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Europe Needs the OSCE, Just As It Did 40 Years Ago

When discussing European problems today, we unfortunately have to consider them through the prism of developments in Ukraine. Everything that has happened and is happening in Ukraine and its vicinity in recent months cannot but arouse feelings of profound regret and concern. One can assume, with a high degree of probability, that, regardless of how the crisis in Ukraine is resolved, it has knocked us a long way back in our attempts to create, within Europe, a common humanitarian and economic space, and a common space of security. The negative consequences of this crisis will remain with us for a long time. Overcoming them and restoring mutual trust and stability will require years, if not decades.

Of course, the roots of the Ukraine crisis are above all deep and internal. More than 20 years of mistakes in public administration, 20 years of corruption, cynicism among politicians, and neglect of the country's basic social and economic needs all made the crisis practically inevitable. The reality is that, even before the crisis, Ukraine was a fragile state with weak political institutions, and profound social and regional differences. Political leaders and the so-called business elite were characterized by extreme selfishness and short-sightedness. Every Ukrainian leader has to take part of the responsibility and blame for the dramatic and tragic events that began in the autumn of 2013.

However, it would hardly be fair to ignore the external dimension of the Ukraine crisis. The inability of Russia and the European Union to co-ordinate their approaches to Ukraine and the outbreak of hostile rhetoric from both sides as the crisis unfurled are clear evidence that Cold War attitudes continue to exist in the Euro-Atlantic space. Ukraine's future was, and still is, perceived by many as a zero-sum game, while events in Ukraine appear as a struggle between pro-European and pro-Russian political forces. Such attitudes obscure our view of the real picture, impede our understanding of our strategic interests, and severely limit our ability to help Ukrainian society overcome the most serious crisis in the entire history of modern Ukrainian statehood.

Although it is still difficult today to assess all of the potential consequences of the crisis in Ukraine, it is nonetheless already clear that Russia, the European Union, the United States and, first and foremost, Ukraine itself will be among the losers, not the winners. Each of these participants is going to have to pay the full price for this crisis, and that price is going to be high.

Note: Translated from the Russian by Curtis Budden.

Following the end of the Cold War, we started hearing statements coming out of the West to the effect that, in 21st-century Europe, unlike the Middle East and certain other parts of the world, traditional security issues were no longer important. Therefore, they said, there was no need to invest time, money, or intellectual and political capital into creating new or improving existing institutions, regimes, and mechanisms in the area of security. Today, we all have to pay a very high price for our joint reluctance or inability to seriously address the modernization of the European security architecture.

The Ukraine crisis has become a sort of catalyst that has exposed, in a very dramatic way, the totality of problems between Russia and the West, which they have often tried to hide or downplay. As a result of this crisis, today we are faced with the full-blown threat of a new division of Europe.

Against this general background of “institutional paralysis”, the Organization for Security and Co-operation in Europe has performed well.

Yet even the OSCE has come under harsh criticism during the crisis: for its slowness to react, for its unnecessary diffidence in setting objectives, and for its alleged political bias. And nonetheless, it was indeed the OSCE that turned out to be the only multilateral European platform to succeed, albeit not without difficulty, in reaching an agreement on co-ordinated measures aimed at resolving the crisis. It was the OSCE that deployed a special monitoring mission to Ukraine. The contact group created under the auspices of the OSCE has become the main mechanism for resolving the crisis. And it is the OSCE on which we have pinned our main hopes concerning the monitoring and verification of the conflict parties’ compliance with the agreements that have been reached.

This is yet another response to those politicians and experts who talk and write about “the fundamental crisis of the OSCE”, about the “archaism” of the Organization, and even about European security in an era “after the OSCE”. The OSCE, of course, is not a panacea for all of the problems on our continent. It is also clear that we should not give up on other European security mechanisms that are capable of resolving some of our common problems in this sphere. However, we must not forget that the OSCE has been and remains the most representative and, consequently, the most legitimate organization with regard to European security. The OSCE can draw upon not only the 1975 Helsinki Final Act, but also the 1990 Charter of Paris for a New Europe, the 1999 Charter for European Security, and the 2010 Astana Commemorative Declaration. The OSCE can draw upon a huge amount of experience in the prevention, monitoring, and de-escalation of conflict situations in a great variety of locations on the European continent.

2015 marks the 40th anniversary of the signing of the Helsinki Final Act. This is a major milestone in the life of Europe. First and foremost, the OSCE participating States are faced with the responsible task of adopting consensus decisions that would make it possible to significantly expand the

role of the Organization in contemporary international political developments.

In this context, the following tasks have the highest priority.

(1) In the interest of promoting dialogue in the spheres of security and co-operation in Europe, it is important that the OSCE participating States confirm the continued relevance and equivalence of the fundamental principles of the 1975 Helsinki Final Act, the 1990 Charter of Paris for a New Europe, and the 1999 Charter for European Security, as well as their commitment to these principles and to implementing all of the commitments undertaken in accordance with OSCE documents.

(2) At the OSCE Summit in Astana in December 2010, the OSCE Heads of State or Government agreed that overcoming the threat of a new division of Europe required strict adherence 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 common goals”.¹

The Astana Declaration further develops the concept of comprehensive, co-operative, equal, and indivisible security, which “relates the maintenance of peace to the respect for human rights and fundamental freedoms, and links economic and environmental co-operation with peaceful inter-State relations”.² It also states that the OSCE security community “should be aimed at meeting the challenges of the 21st century”,³ be based on “full adherence to common OSCE norms, principles and commitments across all three dimensions”,⁴ and “should unite all OSCE participating States across the Euro-Atlantic and Eurasian region, free of dividing lines, conflicts, spheres of influence and zones with different levels of security”.⁵

Confirmation of the participating States’ commitment to the formation of such a security community is no less important than their reaffirmation of the principles and commitments stemming from OSCE documents.

(3) Over the past five years, there have been informal discussions in the OSCE about a draft constituent document. The adoption of such a document would be an important step towards transforming the OSCE from a regional arrangement into a fully-fledged regional organization in the sense of Chapter VIII of the UN Charter. An OSCE Charter would reaffirm, in a legally binding form, the Organization’s existing procedures, structures, and institutions. While working on the Charter (constituent document), it makes sense to come back to the question of precisely defining the powers, roles, and functions of the Chairman-in-Office and the Secretary General, as well as to the

1 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>.

2 Ibid. para. 2.

3 Ibid. para. 11.

4 Ibid.

5 Ibid.

long-debated question of establishing a post of OSCE Deputy Secretary-General.

Reaching an agreement in principle on the expediency of drafting such a Charter in the near future could be one of the most important decisions taken as part of the Helsinki + 40 Process.

(4) Along with an agreement on an OSCE Charter (constituent document), it will be necessary to resolve the issue of the adoption of a convention on international legal personality, legal capacity, and privileges and immunities of the OSCE, the text of which was agreed by the participating States long ago.

(5) The OSCE is called on to make a significant contribution to the settlement of both old and new conflicts and the management of crises in Europe. For this purpose, the Organization could make greater use of its existing instruments, including its stabilizing measures for localized crisis situations.

Proposals to significantly enhance the human and financial resources provided to the OSCE Conflict Prevention Centre (CPC), to expand its activities in terms of monitoring ongoing situations, and to prepare proposals regarding the settlement of conflicts are worthy of careful consideration.

It is also expedient to consider the question of the practical implementation under current conditions of the decisions adopted in Helsinki in 1992 on the deployment of peacekeeping operations and peace-building missions, either by the OSCE itself or under an OSCE mandate.

(6) The OSCE is the optimal platform for dialogue on politico-military aspects of security in Europe with a view to agreeing on possible parameters for a future conventional arms control regime in Europe, as well as building confidence in the politico-military sphere in the interest of ensuring military stability, predictability, and transparency (2010 Astana Declaration).

The key role in discussing these issues is played by the OSCE's Forum for Security Co-operation (FSC), and, in particular, the Security Dialogue conducted by the FSC. The OSCE's Security Days, which bring together prominent political figures, scholars, and non-governmental experts to discuss, among other things, issues related to conventional arms control in Europe, attract constant interest.

It would be expedient to begin military-technical expert consultations under the auspices of the OSCE dedicated to the creation of a "security matrix" that would determine the interconnections between – and degree of influence of – various types of weapons in combat missions. Such consultations could be held in Vienna with the participation of delegations of interested participating States as well as representatives of defence ministries.

(7) In the last four years, the OSCE has adopted a number of decisions on updating the Vienna Document on Confidence- and Security-Building Measures. The majority of these decisions were, however, "technical" in nature.

It would be advisable to focus attention on measures that could improve the effectiveness of the verification activities being carried out under the Vienna Document: increasing the number of inspection teams and evaluation teams, as well as the duration of verification activities and the timing of the demonstration of new types of major weapons and equipment systems (to once every five years).

Alongside negotiations on updating the Vienna Document, it would be useful, within the framework of the FSC, to conduct a systematic review of the practice and effectiveness of the application of agreed confidence- and security-building measures and, in particular, their application in crisis situations.

(8) The OSCE can and should promote agreed measures to counter transnational challenges and threats to security, primarily terrorism, drug trafficking, and trafficking in human beings. It should also advance the implementation of confidence-building measures already agreed in the field of information and communication technologies, as well as the creation of new measures.

The Organization should actively facilitate the harmonization of policies in response to new challenges and threats, including through the participating States' ratification of key universal instruments, particularly those related to anti-terrorism activities and the strengthening of regimes aimed at preventing the proliferation of weapons of mass destruction. Furthermore, where necessary, the Organization should provide states with support in implementing their commitments.

In the context of a joint response to transnational challenges and threats, OSCE states should, first of all, establish the practice of holding regular consultations and co-ordinating joint responses on a broad range of issues that extend beyond the geographic scope of the OSCE region. The result of such consultations might be the adoption of decisions on joint measures to combat new threats and challenges, including the implementation of joint project activities outside the OSCE region.

(9) As an umbrella organization for the Euro-Atlantic and Eurasian communities, the OSCE can contribute to greater compatibility with respect to economic integration processes in the region in order to minimize contradictions between these processes and, ultimately, to form a common economic space including both the Euro-Atlantic and Eurasian areas and to create a common free-trade zone with free movement of goods, services, and people.

To this end, the OSCE, in co-operation with the UN Economic Commission for Europe (UNECE), could become a platform for a broad expert and policy dialogue on a variety of issues:

- creating favourable conditions for trade and investment, including the protection of investments, in order to ensure the sustainable develop-

- ment of the OSCE States on the basis of the principles of non-discrimination, transparency, and good governance;
- removing barriers to trade and to the movement of labour;
 - creating new opportunities for economic actors through the establishment of common, harmonized, or compatible rules and regulatory systems, and also through the development of interconnected infrastructure networks;
 - increasing and maintaining the global competitiveness of the economies of OSCE countries.

10. The human dimension was, is, and will remain an inalienable part of the Helsinki Process and the most important element of the OSCE's identity and mandate. "Peace and security in our region is best guaranteed by the willingness and ability of each participating State to uphold democracy, the rule of law and respect for human rights."⁶

The OSCE can contribute to overcoming the disagreements around the human dimension of the Helsinki Process by depoliticizing problems and questions that arise in this sphere, by creating a mechanism for dialogue that is based on co-operation rather than empty rhetoric, while avoiding duplication of the successful multilateral instruments for the protection of human rights and fundamental freedoms that already exist in Europe.

The creation of such a mechanism will make it possible to optimize the review of how participating States are implementing their human dimension commitments. In particular, this might mean shortening the length of the annual Human Dimension Implementation Meeting, as was suggested in the 2005 report of the OSCE Panel of Eminent Persons,⁷ as well as in 2012 in the report *Towards a Euro-Atlantic and Eurasian Security Community*, which was drafted by research institutions from four countries: Germany, France, Russia, and Poland.⁸

This, of course, is not a complete list of the tasks that lie ahead for the OSCE. Each of the Organization's participating States has its own priorities,

6 Organization for Security and Co-operation in Europe, Charter for European Security, reprinted in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2000*, Baden-Baden 2001, pp. 425-443, p. 430, also available at: <http://www.osce.org/mc/17502>.

7 Common Purpose – Towards a More Effective OSCE. Final Report and Recommendations of the Panel of Eminent Persons On Strengthening the Effectiveness of the OSCE, 27 June 2005, reprinted in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2005*, Baden-Baden 2006, pp. 359-379, also available at: <http://www.osce.org/cio/15805>.

8 Centre for OSCE Research (CORE) at the Institute for Peace Research and Security Policy at the University of Hamburg (IFSH)/Fondation pour la Recherche Stratégique/Moscow State Institute of International Relations (MGIMO University)/ Polish Institute of International Affairs (PISM), *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.

its own views as to how to resolve existing problems. One can hardly expect consensus on every issue. The important thing, however, is to understand that the agreements reached 40 years ago that were embodied in the Helsinki Final Act remain relevant and necessary. It is in our common interest to bring these agreements into line with the realities of the 21st century, to breathe new life into the Organization for Security and Co-operation in Europe so that it may even more effectively serve the interests of those on whose behalf it was created.