, this is not, and hasn't been for many years, the best way to organize communicating to a general public. Engagement in real public diplomacy demands a manifold approach, which includes efforts to understand the audience's needs, to figure out exactly who that audience is and the way in which they consume information, and to tailor the messages so that the audience will "hear" them in the intended way. Communication – in the end – is not about what you say, but what people understand you to have said.

Let's take a few minutes to look at how modern-day communications evolved. The starting point is in Vienna, with the insights of Sigmund Freud. When Freud started to explore the complexities of the human mind, he inadvertently initiated the science of communication: a process wonderfully re-

counted in the 2009 documentary “The Century of the Self”.¹ In it, award-winning documentary maker Adam Curtis sets out the extent that governments and private industry have used Freud’s theories to “control the crowd”, asking the question of how much free will we really exercise in our day-to-day choices. Freud became not only the father of psychoanalysis, but also the founder of the science of persuasion and propaganda that is at the root of all current models of public communication. He was also a progenitor in the proper sense of the word: Edward Bernays, the acknowledged pioneer of public relations, was Freud’s nephew, and Matthew Freud, his great-grandson, was part of the communications team that spearheaded what pejoratively became known as the UK Labour Party’s “spin machine”, engineering the communications messages that put Tony Blair into Downing Street.

The tactics that Bernays used in his campaigns for private companies and politicians are not so far removed from methods in use today. Working on his first big campaign for Lucky Strike, his aim was to make it acceptable for women to smoke in public – a way to effectively double the potential buyers of the product. He planted women with cigarettes in the famous New York Easter Parade, carrying banners “Torches for Freedom”; a slogan that resonated with the American psyche and brought to mind for many the statue of liberty not far away. Later, working on various political campaigns, he conceived of public relations as being essential to a fully functional democracy, stating in his 1928 book *Propaganda*: “The conscious and intelligent manipulation of the organized habits and opinions of the masses is an important element in democratic society. Those who manipulate this unseen mechanism of society constitute an invisible government which is the true ruling power of our country. [...] We are governed, our minds are moulded, our tastes formed, our ideas suggested, largely by men we have never heard of. This is a logical result of the way in which our democratic society is organized. [...] In almost every act of our daily lives, whether in the sphere of politics or business, in our social conduct or our ethical thinking, we are dominated by the relatively small number of persons [...] who understand the mental processes and social patterns of the masses. It is they who pull the wires which control the public mind.”²

To a modern audience, this declaration can sound sinister in the extreme. The very term “propaganda”, once a totally acceptable name for a benign area of work, became tainted during the years that followed, as the Soviet and Nazi regimes used the power of mass communication to warp and mutilate the idea of free choice. Bernays himself would be tarred with this brush, with critics inferring that his work was pivotal in the development of totalitarianism. Yet he was invited by Woodrow Wilson to the Paris conference following the First World War to bring “democracy to the whole of

1 Adam Curtis, *The Century of the Self*, 2002.

2 Edward L. Bernays, *Propaganda*, New York 1928, pp. 9-10.

Europe”, and was a founder member of the National Association for the Advancement of Colored People.

Was Bernays right? Does democracy depend on the way in which we receive communication? Even at a more mundane level, the answer is difficult to pin down. The Apples and Coca Colas of this world – those companies with a product and a stock market share – can answer easily. Did I persuade people to buy my product? Yes, sales are rising/no, we’ve slumped. But for any organization involved in the business of selling values – such as the OSCE, the UN, and indeed national governments – there is no valid means of measuring whether what we do has impact or not.

So how do we decide on public diplomacy actions if we have no means of testing the water? As I began my first year at the OSCE in January, tasked with launching a new communication strategy, this difficulty was very much on my mind. It was apparent that an attempt to bring in a “one-size-fits-all” strategy would get us nowhere. What would work in Serbia would not work in Tashkent; the way in which the High Commissioner on National Minorities communicates is very different to the way in which the Office for Democratic Institutions and Human Rights needs to go about selling its story. Most of all, there was no “snapshot”, no baseline measurement that could easily be taken. Yet it was clear that to fulfil our mission of finding the widest and most engaged audience for the OSCE’s mission and tasks, we needed to reshape the manner in which information was being delivered to the public.

The first step was the relaunch of the OSCE magazine. Now entitled *Security Community*, it has had a complete face-lift both graphically and in the way stories are presented, and now appears as an online and an iPad version. More importantly, efforts to build the distribution network have led to a much bigger take-up, with each print edition running out quickly and increased visits to the site. During next year, we hope to build on this public engagement to build partnerships with outside organizations and individuals interested in the OSCE’s work and to fold them deeper into our day-to-day work, creating a virtual “brain’s trust” to match the efforts being carried out to capture a wider debate through the Secretary General’s Security Days events.

The second step – one that lasted most of the year – was the overhaul of the existing website. Our assumption at the onset was that it needed a fresher look and feel and more searchability. Not willing to rest on our assumptions, we tested our hypothesis by entering a “discovery” phase. Over a number of months, we carried out interviews with “key stakeholders” in our internal audience from the Secretary General down, talked to external audiences such as top-level journalists and academics, and – most interesting of all – sat 15 random members of the public at a computer to “test drive” the old site. When the results were in, our thoughts were confirmed. Across the board, everyone wanted a fresh new look to the website, more video and podcasts, and photos. Better searchability was top of the list overall. But what we

hadn't reckoned with was that we were losing the vast majority of the audience because we were failing to add context to the stories we were posting. A conference on arms control? All well and good ... but isn't that NATO, and what does this OSCE do anyway? Put to the test, it was obvious that the OSCE's efforts at public diplomacy were simply failing to reach the public.

The redesign of the website had to remedy that situation. It also had to be designed in a way that every visitor – from the internal audience of delegates to specialized journalists, academics, and the general public – was able to access the information they wanted in the way they wanted. This meant an approach that would allow people to enter through different “doors”, enabling them to find information in the way that was intuitively best for them. It meant that the website needed to be rewritten from the perspective of the intelligent general audience we wished to reach and maintain. There would need to be more emphasis on film, photography, and other interactive elements. And, perhaps most innovative of all, every publication by the OSCE, on whatever topic, would be easily found, either on pages dedicated to a theme, or on a standalone page. The website could then act as a real library and resource for all those who visited, be it a schoolchild researching a project, an activist looking for information on one of the mission pages, a researcher deep in the details of a PhD thesis, or a member of one of the delegations in Vienna attempting to find a Permanent Council decision.

A website – especially one designed to benefit all audiences – is a public-diplomacy staple. But the question still remains: how to draw in the audiences, get their attention, and keep it. That is where the communication revolution comes to our aid. Over the past decade, the general public has gradually switched from consuming written texts to harvesting information online. At the same time, communications work has changed from a process of controlling the message into something new. Once, a spokesperson communicated solely through the means of press releases, news items, and briefings to the media. In a digital world, this is no longer possible. The model has moved from control to conversation, with public diplomacy increasingly becoming an online phenomenon. Our world has changed, and we are now living in the age of digital diplomacy.

The change was documented this year by Twiplomacy, the online branch of media gurus Burson-Marsteller. In a major study of world leaders,³ they showed that more than three quarters of the 193 UN member countries now have a presence on Twitter. Almost half of the 505 accounts are personal accounts of heads of state or government and foreign ministers. A third of them tweet themselves – Carl Bildt being the best connected – but very few are regular users. Those tweets are not simple missives of states though; leaders frequently use them to interact with their supporters. Argentina's President Cristina Fernández de Kirchner, Latin America's most followed

3 See Twiplomacy Study 2013, at: <http://twiplomacy.com/twiplomacy-study-2013/#>.

leader with 2.1 million followers, uses the medium to communicate with her peers; Ugandan Prime Minister Amama Mbabazi replies to almost all the questions he gets on Twitter. This places Twitter in the forefront of the most powerful modern public diplomacy tools.

Many international organizations are still unsure about exposing themselves to this form of communication. Some have decided not to enter the experiment, where others, such as NATO, are forging ahead and entering conversations with their audiences. The OSCE is rapidly expanding in the field of social media: At the time of writing, we have 22,000 followers on Twitter and 26,649 on Facebook, and the numbers are growing. Field offices and institutions have also started to use social media – although there needs to be careful thought about whether it is indeed the appropriate course to take in some circumstances. In Central Asia, for example, the use of “Western” models would not work; in Moldova, Facebook is not the most popular social network. The key factor is to look carefully at the best tactic in a given country, for a given story, in a given situation. Social media is, after all, only one tool in a vast toolbox of possibilities, ranging from public lectures and pamphlets to Google Hangouts and Facebook likes.

In the coming years, people will abandon their PCs for tablet computers. Journalists are already much more likely to track stories through Twitter or comparative social media, and have themselves become curators of online information rather than generators of the material itself. The OSCE will be ahead of this trend, with a new website configured for tablets and ready for shares on social media. But most importantly of all, alterations to our means of communication and our day-to-day practices will help us to spot the best projects and programmes in advance, work out which audience needs that information, and find ways to tell the story to that audience so that they understand the OSCE’s values and engage in our mission.

External Relations and Influence

OSCE Engagement with Afghanistan: Recent Developments, Opportunities, and Challenges

In 2007, the participating States adopted Madrid Ministerial Council Decision No. 4/07, which established the framework for the OSCE's engagement with Afghanistan, an OSCE Partner for Co-operation since 2003. Four years later, in Vilnius, they decided to strengthen and expand this engagement. Today, as the international community prepares for the withdrawal of the International Security Assistance Force (ISAF) by 2014, at which point Afghanistan is expected to take full responsibility for its own security, it is time to examine what the OSCE engagement with Afghanistan has achieved so far and the challenges and opportunities that lie ahead.

Implementing the Madrid Decision

From its inception, the OSCE's engagement with Afghanistan has been underpinned by the understanding that security in the OSCE region is influenced by developments beyond its borders, particularly in neighbouring regions. This concept of interdependence fostered the OSCE Partnership for Co-operation, a platform for OSCE participating States and Partners for Co-operation to address common security-related challenges and advance their common interest. At the 2007 Ministerial Council in Madrid, OSCE participating States voiced their concern about the impact that the situation in Afghanistan was having on security in the OSCE area and took action to address Afghanistan's request for assistance in the fields of border security, police training, and combating illicit drug trafficking.¹

The Madrid Ministerial Council Decision on "OSCE Engagement with Afghanistan" provided a strong foundation for stepping-up and operationalizing the Organization's support for the country. Such support was to be provided through tailor-made activities aimed at strengthening the management of borders between the Central Asian participating States and Afghanistan, combating terrorism, and fighting trafficking in small arms and light weapons, illicit drugs, and human beings. The decision entrusted four main tasks to the Secretary General: 1) to examine the prospects for intensifying OSCE action to support measures for securing the borders between the Cen-

Note: The article reflects the personal views of the author.

¹ Cf. Decision No. 4/07, OSCE Engagement with Afghanistan, MC.DEC/4/07/Corr.1, 30 November 2007, in: Organization for Security and Co-operation in Europe, *Fifteenth Meeting of the Ministerial Council, 29 and 30 November 2007*, Madrid, 30 November 2007, pp. 19-22, here: p. 19.

tral Asian participating States and Afghanistan, 2) to explore all co-operation options, in co-ordination with the UN and other relevant actors, and make proposals for further actions to participating States as appropriate, 3) to support the further involvement of Afghan counterparts in OSCE activities, and 4) to develop specific projects and programmes for Afghan counterparts in the OSCE area.²

In implementing this decision, the Secretariat, in close consultation with participating States, Afghanistan, and international and regional organizations, developed a total of 16 projects, of which twelve were finally launched. Of these twelve projects, seven were border-related and five concerned with counter-narcotics.

The twelve projects, most of which were fully implemented by the end of 2011, resulted in the training of about 400 Afghan border, customs, and law-enforcement officers. Training took place mainly in Central Asia, often with the participation of officers from Central Asian countries, but also in the Russian Federation and Turkey. In order to increase their impact and multiplying effect, activities were based on a “train-the-trainer approach”. To strengthen training in the area of border management, the OSCE Border Management Staff College (BMSC) was inaugurated in May 2009 in Dushanbe. Since then, the BMSC has been providing specialized training for senior management of border security agencies and aims to create open but secure borders.

The implementation of projects relied heavily on the OSCE field operations in Central Asia, drawing from their well-established co-operation with host country authorities and expertise. In addition, through their regular activities under their respective mandates, the field operations in Central Asia continued to strengthen local capacities needed for addressing domestic security threats and challenges.

The OSCE engagement with Afghanistan also continued to take place through the partnership mechanisms. Under this framework, Afghan experts participated in OSCE events that raised their awareness of OSCE principles and commitments and enabled them to establish contacts and share experiences with counterparts from participating States and Partner countries. Specific events were also designed to address the needs of Afghanistan, such as the 2010 workshop on “Combating Illicit Crop Cultivation and Enhancing Border Security Management: Thailand as a Case Study”.

Finally, another important strand of work included OSCE technical assistance to Afghanistan concerning fair and free elections. Building on previous assistance provided in 2004 and 2005, ODIHR deployed Election Support Teams in support of the 2009 and 2010 elections. Following each of these visits, reports containing detailed recommendations on electoral reform were produced and translated into the local languages.

2 Cf. *ibid.*, p. 20.

The Madrid Decision constituted an important milestone in the OSCE's recent history, showing that the Organization was willing and able to address security concerns emanating from Afghanistan. Yet its implementation was not without challenges.

First of all, the bulk of the OSCE's Afghanistan-related activities were to be financed through extra-budgetary contributions, making it clear from the onset that participating and Partner States' commitment to provide sufficient and sustained resources for the implementation of activities would be key.³ Out of the 16 projects, four could not be launched due to lack of donor support.

Second, given the absence of an OSCE presence in Afghanistan, the Organization had to rely entirely on the Afghan authorities, participating States, and representatives of other international organizations present in Kabul to identify both capacity-building needs and prospective trainees. As a result, making sure that the right officials received training, assessing the impact of training, and providing necessary follow-up proved difficult tasks.

In addition, political considerations limited the geographical scope of activities. Two of the most ambitious border-related activities, could not be launched due to lack of agreement among participating States in authorizing the implementation of project activities inside Afghanistan.⁴ These two projects, "Border Training Facility at Shir Khan Bandar/Nizhny Panj" and "OSCE mentoring at Afghan Border Crossing in Northern Afghanistan", had price tags of over twelve million and over 25 million euros, respectively, and were to be implemented over a period of five years. Despite a strong appeal from Afghanistan, which considered that the exclusion of these two ambitious projects "handicapped"⁵ the decision adopted in Madrid, some participating States remained unconvinced due to concerns over the security of OSCE staff as well as scepticism regarding the added value of in-country activities.

Strengthening OSCE Engagement with Afghanistan: From Astana to Vilnius

Three years after the Madrid Ministerial Meeting, the 2010 Astana Summit provided new momentum to the OSCE's engagement with Afghanistan. In the Astana Commemorative Declaration "Towards a Security Community", the OSCE Heads of State or Government recognized that "the security of the

3 Cf. Marc Perrin de Brichambaut, OSCE Engagement with Afghanistan, in Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2008*, Baden Baden 2009, pp. 361-368, here: p. 367.

4 The implementation of OSCE activities outside the OSCE region requires a consensus decision by the participating States.

5 Cf. Delegation of Afghanistan, Statement by Mr. Wahid Monawar, Acting Permanent Representative of the Permanent Mission of Afghanistan to the OSCE, at the 724th Permanent Council, PC.DEL/687/08/Rev.1, 4 August 2008

OSCE area is inextricably linked to that of adjacent areas” and vowed to enhance the level of their interaction with the OSCE Partners for Co-operation. They also underscored “the need to contribute effectively, based on the capacity and national interest of each participating State, to collective international efforts to promote a stable, independent, prosperous and democratic Afghanistan”.⁶

Tasked with organizing a follow up process to the Astana Summit, the 2011 Lithuanian Chairmanship sought to strengthen OSCE engagement with Afghanistan through concrete projects that would help to stabilize Afghanistan and address transnational threats stemming from its territory. As the year 2011 started, the unfolding “Arab Spring” reinforced the notion of an inter-linked and mutually dependant security environment between the OSCE region and its adjacent areas. The events prompted the participating States to explore possibilities to strengthen their engagement with OSCE Partners for Co-operation, including Afghanistan, and share the OSCE experience and expertise in supporting countries in transition.

As a product of discussions that took place throughout 2011, the participating States adopted a decision on “Strengthening the OSCE Engagement with Afghanistan”⁷ at the Vilnius Ministerial Council. This decision provided fresh political impetus to the OSCE’s engagement with Afghanistan and set the stage for intensified OSCE support to the country in the run-up to the 2014 ISAF withdrawal.

As in the case of the Madrid Decision, the Vilnius Decision emphasized the “primary role of the UN” and the complementarity of the OSCE’s work, and recognized that the OSCE could make a tangible contribution to the international community’s efforts based on its comparative advantages.

To this end, the decision further linked the OSCE’s work to the international community’s efforts towards enhancing regional stability (Heart of Asia/Istanbul Process) and supporting Afghanistan’s transition (Bonn Process). The Central Asian participating States were identified as key players in the OSCE’s efforts, as the decision stressed the importance of regional co-operation as well as their essential role in helping promote long-term security and stability in Afghanistan. In addition, widening the scope of OSCE activities to include the economic and environmental dimension as well as the human dimension enabled the OSCE to fully incorporate its comprehensive approach to security into its Afghanistan-related work. Finally, recognizing the 2014 presidential elections as a transition milestone, the decision expressed the OSCE’s readiness to provide election support.

6 Organization for Security and Co-operation in Europe, Summit Meeting, Astana 2010, *Astana Commemorative Declaration. Towards a Security Community*, SUM.DOC/1/10/Corr.1, 3 December 2010, section 10.

7 Decision No. 4/11, Strengthening OSCE Engagement with Afghanistan, MC.DEC/4/11, 7 December 2011, in: *Organization for Security and Co-operation in Europe, Eighteenth Meeting of the Ministerial Council, 6 and 7 December 2011*, Vilnius, 7 December 2011, pp. 17-19.

In an effort to ensure co-ordination and coherence in the implementation of Afghan-related activities, the Vilnius Decision strengthened the Secretary General's role, tasking him to "act as a focal point among all OSCE executive structures". As a contribution to implementing this decision, the Secretariat was also tasked with developing a new package of activities covering the three dimensions of security.

The ensuing list of so-called "second generation Afghanistan-related projects", which took into account lessons learned from the implementation of the first generation of projects as well as areas identified by Afghanistan for further assistance, contained 32 projects in the three OSCE dimensions to be implemented by 2014.⁸

A number of these projects were formulated as follow-up activities to those undertaken in the first phase of projects. This approach was guided by the understanding that past OSCE activities aimed at securing the borders between Afghanistan and Central Asia and strengthening the capacities of Afghan border, customs, and law-enforcement officers had proven their value.

New projects include the "Patrol Programming and Leadership Project", which is training both Afghan and Tajik patrol officers; the Border Management Staff College; the "Customs Training project in Bishkek", which is enhancing the competencies of both Kyrgyz and Afghan customs officials; the "Border Liaison Officers project", which seeks to strengthen co-operation and trust among border officials from Central Asia and Afghanistan; and the "Project on Strengthening Border Guards Capacities in Turkmenistan", which aims to build the surveillance and detection capacities at the Turkmen-Afghan border.

In addition, the new project list includes activities in the economic and environmental dimension, with particular emphasis on good governance and the promotion of trade, as well as in the human dimension, including human rights, tolerance and non-discrimination, and freedom of the media.

At the time of writing, two of the new projects have been completed and four others are being implemented. The two completed projects are the "Development of Women's Entrepreneurship through SME [Small and Medium-sized Enterprise] and Small Handicraft Support" and "Promoting Bilateral and Regional Co-operation on Border Security and Management". The former, implemented by the Office of the Co-ordinator of Economic and Environmental Activities, succeeded in supporting 24 Afghan, Tajik, and Azerbaijani women entrepreneurs in further developing and managing their textile, jewellery, and handicraft businesses by developing their skills and improving their networking. Under the second project, 37 border experts, cus-

8 Cf. Organization for Security and Co-operation in Europe, *Chairmanship's perception paper, Strengthening the OSCE engagement with Afghanistan*, CIO.GAL/221/11, 9 November 2011.

toms officers, and diplomats from six participating States and Afghanistan were brought together to discuss issues of mutual concern.

As for the projects currently under implementation, two in the area of border management are a joint undertaking of the OSCE's Transnational Threats Department of the Secretariat (TNTD) and the OSCE Office in Tajikistan. These are the "Patrol Programming and Leadership Project", which by the end of 2013 will have trained 110 Afghan border police alongside a similar number from Tajikistan; and the "Border Management Staff College in Dushanbe", formally a project under the Office in Tajikistan. Since its inauguration in 2009, the College has provided training to close to 400 Afghan law-enforcement experts. The two other ongoing projects have an economic focus and aim to support Tajikistan's cross-border trade and promote good economic governance on the border with Afghanistan. The "Free Economic Zones", which receive expert support from the OSCE, attract investors to the border regions by offering a safe business environment. The "Cross-border Trade Resource Centres", managed by the Office in Tajikistan, provide fee consultations to traders from Afghanistan and Tajikistan on issues relating to customs, taxes, and other trade-related issues.

The limited number of completed and ongoing projects demonstrates that, despite the generous contribution of funds by a number of participating States and partner countries, financial resources have become increasingly scarce. Due to financial constraints, even those countries that maintain their financial commitment have scaled down the amount of their contributions. In July 2012, substantial funding gaps led to the identification of nine "priority" projects to which participating States were invited to direct available funding.⁹ Though additional pledges have been received since then, six of those projects are still in need of funding.

Alongside the implementation of projects, the OSCE Partnership for Co-operation continued to act as a valuable instrument for the provision of further support to Afghanistan. Examples include the "Workshop on Promoting Security through a Comprehensive Approach to Development in Border Areas – a Capacity-Building Programme According to Thai Experiences", which was organized for a group of Afghan experts in the margins of the 2012 OSCE-Thailand Conference, and the training programme "Afghanistan Capacity-Building: Strengthening the Diplomatic Service", held in April 2012 in Ulaanbaatar.

With regard to election-related work, in July 2012, an ODIHR team travelled to Kabul to present the Final Report of the 2010 Election Support Team and discuss its recommendations, as well as future ODIHR election work, with the Afghan authorities. In the context of this visit, Afghanistan indicated its interest in legal reviews, round-table discussions, and OSCE engagement in the context of the 2014 presidential elections in general.

9 Cf. *Joint letter by the Chair of the Permanent Council, the Chair of the Asian Contact Group and the Secretary General*, CIO.GAL/103/12, 25 July 2012.

In addition, in accordance with the Vilnius Decision, the OSCE has remained committed to the Heart of Asia/Istanbul Process, which seeks to promote co-operation between Afghanistan and its neighbours as a way to ensure stability in and around Afghanistan. At the Kabul Ministerial Conference in June 2012, the OSCE announced its participation as a supporting regional organization in the implementation of three of the seven confidence-building measures identified in the Kabul Declaration,¹⁰ namely counter-terrorism, counter-narcotics, and education.

Moreover, the Secretary General has undertaken steps aimed at ensuring the co-ordination of the OSCE's Afghanistan-related work with other international and regional organizations. In March 2012, he chaired an informal meeting with the five heads of OSCE field operations in Central Asia, representatives from Central Asian participating States and Afghanistan, and high-level officials from international and regional organizations. The meeting, which took place in Dushanbe in the margins of the Fifth Regional Economic Cooperation Conference on Afghanistan (RECCA V), facilitated an exchange of information on ongoing activities in support of Afghanistan and a discussion of opportunities for further co-operation.

In March 2013, the Secretary General dedicated a Security Day¹¹ to "International Community Engagement with Afghanistan and Central Asian States – Challenges, Synergies, Possible Responses and the OSCE Role". Panellists included high-level representatives from Central Asian participating States and Afghanistan as well as from the UN, NATO, the EU, the Collective Security Treaty Organization (CSTO), and the Shanghai Cooperation Organisation (SCO).¹² The participants underlined the important role of the

10 Cf. Istanbul Process: A New Agenda for Regional Cooperation in the "Heart of Asia", *Heart of Asia Ministerial Conference – Kabul, 14 June 2012, Conference Declaration*, at: <http://heartofasiaministerial-mfa.gov.af>.

11 Launched in 2012 on the initiative of the Secretary General with the aim of revitalizing debate and placing renewed attention and visibility on the OSCE's politico-military work, the OSCE Security Days have since proven to be a valuable forum for dialogue between the OSCE and relevant Track II initiatives on Euro-Atlantic and Eurasian security. In this spirit, the Security Days format has allowed prominent groups of experts, think-tanks, and delegates to engage with panellists in a free-flowing discussion, providing fresh ideas regarding the opportunities and obstacles the OSCE faces in addressing current security threats and challenges as well as regarding the role of civil society in shaping a security community and in complementing the OSCE's political dialogue.

12 Including: Vygaudas Ušackas, EU Special Representative and Head of the EU Delegation to Afghanistan; Zamir Kabulov, Special Representative of the President of the Russian Federation on Afghanistan; Zarar Ahmad Muqbel Osmani, Minister of Counter Narcotics of Afghanistan; Kairat Sarybay, Deputy Foreign Minister of Kazakhstan; Avazbek Atakhanov, Director of the Department of Eastern Countries and Special Representative on Afghan Affairs of the Kyrgyz Ministry of Foreign Affairs; Nizomiddin Zohidov, Deputy Minister of Foreign Affairs of Tajikistan; Vepa Hajyyev, Deputy Minister of Foreign Affairs of Turkmenistan; Ján Kubiš, Special Representative of the UN Secretary-General for Afghanistan; Patricia Flor, EU Special Representative for Central Asia; Gennady Nevyglas, Deputy Secretary General, CSTO; James Appathurai, the NATO Secretary General's Special Representative for the Caucasus and Central Asia; Andrew Steinfeld, NATO Deputy Senior Civilian Representative in Afghanistan; Dmitry Mezentsev, Secretary-General of the SCO; Miroslav Jenča, Special Representative of the UN Secre-

Central Asian states in creating a new regional security paradigm.¹³ The concept of “regional ownership” was reiterated throughout discussions as a key component of any international community initiative aiming to promote regional co-operation. There was also a frank acknowledgement that regional stability would require the addressing of existing challenges within the Central Asian region, including those related to energy, territorial and border disputes, and interethnic relations, which hamper regional co-operation and undermine trust among states.

Security Day participants underlined the OSCE’s comparative advantage as both a platform for dialogue and co-operation – including at bilateral and regional level – and a provider of targeted capacity-building projects. Concrete proposals were made for building upon the potential of existing OSCE institutions. In particular it was suggested that the BMSC in Dushanbe could expand its work in order to provide capacity-building with reference to a broader range of transnational threats. The establishment of a research centre on Afghanistan-related issues under the OSCE Academy in Bishkek was also suggested. Another proposal was to create a Centre of Excellence on Police Management in the region, possibly in Kazakhstan, which would provide specialized training to law-enforcement experts from Central Asia and Afghanistan. Finally, the role of ODIHR was highlighted by several speakers, who encouraged it to provide support for and participate in the monitoring of the 2014 presidential elections.

The Situation Today: Afghanistan and the Broader Region

Today, the attention of the international community is focused on the draw-down of ISAF forces, which is about to enter its fifth and final phase and should be completed by the end of 2014. It is clear that this will open a new chapter for international engagement in Afghanistan. At the time of writing, negotiations were ongoing on the overall size and mandate of international forces in the country beyond 2014. While international support will continue to be provided after that date, particularly through the financing and mentoring of Afghan security forces, the responsibility for ensuring security within the country will be fully in the hands of the Afghan authorities.

The presidential elections that are scheduled to take place in 2014 are generally looked upon as a key test for Afghanistan’s capacity to conduct a successful transition, but perhaps even more important is the government’s ability to deliver much-needed reforms in the areas of human rights and strengthening the rule of law, and particularly in fighting corruption. Progress

tary-General and Head of the United Nations Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA).

13 A report with highlights from the event was distributed under reference SEC.DAYS/7/13 on 3 April 2013.

in implementing the reform agenda would serve to reassure international donors of Afghanistan's capacity and political will to meet its commitments.

The security situation remains fragile, and many fear that progress made so far could be rapidly reversed. The Afghan National Security Forces (ANSF) are now responsible for ensuring the security of almost 90 per cent of the population. Yet concerns remain about their capacity to maintain stability following ISAF's withdrawal. In late April 2013, Ján Kubiš, the UN Secretary-General's Special Representative for Afghanistan and head of the United Nations Assistance Mission in Afghanistan (UNAMA) warned of an increase in civilian casualties in the first three months of the year. Indeed, the start of the Taliban spring offensive opened a new fighting session and foreshadowed a further increase in violence during the coming months. At present, the prospect of peace talks with the Taliban remains uncertain.

It goes without saying that developments in Afghanistan are followed with concern by its Central Asian neighbours, who fear the potential spread of instability – should the situation deteriorate – across the porous borders of the region. Such concerns are shared by other participating States, who have warned about the possible escalation of tensions in Afghanistan's northern provinces and their spillover into the wider region. Among the key challenges identified are the spread of terrorism, illicit drugs, and extremism, which require all the states concerned to address existing shortcomings in border management, to combat widespread corruption, and to enhance inter-state co-operation.

Against this background, the Central Asian countries realize that, as recognized in the Vilnius Ministerial Council Decision, they have a leading role to play in fostering stability within the region. Overall, their bilateral relations with Afghanistan have been marked by both fear and a sense of opportunity. An example of this is the prominent role played by some of the countries in the region in Afghanistan's electricity and transport sectors, which has included the building of important infrastructure aimed at expanding rail and road connections as well as energy supply systems.

In addition, a number of Central Asian countries participate in multilateral initiatives in support of Afghanistan, including RECCA, the Conference on Interaction and Confidence Building Measures in Asia (CICA) and the Heart of Asia/Istanbul Process. In fact, the last meeting of the Heart of Asia/Istanbul Process was hosted by Kazakhstan on April 2013. Furthermore, countries in the region have made a valuable contribution to ISAF's efforts through their participation in the Northern Distribution Network.¹⁴

Unfortunately, regional co-operation, including on Afghanistan-related issues, continues to be challenged by differing national interests and competition. Yet, today's security landscape – characterized by interdependence and intertwined economic, geopolitical, and security interests – requires co-

14 The Northern Distribution Network comprises several routes for the logistical supply of Afghanistan/ISAF via Central Asia.

operative solutions to common challenges, particularly when addressing transnational threats to security.

Looking Ahead: Challenges and Opportunities for the OSCE in the Context of the Helsinki +40 Process.

Within the OSCE, political aspirations declared by the participating States often lack the resources to be translated into concrete deliverables. Currently, a lack of sustainable and predictable funding constitutes a key obstacle in fulfilling the Afghanistan-related commitments undertaken by the participating States in Madrid, Astana, and Vilnius.

Equally worrying is the fact that some participating States appear to lack a sense of ownership over some of the activities undertaken as part of the Organization's engagement with Afghanistan. The fact that Afghanistan-related activities have mainly been funded through extra-budgetary contributions – a system that allows new tasks to be implemented without raising the OSCE Unified Budget – has contributed to this problem. A case in point is the BMSC in Dushanbe. In an attempt to further consolidate and ensure the sustainability of one of the OSCE flagship projects, the OSCE Office in Tajikistan, in co-ordination with the TNTD, proposed the partial funding of the College through the OSCE Unified Budget. However some delegations are reluctant to take over the financing of a project over which they perceive they have had little control and which they consider is yet to prove its value.

A number of challenges that the OSCE's Afghanistan-related work has faced so far – limited political engagement and financial support from participating States, feeling of lost ownership or mistrust on the side of some states, and a lack of a shared and clear strategy on how to implement tasks and commitments – are a reflection of the broader challenges facing the Organization.

The Helsinki +40 Process, launched at the 2012 OSCE Ministerial Council in Dublin in 2012 and carried on in 2013 by the Ukrainian Chairmanship, aims to address these challenges. In addition, it offers an excellent framework for further defining the OSCE's role vis-à-vis Afghanistan, which would help increase the OSCE's relevance as a regional security actor. Furthermore, building on previous steps to strengthen the OSCE's capacity to address transnational threats – including the creation of the TNTD at the OSCE Secretariat – the participating States now have the opportunity to further equip the OSCE with the necessary tools to address such threats, including those emanating from Afghanistan. To this end, the Organization should build on its comparative advantages and potential. In this regard, the following issues could be considered:

- As opposed to other international actors, most notably the EU, the OSCE is particularly well placed to make full use of existing synergies between its Afghanistan- and Central Asia-related work. Indeed, the key added value that the OSCE brings to the international efforts to assist Afghanistan is its ability to engage with Afghanistan in the broader setting of the Central Asian region. The status of the Central Asian countries as fully fledged participating States gives them shared ownership of the Organization's efforts in this area and a unique level of input into the development of those efforts.
- As part of its support for the efforts of the international community to promote regional stability, in particular through the Heart of Asia/Istanbul Process, the OSCE can play a key role in facilitating regional co-operation involving its Central Asian participating States and Afghanistan. Following the adoption in 2013 of action plans for its confidence-building measures, the Heart of Asia/Istanbul Process is now confronted with the crucial challenge of moving forward with the implementation of these measures. While some practical initiatives have already taken place, most of them have been bilateral rather than regional in nature. The OSCE could play a role in initiating and supporting a regional dialogue on the practical implementation of agreed confidence-building measures. In addition, similarly to the Heart of Asia/Istanbul Process, the CSCE Helsinki process aimed to build confidence among countries with diverging interests but who decided nonetheless to work together to avoid further conflict. Though the geopolitical and cultural contexts of each region are unique, the OSCE's experience in formulating and implementing confidence-building measures could be of relevance as the Heart of Asia/Istanbul Process moves into the next phase.
- The OSCE's comprehensive concept of security provides an excellent framework for the Organization to address security challenges related to Afghanistan as well as "home-grown" challenges stemming from Central Asia. This is particularly obvious in the area of transnational threats to security, as it provides a solid basis for ensuring that measures undertaken to combat threats such as terrorism, extremism, and illicit drugs are in compliance with OSCE commitments on human rights and fundamental freedoms.
- The OSCE's work in Central Asia, including activities undertaken by OSCE field operations, institutions, and the Secretariat, helps countries in the region implement their OSCE commitments and build their capacity to address domestic security challenges and tackle potential sources of instability. The OSCE, thanks especially to the work of the High Commissioner on National Minorities (HCNM), is particularly well-placed to support the countries in the region in addressing outstanding issues related to inter-ethnic relations and cross-border ethnic groups – such as minority participation, discrimination, border demar-

cation, and the situation in ethnic enclaves – which might pose an additional challenge in the post-2014 scenario.

- Regional stability will also depend on the ability of Afghanistan and Central Asian countries to adopt co-ordinated solutions to security challenges. Though regular high-level meetings take place between the Central Asian authorities and their Afghan counterparts in several forums (UN, SCO, OSCE, etc.), it is important that such networking and co-operation trickles down to the level of senior and middle-ranking officials at ministries and state agencies. This would enable the carrying out of joint security assessments, the establishment of mechanisms for information sharing and the conducting of joint operations. The OSCE makes a key contribution in this regard, particularly through the work of the BMSC. Ensuring the sustainability of the College by providing it with a stable source of funding would allow it to make full use of its potential and, if supported by the participating States, to develop into a fully-fledged transnational-threats institution in the region. Establishing a Centre of Excellence on Police Management in the region, as mentioned above, would represent an additional contribution in the area of law enforcement.
- Another area where further potential exists is higher education. The primary OSCE contribution is through the OSCE Academy in Bishkek, where students, mainly from Central Asia and Afghanistan, receive full scholarships for masters degrees in Politics and Security or Economic Governance and Development. Developing a research centre on Afghanistan-related issues within the academy would help the OSCE to further support co-operation between Central Asian countries and Afghanistan through a dedicated programme dealing with current and emerging issues of regional security co-operation.
- Looking ahead, OSCE efforts should continue to follow the overall lead of the UN. In this regard, more could be done to seek synergies between OSCE activities and relevant UN initiatives. A case in point is the Regional Programme for Afghanistan and Neighbouring Countries of the United Nations Office on Drugs and Crime (UNODC), which aims to enhance counter-narcotic capacities across the region through better co-ordination and facilitation of regional co-operation. The regional programme foresees activities such as regional training courses for enhanced counter-narcotics co-operation, providing technical assistance aimed at strengthening operational capacities to conduct regional activities among law-enforcement agencies, promoting regional co-operation among regional judicial institutions in criminal matters, and enhancing contacts among judicial institutions in the region. The OSCE, based on its grassroots presence in all five Central Asian countries, long-standing co-operation with relevant national authorities, and the

expertise of the Vienna-based TNTD, can deliver a key contribution in these areas.

- With regard to the 2014 presidential elections, ODIHR should explore the feasibility of providing targeted support, in response to the request from the Afghan authorities and in close co-operation with the UN. Such support could include legal reviews of the draft electoral law and the organization of thematic round-tables, which could serve to present and discuss international standards and best practices, as well as training on international electoral standards and election observation. Some of these activities might require the participating States to adopt Permanent Council decisions allowing activities to be undertaken inside Afghanistan.

Although the OSCE's engagement with Afghanistan has made substantial headway since it was first articulated in 2007, important challenges remain. When looking at the future, one can ask whether additional steps should be taken to improve the OSCE's strategy, as a regional security organization, of complementing the international community's efforts towards ensuring stability in and around Afghanistan. So far, the OSCE has largely followed a piecemeal approach, oriented towards the implementation of individual projects, which, though they are valuable, are not driven by a clearly defined and long-term strategy. Looking ahead, the OSCE could consider developing a strategic framework for its engagement with Afghanistan, which would identify the overall objectives and priority areas for action based on the OSCE's comparative advantages. In addition, the strategic framework could outline specific initiatives and activities through which OSCE would contribute to ongoing international assistance efforts, based on OSCE's role as both a unique platform for dialogue and a provider of targeted capacity-building projects. The strategic framework would conceptually link the work carried out by the OSCE to support Central Asian countries in building their own capacities to address overlapping domestic security challenges and threats stemming from Afghanistan; the capacity-building provided to Afghan officials, including that provided through partnership-sponsored activities; and the OSCE's contribution as a platform for promoting co-operation and building confidence among countries in the region. The Helsinki +40 Process offers an interesting opportunity to consider this further.

Mediation and Conflict Resolution in the Arab World: The Role of the Arab League

The Middle East has more than its fair share of global problems. In fact, the region sometimes seems to almost have a monopoly on major conflicts, many of which have implications that go far beyond the region's borders. Looking at the map of conflicts and crises in the Middle East can therefore be quite a frustrating experience.

During the past three decades or so, the Arab World has suffered from two wars against Iraq (1991 and 2003), two wars against Gaza (2008-2009 and 2012), two wars against Lebanon (1982 and 2006), prolonged intermittent political turmoil in Yemen, a civil war that led to the secession of South Sudan in 2011, another civil war that started in 1991 and led to the failure of the state in Somalia, and a military coup in Mauritania (August 2008). Numerous countries in the region are currently facing daunting challenges of transition hopefully towards democracy and the rule of law. This started with the revolution in Tunisia (December 2010), then the Egyptian revolution (January 2011), which was followed by dramatic developments in Libya, Yemen, and Syria, with changes affecting the region and beyond.

The objective of this article is to examine the role played by the Arab League in attempting to resolve or mediate a number of conflicts in the Arab world through addressing the following elements:

- The legal provisions of the Arab League pertaining to mediation
- The acceptance of a mediator by the parties concerned
- How the Arab League has dealt with the perception of being biased
- Addressing the wrong framing of a conflict
- The time factor
- Reaching and accepting compromises that conflict with the principles of the Arab League
- The role of external powers
- Reform of the Arab League and conflict resolution.

Note: This contribution is presented by the author in his personal capacity, and the views expressed herein do not reflect the position of the Arab League.

The Charter of the Arab League (1945) emphasized the principle of the peaceful settlement of disputes among Arab countries and the inadmissibility of the use of force.¹

However, the Charter does not establish any special mediation mechanisms or mechanisms designed solely with the objective of achieving the peaceful settlement of disputes.² When referring to the settlement of disputes, the Charter makes reference only to the League Council in which each member has a single vote, and is generally represented by its Minister of Foreign Affairs. It does not refer to the possibility of a role for the Secretary General or individual member-states in this regard.

Furthermore, Article 5 of the Charter limits dispute settlement to cases “which do [...] not concern a state’s independence, sovereignty, or territorial integrity” and only where “the parties to the dispute have recourse to the Council for the settlement of this difference”. It also focuses on “differences which threaten to lead to war between two member-states, or a member-state and a third state [...]”.

A number of shortcomings are partly due to the fact that the Charter was adopted in 1945, at which time the countries that established the

-
- 1 Article 5 of the Charter of the Arab League reads as follows:
“Any resort to force in order to resolve disputes between two or more member-states of the League is prohibited. If there should arise among them a difference which does not concern a state’s independence, sovereignty, or territorial integrity, and if the parties to the dispute have recourse to the Council for the settlement of this difference, the decision of the Council shall then be enforceable and obligatory.
In such case, the states between whom the difference has arisen shall not participate in the deliberations and decisions of the Council.
The Council shall mediate in all differences which threaten to lead to war between two member-states, or a member-state and a third state, with a view to bringing about their reconciliation.
Decisions of arbitration and mediation shall be taken by a majority vote.”
Article 6 of the Charter of the Arab League
“In case of aggression or threat of aggression by one state against a member-state, the state which has been attacked or threatened with aggression may demand the immediate convocation of the Council.
The Council shall by unanimous decision determine the measures necessary to repulse the aggression. If the aggressor is a member-state, his vote shall not be counted in determining unanimity.
If, as a result of the attack, the government of the state attacked finds itself unable to communicate with the Council, the state’s representative in the Council shall request the convocation of the Council for the purpose indicated in the foregoing paragraph. In the event that this representative is unable to communicate with the Council, any member-state of the League shall have the right to request the convocation of the Council.” League of Arab States, *Charter of Arab League*, 22 March 1945, available at: <http://www.refworld.org/docid/3ae6b3ab18.html>.
- 2 Article 20 of the Charter of the Arab League specified that the Charter “may be amended with the consent of two thirds of the states belonging to the League [...] to create an Arab Court of Justice”. However, the Arab countries have so far been unable to achieve consensus on the creation of this institution. Ibid.

League were in the process of gaining their independence. Moreover, at that time, it was also difficult to predict how the peaceful settlement of disputes would evolve in the years to come.

These provisions have been interpreted by Arab League Summits, League mechanisms in general, and by the Secretariat of the League in an extremely flexible manner over the last few decades. The role of the Arab League in the area of peaceful settlement of disputes evolved in practice in a manner that clearly surpassed the letter of the Charter. This will become clear from several examples describing the nature of the involvement of the Arab League in attempting to resolve Arab conflicts to be addressed in this article. In the last few decades, the question in many cases was not one of the provisions in the Charter but rather of political will.

The legal requirements did not prevent the active and in some cases decisive involvement of the Arab League in a number of conflicts, including the following:

- *Employing Peacekeeping Forces in the Crisis between Iraq and Kuwait in 1961*

Shortly after Kuwait gained independence from Britain on 25 June 1961, Iraq made claims over certain Kuwaiti territories (Warbah and Bubiyan Islands). In response, Britain mobilized troops to deter Iraq, as it was feared that a military threat might be imminent. Subsequently, Iraq pledged not to attack Kuwait if the British forces withdrew. The Arab League took over the protection of Kuwait, and British forces withdrew by 19 October 1961. The plan was to send 3,000-3,500 Arab troops. However, only 2,337 were actually deployed.³ Kuwait then became a member of both the United Nations and the Arab League, and Iraq recognized Kuwait's independence in October 1963.⁴

- *Employing the Arab Deterrent Force in Lebanon in 1976*

As the Lebanese civil war, which started in April 1975 escalated in 1976, the Arab League created an intervention force with troops from six Arab countries: Libya, Saudi Arabia, South Yemen, Sudan, Syria, and the United Arab Emirates. The Arab Deterrent Force was created by the Riyadh Summit held on 16-18 October 1976, which was attended by Egypt, Kuwait, Lebanon, Saudi Arabia, Syria, and the Palestinian Liberation Organization. This meeting was not formally held within the framework of the Arab League, but a week later the conclusions of the Riyadh Summit were endorsed by the

3 According to the archives of the Arab League, the force of 2,337 that was deployed consisted of military personnel from the following countries: 1,281 from Saudi Arabia, 785 from Jordan, 159 from the United Arab Republic, and 112 from Sudan.

4 Iraq did not totally give up its territorial claims. This constituted part of Iraq's unfounded claims that led to the invasion and occupation of Kuwait in 1990.

Arab League Summit that was held in Cairo on 25-26 October 1976. The plan was to send 30,000 troops, but only 25,100 were deployed. The objective of the force was to maintain stability and implement a ceasefire agreement. Its mandate was renewed by the Arab League Ministerial Council every six months at the request of Lebanon. In the spring of 1979, after the Arab League extended the mandate of the Arab Deterrent Force, the troops from Saudi Arabia, Sudan, and the Emirates departed Lebanon, following Libya (November 1976) and South Yemen (December 1977), and only the Syrian forces remained. The huge influence that this gave Syria in Lebanon had dire consequences, and perhaps even allowed Syria to assume a position of dominance in Lebanese domestic politics.

- *Taking a Major Decision Concerning the Iraqi Invasion of Kuwait*
Following Iraq's invasion of Kuwait on 2 August 1990, numerous Arab and international attempts were made to convince Saddam Hussein to withdraw from the country, though all were in vain. As a result of this failure, an Arab League Summit was convened and a major decision was taken, facilitating the participation of Arab armies, from Egypt, Syria, Morocco and the Gulf, in the US-led coalition to liberate Kuwait, which began operations on 17 January 1991.
- *Arab League Observer Mission to Syria*
More recently, in the aftermath of the Arab Awakening, and in its efforts to address the Syrian crisis, the Arab League took a decision to send an Observer Mission to Syria. A protocol was signed between Syria and the Arab League on 19 December 2011, and these observers were on the ground on 26 December 2011. The mandate of the mission was to monitor the full implementation of the cessation of all acts of violence from any source in Syrian cities and neighbourhoods, to ensure that the Syrian security forces and the "Shabiha" (violent armed groups) do not impede peaceful demonstrations, to work for the release of all detainees, to ensure the withdrawal of all armed forces from cities and neighbourhoods where demonstrations were taking place, and to make sure that the Syrian government granted the media entry and freedom of movement in Syria. The mission was suspended on 26 January 2012 due to the critical deterioration of the situation on the ground in Syria.⁵

5 There were a number of shortcomings in this mission as a result of institutional challenges and the lack of experience in these kinds of missions. Efforts are being made to raise the preparedness of the Arab League to address possible future needs of a similar nature in co-operation with the United Nations and the European Union.

Mediation cannot be imposed. No mediation can take place if the conflicting parties refuse mediation in general or refuse the role of a specific mediator. Mediation efforts by the Arab League take place at the request or at least with the consent of the parties concerned in a conflict or a dispute. In many cases, depending on the circumstances surrounding the specific conflict concerned, mediation efforts may also require the approval or a decision by the Council of Foreign Ministers. For all kinds of reasons, the role of the Arab League was not always accepted by the parties concerned.

The Arab League attempted to play a mediating role in Yemen as a result of its deep concern that the war against the Houthis (an armed religious Yemeni insurgent group), the calls for separation by a number of political forces in the south of Yemen, and the challenges resulting from the activities and attacks by terrorist groups associated with Al-Qaeda are escalating and are having a destabilizing effect on the situation in the whole country. These problems had the potential to develop into a fully-fledged crisis.

Amre Moussa, the Arab League Secretary General at the time, requested to visit Yemen. He met the President of Yemen, Ali Abdullah Saleh, in March 2009, and suggested that the Arab League assist Yemen in facing these challenges through the holding of a Yemeni-led inclusive national dialogue. The objective was to try to end the war with the Houthis and to start a process of reconciliation to ensure the unity and territorial integrity of Yemen. The President refused the involvement of the Arab League, arguing that he could handle the situation, promising that this seventh war with the Houthis would be the last, and insisting that he wanted neither to “Arabize” nor to “internationalize” this crisis. Mediation was later accepted from the Gulf Cooperation Council (GCC) in the form of an understanding that had political and financial dimensions.

The Arab League attempted to mediate in the crisis that erupted following the football match that took place in the Sudan in November 2009 between Egypt and Algeria as part of the qualification process for the 2010 FIFA World Cup. There were huge fights between supporters of the two national teams, and each side claimed that the attack was initiated by fans of the opposing team. Many prominent Egyptian public figures attended the game, and this contributed to the immediate and sharp escalation of the crisis. It also resulted in a high level of tension, followed by a significant deterioration in the relations between the two countries.

The League’s offer to mediate was rejected by both sides. The Arab League then solicited the assistance of President Muammar Gaddafi, the leader of Libya at the time, to speak to both leaders, as he had close and friendly relations with them. He did intervene, but his attempts were also

unsuccessful. The tension was later reduced through “funeral diplomacy”, when Egypt’s President Hosni Mubarak visited Algerian President Abdelaziz Bouteflika to pay his condolences when the latter’s brother died on 5 July 2010.

Another example is the conflict in the Western Sahara, where the parties concerned decided that mediation efforts should be addressed solely by the United Nations, which is the main reason why neither the Arab League nor the African Union is involved in this conflict.

Other examples can be cited, but the conclusion is clear: There is not much that can be done when the parties concerned reject mediation in general or a specific mediator in particular.

How the Arab League Has Dealt with the Perception of Being Biased

Mediation cannot succeed if the mediator is perceived as being biased.

When the Arab League started its effort with the objective of achieving reconciliation in Iraq it faced huge challenges. Since the member-states of the Arab League are predominantly Sunni, the Shia, who had gained a predominant position in Iraqi politics, were fearful that most of the League’s pressure would be directed towards them. The Kurds also believed that the League, as an Arab organization, would surely be biased in favour of the Arabs at the expense of the Kurds. The Arab League has supported numerous Sunni groups since the beginning of the occupation, since the League firmly believes in the right of those occupied to resist occupation. However, despite this support, the Sunnis felt that in order for the Arab League to succeed in its reconciliation effort, it had no choice but to pressure them and hence that reconciliation would be at their expense.

For about a year, the Arab League made extensive efforts to gain the confidence of all the political forces in Iraq. It succeeded in convincing them that its objective is to achieve consensus and that this was possible without pressuring the Shia to give up their political gains, or exert unjustified pressure on the Sunnis, and that it would not be biased against the Kurds.

The Arab League finally convened the Iraqi Accord Conference⁶ in November 2005. All the Iraqi political forces were represented, and an

6 The original proposal had been to name this conference the Iraqi Reconciliation Conference, but there were objections to the use of the word “reconciliation” by a number of political forces out of fear that it could be interpreted as suggesting a process of reconciliation with the ousted regime. Other groups insisted on its use and the compromise was to use the word “accord”. This indicates the kind of sensitivities that have to be faced by the mediator and the manner in which they are handled even on issues that may not seem controversial at first sight.

agreement was reached between all sides on a document that outlined the requirements to achieve reconciliation in Iraq.

Sometimes there are accusations of bias, but this is not unusual in mediation efforts. On several occasions during the mediation effort in Lebanon, the Arab League was accused by the March 8 group of being biased towards the March 14 group and vice versa.⁷ Of course the mediator has to act in an objective manner, since if the mediator loses credibility then success becomes virtually impossible.

Addressing the Wrong Framing of a Conflict

This was the case with regard to the crisis in Darfur. A number of international powers framed this crisis as a conflict pitting Sudanese of Arab origin against Sudanese of African origin. The Arab League strongly believed that this was the wrong way to frame the conflict and that the origin of the conflict was a problem between nomads and farmers competing for scarce resources.

To address this challenge, the Arab League decided to join hands with the African Union and the United Nations, who acted as a troika on all aspects of the crisis in Darfur. The Arab League made sure that any position it adopted was taken after close consultation with the African Union and the United Nations. Consequently, the Arabs, the Africans, and the United Nations were able to see eye to eye on the origin and developments of the crisis as well as on how to resolve this conflict.

The Time Factor

Time is the biggest challenge in a crisis situation. The question “When is the situation ripe for a mediator to intervene?” is one of the most complicated issues discussed in the literature of conflict resolution. Timing can be decisive for the success or failure of mediation efforts.

The Arab League’s mediation efforts in Lebanon from 2006-2008 were a real race against time. Lebanon did not have a president, the par-

7 March 8 is a political coalition that was established after the departure of the Syrian armed forces from Lebanon. Its name emanates from a mass demonstration that was called for by this coalition on 8 March 2005 and was reported to have involved more than one million demonstrators expressing gratitude for Syria for its role in supporting the Lebanese resistance against occupation during its presence in Lebanon.

March 14 is a political coalition that opposed the Syrian presence and its role in Lebanon. Its name emanates from a mass demonstration that was called for by this coalition on 14 March 2005 and was also reported to have been attended by more than a million demonstrators. This coalition was adamant on the establishment of the international tribunal to try the assassins of the late Prime Minister El-Hariri, and aimed at ending a situation where Lebanon was considered a theatre for war by proxy in the region.

liament was not functioning, the prime minister was besieged in his palace by the opposition, the economy was sharply declining as investment, tourism, and other sectors suffered, and, more importantly, there were numerous violent incidents and fear that a civil war might erupt at any moment. With every incident, the Lebanese people and millions around the Arab world were wondering whether this would be the spark to ignite a civil war.

The efforts of the Arab League in Lebanon ultimately contributed to averting a civil war.

An all-out civil war was a real threat in Iraq in the aftermath of the American invasion in 2004-2005, and time was of the essence. However, the agreement reached in the Iraqi Accord Conference mentioned above was not implemented and reconciliation was not achieved, though an all-out civil war was probably avoided as a result of this effort. This is why a number of Iraqi political groupings considered this effort to be only a partial failure.

Reaching and Accepting Compromises that Conflict with the Principles of the Arab League

Mediators are frequently faced with agonizing moral dilemmas to which there are no easy answers. What can they do when resolving a conflict may compromise important principles that they cherish? Do they sacrifice these principles for a greater good – in this case, ending a conflict or a crisis or preventing a war or a civil war? Unfortunately, sometimes this is what mediators are forced to accept.

In Lebanon, the Arab League did not compromise important values and principles in addressing two crucial issues. It upheld the right to resist occupation, which satisfied Hezbollah and its allies. It also upheld the principle that no crime should pass unpunished, and therefore, supported the establishment of the international tribunal to address the assassinations that were committed in Lebanon, starting with that of Prime Minister Rafik El-Hariri. This was crucial for the March 14 group. It has to be admitted, however, that the agreement that was reached compromised a number of democratic principles to accommodate sectarian or ethnic positions.

The Arab League had to deal with extremist groups in an effort to resolve the enduring conflict in Somalia. In Darfur, principles pertaining to the rule of law were compromised in attempting to resolve the conflict. In Yemen, the agreement reached to address the crisis included amnesty or impunity aspects that many human-rights organizations argued were unjustified. There are fears that this may be repeated in resolving the current crisis in Syria.

In dealing with the military coup in Mauritania, the Arab League exerted efforts to end military rule in the shortest possible time frame. The African Union is bound by a decision that prevents it from dealing with outcomes of military coups and thus had difficulty in intervening, so the Arab League took a leading role, though it worked closely with the African Union. Together, they were successful in persuading Mauritania's military rulers to end the transitional period relatively quickly.

The Role of External Powers

The role of external powers can be decisive in mediation efforts. They can be the key to success or the cause of failure. Outside forces can be helpful in persuading or pressuring the parties involved in a conflict to be more flexible and can contribute to the inclusivity of the process by convincing those conflict parties over which they are able to exert an influence to participate constructively in resolving the conflict. However, external powers may also act as spoilers and may cause one or more of the conflicting parties to harden their positions.

While the Arab League was working to build consensus on a presidential candidate in Lebanon (co-ordinating closely with the United States and France), the latter two countries decided to adopt a position that was clearly in support of one of the parties, by indicating that they were ready to recognize a president elected by 50 per cent plus one member of parliament. This was a very controversial issue from a legal as well as a political point of view and could have led to further escalation and perhaps even the breakdown of political order. The mediation effort was consequently disrupted as the Arab League insisted that the choice of a president has to be agreed by consensus. It took the Arab League a few months to convince the United States and France to support this position, which enabled the resumption of efforts to achieve progress and, ultimately, the election of a president by consensus.

In the League's effort to bring about reconciliation in Iraq, no success would have been possible without the constructive involvement of influential international powers on the Iraqi scene, particularly the United States. This was a necessary requirement in order to persuade – or, in some instances, even to pressure – a number of political forces to abide by their commitments. This could not have been achieved by the Arab League alone, and key international political forces did not accept at the time that reconciliation would be achieved through an Arab formula.

While the Arab League was attempting to address the conflict in Somalia (2006), it arranged negotiations between the Somali transitional government and the Islamic courts in Sudan. The first round of talks resulted in mutual recognition, (the two sides had previously refused

to recognize each other). The second round reached a ceasefire agreement. The third was supposed to discuss ways and means to implement this agreement. At that time, there was pressure on Ethiopia from influential Western powers to intervene militarily, and this is what happened, resulting in a disruption of the mediation efforts. The United States firmly believed that the Islamic courts were associated with Al-Qaeda and insisted that they had to be defeated, while the Arab League argued that the power that could replace the Islamic courts might be even more radical. At a later stage, Al-Shabaab, a more radical political force, did come to dominate the Somali scene.

Reform of the Arab League and Conflict Resolution

The Arab League is trying to advance its capabilities in conflict resolution on a number of tracks. First, as part of efforts to reform the League itself, a number of working groups have been formed, two of which will have a direct bearing on its role in the area of conflict resolution. The first is entrusted with the revision of the Charter, and the second is charged with reforming the League's institutional mechanisms and their mandates, including the Peace and Security Council.

Secondly, there are a number of projects and activities that aim at advancing the role of the Arab League in conflict resolution, including the following:

The Arab League established a crisis-management platform to address the areas of early warning, crisis management, and post-conflict needs assessment. This platform was a result of a joint project between the Arab League and the European Union, with the United Nations Development Program (UNDP) assuming the responsibilities of the implementing agency.

The Arab League has also identified a number of gaps in its capabilities to effectively address the peaceful settlement of disputes. Two are relevant here. The first is related to the League's capabilities to respond to post-conflict needs assessment. Activities are planned with the United Nations, the European Union, and the World Bank to enhance the League's capabilities to effectively undertake post-conflict reconstruction and development alongside other international actors. The role of the Arab League in reconstruction efforts in post-war Iraq and post-revolution Egypt and Libya has been extremely limited. The League hopes to play a more effective role in addressing the reconstruction and development needs of Syria. The second gap concerns the League's ability to respond with a presence on the ground during conflicts or periods of crisis. It seeks to build on lessons learned from the observer mission that was sent to Syria. The aim is to enhance the League's capacity to place a

presence on the ground, whether for fact-finding missions, observer missions, or, ultimately, peacekeeping operations. Activities are planned in co-operation with the United Nations and the European Union in order to achieve this objective.

An ambitious programme is being implemented with the objective of building the capacity of officials in the Secretariat of the Arab League by means of numerous professional training modules directly related to conflict-resolution capabilities. This programme is being implemented in co-operation with the European Union and the United Nations and has been extended by the League to member-states as well.

The Arab League has been actively participating in the activities associated with both the Turkish/Finnish initiative on mediation and the Spanish/Moroccan initiative that evolved out of the original initiative regarding mediation in the Mediterranean. It is planned to address this issue in the 68th session of the General Assembly, which opened in September 2013, with a focus on advancing the role of regional organizations in the area of mediation in co-operation with the United Nations.

The Arab League also valued the initiative launched by the Organization of Security and Co-operation in Europe (OSCE) to advance co-operation between the United Nations and other international and regional organizations in the area of mediation and conflict resolution. A first meeting was hosted by the OSCE, the second by the Organization of Islamic Cooperation (OIC), and the Arab League is currently co-ordinating with the United Nations, the OSCE, and the OIC to prepare for the third meeting, which is expected to take place at Arab League headquarters in Cairo. The objective is to start working on implementing a number of practical ideas to advance co-operation between international and regional organizations, for example, by establishing networks of mediators and mediation team members, and compiling lessons learned in mediation and conflict resolution to make them available in an accessible format. These organizations will also co-operate in building their mediation and conflict-resolution capacities.

Conclusion

The biggest advantage of the Arab League in conflict resolution is the fact that its main concern is to realize the interests of the people in the conflicts in question. It is not associated with any particular political force. The Arab League supports neither Fatah nor Hamas: Its main concern is to advance the interest of the Palestinian people in their cause. It is biased in favour of neither March 8 nor March 14, but is concerned about the future of Lebanon. It is neither with the Sunnis against the Shia, nor with the Muslims against the Christians, nor with the Arabs against the

Kurds or the Imazighen (Berbers), but is working to advance the interests of its member states individually and as a whole.

Many disputes in the Arab world are far from being completely resolved. Moreover, it is an unfortunate fact that agreements resolving conflicts may also contain the seeds of possible future conflicts within them. Many Lebanese believe that this applied to the Taif Agreement that ended the civil war in Lebanon in 1989,⁸ arguing that it amounted to no more than a temporary truce. More recently, in the secession of South Sudan, many Sudanese from both sides of the new frontier believe that the arrangements of the separation contain the seeds of future conflicts between the two states.

Considerable effort has been exerted by the Arab League to address numerous conflicts with varying degrees of success. However, the League still has a long way to go before it can be considered a successful player in resolving conflicts in this important part of the world.

8 The agreement was signed in Taif, Saudi Arabia, on 22 October 1989.

Annexes

Forms and Forums of Co-operation in the OSCE Area

Group of Eight (G8)

Organization for Economic Co-operation and Development (OECD)

Council of Europe (CoE)

North Atlantic Treaty Organization (NATO)

Euro-Atlantic Partnership Council (EAPC)

Partnership for Peace (PfP)

NATO-Russia Council

NATO-Ukraine Charter/NATO-Ukraine Commission

NATO Partners across the Globe

European Union (EU)

EU Candidate Countries

EU Association Agreements

Stabilisation and Association Agreements (SAA)

Commonwealth of Independent States (CIS)

Collective Security Treaty Organization (CSTO)

Baltic Assembly/Baltic Council of Ministers

Barents Euro-Arctic Council

Observers to the Barents Euro-Arctic Council

Nordic Council

Council of the Baltic Sea States (CBSS)

Regional Co-operation Council (RCC)

Central European Free Trade Agreement/Area (CEFTA)

Central European Initiative (CEI)

South Eastern European Co-operation Process (SEECP)

Black Sea Economic Co-operation (BSEC)

North American Free Trade Agreement (NAFTA)

Customs Union of Belarus, Kazakhstan and Russia

Shanghai Cooperation Organisation (SCO)
Observer States to the SCO
SCO Dialogue Partners

Sources:

OECD: www.oecd.org
Council of Europe: www.coe.int
NATO: www.nato.int
EU: europa.eu
CIS: www.cis.minsk.by
Baltic Assembly/Baltic Council of Ministers: www.baltasam.org
Barents Euro-Arctic Council: www.beac.st
Nordic Council: www.norden.org
CBSS: www.cbss.org
RCC: www.rcc.int
CEFTA: www.stabilitypact.org/wt2/TradeCEFTA2006.asp
CEI: www.ceinet.org
BSEC: www.bsec-organization.org
NAFTA: www.nafta-sec-alena.org
CSTO: www.odkb-csto.org
SCO: www.sectsco.org

The 57 OSCE Participating States – Facts and Figures¹

1. Albania

Date of accession: June 1991

Scale of contributions: 0.125 per cent (OSCE ranking: 40)²

Area: 28,748 km² (OSCE ranking: 46)³

Population: 3,011,405 (OSCE ranking: 42)⁴

*GDP per capita in international dollars at PPP rates:*⁵ 8,200

GDP growth: 1.3 per cent (OSCE ranking: 21)⁶

Armed forces (active): 14,250 (OSCE ranking: 36)⁷

Memberships and forms of co-operation: CoE (1995), NATO (2009), EAPC, SAA (2006), RCC, CEFTA, CEI (1996), SEECP, BSEC.

2. Andorra

Date of accession: April 1996

Scale of contributions: 0.125 per cent (40)

Area: 468 km² (52)

Population: 85,293 (53)

GDP per capita in international dollars at PPP rates: 37,200⁸

GDP growth: -1.6 per cent (45)

Armed forces (active): none

Memberships and forms of co-operation: CoE (1994).

3. Armenia

Date of accession: January 1992

Scale of contributions: 0.05 per cent (49)

Area: 29,743 km² (45)

Population: 2,974,184 (43)

GDP per capita in international dollars at PPP rates: 5,900

GDP growth: 7.2 per cent (5)

Armed forces (active): 48,850 (15)

1 Compiled by Jochen Rasch.

2 Of 57 states.

3 Of 57 states.

4 Of 57 states.

5 The international dollar is the hypothetical unit of currency used to compare different national currencies in terms of purchasing power parity. PPP is defined as the number of units of a country's currency required to buy the same amounts of goods and services in the domestic market as one US dollar would buy in the United States. See *The World Bank, World Development Report 2002*, Washington, D.C., 2002. Because the data in this category comes from various years, it does not make sense to compare states or provide a ranking.

6 Of 56 states.

7 Of 54 states.

8 2011 (estimated).

Memberships and forms of co-operation: CoE (2001), EAPC, PfP (1994), CIS (1991), CSTO, BSEC.

4. Austria

Date of accession: June 1973

Scale of contributions: 2.51 per cent (13)

Area: 83,871 km² (29)

Population: 8,221,646 (24)

GDP per capita in international dollars at PPP rates: 43,100

GDP growth: 0.8 per cent (25)

Armed forces (active): 23,250 (27)

Memberships and forms of co-operation: OECD (1961), CoE (1956), EAPC, PfP (1995), EU (1995), RCC, CEI (1989).

5. Azerbaijan

Date of accession: January 1992

Scale of contributions: 0.05 per cent (49)

Area: 86,600 km² (28)

Population: 9,590,159 (22)

GDP per capita in international dollars at PPP rates: 10,700

GDP growth: 2.2 per cent (14)

Armed forces (active): 66,950 (13)

Memberships and forms of co-operation: CoE (2001), EAPC, PfP (1994), CIS (1991), BSEC.

6. Belarus

Date of accession: January 1992

Scale of contributions: 0.28 per cent (30)

Area: 207,600 km² (20)

Population: 9,625,888 (21)

GDP per capita in international dollars at PPP rates: 15,900

GDP growth: 1.5 per cent (20)

Armed forces (active): 48,000 (16)

Memberships and forms of co-operation: EAPC, PfP (1995), CIS (1991), CSTO, CEI (1996), Customs Union of Belarus, Kazakhstan and Russia, SCO Dialogue Partner.

7. Belgium

Date of accession: June 1973

Scale of contributions: 3.24 per cent (10)

Area: 30,528 km² (44)

Population: 10,444,268 (18)

GDP per capita in international dollars at PPP rates: 38,500

GDP growth: -0.2 per cent (35)

Armed forces (active): 32,650 (21)

Memberships and forms of co-operation: OECD (1961), CoE (1949), NATO (1949), EAPC, EU (1958).

8. Bosnia and Herzegovina

Date of accession: April 1992

Scale of contributions: 0.125 per cent (40)

Area: 51,197 km² (37)

Population: 3,875,723 (38)

GDP per capita in international dollars at PPP rates: 8,400

GDP growth: -0.7 per cent (39)

Armed forces (active): 10,550 (40)

Memberships and forms of co-operation: CoE (2002), EAPC, PfP (2006), SAA (2008), RCC, CEFTA, CEI (1992), SEECP.

9. Bulgaria

Date of accession: June 1973

Scale of contributions: 0.55 per cent (26)

Area: 110,879 km² (24)

Population: 6,981,642 (28)

GDP per capita in international dollars at PPP rates: 14,500

GDP growth: 0.8 per cent (25)

Armed forces (active): 31,300 (22)

Memberships and forms of co-operation: CoE (1992), NATO (2004), EAPC, EU (2007), RCC, CEI (1996), SEECP, BSEC.

10. Canada

Date of accession: June 1973

Scale of contributions: 5.53 per cent (7)

Area: 9,984,670 km² (2)

Population: 34,568,211 (11)

GDP per capita in international dollars at PPP rates: 43,400

GDP growth: 1.8 per cent (18)

Armed forces (active): 66,000 (14)

Memberships and forms of co-operation: G8 (1976), OECD (1961), NATO (1949), EAPC, Observer to the Barents Euro-Arctic Council, RCC, NAFTA.

11. Croatia

Date of accession: March 1992

Scale of contributions: 0.19 per cent (33)

Area: 56,594 km² (36)

Population: 4,475,611 (37)

GDP per capita in international dollars at PPP rates: 18,100

GDP growth: -2 per cent (48)

Armed forces (active): 18,600 (33)

Memberships and forms of co-operation: CoE (1996), NATO (2009), EAPC, EU (2013), RCC, CEI (1992), SEECP.

12. Cyprus

Date of accession: June 1973

Scale of contributions: 0.19 per cent (33)

Area: 9,251 km² (50)⁹

Population: 1,155,403 (48)¹⁰

GDP per capita in international dollars at PPP rates: 27,500

GDP growth: -2.4 per cent (50)

Armed forces (active): 12,000 (37)¹¹

Memberships and forms of co-operation: CoE (1961), EU (2004).

13. Czech Republic

Date of accession: January 1993

Scale of contributions: 0.57 per cent (25)

Area: 78,867 km² (30)

Population: 10,162,921 (19)

GDP per capita in international dollars at PPP rates: 27,600

GDP growth: -1.2 per cent (43)

Armed forces (active): 23,650 (26)

Memberships and forms of co-operation: OECD (1995), CoE (1993), NATO (1999), EAPC, EU (2004), RCC, CEI (1990/1993).

14. Denmark

Date of accession: June 1973

Scale of contributions: 2.1 per cent (14)

Area: 43,094 km² (40)

Population: 5,556,452 (29)

GDP per capita in international dollars at PPP rates: 38,300

GDP growth: -0.6 per cent (38)

Armed forces (active): 16,450 (34)

Memberships and forms of co-operation: OECD (1961), CoE (1949), NATO (1949), EAPC, EU (1973), Barents Euro-Arctic Council, Nordic Council (1952), CBSS (1992), RCC.

15. Estonia

Date of accession: September 1991

Scale of contributions: 0.19 per cent (33)

Area: 45,228 km² (39)

9 Greek sector: 5,896 km², Turkish sector: 3,355 km².

10 Total of Greek and Turkish sectors.

11 Turkish sector: 3,500.

Population: 1,266,375 (47)
GDP per capita in international dollars at PPP rates: 22,100
GDP growth: 3.2 per cent (11)
Armed forces (active): 5,750 (46)
Memberships and forms of co-operation: OECD (2010), CoE (1993), NATO (2004), EAPC, EU (2004), Baltic Assembly/Baltic Council of Ministers, CBSS (1992).

16. Finland

Date of accession: June 1973
Scale of contributions: 1.85 per cent (16)
Area: 338,145 km² (14)
Population: 5,266,114 (32)
GDP per capita in international dollars at PPP rates: 37,000
GDP growth: -0.2 per cent (35)
Armed forces (active): 22,200 (29)
Memberships and forms of co-operation: OECD (1969), CoE (1989), EAPC, PfP (1994), EU (1995), Barents Euro-Arctic Council, Nordic Council (1955), CBSS (1992), RCC.

17. France

Date of accession: June 1973
Scale of contributions: 9.35 per cent (2)
Area: 643,801 km² (7)
Population: 65,951,611 (5)
GDP per capita in international dollars at PPP rates: 36,100
GDP growth: 0 per cent (33)
Armed forces (active): 228,850 (4)
Memberships and forms of co-operation: G8 (1975), OECD (1961), CoE (1949), NATO (1949), EAPC, EU (1958), Observer to the Barents Euro-Arctic Council, RCC.

18. Georgia

Date of accession: March 1992
Scale of contributions: 0.05 per cent (49)
Area: 69,700 km² (33)
Population: 4,555,911 (36)
GDP per capita in international dollars at PPP rates: 6,000
GDP growth: 6.5 per cent (6)
Armed forces (active): 20,650 (31)
Memberships and forms of co-operation: CoE (1999), EU Association Agreement¹² EAPC, PfP (1994), BSEC.

¹² At the Eastern Partnership summit in Vilnius on 29 November 2013, the EU initialled Association Agreements with Georgia and the Republic of Moldova. Cf. European Union

19. Germany

Date of accession: June 1973

Scale of contributions: 9.35 per cent (2)

Area: 357,022 km² (13)

Population: 81,147,265 (3)

GDP per capita in international dollars at PPP rates: 39,700

GDP growth: 0.7 per cent (28)

Armed forces (active): 196,000 (5)

Memberships and forms of co-operation: G8 (1975), OECD (1961), CoE (1950), NATO (1955), EAPC, EU (1958), Observer to the Barents Euro-Arctic Council, CBSS (1992), RCC.

20. Greece

Date of accession: June 1973

Scale of contributions: 0.98 per cent (19)

Area: 131,957 km² (23)

Population: 10,772,967 (17)

GDP per capita in international dollars at PPP rates: 24,900

GDP growth: -6.4 per cent (54)

Armed forces (active): 144,350 (8)

Memberships and forms of co-operation: OECD (1961), CoE (1949), NATO (1952), EAPC, EU (1981), RCC, SEECP, BSEC.

21. The Holy See

Date of accession: June 1973

Scale of contributions: 0.125 per cent (40)

Area: 0.44 km² (57)

Population: 839 (57)

GDP per capita in international dollars at PPP rates: n/a

GDP growth: n/a

Armed forces (active): 110 (52)¹³

Memberships and forms of co-operation: none.

22. Hungary

Date of accession: June 1973

Scale of contributions: 0.6 per cent (23)

Area: 93,028 km² (26)

Population: 9,939,470 (20)

GDP per capita in international dollars at PPP rates: 20,000

GDP growth: -1.7 per cent (46)

External Action, *Fact Sheet*, Brussels, 2 December 2013, 131202/1, p. 1, at: http://eeas.europa.eu/statements/docs/2013/131202_01_en.pdf.

13 Authorized strength 110 members of the Swiss Guard, see: http://www.vatican.va/roman_curia/swiss_guard/500_swiss/documents/rc_gsp_20060121_informazioni_it.html.

Armed forces (active): 26,500 (24)

Memberships and forms of co-operation: OECD (1996), CoE (1990), NATO (1999), EAPC, EU (2004), RCC, CEI (1989).

23. Iceland

Date of accession: June 1973

Scale of contributions: 0.19 per cent (33)

Area: 103,000 km² (25)

Population: 315,281 (52)

GDP per capita in international dollars at PPP rates: 39,900

GDP growth: 1.6 per cent (19)

Armed forces (active): none

Memberships and forms of co-operation: OECD (1961), CoE (1950), NATO (1949), EAPC, EU Candidate Country, Barents Euro-Arctic Council, Nordic Council (1952), CBSS (1995).

24. Ireland

Date of accession: June 1973

Scale of contributions: 0.75 per cent (21)

Area: 70,273 km² (32)

Population: 4,775,982 (34)

GDP per capita in international dollars at PPP rates: 42,600

GDP growth: 0.9 per cent (24)

Armed forces (active): 8,900 (42)

Memberships and forms of co-operation: OECD (1961), CoE (1949), EAPC, PfP (1999), EU (1973), RCC.

25. Italy

Date of accession: June 1973

Scale of contributions: 9.35 per cent (2)

Area: 301,340 km² (17)

Population: 61,482,297 (7)

GDP per capita in international dollars at PPP rates: 30,600

GDP growth: -2.4 per cent (50)

Armed forces (active): 181,450 (6)

Memberships and forms of co-operation: G8 (1975), OECD (1962), CoE (1949), NATO (1949), EAPC, EU (1958), Observer to the Barents Euro-Arctic Council, RCC, CEI (1989).

26. Kazakhstan

Date of accession: January 1992

Scale of contributions: 0.36 per cent (28)

Area: 2,724,900 km² (4)

Population: 17,736,896 (14)

GDP per capita in international dollars at PPP rates: 14,100
GDP growth: 5 per cent (8)
Armed forces (active): 39,000 (19)
Memberships and forms of co-operation: EAPC, PfP (1994), CIS (1991), CSTO, Customs Union of Belarus, Kazakhstan and Russia, SCO.

27. Kyrgyzstan

Date of accession: January 1992
Scale of contributions: 0.05 per cent (49)
Area: 199,951 km² (21)
Population: 5,548,042 (30)
GDP per capita in international dollars at PPP rates: 2,400
GDP growth: -0.9 per cent (41)
Armed forces (active): 10,900 (39)
Memberships and forms of co-operation: EAPC, PfP (1994), CIS (1991), CSTO, SCO.

28. Latvia

Date of accession: September 1991
Scale of contributions: 0.19 per cent (33)
Area: 64,589 km² (35)
Population: 2,178,443 (44)
GDP per capita in international dollars at PPP rates: 18,600
GDP growth: 5.6 per cent (7)
Armed forces (active): 5,350 (47)
Memberships and forms of co-operation: CoE (1995), NATO (2004), EAPC, EU (2004), Baltic Assembly/Baltic Council of Ministers, CBSS (1992), RCC.

29. Liechtenstein

Date of accession: June 1973
Scale of contributions: 0.125 per cent (40)
Area: 160 km² (54)
Population: 37,009 (54)
GDP per capita in international dollars at PPP rates: 89,400¹⁴
GDP growth: -0.5 per cent¹⁵
Armed forces (active): none¹⁶
Memberships and forms of co-operation: CoE (1978), EU Association Agreement (1995), since 1923 Community of Law, Economy, and Currency with Switzerland.

¹⁴ 2009 (estimated).

¹⁵ 2009 (estimated).

¹⁶ In 1868, the armed forces were dissolved, see: <http://www.liechtenstein.li/index.php?id=60&L=1>.

30. Lithuania

Date of accession: September 1991

Scale of contributions: 0.19 per cent (33)

Area: 65,300 km² (34)

Population: 3,515,858 (40)

GDP per capita in international dollars at PPP rates: 22,000

GDP growth: 3.6 per cent (9)

Armed forces (active): 11,800 (38)

Memberships and forms of co-operation: CoE (1993), NATO (2004), EAPC, EU (2004), Baltic Assembly/Baltic Council of Ministers, CBSS (1992).

31. Luxembourg

Date of accession: June 1973

Scale of contributions: 0.47 per cent (27)

Area: 2,586 km² (51)

Population: 514,862 (50)

GDP per capita in international dollars at PPP rates: 81,100

GDP growth: 0.1 per cent (32)

Armed forces (active): 900 (51)

Memberships and forms of co-operation: OECD (1961), CoE (1949), NATO (1949), EAPC, EU (1958).

32. The Former Yugoslav Republic of Macedonia

Date of accession: October 1995

Scale of contributions: 0.125 per cent (40)

Area: 25,713 km² (47)

Population: 2,087,171 (45)

GDP per capita in international dollars at PPP rates: 10,800

GDP growth: -0.3 per cent (37)

Armed forces (active): 8,000 (44)

Memberships and forms of co-operation: CoE (1995), EAPC, PfP (1995), EU Candidate Country, RCC, CEFTA, CEI (1993), SEECP.

33. Malta

Date of accession: June 1973

Scale of contributions: 0.125 per cent (40)

Area: 316 km² (53)

Population: 411,277 (51)

GDP per capita in international dollars at PPP rates: 27,500

GDP growth: 0.8 per cent (25)

Armed forces (active): 1,950 (50)

Memberships and forms of co-operation: CoE (1965), EAPC, PfP (1995/2008¹⁷), EU (2004).

34. Moldova

Date of accession: January 1992

Scale of contributions: 0.05 per cent (49)

Area: 33,851 km² (43)

Population: 3,619,925 (39)

GDP per capita in international dollars at PPP rates: 3,500

GDP growth: -0.8 per cent (40)

Armed forces (active): 5,350 (47)

Memberships and forms of co-operation: CoE (1995), EU Association Agreement,¹⁸ EAPC, PfP (1994), CIS (1991), RCC, CEFTA, CEI (1996), SEECP, BSEC.

35. Monaco

Date of accession: June 1973

Scale of contributions: 0.125 per cent (40)

Area: 2.00 km² (56)

Population: 30,500 (56)

GDP per capita in international dollars at PPP rates: 70,700¹⁹

GDP growth: 5.1 per cent²⁰

Armed forces (active): none

Memberships and forms of co-operation: CoE (2004).

36. Mongolia

Date of accession: November 2012

Scale of contributions: 0.05 per cent (49)

Area: 1,564,116 km² (5)

Population: 3,226,516 (41)

GDP per capita in international dollars at PPP rates: 5,500

GDP growth: 12.3 per cent (1)

Armed forces (active): 10,000 (41)

Memberships and forms of co-operation: NATO Partners across the Globe, Observer State to the SCO.

17 Malta joined the PfP in April 1995, but suspended its participation in October 1996. Malta re-engaged in the Partnership for Peace Programme in 2008, see: <http://www.nato.int/docu/update/2008/04-april/e0403e.html>.

18 At the Eastern Partnership summit in Vilnius on 29 November 2013, the EU initialled Association Agreements with Georgia and the Republic of Moldova, cf. European Union External Action, *Fact Sheet*, cited above (Note 12).

19 2011.

20 2011 (estimated).

37. Montenegro

Date of accession: June 2006

Scale of contributions: 0.05 per cent (49)

Area: 13,812 km² (49)

Population: 653,474 (49)

GDP per capita in international dollars at PPP rates: 12,000

GDP growth: 0 per cent (33)

Armed forces (active): 2,080 (49)

Memberships and forms of co-operation: CoE (2007), EAPC, PfP (2006), EU Candidate Country, RCC, CEFTA, CEI (2006), SEECP.

38. Netherlands

Date of accession: June 1973

Scale of contributions: 4.36 per cent (9)

Area: 41,543 km² (41)

Population: 16,805,037 (15)

GDP per capita in international dollars at PPP rates: 42,900

GDP growth: -0.9 per cent (41)

Armed forces (active): 37,400 (20)

Memberships and forms of co-operation: OECD (1961), CoE (1949), NATO (1949), EAPC, EU (1958), Observer to the Barents Euro-Arctic Council.

39. Norway

Date of accession: June 1973

Scale of contributions: 2.05 per cent (15)

Area: 323,802 km² (15)

Population: 4,722,701 (35)

GDP per capita in international dollars at PPP rates: 55,900

GDP growth: 3 per cent (12)

Armed forces (active): 24,450 (25)

Memberships and forms of co-operation: OECD (1961), CoE (1949), NATO (1949), EAPC, EU Association Agreement (1996), Barents Euro-Arctic Council, Nordic Council (1952), CBSS (1992), RCC.

40. Poland

Date of accession: June 1973

Scale of contributions: 1.35 per cent (17)

Area: 312,685 km² (16)

Population: 38,383,809 (10)

GDP per capita in international dollars at PPP rates: 20,900

GDP growth: 2 per cent (16)

Armed forces (active): 96,000 (11)

Memberships and forms of co-operation: OECD (1996), CoE (1991), NATO (1999), EAPC, EU (2004), Observer to the Barents Euro-Arctic Council, CBSS (1992), RCC, CEI (1991).

41. Portugal

Date of accession: June 1973

Scale of contributions: 0.98 per cent (19)

Area: 92,090 km² (27)

Population: 10,799,270 (16)

GDP per capita in international dollars at PPP rates: 23,800

GDP growth: -3.2 per cent (52)

Armed forces (active): 42,600 (18)

Memberships and forms of co-operation: OECD (1961), CoE (1976), NATO (1949), EAPC, EU (1986).

42. Romania

Date of accession: June 1973

Scale of contributions: 0.6 per cent (23)

Area: 238,391 km² (19)

Population: 21,790,479 (13)

GDP per capita in international dollars at PPP rates: 13,000

GDP growth: 0.3 per cent (29)

Armed forces (active): 71,400 (12)

Memberships and forms of co-operation: CoE (1993), NATO (2004), EAPC, EU (2007), RCC, CEI (1996), SEECP, BSEC.

43. Russian Federation

Date of accession: June 1973

Scale of contributions: 6 per cent (6)

Area: 17,098,242 km² (1)

Population: 142,500,482 (2)

GDP per capita in international dollars at PPP rates: 18,000

GDP growth: 3.4 per cent (10)

Armed forces (active): 845,000 (2)

Memberships and forms of co-operation: G8 (1998), CoE (1996), EAPC, PfP (1994), NATO-Russia Council (2002), CIS (1991), CSTO, Barents Euro-Arctic Council, CBSS (1992), BSEC, Customs Union of Belarus, Kazakhstan and Russia, SCO.

44. San Marino

Date of accession: June 1973

Scale of contributions: 0.125 per cent (40)

Area: 61 km² (55)

Population: 32,448 (55)

GDP per capita in international dollars at PPP rates: 36,200²¹
GDP growth: -4 per cent (53)
Armed forces (active): none
Memberships and forms of co-operation: CoE (1988).

45. Serbia

Date of accession: November 2000²²
Scale of contributions: 0.14 per cent (39)
Area: 77,474 km² (31)
Population: 7,243,007 (27)
GDP per capita in international dollars at PPP rates: 10,600
GDP growth: -1.8 per cent (47)
Armed forces (active): 28,150 (23)
Memberships and forms of co-operation: CoE (2003), EAPC, PfP (2006), EU Candidate Country, RCC, CEFTA, CEI (1989/2000), SEECP, BSEC.

46. Slovakia

Date of accession: January 1993
Scale of contributions: 0.28 per cent (30)
Area: 49,035 km² (38)
Population: 5,488,339 (31)
GDP per capita in international dollars at PPP rates: 24,600
GDP growth: 2 per cent (16)
Armed forces (active): 15,850 (35)
Memberships and forms of co-operation: OECD (2000), CoE (1993), NATO (2004), EAPC, EU (2004), RCC, CEI (1990/1993).

47. Slovenia

Date of accession: March 1992
Scale of contributions: 0.22 per cent (32)
Area: 20,273 km² (48)
Population: 1,992,690 (46)
GDP per capita in international dollars at PPP rates: 28,700
GDP growth: -2.3 per cent (49)
Armed forces (active): 7,600 (45)
Memberships and forms of co-operation: OECD (2010), CoE (1993), NATO (2004), EAPC, EU (2004), RCC, CEI (1992), SEECP.

48. Spain

Date of accession: June 1973
Scale of contributions: 4.58 per cent (8)
Area: 505,370 km² (9)

21 2009.

22 Yugoslavia was suspended from 7 July 1992 to 10 November 2000.

Population: 47,370,542 (8)
GDP per capita in international dollars at PPP rates: 31,100
GDP growth: -1.4 per cent (44)
Armed forces (active): 135,500 (9)
Memberships and forms of co-operation: OECD (1961), CoE (1977), NATO (1982), EAPC, EU (1986), RCC.

49. Sweden

Date of accession: June 1973
Scale of contributions: 3.24 per cent (10)
Area: 450,295 km² (11)
Population: 9,119,423 (23)
GDP per capita in international dollars at PPP rates: 41,900
GDP growth: 1.2 per cent (22)
Armed forces (active): 20,500 (32)
Memberships and forms of co-operation: OECD (1961), CoE (1949), EAPC, PfP (1994), EU (1995), Barents Euro-Arctic Council, Nordic Council (1952), CBSS (1992), RCC.

50. Switzerland

Date of accession: June 1973
Scale of contributions: 2.81 per cent (12)
Area: 41,277 km² (42)
Population: 7,996,026 (25)
GDP per capita in international dollars at PPP rates: 46,200
GDP growth: 1 per cent (23)
Armed forces (active): 23,100 (28)
Memberships and forms of co-operation: OECD (1961), CoE (1963), EAPC, PfP (1996), EU Association Agreement (rejected by referendum), RCC.

51. Tajikistan

Date of accession: January 1992
Scale of contributions: 0.05 per cent (49)
Area: 143,100 km² (22)
Population: 7,910,041 (26)
GDP per capita in international dollars at PPP rates: 2,300
GDP growth: 7.5 per cent (4)
Armed forces (active): 8,800 (43)
Memberships and forms of co-operation: EAPC, PfP (2002), CIS (1991), CSTO, SCO.

52. Turkey

Date of accession: June 1973
Scale of contributions: 1.01 per cent (18)

Area: 783,562 km² (6)
Population: 80,694,485 (4)
GDP per capita in international dollars at PPP rates: 15,200
GDP growth: 2.6 per cent (13)
Armed forces (active): 510,600 (3)
Memberships and forms of co-operation: OECD (1961), CoE (1949), NATO (1952), EAPC, EU Candidate Country, RCC, SEECP, BSEC, SCO Dialogue Partner.

53. Turkmenistan

Date of accession: January 1992
Scale of contributions: 0.05 per cent (49)
Area: 488,100 km² (10)
Population: 5,113,040 (33)
GDP per capita in international dollars at PPP rates: 8,900
GDP growth: 11 per cent (2)
Armed forces (active): 22,000 (30)
Memberships and forms of co-operation: EAPC, PfP (1994), CIS (1991).

54. Ukraine

Date of accession: January 1992
Scale of contributions: 0.68 per cent (22)
Area: 603,550 km² (8)
Population: 44,573,205 (9)
GDP per capita in international dollars at PPP rates: 7,500
GDP growth: 0.2 per cent (30)
Armed forces (active): 129,950 (10)
Memberships and forms of co-operation: CoE (1995), EAPC, PfP (1994), NATO-Ukraine Charter/NATO-Ukraine Commission (1997), CIS (1991), Observer to the CEI (1996), BSEC.

55. United Kingdom

Date of accession: June 1973
Scale of contributions: 9.35 per cent (2)
Area: 243,610 km² (18)
Population: 63,395,574 (6)
GDP per capita in international dollars at PPP rates: 37,500
GDP growth: 0.2 per cent (30)
Armed forces (active): 165,650 (7)
Memberships and forms of co-operation: G8 (1975), OECD (1961), CoE (1949), NATO (1949), EAPC, EU (1973), Observer to the Barents Euro-Arctic Council, RCC.

56. USA

Date of accession: June 1973

Scale of contributions: 11.5 per cent (1)

Area: 9,826,675 km² (3)

Population: 316,668,567 (1)

GDP per capita in international dollars at PPP rates: 50,700

GDP growth: 2.2 per cent (14)

Armed forces (active): 1,520,100 (1)

Memberships and forms of co-operation: G8 (1975), OECD (1961), NATO (1949), EAPC, Observer to the Barents Euro-Arctic Council, RCC, NAFTA.

57. Uzbekistan

Date of accession: January 1992

Scale of contributions: 0.35 per cent (29)

Area: 447,400 km² (12)

Population: 28,661,637 (12)

GDP per capita in international dollars at PPP rates: 3,600

GDP growth: 8.2 per cent (3)

Armed forces (active): 48,000 (16)

Memberships and forms of co-operation: EAPC, PfP (1994), CIS (1991), SCO.

Sources:

Date of accession:

<http://web.archive.org/web/20100826040207/http://www.osce.org/about/13131.html>

Scale of contributions:

OSCE, decision of the Permanent Council, PC.DEC/1027 Annex, 22 December 2011. <http://www.osce.org/pc/86722>

Area:

https://www.cia.gov/library/publications/the-world-factbook/rankorder/rawdata_2147.txt

Population:

(estimated as of July 2013) https://www.cia.gov/library/publications/the-world-factbook/rankorder/rawdata_2119.txt

GDP per capita in international dollars at PPP rates:

(estimated as of 2012, unless stated to the contrary)

<https://www.cia.gov/library/publications/the-world-factbook/rankorder/2004rank.html>

GDP growth:
(estimated as of 2012, unless stated to the contrary)
<https://www.cia.gov/library/publications/the-world-factbook/rankorder/2003rank.html>

Armed forces (active):
International Institute for Strategic Studies (ed.), The Military Balance 2013, London 2013

OSCE Conferences, Meetings, and Events 2012/2013

2012

3-5 September	Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA)/UNODC/Stolen Asset Recovery Initiative (StAR) of the World Bank: Regional Seminar on Identifying, Restraining and Recovering Stolen Assets in the OSCE Region, Vienna
6 September	Office of Democratic Institutions and Human Rights (ODIHR)/UNESCO/Council of Europe: Roundtable Meeting on "Countering Intolerance against Muslims through Education for Societies in Transition", Vienna
6-7 September	OSCE Secretariat, Gender Section: Women as agents of change in migrant, minority, and Roma and Sinti communities, Vienna
12-14 September	OCEEA/OSCE Chairmanship: 20th Economic and Environmental Forum, Prague
13-14 September	OSCE Academy in Bishkek/Geneva Centre for Security Policy (GCSP)/Norwegian Institute of International Affairs (NUPI)/Near East South Asia Centre for Strategic Studies: Central Asia 2012 seminar, Bishkek
19-21 September	OSCE, Oil & Gas Critical Infrastructure & Asset Security Forum 2012, Vienna
20-21 September	Representative on Freedom of the Media (RFOM)/OSCE Mission to Serbia: Second OSCE South East Europe media conference, Belgrade
24 Sept. – 5 Oct.	ODIHR: Human Dimension Implementation Meeting, Warsaw
24-28 September	OCEEA/UNDP Afghanistan/Turkish Small and Medium Enterprises Development Organization/World Fair Trade Organization: Training programme on business management for women from Afghanistan, Tajikistan, and Azerbaijan, Istanbul
27-28 September	OSCE Mission to Skopje/French Embassy in Skopje: Third and final regional workshop against trafficking in children, Skopje
3-5 October	OSCE Centre in Astana/OSCE Conflict Prevention Centre (CPC)/Ministry of Defence of Kazakhstan: Seminar on the implementation of the OSCE Code of Conduct on politico-military aspects of security in Central Asia, Astana

5-7 October	OSCE Parliamentary Assembly: Fall Meeting, Tirana
11-12 October	RFOM: Ninth OSCE South Caucasus Media Conference – From traditional to online media: best practices and perspectives, Tbilisi
11-12 October	OSCE: Twelfth High-level Alliance against Trafficking in Persons conference “An Agenda for Prevention of Human Trafficking: Non-Discrimination and Empowerment”, Vienna
16-17 October	OCEEA: 2012 OSCE Economic and Environmental Implementation Meeting, Vienna
22 October	OSCE Secretariat, Gender Section/ODIHR: Expert roundtable on enhancing the role of women in conflict mediation, Vienna
23 October	OSCE Centre in Astana/Kazakhstan Institute for Strategic Studies/Foreign Ministry of Kazakhstan: International Conference: “The OSCE Astana Declaration: Towards a Security Community”, Astana
29-31 October	ODIHR: 2012 Expert Forum on Criminal Justice for Central Asia, Almaty
30-31 October	Secretariat, External Co-operation Section: 2012 OSCE Mediterranean Conference, Rome
7 November	ODIHR/OSCE Chairmanship: Civil Society Forum on Freedom of Assembly and Association, Vienna
8-9 November	OSCE Chairmanship/ODIHR: Supplementary Human Dimension Meeting on Freedom of Assembly and Association, Vienna
12-13 November	OSCE Secretariat, Transnational Threats Department/ Action against Terrorism Unit (TNTD/ATU): Conference on “Strengthening Regional Co-operation, Criminal-Justice Institutions and Rule-of-Law Capacities to Prevent and Combat Terrorism and Radicalization that Leads to Terrorism”, Vienna
15-16 November	OSCE Project Co-ordinator in Ukraine jointly with Lviv City Council: International Forum on e-Governance, Lviv
19 November	ODIHR/Taskforce for International Co-operation on Holocaust Education, Remembrance and Research: Roundtable discussion on exploring the relationship between education on the Holocaust and education to combat anti-Semitism, Berlin
24-25 November	ODIHR: Training for civil society on countering hate crimes against Muslims, Berlin
6-7 December	OSCE Chairmanship: 19th OSCE Ministerial Council, Dublin

6-7 December	OSCE Office in Baku: International conference on enhancing co-operation to combat human trafficking and forced labour, Baku
18 December	OSCE, Workshop “Towards a Strategy for Reconciliation in the OSCE Area”, Vienna
18 December	ODIHR: Workshop for civil society on anti-Semitic hate crimes in the OSCE region, Warsaw
<i>2013</i>	
1 January	Ukraine takes over the OSCE Chairmanship from Ireland. Leonid Kozhara, Ukraine’s Minister of Foreign Affairs becomes Chairperson-in-Office
4-5 February	OSCE Chairmanship 2013/OCEEA: First Preparatory Meeting of the 21st OSCE Economic and Environmental Forum on “Increasing stability and security: Improving the environmental footprint of energy-related activities in the OSCE region”, Vienna
8 February	OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings: Seminar on “Co-operation to Prevent Trafficking in Human Beings in the Mediterranean Region”, Rome
14-15 February	RFOM: Conference “Internet 2013 – Shaping Policies to Advance Media Freedom”, Vienna
20-21 February	ODIHR: Training for OSCE field staff on freedom of religion or belief, Warsaw
21-22 February	OSCE Parliamentary Assembly: Winter Meeting, Vienna
26-27 February	OSCE Secretariat, Gender Section/Danish Centre for Information on Gender, Equality and Diversity: Establishing Mentoring Networks in the OSCE Region, Belgrade
12 March	OSCE: 2013 OSCE Security Days – International Community Engagement with Afghanistan and Central Asian States – Challenges, Synergies, Possible Responses and the OSCE Role, Vienna
18-19 March	OSCE/Australia’s Department of Foreign Affairs and Trade: OSCE-Australia Conference on Improving the Security of Women and Girls, Adelaide
16-17 April	OSCE Chairmanship/OCEEA: Second Preparatory Meeting of the 21st OSCE Economic and Environmental Forum on “Increasing stability and security: Improving the environmental footprint of energy-related activities in the OSCE region”, Kyiv

25-26 April	OSCE Chairmanship/ODIHR: Supplementary Human Dimension Meeting on Freedom of Movement and Human Contacts, Vienna
2 May	OSCE Secretariat: OSCE Talks 2013: Cultural diplomacy in a global digital age, Istanbul
3-4 May	ODIHR: Regional training for civil society representatives on hate crimes against Muslims, Copenhagen
13-15 May	OSCE Chairmanship/RFOM/ODIHR: Human Dimension Seminar on the Media Freedom Legal Framework, Warsaw
14-15 May	Council of Europe/United Nations/OSCE/League of Arab States: Joint International Conference on the Use of Special Investigation Techniques to Combat Terrorism and Other Forms of Serious Crime, Strasbourg
21-22 May	OSCE Chairmanship: High-Level Conference on Tolerance and Non-discrimination (Including Human Rights Youth Education on Tolerance and Non-discrimination), Tirana
23-24 May	OSCE/INTERPOL/UNODC/UNODA: Inaugural conference on tracing illicit small arms and light weapons in the OSCE area, Vienna
5 June	TNTD/ATU: Roundtable on the Terrorist Bombings Convention, Sarajevo
10-11 June	OSCE Chairmanship: High-Level Conference “Strengthening the OSCE Response to Trafficking in Human Beings”, Kyiv
17-18 June	OSCE: 2013 OSCE Security Days, Vienna
19-20 June	OSCE: 2013 Annual Security Review Conference, Vienna
25-26 June	Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings: 13th High-level Alliance against Trafficking in Persons conference “Stolen Lives, Stolen Money: The Price of Modern-Day Slavery”, Vienna
27-28 June	RFOM: Central Asia Media Conference, Bishkek
29 June – 3 July	OSCE Parliamentary Assembly: 22nd Annual Session, Istanbul
1-2 July	ODIHR: Policing assemblies in compliance with OSCE commitments: An exchange of lessons learned, Vienna
3-5 July	OCEEA: Aarhus Centres: A Decade of Partnership in Implementing the Aarhus Convention, Vienna
5 July	ODIHR/UNESCO/Council of Europe: Challenging anti-Muslim Prejudice and Promotion of Mutual Understanding in Multicultural Societies through Education, Strasbourg

11 July	ODIHR: Expert roundtable on regulation of operations of internationally affiliated NGOs and NGO access to foreign funding, Vienna
11-12 July	OSCE Chairmanship/ODIHR: Supplementary Human Dimension Meeting on the Rule of Law in the Promotion and Protection of Human Rights, Vienna

OSCE Selected Bibliography 2012/2013

Documents

- Fond Mjedia Konsalt/OSCE Centre in Bishkek*, Final Report. Monitoring and Content Analysis of Ethical Standards in Print and Online Media of Kyrgyzstan, Reporting Period: 15 March - 15 December 2012 (nine Months), Bishkek 2012.
- ODIHR*, Annual Report 2012, Warsaw 2013.
- ODIHR*, Background Study: Professional and Ethical Standards for Parliamentarians, Warsaw 2012.
- ODIHR*, Guidelines on Human Rights Education for Law Enforcement Officials, Warsaw 2012.
- ODIHR*, Guidelines on Human Rights Education for Secondary School Systems, Warsaw 2012.
- ODIHR*, Handbook for National Human Rights Institutions on Women's Rights and Gender Equality, Warsaw 2012.
- ODIHR*, Hate Crimes in the OSCE Region: Incidents and Responses, Annual Report for 2011, Warsaw 2012.
- ODIHR*, Holocaust Memorial Day in the OSCE Region. An Overview of Governmental Practice, Warsaw 2012.
- ODIHR*, Human Dimension Implementation Meeting, Consolidated Summary, Warsaw, 24 September - 5 October 2012, Warsaw 2012.
- ODIHR*, Legal Digest of International Fair Trial Rights, Warsaw 2012.
- ODIHR*, Monitoring of Freedom of Peaceful Assembly in Selected OSCE Participating States (May 2011 - June 2012), Report, Warsaw 2012.
- ODIHR*, ODIHR Report on the Regional Expert Roundtable on Legal Aid in Criminal Proceedings in Central Asia, 15-16 May 2013, Bishkek, Kyrgyzstan, Warsaw 2013.
- ODIHR*, Opinion on Selected Issues Regarding the Admissibility of Appeals to the Cassation Court of the Republic of Armenia, Warsaw 2012.
- ODIHR*, Opinion on the Draft Law of the Kyrgyz Republic on the State Population Register and Draft Amendments to Related Legislation, Warsaw 2012.
- ODIHR*, Opinion on the Draft Law of the Republic of Moldova on the Disciplinary Responsibilities of Judges, Warsaw 2012.
- ODIHR*, Opinion on the Draft Criminal Procedure Code of the Republic of Armenia, Warsaw 2013.
- ODIHR*, Opinion on the Draft Law of the Kyrgyz Republic on Forensic Examination, Warsaw 2013.

- ODIHR, OSCE Human Dimension Seminar. Media Freedom Legal Framework, Consolidated Summary, Warsaw, 13-15 May 2013, Warsaw 2013, ODIHR.GAL/57/13.
- ODIHR, Supplementary Human Dimension Meeting, Democratic Elections and Election Observation, 12-13 July 2012, Vienna, Final Report, Vienna 2012, PC.SHDM.GAL/10/12.
- ODIHR, Supplementary Human Dimension Meeting, Freedom of Assembly and Association, 8-9 November 2012, Vienna, Final Report, Vienna 2012, PC.SHDM.GAL/15/12.
- ODIHR, Training Against Hate Crimes for Law Enforcement, Programme Description, [Warsaw 2012].
- ODIHR, Trial Monitoring. A Reference Manual for Practitioners, Rev. Ed., Warsaw 2012.
- ODIHR, Youth Engagement to Counter Violent Extremism and Radicalization that Lead to Terrorism. Joint Expert Roundtable of the OSCE Transnational Threats Department and the OSCE Office for Democratic Institutions and Human Rights, 23 and 24 October 2012, Vienna, Report on Findings and Recommendations, Warsaw 2013, ODIHR.GAL/47/13.
- ODIHR/OSCE, *Chairman-in-Office*, Civil Society Forum on Freedom of Assembly and Association, 7 November 2012, Hofburg, Vienna, Final Report, Vienna 2012, PC.SHDM.GAL/16712.
- ODIHR/Council of Europe, *Venice Commission*, Joint Opinion on the Law on Freedom of Religious Belief of the Republic of Azerbaijan, Adopted by the Venice Commission at Its 92nd Plenary Session (12-13 October 2012), Strasbourg 2012.
- ODIHR/Council of Europe, *Venice Commission*, Joint Opinion on Draft Amendments and Addenda to the Law “On Elections to the Regional, District and City Councils (Kengesh) of People’s Deputies of Uzbekistan”, Adopted by the Venice Commission at Its 93rd Plenary Session (Venice, 14-15 December 2012), Strasbourg 2012.
- ODIHR/Council of Europe, *Venice Commission*, Joint Opinion on Draft Legislation of the Republic of Moldova Pertaining to Financing Political Parties and Election Campaigns, Adopted by the Council for democratic Elections at Its 44th Meeting (Venice, 7 March 2013) and by the Venice Commission at Its 94th Plenary Session (Venice, 8-9 March 2013), Strasbourg 2013.
- ODIHR/UN Women, National Conference Socio-Economic Inclusion of Women from Migrant Households in Tajikistan, Dushanbe, Republic of Tajikistan, 12-13 September 2012, [Warsaw 2012].
- OSCE, Preparing for Peace. Communications in Conflict Resolution, OSCE Talks, Vienna 2012.

- OSCE, The Secretary General's Annual Evaluation Report on the Implementation of the 2004 OSCE Action Plan for the Promotion of Gender Equality*, Vienna 2012.
- OSCE, Workshop on "Towards a Strategy for Reconciliation in the OSCE Area". Key Issues and Recommendations*, Vienna, 18 December 2012, Vienna 2013, SEC.GAL/243/12/Corr.1.
- OSCE, Forum for Security Co-operation, The Continuing Implementation of the OSCE Document on Small Arms and Light Weapons. FSC Chairperson's Progress Report to the Nineteenth Meeting of the Ministerial Council*, Dublin 2012, MC.GAL/5/12.
- OSCE, Forum for Security Co-operation, The Continuing Implementation of the OSCE Document on Stockpiles of Conventional Ammunition. FSC Chairperson's Progress Report to the Nineteenth Meeting of the Ministerial Council*, Dublin 2012, MC.GAL/6/12.
- OSCE, Forum for Security Co-operation, Efforts in the Field of Arms Control Agreements and Confidence- and Security-Building Measures. FSC Chairperson's Progress Report to the Nineteenth Meeting of the Ministerial Council*, Dublin 2012, MC.GAL/4/12.
- OSCE, Forum for Security Co-operation, Efforts to Improve Further the Implementation of the Code of Conduct on Politico-Military Aspect of Security. FSC Chairperson's Progress Report to the Nineteenth Meeting of the Ministerial Council*, Dublin 2012, MC.GAL/3/12.
- OSCE, Forum for Security Co-operation, Efforts to Support Implementation of United Nations Security Council Resolution 1540 (2004) in the OSCE Region. FSC Chairperson's Progress Report to the Nineteenth Meeting of the Ministerial Council*, Dublin 2012, MC.GAL/7/12.
- OSCE, High Commissioner on National Minorities, The Ljubljana Guidelines on Integration of Diverse Societies & Explanatory Note*, The Hague 2012.
- OSCE, Ministerial Council, Nineteenth Meeting of the Ministerial Council, 6 and 7 December 2012, Dublin 2012, Statements and Declarations by the Ministerial Council, Decisions of the Ministerial Council, Statements by Delegations, Reports to the Ministerial Council*, Dublin 2012.
- OSCE, Mission in Kosovo, An Assessment of the Voluntary Returns Process in Kosovo*, [Pristina] 2012.
- OSCE, Mission in Kosovo, Fair Trial Rights in Election Related Cases*, [Pristina] 2012.
- OSCE, Mission in Kosovo, Co-operation of the Assembly of Kosovo with Civil Society*, [Pristina] 2013.
- OSCE, Mission in Kosovo, The Implementation of Civil Service Legislation in Kosovo*, [Pristina] 2013.
- OSCE, Mission in Kosovo, Monitoring Report of the Performance of the Assembly of Kosovo*, [Pristina] 2013.

- OSCE, Mission in Kosovo*, Representation of Communities in the Civil Service in Kosovo, [Pristina] 2013.
- OSCE/ODIHR*, Women and Terrorist Radicalization, Joint OSCE Secretariat/OSCE ODIHR Expert Roundtables on Preventing Women Terrorist Radicalization, Vienna, 12 December 2011, and The Role and Empowerment of Women in Countering Violent Extremism and Radicalization that Lead to Terrorism, Vienna, 12 and 13 March 2012, Final Report, Vienna 2012, SEC.GAL/218/12.
- OSCE, Office in Baku*, Trial Monitoring Report Azerbaijan 2011, Baku 2013.
- OSCE, Office in Yerevan*, Creating a Probation Service in the Republic of Armenia: Issues and Peculiarities, a Baseline Study (Summary Version), Yerevan 2012.
- OSCE, Office of the Co-ordinator of OSCE Economic and Environmental Activities*, Activity Report 2011-12, Vienna 2012.
- OSCE, Office of the Co-ordinator of OSCE Economic and Environmental Activities*, OSCE Handbook on Data Collection in Support of Money Laundering and Terrorism Financing National Risk Assessments, Vienna 2012.
- OSCE, Office of the Co-ordinator of OSCE Economic and Environmental Activities*, 21st Economic and Environmental Forum “Increasing Stability and Security: Improving the Environmental Footprint of Energy-Related Activities in the OSCE Region”. First Preparatory Meeting, Vienna, 4-5 February 2013, Consolidated Summary, Vienna 2013, EEFGAL/8/13.
- OSCE, Office of the Secretary General, Section for External Co-operation*, 2012 OSCE Mediterranean Conference on “Economic Co-operation with Mediterranean Partners in the Democratic Transition Processes and Political Reforms”, Rome, Italy, 30 and 31 October 2012, Consolidated Summary, [Vienna] 2012, SEC.GAL/240/12.
- OSCE, Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings*, Combating Trafficking as Modern-Day Slavery: A Matter of Non-Discrimination and Empowerment. 2012 Annual Report of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings Presented to the Permanent Council, 13 December 2012, Vienna 2012, SEC.GAL/229/12.
- OSCE, Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings*, Policy and Legislative Recommendations towards the Effective Implementation of the Non-Punishment Provision with Regard to Victims of Trafficking, Vienna 2013.
- OSCE, Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings*, Trafficking in Human Beings for the Purpose of Organ Removal in the OSCE Region. Analysis and Findings, Vienna 2013.

- OSCE, Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings/Ludwig Boltzmann Institute of Human Rights/Helen Bamber Foundation, Trafficking in Human Beings Amounting to Torture and Other Forms of Ill-Treatment. Part I: Trafficking in Human Beings Amounting to Torture and Other Forms of Ill-Treatment – Legal Analysis, Part II: Clinical Links between Human Trafficking and Torture, Vienna 2013.*
- OSCE, Parliamentary Assembly, Humanitarian Crisis in Syria. A Special Report on the Impact of the Syrian Refugees in Turkey and the OSCE Region, Copenhagen 2012.*
- OSCE, Prague Office, OSCE New Releases 2012, October - December, Prague 2012.*
- OSCE, Prague Office, OSCE New Releases 2013, November 2012 - January 2013, Prague 2013.*
- OSCE, Prague Office, OSCE New Releases 2012, January - December, Prague 2013.*
- OSCE, Prague Office, OSCE New Releases 2013, Mid-January - May, Prague 2013.*
- OSCE, Prague Office, OSCE New Releases 2013, May - September, Prague 2013.*
- OSCE, Representative on Freedom of the Media, Commitments: Freedom of the Media, Freedom of Expression, Free Flow of Information, Conference on Security and Co-operation in Europe (CSCE) and Organization for Security and Co-operation in Europe (OSCE), 1975-2012, 2nd Edition, Vienna 2013.*
- OSCE, Representative on Freedom of the Media, The Online Media Self-Regulation Guidebook, Vienna 2013.*
- OSCE, Secretariat, Security Community: the OSCE Magazine, Vienna 2013.*
- OSCE Secretariat, Transnational Threats Department, Action against Terrorism Unit, Good Practices Guide on Non-Nuclear Critical Energy Infrastructure Protection (NNCEIP) from Terrorist Attacks Focusing on Threats Emanating from Cyberspace, Vienna 2013.*
- OSCE, Secretariat, Transnational Threats Department, Strategic Police Matters Unit, Report on OSCE Activities in the Fight against Organized Crime in 2011, Vienna 2012.*
- OSCE, Secretariat, Conflict Prevention Centre, Developing Guidance for Effective Mediation. Consultation with Regional, Subregional and other International Organizations, Jeddah, 3-4 April 2012, Vienna 2012.*
- OSCE, Secretariat, Conflict Prevention Centre, Survey of OSCE Field Operations, Vienna 2012, SEC.GAL/207/12.*
- OSCE, Secretariat, Conflict Prevention Centre, Survey of OSCE Field Operations, Vienna 2013, SEC.GAL/83/13.*

- OSCE, *Secretariat, Transnational Threats Department, Action against Terrorism Unit*, Status in the OSCE Area of the Universal Anti-Terrorism Conventions and Protocols as well as Other International and Regional Legal Instruments Related to Terrorism and Co-operation in Criminal Matters, Vienna 2013.
- OSCE, *Secretary General*, Annual Report 2012. Building Trust, Vienna 2013.
- United States, Congress, *Commission on Security and Cooperation in Europe (U.S. Helsinki Commission)*, Briefing: Assessing Ukraine's Parliamentary Elections, November 20, 2012 [Washington] 2012 (Unofficial Transcript).
- United States, Congress, *Commission on Security and Cooperation in Europe (U.S. Helsinki Commission)*, Briefing: The New Silk Road Strategy: Implications for Economic Development in Central Asia, July 31, 2013 [Washington] 2013 (Unofficial Transcript).
- United States, Congress, *Commission on Security and Cooperation in Europe (U.S. Helsinki Commission)*, Briefing: Troubled Partner: Growing Authoritarianism in Azerbaijan, July 16, 2013, [Washington] 2013 (Unofficial Transcript).
- United States, Congress, *Commission on Security and Cooperation in Europe (U.S. Helsinki Commission)*, Hearing: The Trajectory of Democracy – Why Hungary Matters, March 19, 2013 [Washington] 2013 (Unofficial Transcript).
- United States, Congress, *Commission on Security and Cooperation in Europe (U.S. Helsinki Commission)*, Hearing: Ukraine's Leadership of the OSCE, May 8, 2013, [Washington] 2013 (Unofficial Transcript).

Monographs and Anthologies

- Åkermark, Sia Spiliopoulou/Arie Bloed/Rainer Hofmann/Joseph Marko/James Mayall/John Packer/Marc Weller (eds), *European Yearbook of Minority Issues*. Volume 9, 2010, Leiden 2012.
- Benedek, Wolfgang/Florence Benoit-Rohmer/Wolfram Karl/Matthias C. Kettemann/Manfred Nowak (eds), *European Yearbook on Human Rights* 2013, Antwerp 2013.
- Basic, Milos, *Citizens' Views on Media Freedoms in Montenegro*, Report, Montenegro 2012.
- Boonstra, Jos/Erica Marat/Vera Axyonova, *Security Sector Reform in Kazakhstan, Kyrgyzstan and Tajikistan: What Role for Europe?* EUCAM Working Paper 14, Madrid 2013.
- Boonstra, Jos/Natalia Shapovalova, *Thinking Security, Doing Development? The Security-Development Nexus in European Policies towards Tajikistan*, EUCAM Working Paper 12, Madrid 2012.

- Centre for OSCE Research (ed.)*, Annual Report 2012, Hamburg 2012.
- Faafeng, Jo/Maya Goldstein/Ama Kraja/Fiorentina Azizi*, Towards Justice. Analysis of Civil Proceedings in the District Courts, Tirana 2012.
- Fischer, Thomas*, Keeping the Process Alive: The N+N and the CSCE Follow-Up from Helsinki to Vienna (1975-1986), *Zürcher Beiträge zur Sicherheitspolitik* 84, Zurich 2012.
- Fjæstad, Kristin/Indra Øverland*, Norway and Central Asia, European National Policies Series 16, Madrid 2013.
- International Crisis Group (ed.)*, Abkhazia: The Long Road to Reconciliation, Europe Report 224, Brussels 2013.
- International Crisis Group (ed.)*, Armenia and Azerbaijan: A Season of Risks, Europe Briefing 71, Baku 2013.
- International Crisis Group (ed.)*, Kazakhstan: Waiting for Change, Asia Report 250, Bishkek 2013.
- International Crisis Group (ed.)*, The North Caucasus: The Challenges of Integration (III), Governance, Elections, Rule of Law, Europe Report 226, Moscow 2013.
- Laruelle, Marlene/Sebastien Peyrouse/Vera Axyonova*, The Afghanistan-Central Asia Relationship: What Role for the EU? EUCAM Working Paper 13, Madrid 2013.
- Lewis, James Andrew/Götz Neuneck*, The Cyber Index. International Security Trends and Realities, UNIDIR 2013/3, New York 2013.
- Malloy, Tove H. (ed.)*, Minority Issues in Europe: Rights, Concepts, Policy, Berlin 2013.
- Marat, Erica*, Security Sector Reform in Central Asia, DCAF Regional Programmes Series 13, Geneva 2012.
- Möckli, Daniel*, The OSCE and Conventional Arms Control in Europe: Towards a Double Relaunch, ISN Blog, 17 September 2012, Zurich 2012.
- Möller, Christian/Mike Stone (eds)*, 2013 Social Media Guidebook, Vienna 2013.
- Pavlyuk, Oleksandr/Alexander Vinnikov (eds)*, Supporting the Arab Spring. How the OSCE Can Help Democratic Transition in the MENA Region, Security and Human Rights 3/2012, Special Issue, Leiden 2012.
- Peter, Matthias/Hermann Wentker (eds)*, Die KSZE im Ost-West-Konflikt. Internationale Politik und gesellschaftliche Transformation 1975-1990, Munich 2012.
- Richter, Wolfgang*, Sicherheitsgemeinschaft OSZE. Wie kann die Organisation für Sicherheit und Zusammenarbeit in Europa gestärkt werden? SWP-aktuell 17/2013, Berlin 2013.
- Riedel, Manuela*, Minderheitenschutz in EU-Erweiterungsprozessen. Normenförderung und Sicherheitsinteressen in den Verhandlungen mit den Staaten Mittel- und Osteuropa und Westbalkanländern, Studien zur Europäischen Union 8, Wiesbaden 2012.

- Rojansky, Matthew*, An Opportunity for Ambition, Ukraine's OSCE Chairmanship, Carnegie Papers, Russia and Eurasia 170, Washington, DC 2013.
- Schmidt, Hans-Joachim*, Verified Transparency. New Conceptual Ideas for Conventional Arms Control in Europe, PRIF Report 119, Frankfurt am Main 2013.
- Seibert-Fohr, Anja (ed.)*, Judicial Independence in Transition, Beiträge zum ausländischen öffentlichen Recht und Völkerrecht 233, Heidelberg 2012.
- Seifert, Arne C.*, Political Islam in Central Asia – Opponent or Democratic Partner? CORE Working Paper 25, Hamburg 2012.
- Snyder, Sarah B.*, Human Rights Activism and the End of the Cold War. A Transnational History of the Helsinki Network, Human Rights in History, Cambridge 2013.
- Zarifi, Hamrokhon*, Tajikistan and the OSCE Regional Security System, Dushanbe 2013.

Articles

- Abadjian, Vahram*, The OSCE and the Arab Spring: An Agenda for Action, in: Security and Human Rights 3/2012, pp. 237-244.
- Abela Hampel, Elizabeth*, The OSCE Mediterranean Partnership: A Durable and determined Dialogue? In: Security and Human Rights 3/2012, pp. 185-190.
- Anthony, Ian/Lina Grip*, Conventional Arms Control and Confidence- and Security-Building Measures in Europe, in: Stockholm International Peace Research Institute (ed.), SIPRI Yearbook 2013, Oxford 2013, pp. 406-410.
- Axyonova, Vera*, When Security Threatens Human Rights: Reviewing the Case of Central Asia, in: Security and Human Rights 2/2013, pp. 159-168.
- Bader, Max/Hans Schmeets*, The Problem of Selection Bias in OSCE Election Observation Methodology, in: Security and Human Rights 1/2013, pp. 1-15.
- Bakker, Edwin/Eelco Kessels*, The OSCE's Efforts to Counter Violent Extremism and Radicalization that Lead to Terrorism: A Comprehensive Approach Addressing Root Causes? In: Security and Human Rights 2/2012, pp. 89-99.
- Berndsen, Silke*, Über die KSZE zurück zur internationalen Staatengemeinschaft? Die Bedeutung der KSZE für das Streben der baltischen Staaten nach Wiederherstellung der staatlichen Unabhängigkeit 1972-1991, in: Matthias Peter/Hermann Wentker (eds), Die KSZE im Ost-West-Konflikt, Munich 2012, pp. 305-322.

- Bloed, Arie*, Chronicle: Smoldering Powder Kegs in OSCE Area, in: Security and Human Rights 2/2012, pp. 159-165.
- Bloed, Arie*, Chronicle: Ukraine at the Helm of the OSCE, in: Security and Human Rights 4/2012, pp. 357-360.
- Bloed, Arie*, OSCE Chronicle: OSCE's 'Community of Values' Endangered, in: Security and Human Rights 1/2013, pp. 101-106.
- Bloed, Arie*, OSCE Chronicle, in: Security and Human Rights 2/2013, pp. 211-214.
- Bokulić, Snežana/Omer Fisher*, ODIHR's Human Rights Monitoring: Observing Public Events and Supporting Freedom of Peaceful Assembly, in: Wolfgang Benedek/Florence Benoît-Rohmer/Wolfram Karl/Matthias C. Kettemann/Manfred Nowak (eds), European Yearbook on Human Rights 2013, Antwerp 2013, pp. 367-377.
- Busch, Andreas*, The Regulation of Transborder Data Traffic: Disputes Across the Atlantic, in: Security and Human Rights 4/2012, pp. 313-330.
- Churov, Vladimir/Igor Borisov/Igor Evlanov/Vladimir Lysenko*, On the United State's Observance of Citizen Voting Rights in the Presidential Election on November 6, 2012, in: International Affairs (Minneapolis, MN) 2/2013, pp. 65-84.
- Cogan, Frank*, Reflections on Ireland's Chairmanship in Office of the OSCE, 2012, in: Security and Human Rights 1/2013, pp. 17-27.
- Dehnert, Gunter*, Entspannung gegen das Volk – Sanktionen für das Volk? Die Solidarność nach Ausrufung des Kriegsrechts und die Nachfolgekonzferenz von Madrid, in: Matthias Peter/Hermann Wentker (eds), Die KSZE im Ost-West-Konflikt, Munich 2012, pp. 249-266.
- Eijkman, Quirine*, Security Versus Privacy: What is Europe Heading for? In: Security and Human Rights 4/2012, pp. 281-284.
- Eijkman, Quirine/Daan Weggemans*, Open Source Intelligence and Privacy Dilemmas: Is it Time to Reassess State Accountability? In: Security and Human Rights 4/2012, pp. 285-296.
- Feltes, Tilmann*, Youth and Democracy: The Promotion of Youth Participation by the International Community in Kosovo, in: Security and Human Rights 2/2013, pp. 195-209.
- Fouéré, Erwan*, Learning from the Past to Build Confidence for the Future, in: Security and Human Rights 2/2012, pp. 101-104.
- Frigerio, Alessandro/Nargis Kassenova*, Central Asia: Contemporary Security Challenges and Sources of State Resilience, in: Security and Human Rights 2/2013, pp. 123-135.
- Galbreath, David J.*, EU Enlargement and Minority Rights: A Regime in the Making, in: Sia Spiliopoulou Åkermark/Arie Bloed/Rainer Hofmann/Joseph Marko/James Mayall/John Packer/Marc Weller (eds), European

- Yearbook of Minority Issues. Volume 9, 2010, Leiden 2012, pp. 93-116.
- Galbreath, David J./Joanne McEvoy*, How Epistemic Communities Drive International Regimes – the Case of Minority Rights in Europe, in: *Journal of European Integration* 2/2013, pp. 169-186.
- Garrone, Pierre*, Minority Rights Questions Addressed by the Venice Commission in 2010, in: *Sia Spiliopoulou Åkermark/Arie Bloed/Rainer Hofmann/Joseph Marko/James Mayall/John Packer/Marc Weller* (eds), *European Yearbook of Minority Issues. Volume 9, 2010, Leiden 2012*, pp. 589-602.
- Ghali, Amine*, The Use and Misuse of Legitimacy During Democratic Transformation, in: *Security and Human Rights* 3/2012, pp. 227-231.
- Gilde, Benjamin*, Hüter des Dritten Korbes. Die humanitäre KSZE-Politik Österreichs in Belgrad und Madrid zwischen Bundeskanzler, Diplomaten und internationalen Spannungen, in: *Matthias Peter/Hermann Wentker* (eds), *Die KSZE im Ost-West-Konflikt*, Munich 2012, pp. 155-172.
- González Fuster, Gloria*, Security and the Future of Personal Data Protection in the European Union, in: *Security and Human Rights* 4/2012, pp. 331-342.
- Halbach, Uwe*, Afghanistan 2014: Shadows over Central Asia? In: *Security and Human Rights* 2/2013, pp. 137-148.
- Hanisch, Anja*, Zwischen sowjetischer Konzessionsbereitschaft und Ausreisebewegung. Die DDR und das Madrider KSZE-Folgetreffen 1980-1983, in: *Matthias Peter/Hermann Wentker* (eds), *Die KSZE im Ost-West-Konflikt*, Munich 2012, pp. 203-218.
- Hebel, Kai*, Die „Brückenbauer“? Großbritannien als transatlantischer Vermittler in der KSZE 1972-1978, in: *Matthias Peter/Hermann Wentker* (eds), *Die KSZE im Ost-West-Konflikt*, Munich 2012, pp. 99-120.
- Heyde, Veronika*, Nicht nur Entspannung und Menschenrechte. Die Entdeckung von Abrüstung und Rüstungskontrolle durch die französische KSZE-Politik, in: *Matthias Peter/Hermann Wentker* (eds), *Die KSZE im Ost-West-Konflikt*, Munich 2012, pp. 83-98.
- Homan, Kees*, CEBRI-Clingendael Conference in Brasilia on 29 May 2012, Challenges in Implementing the Responsibility to Protect: Understanding Coersive and Non-Coersive Action, in: *Security and Human Rights* 2/2012, pp. 105-113.
- İldem, Tacan*, The Arab Spring: Normalization of History, in: *Security and Human Rights* 3/2012, pp. 215-221.
- Ionescu, Mihael E.*, Romania's Special Position within the Eastern Bloc during the CSCE Follow-up Conferences of Belgrade and Madrid, in: *Matthias Peter/Hermann Wentker* (eds), *Die KSZE im Ost-West-Konflikt*, Munich 2012, pp. 137-153.

- Janeliūnas, Tomas*, The Lithuanian OSCE Chairmanship 2011: Ambitions and Results, in: Security and Human Rights 2/2012, pp. 115-128.
- Jarżabek, Wanda*, Troublesome Human Rights. The Polish Strategy between the Belgrade and Madrid CSCE Follow-up Conferences, in: Matthias Peter/Hermann Wentker (eds), Die KSZE im Ost-West-Konflikt, Munich 2012, pp. 121-135.
- Jenča, Miroslav*, The Concept of Preventive Diplomacy and Its Application by the United Nations in Central Asia, in: Security and Human Rights 2/2013, pp. 183-194.
- Jong, Ian de*, The Netherlands Helsinki Committee at 25: We Still Have Lots to Do, in: Security and Human Rights 4/2012, pp. 343-345.
- Keil, Soeren/Valery Perry*, The OSCE Mission in Bosnia and Herzegovina, Testing the Limits of Ownership, in: Nationalities Papers 3/2013, pp. 371-394.
- Kelin, Andrey*, Russia and the OSCE, in: International Affairs (Minneapolis, MN) 1/2013, pp. 89-99.
- Kemp, Walter*, Rumours of Canada's Departure: A Wake-Up Call for the OSCE, in: Security and Human Rights 2/2012, pp. 87-88.
- Khan, Wasima*, Corporate Power and the Protection of Human Rights in Equilibrium, in: Security and Human Rights 1/2013, pp. 29-42.
- Koubaa, Mohamed Samir*, Democratic Transition in Tunisia: A Rewarding Path, in: Security and Human Rights 3/2012, pp. 223-226.
- Kreikemeyer, Anna*, State, Criminality and Security in Central Asia: What do Eurasian Regional Organizations Contribute to Security and Peace, in: Security and Human Rights 2/2013, pp. 169-181.
- Kundnani, Arun*, Blind Spot? Security Narratives and Far-Right Violence, in: Security and Human Rights 2/2012, pp. 129-146.
- Lazovski, Aleksandar/Aleksandar Dimishkovski*, ODIHR's Activities against Discriminatory Practices in the Former Yugoslav Republic of Macedonia: A Case-Study of Roma Integration, in: Wolfgang Benedek/Florence Benoît-Rohmer/Wolfram Karl/Matthias C. Kettemann/Manfred Nowak (eds), European Yearbook on Human Rights 2013, Antwerp 2013, pp. 357-365.
- Loth, Wilfried*, Der KSZE-Prozess 1975-1990: eine Bilanz, in: Matthias Peter/Hermann Wentker (eds), Die KSZE im Ost-West-Konflikt, Munich 2012, pp. 323-331.
- Macnamara, Ronan*, Slavic Muslims: The Forgotten Minority of Macedonia, in: Security and Human Rights 4/2012, pp. 347-355.
- Maffucci-Hugel, Catherine/Zoltan Taubner*, The Council of Europe's Response to the Arab Spring, in: Security and Human Rights 3/2012, pp. 245-248.

- Makko, Aryo*, Das schwedische Interesse an Vertrauensbildenden Maßnahmen und Abrüstungsfragen, in: Matthias Peter/Hermann Wentker (eds), Die KSZE im Ost-West-Konflikt, Munich 2012, pp. 191-202.
- Malek, Martin*, Rahmenbedingungen von Verteidigung und Sicherheit in der Republik Moldau, in: Südosteuropa-Mitteilungen 5-6/2012, pp. 112-125.
- Marascalchi, Rita*, The OSCE Response to the Arab Spring and the Implications for the OSCE Mediterranean Partnership, in: Security and Human Rights 3/2012, pp. 175-183.
- Marsal, Stéphanie/Vincent de Graaf*, The Activities of the OSCE High Commissioner on National Minorities January 2010 to December 2010, in: Sia Spiliopoulou Åkermark/Arie Bloed/Rainer Hofmann/Joseph Marko/James Mayall/John Packer/Marc Weller (eds), European Yearbook of Minority Issues. Volume 9, 2010, Leiden 2012, pp. 603-619.
- McGonagle, Tarlach/Tom Moring*, Minorities and the Media: Present, Probing and Pressing Questions, in: Sia Spiliopoulou Åkermark/Arie Bloed/Rainer Hofmann/Joseph Marko/James Mayall/John Packer/Marc Weller (eds), European Yearbook of Minority Issues. Volume 9, 2010, Leiden 2012, pp. 369-376.
- Mihr, Anja*, Amnesty International, die Menschenrechte und der KSZE-Prozess. Der Fall der DDR, in: Matthias Peter/Hermann Wentker (eds), Die KSZE im Ost-West-Konflikt, Munich 2012, pp. 233-248.
- Muižnieks, Nils*, The Future of Human Rights Protection in Europe, in: Security and Human Rights 1/2013, pp. 43-48.
- Oliver, Spencer*, The Spirit of Helsinki in the Middle East and North Africa, in: Security and Human Rights 3/2012, pp. 199-203.
- Pavlyuk, Oleksandr/Alexander Vinnikov*, The OSCE and the Arab Spring: Two Years After, in: Security and Human Rights 3/2012, pp. 171-174.
- Peski, Caecilia J. van*, Good Cop, Bad Cop. Georgia's One Hundred Days of a New Democratic Dream, in: Security and Human Rights 1/2013, pp. 49-100.
- Peter, Matthias*, Sicherheit und Entspannung. Die KSZE-Politik der Bundesregierung in den Krisenjahren 1978-1981, in: Matthias Peter/Hermann Wentker (eds), Die KSZE im Ost-West-Konflikt, Munich 2012, pp. 59-81.
- Peter, Matthias/Hermann Wentker*, "Helsinki Mythos" oder "Helsinki-Effekt"? Der KSZE-Prozess zwischen internationaler Politik und gesellschaftlicher Transformation. Zur Einleitung, in: Matthias Peter/Hermann Wentker (eds), Die KSZE im Ost-West-Konflikt, Munich 2012, pp. 1-14.
- Petrovsky, Vladimir*, Russia, China and New International Security Architecture in Asia-Pacific, in: International Affairs (Minneapolis, MN) 2/2013, pp. 42-53.

- Prokopchuk, Ihor*, The OSCE Engagement with the Mediterranean Partners: Action-Oriented Co-operation in a New Context, in: Security and Human Rights 3/2012, pp. 205-209.
- Richter, Wolfgang*, Zur Rolle der OSZE für die Sicherheitskooperation in Europa, in: Zeitschrift für Außen- und Sicherheitspolitik 4/2012, pp. 645-661.
- Rojansky, Matthew*, From Bitter to Sweet. Historical Reconciliation: Mending the Rifts, in: Security Community 2/2013, pp. 16-21.
- Rosin, Philip*, Neutralität in der Menschenrechtsfrage? Die Schweiz in Belgrad und Madrid, in: Matthias Peter/Hermann Wentker (eds), Die KSZE im Ost-West-Konflikt, Munich 2012, pp. 173-189.
- Rotfeld, Adam Daniel/Ainars Lerhis/Ayscha Hamdani/Daniel Serwer*, Reconciliation: What does it Take? In: Security Community 2/2013, pp. 22-27.
- Saal, Yuliya von*, Die Folgen des KSZE-Prozesses in der Sowjetunion der Perestroika. Der KSZE-Faktor in der Eigendynamik des Wertewandels, in: Matthias Peter/Hermann Wentker (eds), Die KSZE im Ost-West-Konflikt, Munich 2012, pp. 285-304.
- Schaake, Marietje*, Digital Freedom and Security in a Globally Connected World: Lessons from the MENA Region, in: Security and Human Rights 3/2012, pp. 249-254.
- Scicluna, Colin*, The Mediterranean Dimension of the OSCE: A Southern Pivot for the East-West Dialogue, in: Security and Human Rights 3/2012, pp. 211-214.
- Selva, Douglas*, The Superpowers and the Conference on Security and Cooperation in Europe, 1977-1983. Human Rights, Nuclear Weapons, and Western Europe, in: Matthias Peter/Hermann Wentker (eds), Die KSZE im Ost-West-Konflikt, Munich 2012, pp. 15-58.
- Shakirov, Oleg*, Conventional Arms Control in Europe: Old Problems, New Solutions, in: Security Index 3/2013, pp. 13-22.
- Stodiek, Thorsten*, A Democratic Vision of Policing, in: OSCE Magazine 4/2012, pp. 22-25.
- Süß, Walter*, Die Wiener KSZE-Folgekonferenz und der Handlungsspielraum des DDR-Sicherheitsapparates 1989, in: Matthias Peter/Hermann Wentker (eds), Die KSZE im Ost-West-Konflikt, Munich 2012, pp. 219-231.
- Tagwerker, Nathalie/Ruben-Erik Diaz-Plaja/Bernhard Knoll*, The OSCE and the Middle East and North African Region: Not so Fast? In: Security and Human Rights 3/2012, pp. 191-197.
- Taha, Omnia*, The Arab Spring: Potential and Challenges, in: Security and Human Rights 3/2012, pp. 233-236.

- Tomić, Mileta Milan*, Prevention of Women Trafficking, in: Review of International Affairs 1147/2012, pp. 51-66.
- Uljanov, Sergej/Dragen Đukanović/Mina Zirojević*, New Challenges of the Regional Police Cooperation within MARRI Initiative, in: Review of International Affairs 1147/2012, pp. 22-32.
- Usmanov, Jafar*, The Effects on Tajikistan of Security Developments in Afghanistan since 2001, in: Security and Human Rights 2/2013, pp. 149-158.
- Vermeulen, Mathias/Rocco Bellanova*, European 'Smart' Surveillance: What's at Stake for Data Protection, Privacy and Non-Discrimination? In: Security and Human Rights 4/2012, pp. 297-311.
- Vinet, Guy*, L'OSCE, la grande discrete, in: Revue Défense Nationale 4/2013, pp. 98-103.
- Vinet, Guy*, Le Traité sur les forces armées conventionnelles en Europe: état des lieux, in: Revue Défense Nationale 10/2013, pp. 98-103.
- Wake, Douglas*, Is There Life after Astana? Recent Developments in the OSCE's "Human Dimension" in Historical Perspective, in: Wolfgang Benedek/Florence Benoît-Rohmer/Wolfram Karl/Matthias C. Kettmann/Manfred Nowak (eds), European Yearbook on Human Rights 2013, Antwerp 2013, pp. 337-355.
- Wawra, Ernst*, „Die Beendigung der feindlichen Aktivität?“ Staatliche Reaktionen auf die Tätigkeit der Moskauer Helsinki-Gruppe, Matthias Peter/Hermann Wentker (eds), Die KSZE im Ost-West-Konflikt, Munich 2012, pp. 267-284.
- Zagorski, Andrei*, Conventional Arms Control in Europe: Is there a Way Out of the Stalemate? In: Alexei Arbatov/Alexandre Kaliadine (eds), Russia: Arms Control, Disarmament and International Security, Moscow 2013, pp. 164-173.
- Zellner, Wolfgang*, Die EU und die OSZE, in: Werner Weidenfeld/Wolfgang Wessels (eds), Jahrbuch der europäischen Integration 2012, Baden-Baden 2012, pp. 543-546.
- Zięba, Marta*, To what Extent is Lustration an Effective Mechanism of Transitional Justice and Democratic Consolidation? The Case of Polish Lustration Law, in: Security and Human Rights 2/2012, pp. 147-158.
- Ziegler, Charles E.*, Security, Sovereignty, and Democracy: The EU, the OSCE, and Central Asia, in: Roger E. Kanet/Maria Raquel Freire (eds), Competing for Influence: The EU and Russia in Post-Soviet Eurasia, Dordrecht 2012, pp. 133-156.

- Greve, Henrik*, The OSCE High Commissioner on National Minorities and his Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations. Norm Entrepreneurship and the Case of Georgia, (Master's Thesis, University of Hamburg), Hamburg 2013.
- Müller, Peter*, Rechte und Schutz von Minderheiten im Völkerrecht und deren Umsetzung in Mitgliedsstaaten der Europäischen Union. Eine vergleichende Fallstudie zu den Auswirkungen innerstaatlicher Anerkennungspolitik auf Roma als Minderheit, (Masterarbeit, Universität Hamburg), Hamburg 2013.

Abbreviations

ABM	Anti-Ballistic Missile
ACFE	Adapted Treaty on Conventional Armed Forces in Europe
ACMF	Advisory Committee on Management and Finance
AIAM	Annual Implementation Assessment Meeting
ANC	Armenian National Congress
ANSF	Afghan National Security Forces
APWG	Anti-Phishing Working Group
ARF	Armenian Revolutionary Federation
ARPANET	Advanced Research Projects Agency Network
ASD	AeroSpace and Defence Industries Association of Europe
ASEAN	Association of Southeast Asian Nations
ASRC	Annual Security Review Conference
ATU	Action against Terrorism Unit
AU	African Union
BCSP	Belgrade Centre for Security Policy
BIG	Borders International Group
BKA	Bundeskriminalamt/Federal Criminal Police Office
BMD	Ballistic Missile Defence
BMO	Border Monitoring Operation
BMSC	Border Management Staff College
BOMCA	Border Management Programme in Central Asia
BOMNAF	Border Management in Northern Afghanistan
BSEC	Black Sea Economic Cooperation
BSMC	Border Security and Management Concept
BSMU	Border Security and Management Unit
CABSI	Central Asian Border Security Initiative
CACO	Central Asian Cooperation Organization
CAMC	Central Asia Media Conference
CBMs	Confidence-Building Measures
CBSS	Council of the Baltic Sea States
CC	Co-ordination Cell
CEEA	Co-ordinator of OSCE Economic and Environmental Activities
CEFTA	Central European Free Trade Agreement
CEI	Central European Initiative
CERD	Committee on the Elimination of Racial Discrimination
CFE Treaty	Treaty on Conventional Armed Forces in Europe
CFSP	Common Foreign and Security Policy
CICA	Conference on Interaction and Confidence-Building Measures in Asia
CiO	Chairperson-in-Office

CIS	Commonwealth of Independent States
CJSIs	Criminal Justice System Institutions
CMI	Crisis Management Initiative
CoE	Council of Europe
CORE	Centre for OSCE Research
CP	Community Policing
CPC	Conflict Prevention Centre
CPC/OS	Operations Service of the Conflict Prevention Centre
CPI	Corruption Perception Index
CPIP	Common Pre-Frontier Intelligence Picture
CPSU	Communist Party of the Soviet Union
CSBMs	Confidence- and Security-Building Measures
CSCE	Conference on Security and Co-operation in Europe (since January 1995 OSCE)
CSI	Community Security Initiative
CSO	Committee of Senior Officials
CST	Treaty on Collective Security
CSTO	Collective Security Treaty Organization
CSWGs	Community Safety Working Groups
CTBT	Comprehensive Nuclear-Test-Ban Treaty
CTET	Counter Terrorism Executive Directorate
CTR	Co-operative Threat Reduction
CYBEX	Cybersecurity Information Exchange Framework
DCFTA	Deep and Comprehensive Free Trade Agreements
DDoS	Distributed Denial of Service
DPA	Department of Political Affairs
EaP	Eastern Partnership
EAPC	Euro-Atlantic Partnership Council
EASI	Euro-Atlantic Security Initiative
EBRD	European Bank for Reconstruction and Development
EC	European Commission
ECHR	European Convention on Human Rights
ECMI	European Centre for Minority Issues
ECOSOC	Economic and Social Council
ECRI	European Commission against Racism and Intolerance
ECtHR	European Court of Human Rights
EDA	Eidgenössisches Department für auswärtige Angelegenheiten/Federal Department of Foreign Affairs
EEA	European Economic Area
EEAS	European External Action Service
EED	Economic and Environmental Dimension
EEF	Economic and Environmental Forum
eMRTD	electronic Machine Readable Travel Document
ENP	European Neighbourhood Policy

EPAA	European Phased Adoptive Approach
ESDP	European Security and Defence Policy
ESP	European Situational Picture
EU	European Union
EUFOR	European Union Force
EULEX	European Union Rule of Law Mission in Kosovo
EUMM	European Monitoring Mission
EUPM	European Union Police Mission
EUROSUR	European Border Surveillance System
EUSR	European Union Special Representative
EXBS	Export Control and Related Border Security
FATF	Financial Action Task Force on Money Laundering
FIFA	Fédération Internationale de Football Association/International Federation of Association Football
FIUs	Financial Intelligence Units
FMCT	Fissile Material Cut-off Treaty
FP	Framework Programme
FRIDE	Fundación para las Relaciones Internacionales y el Diálogo Exterior
FRS	Fondation pour la Recherche Stratégique
FSC	Forum for Security Co-operation
FYROM	Former Yugoslav Republic of Macedonia
G8	Group of Eight
G20	Group of Twenty
GBI	Ground-Based Interceptor
GCC	Gulf Cooperation Council
GCSP	Geneva Centre for Security Policy
GDP	Gross Domestic Product
GIS	Geographic Information System
GNI	Gross National Income
GNP	Gross National Product
GPS	Global Positioning System
GUI	Graphical User Interface
HCNM	High Commissioner on National Minorities
HDIM	Human Dimension Implementation Meeting
HDS	Human Dimension Seminar
HoM	Head of Mission
IACIS	International Association of Computer Investigative Specialists
IAEA	International Atomic Energy Authority
IBM	Integrated Border Management
ICAO	International Civil Aviation Organization
ICAO PKD	International Civil Aviation Organization Public Key Directory

ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICFO	International Committee on Fundraising Organizations
ICJ	International Court of Justice
ICRC	International Committee of the Red Cross
ICT	Information and Communications Technology
IFOR	Implementation Force
ILO	International Labour Organization
ILP	Intelligence-Led Policing
IMEMO RAN	Institut mirovoi ekonomiki i mezhdunarodnykh otnoshenii Rossiiskoi akademii nauk/Institute of World Economy and International Relations of the Russian Academy of Sciences
IMF	International Monetary Fund
INGOs	International Non-Governmental Organizations
INOGATE	Interstate Oil and Gas Transportation to Europe
IOM	International Organization for Migration
IPAP	Individual Partnership Action Plan
IPI	International Peace Institute
IPRM	Incident Prevention and Response Mechanism
IPTF	International Police Task Force
ISAF	International Security Assistance Force
KazISS	Kazakhstan Institute for Strategic Studies
KFOR	Kosovo Force
LAS	League of Arab States
LCPC	Local Crime Prevention Centre
MAD	Mutual Assured Destruction
MANPADS	Man-Portable Air Defence Systems
MAP	Membership Action Plan
MC	Ministerial Council
MFA	Ministry of Foreign Affairs
MGIMO	Moskovsky gosudarstvennyi institut mezhdunarodnykh otnoshenii (universitet)/Moscow State Institute of International Relations (University)
MIA	Ministry of Internal Affairs
MIRV	Multiple Independently Targetable Reentry Vehicle
MOI	Ministry of the Interior
MoU	Memorandum of Understanding
MP	Member of Parliament
MPC	Mediterranean Partner for Co-operation
MPRs	Mobile Police Receptions
MSU	Mediation Support Unit
NAC	North Atlantic Council
NACC	North Atlantic Cooperation Council

NAFTA	North American Free Trade Agreement
NATO	North Atlantic Treaty Organization
NCC	National Coordination Centre
NGOs	Non-Governmental Organizations
NIS	Newly Independent States
N+N States	Neutral and Non-Aligned States
NPOs	Non-Profit Organizations
NRC	NATO-Russia Council
NUPI	Norsk Utenrikspolitisk Institutt/Norwegian Institute of International Affairs
OAS	Organization of American States
OCEEA	Office of the Co-ordinator of OSCE Economic and Environmental Activities
ODIHR	Office for Democratic Institutions and Human Rights
OECD	Organization for Economic Co-operation and Development
OHCHR	Office of the High Commissioner for Human Rights
OIC	Organisation of Islamic Cooperation
OLAF	Office Européen de Lutte Anti-Fraude/European Anti-Fraud Office
OMiK	OSCE Mission in Kosovo
OPCAT	Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
OSCE	Organization for Security and Co-operation in Europe
OSR/CTHB	Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings
PA	Parliamentary Assembly
PACE	Parliamentary Assembly of the Council of Europe
PC	Permanent Council
PfP	Partnership for Peace
PISM	Polski Instytut Spraw Międzynarodowych/Polish Institute of International Affairs
PJC	Permanent Joint Council
POLIS	Policing OnLine Information System
POP	Problem-Oriented Policing
PPP	Purchasing Power Parity
PPPs	Public-Private Partnerships
PRIF	Peace Research Institute Frankfurt
RCC	Regional Cooperation Council
REACT	Rapid Expert Assistance and Co-operation Teams
RECCA V	Fifth Regional Economic Cooperation Conference on Afghanistan
RFOM	Representative on Freedom of the Media
SAA	Stabilisation and Association Agreement
SALW	Small Arms and Light Weapons

SCMC	South Caucasus Media Conference
SCO	Shanghai Cooperation Organisation
SEATO	South East Asia Treaty Organization
SECI	Southeast European Cooperative Initiative
SEECF	South-East European Cooperation Process
SFOR	Stabilisation Force
SG	Secretary General
SIPRI	Stockholm International Peace Research Institute
SLBMs	Submarine-launched Ballistic Missiles
SLCMs	Submarine-launched Cruise Missiles
SME	Small and Medium-sized Enterprise
SPMU	Strategic Police Matters Unit
StAR	Stolen Asset Recovery Initiative
START	Strategic Arms Reduction Treaty
TANDIS	Tolerance and Non-Discrimination Information System
TDS	Travel Document Security
TEU	Treaty on European Union
THB	Trafficking in human Beings
TNT	Transnational Threats
TNTD	Transnational Threats Department
TNW	Tactical Nuclear Weapons
UATIs	Universal Anti-Terrorism Instruments
UAV	Unmanned Aerial Vehicle
UCD	University College Dublin
UDHR	Universal Declaration of Human Rights
UK	United Kingdom
UN/UNO	United Nations/United Nations Organization
UNAMA	United Nations Assistance Mission in Afghanistan
UNCAC	United Nations Convention against Corruption
UNCHR	United Nations Commission on Human Rights
UNDP	United Nations Development Programme
UNECE	United Nations Economic Commission for Europe
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCHR/	
UNOHCHR	United Nations High Commissioner for Human Rights/UN Office of the High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNHRC	United Nations Human Rights Council
UNODA	United Nations Office for Disarmament Affairs
UNODC	United Nations Office on Drugs and Crime
UNPROFOR	United Nations Protection Force

UNRCCA	United Nations Regional Centre for Preventive Diplomacy for Central Asia
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
UNTOC	United Nations Convention on Transnational Organized Crime
USAID	United States Agency for International Development
USSR	Union of Soviet Socialist Republics
VD	Vienna Document
VERLT	Violent Extremism and Radicalization that Lead to Terrorism
VHF	Very High Frequency
VLI	Vulnerable Localities Index
WCED	World Commission on Environment and Development
WMD	Weapons of Mass Destruction
WTO	World Trade Organization

Contributors

- Cathie Burton*, Spokesperson, Press and Public Information Section, OSCE Secretariat; Vienna
- Frank Cogan*, Ambassador, Head of the Task Force for the Irish Chairmanship of the OSCE in 2012; Dublin
- Sabrina Ellebrecht*, Institute for Sociology, Albert-Ludwigs-Universität; Freiburg
- Prof. Thomas Feltes*, Chair of Criminology, Criminal Justice, and Police Science at the Ruhr University; Bochum
- Ben Hiller*, Assistant Programme Officer, Transnational Threats Department/Action against Terrorism Unit, OSCE Secretariat; Vienna
- Leonid Kozhara*, Minister for Foreign Affairs of Ukraine, Chairperson-in-Office of the OSCE in 2013; Kyiv
- Dr Roman Makukha*, Transnational Threats Department/Border Security and Management Unit, OSCE Secretariat; Vienna
- Dunja Mijatović*, OSCE Representative on Freedom of the Media; Vienna
- Dr Victor Mizin*, Senior Research Fellow, Moscow State Institute for International Relations (MGIMO University); Moscow
- Dr Claus Neukirch*, Deputy Director of the Conflict Prevention Centre for Operations Service, OSCE Secretariat; Vienna
- Arantazu Pagoaga Ruiz de la Illa*, Executive Officer at the Office of the OSCE Secretary General; Vienna
- Marcel Peško*, Ambassador, Director of the Office of the OSCE Secretary General; Vienna
- Prof. Adam Daniel Rotfeld*, Commissioner of the Euro-Atlantic Security Initiative (EASI), Co-chairman of the Polish-Russian Group on Difficult Matters, former Minister of Foreign Affairs of Poland; Warsaw
- Penny Satches Brohs*, 2010-2013 Senior Border Issues Adviser, Head of the Border Security and Management Unit, Transnational Threats Department, OSCE Secretariat; Vienna
- Dr Sebastian Schiek*, Researcher at the Centre for OSCE Research (CORE)/Institute for Peace Research and Security Policy at the University of Hamburg (IFSH); Hamburg
- Ursel Schlichting*, Senior Researcher at the Institute for Peace Research and Security Policy at the University of Hamburg (IFSH); Hamburg
- Hans-Jochen Schmidt*, Ambassador, 2009-2012 Ambassador of the Federal Republic of Germany to Armenia; Berlin
- Dr Thorsten Stodiek*, Adviser on Research and Analysis, Transnational Threats Department/Strategic Police Matters Unit, OSCE Secretariat; Vienna
- Dr Daniel Trachsler*, Senior Researcher at the Center for Security Studies (CSS) of the ETH Zurich, Zurich

Jonathan Trumble, Customs Adviser, Transnational Threats Department/
Border Security and Management Unit, OSCE Secretariat; Vienna
Prof. Kurt P. Tudyka, long-serving Editor-in-Chief of the OSCE Yearbook;
Bonn
Reinhard Uhrig, Deputy Head, Transnational Threats Department/Action
against Terrorism Unit, OSCE Secretariat; Vienna
Hesham Youssef, Ambassador, Senior Advisor to the Secretary General of the
Arab League; Cairo
Dr Wolfgang Zellner, Deputy Director of the Institute for Peace Research and
Security Policy at the University of Hamburg (IFSH) and Head of the
IFSH's Centre for OSCE Research (CORE); Hamburg