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The Ukraine Crisis and the Role of the OSCE from a French Perspective

What is the added value of the OSCE for a major power like France? The answer is not obvious. France's influence is much greater in the United Nations, where it enjoys a seat as a permanent member of the Security Council. In the OSCE, by contrast, France is merely one participating State on an equal basis with all the others, and it generally expresses its positions through the European Union. France has traditionally been strongly committed to the European Union as a "founding country" and because of the wide range of competencies the EU has in the areas of economic policy, trade, the movement of persons, monetary affairs (eurozone), as well as foreign and security policy. For its defence, France relies on its own national means (including its nuclear deterrent) but also on NATO, whose military structure it rejoined in 2009, recognizing the importance of the Alliance with the United States for preserving the strategic interests of the "West" and its values. France is also member of the Strasbourg-based Council of Europe, an organization that is less visible in the overall European institutional architecture, but which plays an important role in human rights policy.

In more general terms, France's position towards multilateralism is as ambiguous as America's can be. France is a great power and plays great power politics by sending troops or military equipment to conflict zones (the Balkans, Libya, other countries in Africa) and by participating in diplomatic core groups dealing with crises (the Contact Group during the wars of Yugoslav succession, negotiations on Iran, UN Security Council, and the Normandy Format on Ukraine). France has invested a great deal in the European Union in order not only to boost the Common Security and Defence Policy, but above all with the aim of producing a common will together with other major countries such as the UK (see the Saint Malo Declaration of 1998) and possibly Germany, which has led to the launching of limited EU military operations in the Balkans and in Africa since 2003.

Given this state of mind, it doesn't come as a surprise that France does not have a long tradition of active engagement with the OSCE. Although the CSCE process is a product of "détente" and partly owes its origins to General de Gaulle's overtures to the East in the 1960s, France did not place a great deal of faith in the success of the whole process or show a huge amount of interest in it. In his contribution to the recently published oral history project

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

CSCE Testimonies,¹ Jacques Andréani, who was the French Representative to the CSCE process at the time, explains how he was left alone to deal with it, writing his own instructions and encountering little interest from the Quai d'Orsay. Henry Kissinger also saw the whole process as doubtful, and only in Jimmy Carter's time did the US discover an interest in the Helsinki Commitments, namely in the third basket (human rights), which could be used in their policy towards the Eastern Bloc.

In reality, from the start the CSCE process was driven by the Western side, above all Germany, which saw in it an opportunity to make progress towards overcoming the division of Germany (Willy Brandt and Egon Bahr's policy of "change through rapprochement" [*Wandel durch Annäherung*]) and reuniting the continent, and by some neutral countries such as Finland, Austria, Switzerland, and even Malta (for the Mediterranean dimension), which rely on multilateral co-operation more than alliances for their own security. The same countries remain the most committed to the OSCE today. Switzerland showed a high level of ambition for the Organization during its Chairmanship in 2014. There were discussions between 2010 and 2014 on the possibility of France and Germany applying to hold a joint Chairmanship or subsequent Chairmanships, or even on a "Weimar" Chairmanship, together with Poland, the third member of the "Weimar Triangle" and a country that already chaired the Organization in 1998. But ultimately France was not committed, Poland was hesitant, and Germany decided to apply alone for the 2016 Chairmanship, followed by Austria in 2017.

However, there was one specific point when France showed more interest in the CSCE: This was at the end of the Cold War, when Paris had to deal with the strategic changes to the whole European security architecture (reunification of Germany, collapse of the Soviet Bloc), and President François Mitterrand proposed a form of European confederation as an alternative to hasty enlargement of the European Union to include the new Central and Eastern European democracies. The 1990 CSCE Summit in Paris produced the Charter for a New Europe, which institutionalized the OSCE, and the Treaty on Conventional Armed Forces in Europe (CFE), which organized the disarmament of the former military blocs. However the project of a European confederation never materialized beyond the enlargement of the Council of Europe, whose powers remained limited compared to the key economic competencies of the EU and the politico- military dimension of the OSCE, which also includes the United States.

Today the context is very different from during the Cold War and in its aftermath. Russia is questioning the rules and principles defined in the OSCE framework during the 1990s. The largest problem concerns the principles of democracy and human rights, which are challenged not only by Russia but also by other more authoritarian OSCE States, such as Belarus, Azerbaijan,

1 Cf. Alice Němcová (ed.), *CSCE Testimonies – Causes and Consequences of the Helsinki Final Act 1972-1989*, Prague 2013.

and the Central Asian states. It also concerns the territorial order in the post-Soviet space, where the so called “frozen conflicts” (Transnistria, Caucasus) are used by Russia to maintain its strategic influence over its neighbours. Moreover, since 2008 Russia has been using force directly to change borders by violent means, first in Georgia and then in Ukraine. The arms control instruments developed in the 1990s have entered into a deep crisis, with the suspension of the CFE Treaty by Russia in 2007 (followed by NATO’s suspension in 2011). Even the Vienna Document on Confidence- and Security-Building Measures and the Treaty on Open Skies have been facing some difficulties of implementation in the context of the Ukraine crisis.

The accumulation of misunderstandings and conflicts between Vladimir Putin’s Russia and the West culminated in the Ukraine conflict in 2014. This is the most severe crisis Europe has experienced since the end of the Cold War. Russia has its arguments and grievances towards the West; understanding them is important to get a clearer picture of the domestic policy debate in Russia, and doesn’t mean accepting them. The West was able to solve the Western Balkans conflicts (Bosnia and Herzegovina, Kosovo) in the 1990s by combining diplomatic means and the use of force. As the recent EU mediation in the former Yugoslav Republic of Macedonia has shown (2015), the West has enough influence and leverage in this part of the continent to keep the situation under control. In the former USSR, the situation is very different because here the West directly faces the military might of the great (and nuclear) power that is Russia, which means that it has to avoid a dangerous escalation (as the French Foreign Minister Laurent Fabius repeatedly said in the Ukraine crisis, “we’re not going to declare war on Russia”), and its strategy has to rely mostly on non-military means. That’s where the OSCE can be of a renewed relevance, as the Ukraine crisis has shown, and France has also been rediscovering the role of the Organization.

The New Role of the OSCE in the Context of the Ukraine Crisis

The crisis in Ukraine began with the decision of Viktor Yanukovich’s government, under pressure from Moscow, that it was postponing the conclusion of the prepared Association Agreement with the EU in late 2013. This led to the start of mass protests on Kyiv’s Maidan Square. When Ukraine, which held the OSCE Chairmanship in 2013, hosted the OSCE Ministerial Council Meeting in December, it tried to show restraint in suppressing the protests, but the situation escalated afterwards. France, together with Germany and Poland, brokered a political settlement – half-heartedly supported by Russia. The agreement, signed on 21 February 2014, provided for new elections by the end of the year, but this didn’t prevent the collapse of the Yanukovich regime the next day, and Putin reacted by organizing an uprising in Crimea – which was annexed to Russia in March after a quickly held referendum –

followed in April by another uprising in the Russian-speaking Donbas, in eastern Ukraine.

France reacted to this crisis, as did its EU and other Western partners, with a combination of dialogue and firmness. A range of sanctions was imposed by two extraordinary European Council meetings in March, while dialogue continued in parallel with Russia, in particular through the OSCE, where a small group made up of the main actors (some ten countries) was formed by Switzerland, which held the OSCE Chairmanship in 2014. Dialogue also took place via contacts between capitals. The agreement on a mandate for a huge OSCE civilian observation mission in Ukraine (deployed throughout the country except for Crimea, although Crimea was not formally excluded) was reached on 21 March (the day Crimea was officially annexed by Russia) and was the first action taken and the key step in de-escalating the crisis. This Special Monitoring Mission (SMM) rapidly grew to the target of 500 observers on the ground, two-thirds of them being deployed in the east of the country. The mission did not prevent the uprising in the east, but it remains the only international field presence to observe the situation on the ground and report to all participating States, to help in reducing tension, and to implement peace agreements.

It is no coincidence that the OSCE became the main channel for the management of this continental crisis. In the OSCE as well as in the UN, Russia's attitude was strongly condemned, and not only by Western countries. On 27 March 2014, a UN General Assembly resolution supporting the territorial integrity of Ukraine (and implicitly condemning the annexation of Crimea) was adopted by a vast majority of 100 states to eleven (with 58 abstentions). However, Russia blocked any resolution of the UN Security Council and clearly favoured the framework of the OSCE to deal with the crisis. Several reasons can be suggested for this preference for the Vienna-based Organization: the OSCE's experience in dealing with the "frozen" conflicts in the post-Soviet space; the civilian and therefore low-profile nature of OSCE missions (in contrast to UN peacekeeping missions); the consensual nature of the OSCE decision-making process (which includes all relevant actors in the crisis); the fact that Russia sees the OSCE as a kind of chessboard where it seeks recognition of its sphere of influence and an opportunity to bargain on an equal footing with the Western bloc; and probably also the strong influence in the Organization of countries traditionally more inclined to engage with Russia, such as Germany, Austria, Finland, and Switzerland. Everything points to the fact that Russia has been seeking to generate a form of division of labour in which the UN is used for its co-operation with other major powers on the global stage, while the OSCE is used to deal with the West on European disputes (China, in contrast to Japan, not even having the status of a Partner for Co-operation in the Organization). Although Ukraine sought agreement on a UN peacekeeping mission in the east of the country in 2015, Russia consistently refused to engage on this path. As a consequence,

the OSCE began to debate the possibility of peacekeeping operations launched by the Organization.

The OSCE not only brought an international presence to the Ukraine crisis, but it also soon became the main diplomatic channel for discussing and settling the conflict. This is due to the fact that no other international organization was properly designed to take over that role: The UN was marginalized for reasons already mentioned; the EU (unlike in the case of Georgia in 2008) was a party to the conflict (which originated in the dispute about the EU-Ukraine Association Agreement), had adopted direct sanctions against Russia, and was more and more aligned with the US; the Council of Europe could play an advisory role in some legal aspects (such as constitutional reform in Ukraine) but was not a security organization and did not include the US. In this regard, the “crisis in and around Ukraine” (as officially designated in OSCE circles) led to a genuine rediscovery of the importance of an organization like the OSCE, which had fallen into a crisis during the 2000s (for example, it remained quite useless during the Georgian conflict of 2008, when the EU – under the French EU chairmanship and with President Nicolas Sarkozy’s personal commitment – took the diplomatic and operational leading role in settling the crisis, and Russia put an end to the OSCE Mission to Georgia, as it no longer served its interests).

The 2014 Swiss Chairmanship tried to organize a “contact group” of the major players at the start of the Ukraine crisis, but the project never materialized beyond the (never formalized) group of countries that met in Vienna to negotiate the mandate of the SMM. Chairperson-in-Office President Didier Burkhalter tried to put forward some proposals for a more global settlement of the conflict, but he did this quite awkwardly (proposing while in Moscow that a discussion be held on Ukraine’s role in the European security architecture without making a stop in Kyiv) and without the backing of the major Western players (especially the US). In fact it was a joint initiative of French President François Hollande and German Chancellor Angela Merkel to organize a meeting between President Putin and the newly elected Ukrainian President Petro Poroshenko, on the margins of the ceremonies to mark the 70th anniversary of the allied landing in Normandy (6 June 2014) that opened a diplomatic path to dealing with the worsening crisis. The direct consequences of the Normandy meeting were, firstly, the launching of the “Trilateral Contact Group” between Russia (represented by its Ambassador in Kyiv, Mikhail Zurabov), Ukraine (represented by its Ambassador to Germany, Pavlo Klimkin, and later by former President Leonid Kuchma), and the OSCE (represented by the skilful Swiss diplomat Heidi Tagliavini), and secondly, after a Russian-backed rebel counteroffensive in August 2014, the negotiation in Minsk in September of two agreements to settle the crisis through a ceasefire and a political process.

Although the OSCE was directly involved in the talks, its diplomatic role was always more that of an honest broker than a mediator. The Russian-

Ukrainian agreements of September 2014 were negotiated directly by the parties under the pressure of the situation on the ground – which did not favour Ukraine. These agreements didn't prevent a further escalation of grievances and tensions during the winter, and again it was President Hollande and Chancellor Merkel's initiative to reactivate the Normandy Format that made possible a new diplomatic breakthrough in Minsk with the agreement between the four heads of state and government of a "package of measures" to implement the Minsk agreements. Since then, the diplomatic process has been better organized with the creation of four working groups subordinated to the Trilateral Contact Group, each of which is co-ordinated by an OSCE representative (including the French former diplomat Pierre Morel, who heads the most sensitive group, the political working group). But again, as in other diplomatic processes such as the "5+2" negotiations on Transnistria and the Geneva Discussions on Georgia, no breakthroughs were really possible, and the Normandy Format meetings have remained essential to give some political impetus and allow for – very – limited progress on the various aspects of the peace roadmap (consolidation of the ceasefire, economic and financial restoration in the east, organization of local elections and constitutional reform, etc.).

More than other conflicts dealt with by the Organization (Transnistria, Georgia, Nagorno-Karabakh) the crisis in Ukraine deserves the attention of a pan-European security organization: Ukraine is a country of strategic and geopolitical importance in Europe (the second largest country in Europe after Russia, larger than France and with a higher population than Poland);² and the conflict areas (two million people live in Crimea, five million in the Donbas) are incomparably larger than in the cases of the other frozen conflicts of the former Soviet Union. The Ukraine conflict concerns the European security order as a whole: From the Western point of view, (because of the flagrant violation of key OSCE principles) it marks a strategic turning point in the relationship with Putin's Russia, while from the Russian perspective (because of the historical links between Russia and Ukraine, the Russian speaking population, and the presence of the Russian fleet in Sevastopol), it is a matter of core national interests. A Russian expert once said to his Western counterparts: "You wanted to make of Ukraine a bridge, and you have made of it a trench.") The crisis in Ukraine has led to a growing interest and attention – in many capitals, including Paris – for the Organization as an essential tool for de-escalating the conflict, and has required an intensification of the level of interaction between the great political game at the level of capitals on one side, and the practical, diplomatic, and operational translation of political decisions and agreements through the Organization on the other. More generally, it has led to a rediscovery of the importance of the OSCE.

2 See also the role of Ukraine in Zbigniew Brzezinski's geopolitical analysis, Zbigniew Brzezinski, *The Grand Chessboard: American Primacy and Its Geostrategic Imperatives*, New York 1997, p. 46.

The Three Functions of the OSCE

The OSCE can be seen from three points of view: as a forum for dialogue, through its operational instruments, and as a framework for European security.

The forum for dialogue is the very essence of the OSCE, which started as a conference (CSCE). Today, the weekly meetings of the Permanent Council and the Forum for Security Co-operation allow the expression of positions on all matters covered by the Organization, including politico-military security (first dimension), economic co-operation (second dimension), and human rights (third dimension). France expresses its positions through the European Union, but sometimes adds some remarks reflecting specifically national positions, and always does so in conferences with representatives of national governments, including, of course, Summits and Ministerial Council Meetings.

The importance that the exchanges within the various OSCE bodies have for national governments should not be overestimated. Probably because the EU speaks with one voice, and due to the limited scope of most of the decisions taken, the OSCE is regarded in Paris with much less interest than are the UN and the EU. One major role of the French Permanent Representation in Vienna is to examine EU statements and to alert Paris about potential dissonances with French positions or agreed EU lines. There is a risk of OSCE forums becoming a “bubble” where established positions are simply reiterated (as Germany’s Foreign Minister Frank-Walter Steinmeier once said: “The equation ‘monologue plus monologue equals dialogue’ simply doesn’t add up.”) in a (sometimes banal) propaganda war, as has become commonplace in exchanges between Russia and the West since the start of the crisis in Ukraine.

The OSCE is also the locus for informal exchanges, and that is not the least interesting aspect of the way the Organization operates. The dialogue in various formats between the EU-3 (France, Germany, UK), the EU Delegation, the US, Russia, and other actors is permanent (including more social aspects such as lunches, dinners, and receptions) and allows for the regular exchange of information that can be also of interest to the capitals. The role of a permanent representation is to ensure effective and continuous links between Vienna and the national capital.

The second function of the OSCE relates to the various operational instruments developed during the history of the Organization.

The fifteen field missions deployed in the Balkans and the former USSR, although they are all civilian, are highly multi-faceted: They serve as international field presence, as an international “eye on the ground”, and sometimes the only one in the countries concerned (including in the Balkans: the OSCE is now the only international organization to maintain a field presence in Serbia, Montenegro, and Macedonia); they undertake political re-

porting (although this role is more and more disputed, especially by the countries of the former USSR, which are – in contrast to the Balkan countries – not pursuing EU membership); they have a non-insignificant security role (observation; elimination of some weapons; local mediation, for example in the Albanian-speaking parts of Serbia and Macedonia; organization of local elections in the northern, Serbian-speaking part of Kosovo; humanitarian aid; etc.); they also have a role in economic and environmental development (dependent on the available resources); and they support good governance and progress in the field of democratization and human rights (reporting, support for civil society, police and media reform, combating human trafficking, etc.). It is worrying that countries like Belarus and Azerbaijan have closed their field presences for political reasons, that the OSCE presence in Georgia was shut down in the aftermath of the 2008 war, and that some Central Asian governments are considering reducing the role of OSCE in their countries. But the crisis in Ukraine has also shown how important a strong OSCE field presence (the SMM could reach 1,000 observers in the future) can become for tackling the various aspects of this conflict, to such an extent that the possibility of launching an OSCE military operation is also currently being considered (a proposal that needs careful reflection in the capitals).

The OSCE's arms control instruments have also retained their relevance in spite of the crisis of the CFE Treaty since the last decade. The Vienna Document on Confidence- and Security-Building Measures remains in force: Its use by the West during the crisis in Ukraine has been questioned by Russia, but the document still applies, and the issue of its modernization (including the long-established French proposal to lower the threshold for the notification of military exercises) is still on the agenda. The Open Skies Treaty, which allows States Parties to perform flights over each other's territory, is also still in force, although Russia recently complicated its implementation by requiring prepayments for flights by Ukraine. And even the CFE Treaty (including its never ratified adapted version), though suspended by NATO and Russia, is still in force and would remain a basis for conventional arms control if there were a common will to revitalize a common legal framework in this area. One should add that the agreement of a first set of confidence-building measures in the area of cybersecurity at the end of 2013, concluded thanks to the co-operative relationship between Russia and the US at that time, was a fairly innovative step in the OSCE framework, although it has only limited normative and legal scope.

France has always shown an interest in developing the politico-military dimension of the OSCE, but it is clear that the end of the Cold War made the whole issue of arms control in Europe less of a priority than proliferation issues (Iraq, Iran, North Korea) or regional conflicts (Balkans, Middle East, Africa). The situation today can be seen as a paradox that recalls the situation at the end of the Cold War: The (still limited) military escalation between Russia and the Western Bloc (without neglecting the risk of a nuclear inci-

dent, given the number of tactical nuclear weapons still present in Russian and US arsenals) makes it more necessary than ever to agree on confidence-building measures, incident-prevention mechanisms, and arms-control instruments; but the degree of tension and the lack of confidence also make it more difficult than ever to start genuine talks and negotiations to that end. This will be a major challenge for the time to come.

Another category of OSCE tools are the autonomous institutions developed in the 1990s in the field of human rights: the role of the Office for Democratic Institutions and Human Rights (ODIHR), particularly in the field of election observation; the Representative on Freedom of the Media (RFOM); and the High Commissioner on National Minorities (HKNM). These institutions do not enjoy a high profile in the French national conversation, although, for example, the current RFOM, Dunja Mijatović, participated in the large demonstration in Paris after the attack on Charlie Hebdo in January 2015, and has also sometimes expressed her concern about media freedom in France. Globally, French diplomacy (together with its Western partners) supports the autonomous institutions against the criticism they are receiving from some authoritarian countries “East of Vienna”.

The third and final function of the OSCE is as a framework for the European security architecture, encompassing military alliances such as NATO and the Collective Security Treaty Organization (CSTO), which was founded in 2002 based on the Treaty on Collective Security (CST) of 1992 and currently includes Russia and five other members, and regional economic organizations such as the EU and the Eurasian Economic Union. The key question is to determine which principles this common architecture (reminiscent of Mikhail Gorbachev’s “common house”) is to be based on, and which compromises are necessary for the arrangements to be negotiated.

The difficulty is that we are not starting from scratch, because there have already been two attempts to agree on common foundations. The first was the Helsinki Final Act, negotiated between 1973 and 1975, whose Decalogue – extrapolated from UN principles – is still valid, and which concluded a global bargain in which the Soviet Union achieved confirmation of the post-1945 European borders and the West achieved a recognition of human rights by the East. The Helsinki Final Act was a concrete expression of the spirit of 1970s détente, but though some see it as a poisoned chalice (a “trap”, as described by Jacques Andréani in a book published in 2005) that fostered the collapse of the Soviet bloc, the CSCE process was in fact deadlocked during the final phase of the Cold War.

The second attempt was the Paris Charter of 1990 and related and subsequent developments (institutionalization of the Organization, arms-control instruments, creation of field missions and autonomous institutions), which amounted to a victory of Western values and the hope that military confrontations on the European continent was at an end. But again the reality didn’t live up to the expectations. In contrast to the Warsaw Pact, the Atlantic Alli-

ance didn't disappear, but rather started to enlarge itself by allowing the accession of the new Central and Eastern European States (NATO grew from 16 to 19 states in 1999, from 19 to 26 in 2004, and from 26 to 28 in 2009), and the establishment of a NATO-Russia link (in the NATO-Russia Founding Act of 1997 and the NATO-Russia Council in 2002, which was created following the Kosovo crisis) became necessary in parallel to the OSCE commitments. The wars triggered by the disintegration of Yugoslavia could be solved only by the intervention of NATO, and in the case of Kosovo in the face of Russian opposition. At the same time, the EU expanded into the East (going from twelve to 28 member states), launched an "Eastern Partnership" towards its new Eastern neighbours (including Ukraine) in 2009, and failed to find common terms for its relationship with Russia. For its part, Russia moved away from Western values by using brutal force in Chechnya (1994-1996 and again in 1999-2000) and by restoring a system of "vertical power" under Putin that reversed the democratization attempts of the previous decade. In 2007, President Putin officially criticized the OSCE as an instrument of the West and suspended the CFE Treaty, while the West blamed Russia for not helping to solve the "frozen conflicts" of the former Soviet Union (Transnistria, Georgia) in line with the OSCE Istanbul commitments of 1999. Tensions between Russia and the West have since culminated in the Georgia war of 2008 and the Ukraine crisis of 2014, the OSCE Summit of Astana in 2010 (during Medvedev's presidency) having failed to really restart a common co-operative agenda.

It is extremely difficult to imagine what form a third attempt to found a common European (and de facto also Eurasian) security architecture could take. The West faces a tricky dilemma, because any continuation of the confrontation will have a growing economic, political, and military cost (as President Hollande has said about the crisis in Ukraine), but also because any negotiation risks ending up by backtracking on previously agreed OSCE principles and commitments. Russia is increasingly turning its back on the Western values of democracy and human rights; it has changed borders by force in the aftermath of the war in Georgia in 2008 (recognizing the independence of Abkhazia and South Ossetia, and justifying this by referring to the precedent of Kosovo); it has annexed a Ukrainian territory by force; and it has supported a military rebellion in the east of Ukraine. Although many Western states, including France in particular, do not want to engage in even indirect military confrontation and would prefer to continue to pursue the way of dialogue and co-operation, the crisis of confidence is such that it will be far from easy to engage in a serious and genuine discussion about the principles and political solutions for reconsolidating the European security architecture. But because Putin's regime and Russia's orientation appear likely to continue in the short term (in contrast to what happened with Slobodan Milošević and Serbia after the Kosovo war), the challenge, for the sake of Europe's peace and stability (encompassing the recognition of and respect

for international borders, the non-use of force and military restraint, economic co-operation, and respect of human rights) will remain and will continue to necessitate from the West a fine-tuning between firmness (including sanctions and military reinsurance) and negotiation (including within the OSCE framework). This is an additional reason for France to pay more attention to the Organization in spite of all the difficulties.

The Dialectic between Consensus and Leadership in the OSCE

The OSCE rests on the principle of a consensual decision-making process. In contrast to the UN, the OSCE has no executive structure such as a Security Council that is capable of imposing decisions – although such an idea was once advanced by the former German Foreign Minister Hans-Dietrich Genscher. The few OSCE procedures that bypass the unanimity principle, such as the 1991 Moscow Mechanism in the human dimension, have barely been used and are limited in scope. All negotiations carried out within the OSCE are long and complex, including budgetary ones. They need careful preparation and many compromises, particularly with the most difficult delegations. The normative value of the commitments entered into in the OSCE is always in danger of being weakened for the sake of consensus, particularly in the field of human rights, where the most difficult countries (maybe because they feel more under pressure from the West) have proven to be more sensitive than in the UN context.

In spite of the difficulties of consensus-based decision making, it is not impossible to agree on declarations and decisions within the Organization. At the outbreak of the conflict in Ukraine, the participating States managed to agree on a mandate for the Special Monitoring Mission. Every Ministerial Meeting succeeds in agreeing at least a handful of decisions or declarations in all the dimensions of the OSCE. And even the Permanent Council can adopt the occasional political statement (though it rarely does): In early 2015, thanks to the work of the Serbian Chairmanship, the Permanent Council adopted two declarations, one on Ukraine calling for de-escalation (whereas the previous Basel Ministerial Meeting had been unable to agree on a political statement on Ukraine) and another (prepared by France) after the Paris attacks reaffirming the participating States' commitment to freedom of expression, condemning terrorism, and rejecting intolerance – a statement that was more comprehensive and more political than the corresponding statement by the UN Security Council.

Beyond the difficulties of consensus, the OSCE is very dependent on the political will of the main players, above all on Russia and the United States. It was, for example, good US-Russian working co-operation that resulted in the adoption of the OSCE's first set of confidence-building measures on cybersecurity in late 2013. But the political will has fallen victim to

the growing tensions between Russia and the West. Since 2002, it has been impossible to agree on a political declaration at Ministerial Meetings because of the diverging interpretations of the Istanbul Summit Declaration (1999) regarding the settlement of the frozen conflicts in the former Soviet Union. Even the Astana Summit of 2010 could not adopt more than a “Commemorative” declaration, and the “Helsinki +40 Process” launched at the Dublin Ministerial Meeting of 2012 to revitalize the entire range of OSCE activities became bogged down due to the crisis in Ukraine. Helsinki +40 now seems to have been overtaken by the work of the Panel of Eminent Persons, led by the former German diplomat Wolfgang Ischinger, which has issued an interim report on lessons learned from the crisis in Ukraine (June 2015) and a more ambitious final report on the reconsolidation of European security.

This general context does not contribute to making the Organization stronger. The OSCE is relatively weak compared to other large multilateral organizations such as the UN, NATO, and the EU. Rather than an organization based on strong competences, it is a regional version of the multilateral UN system (in accordance with Chapter VIII of the UN Charter) based on a specific history (the three dimensions of security inherited from Helsinki and the legacy of the East-West conflict which is still present in the US-Russian relationship). It has no legal personality, because the requirement for such (a charter or convention on privileges and immunities) has become a political football between Russia and the West. It is a fragmented organization, composed of a Secretariat managed by a Secretary General, who is not independent of but subordinated to the Chairmanship; the three autonomous institutions mentioned above (which effectively enjoy total independence according to their respective mandates); and the field missions, which are also quite strongly autonomous. It has only 300 international staff in the central institutions, and barely more in the field missions altogether (not including members of the SMM), and no international careers are possible in the OSCE because of the limited period of contracts. The ordinary budget of the Organization amounts to some 140 million euros per year,³ which is only a tenth of one per cent of the EU budget, and only slightly more than the budget of the Council of Europe, a less-extensive organization that does not include the North American and Central Asian countries. Some proposals have been made, particularly in the first report of the Panel of Eminent Persons, to reform and reinforce the Organization – for instance by granting it legal personality, reinforcing the independence of the Secretary General, or allowing OSCE peace operations – but it remains to be seen if a consensus will be possible to decide and implement them.

That’s why the question of leadership in the Organization will remain a crucial one. An OSCE that turns in on itself risks becoming a “bubble” where

3 Not including the budget of the SMM in Ukraine.

debates go round in circles⁴ and with limited means and impact. But the reality of the crisis in Ukraine has also proven the Organization to be unexpectedly useful, even indispensable, in the present historical context, with a role that is far removed from what it was designed for at the start of the CSCE process or at the time of the institutionalization of the OSCE. The role of the Chairmanships will remain essential, not least because they are awarded to states that apply for them on a voluntary basis and do not merely rotate (as in the Council of Europe), as will the engagement of the key players of the Organization. The OSCE cannot by itself solve the tensions between Russia and the West, which are not the only problems the Organization has to face, but are its most pressing, yet it can and must be a useful tool for damage control and part of a strategy aiming at reconsolidating the European order on more solid foundations.

4 As in Robert Musil's great unfinished novel "The Man without Qualities" (*Der Mann ohne Eigenschaften*), which was about the "great idea" of "*Parallelaktion*" or the Parallel Campaign. Peace in Europe is a similarly great idea, as topical today as it was in Musil's pre-World War I Austrian capital.