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The "European Security Model for the 21st Century" - A Story without an Ending?

The "Security Model" at the Lisbon Summit: A Meagre Interim Result?

In the OSCE Yearbook 1995/1996, Benedikt von Tscharner and Linus von Castelmur reported on the work on a "Common and Comprehensive Security Model for Europe for the Twenty-first Century" from the Budapest Summit of December 1994 until June 1996 and offered a look at the way this subject was likely to be handled at the 1996 Lisbon Summit.[1] At the conclusion of their paper the authors state "that the discussion of a Security Model is a long-term undertaking which will extend far beyond the Lisbon Summit" and that we can hardly expect a "grandiose idea"[2] This prognosis proved to be right. It is noteworthy mainly for two reasons:

First, apart from the "Summit Declaration", which like its predecessors deals with many individual topics only in general and declarative terms, the "Declaration of Lisbon" on this subject appears to be the only substantial decision text on which the Heads of State or Government could agree. Hence one could argue that it was quite simply the most important result of the Summit.[3] For that reason it ought to attract special attention.

Second, the initiators of this project originally assumed that in the two years between the Budapest and Lisbon Summits a substantial result involving certain decisions could be achieved. Thus one can read in the "Summit Declaration of Budapest" the statement: "The results of discussion on such a security model will be submitted to our next Summit Meeting in Lisbon in 1996."[4]

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1   Benedikt von Tscharner/Linus von Castelmur, The Work on a Security Model for Europe for the 21st Century, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (Ed.), OSCE Yearbook 1995/1996, Baden-Baden 1997, pp. 227-240. The text of the basic Summit decision (Chapter VII of the "Budapest Decisions") is in: Arie Bloed, (Ed.), The Conference on Security and Co-operation in Europe. Basic Documents, 1993-1995, The Hague/London/Boston 1997, p. 173.

2   Von Tscharner/von Castelmur, cited above (Note 1), p. 240.

3   The Concluding Document of the 1992 Helsinki Summit consists of the "Summit Declaration" and of the "Helsinki Decisions" which are divided into twelve chapters arranged by subject. The Concluding Document of the Budapest Summit, apart from the "Summit Declaration", is made up of two additional Declarations and the "Budapest Decisions" with fully ten subject chapters. The Concluding Document of the Lisbon Summit consists, as indicated, of the "Summit Declaration" and the 'Declaration on the Security Model", but apart from them there are only Annexes and an Appendix. See the text of the Lisbon Document 1996, contained in this Yearbook, pp. 419-446.

4   Budapest Document 1994, Budapest, 6 December 1994, in: Bloed (Ed.), cited above (Note 1), pp. 145-189; Budapest Summit Declaration, pp. 145-149, here p. 147 (in Section 13 of the Summit Declaration). The formulation of Chapter VII of the "Budapest Decisions" indicates somewhat more succinctly that interim results were expected; it speaks of "results available at that time"; cf. Budapest Decisions, ibid., pp. 153-189, here p. 173.

It does not sound particularly impressive, therefore, when the "Lisbon Declaration on a Common and Comprehensive Security Model for Europe for the Twenty-first Century" describes the situation as follows: "Our work on the Security Model is well under way and will actively continue. We instruct our representatives to work energetically on the Security Model and invite the Chairman-in-Office to report to the next Ministerial Council in Copenhagen."[5]

Was this a case of mountains groaning without giving birth to more than a mouse? Has the OSCE exhausted or overtaxed its ability to generate ideas? Or was it just that the situation towards the end of 1996 was too unfavourable for a more substantial result - in view of the open controversy between Vice-President Al Gore (US), Prime Minister Victor Chernomyrdin (Russian Federation) and other summit participants over NATO's eastward enlargement? If that were the case then one might imagine that with the conclusion of the "Founding Act on Mutual Relations, Cooperation and Security" between NATO and the Russian Federation one obstacle to expeditious progress on the "Security Model" had been removed - all the more so because this Founding Act includes a commitment to strengthening the OSCE and to its key role on behalf of peace and security in Europe and several times refers to the OSCE's work on the Security Model in a positive way.[6]

In evaluating this it is best to talk about the debate on the "Security Model" not just with a view to the course it is taking but to look at it in its political context.

Assumptions and Interests in the Discussion of the "Security Model"

The decision of the Budapest Summit on launching a "broad and comprehensive discussion on all aspects of security (...) aimed at devising a concept of security for the twenty-first century", discussing it at the Ministerial Council towards the end of 1995 and presenting the results to the 1996 Summit, originated with a Russian initiative and in its final textual form represented a compromise - also a kind of consolation prize for Boris Yeltsin, although one whose value diminished with the passage of time. This requires further explanation.[7]

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5   "Lisbon Declaration on a Common and Comprehensive Security Model for Europe for the Twenty-first Century", in: Lisbon Document 1996, cited above (Note 3), pp. 426-430, in this case Section 11 of the "Declaration" which altogether has twelve Sections, p. 429.

6   Text of the "Founding Act" in: NATO review 4/1997, Documentation, pp. 7-10, esp. p. 7 and 9.

7   The author has already referred, in his article in the first *OSZE-Jahrbuch* [OSCE Yearbook], to some of the circumstances mentioned here: see Heinrich Schneider, Das Budapester Überprüfungstreffen und der Budapester Gipfel [The Budapest Review Conference and the Budapest Summit], in: Institut für Friedensforschung und Sicherheitspolitik an der Universität Hamburg [Institute for Peace Research and Security Policy at the University of Hamburg]/IFSH (Ed.), OSZE-Jahrbuch [OSCE Yearbook] 1995, Baden-Baden 1995, pp. 411-426, in this case pp. 414ff.

Prior to the Budapest Summit Russia had again put forward an idea that Moscow had repeatedly presented before the great change. During the Cold War the Soviet Union had again and again argued the case for a pan-European system of collective security designed to overcome the division of the continent into two military blocs. For a variety of reasons the West was unable to feel any enthusiasm for the idea at that time. Now, however, it appeared that the CSCE might be used as a starting point for the development of such a security architecture. In the spring of 1994 the Russians argued that the CSCE must be transformed into a comprehensive political structure armed with authority and that under the auspices of the CSCE a bloc-free system of European security should be developed.[8] When one fitted the various statements together into a mosaic the following concept emerged:

−   The CSCE should be transformed into a real organization, the "OSCE", with a treaty basis under international law - i.e. enforceable rights and obligations of its members and organs - and with its organs having appropriate decision-making authority. In particular, an "Executive Council" should be established with permanent and non-permanent members, comparable in a way to the UN Security Council (critics of the idea at the time liked to use the expression "Euro-UN").
−   In addition, the idea was raised that the North Atlantic Cooperation Council could develop into an instrument of security policy of or a kind of counterpart to this OSCE. NATO itself would be subordinated to the dual authority OSCE/NACC in much the same way that the WEU, as many EU members see it, is subordinated to the dual authority EU/EC.

Apparently the Russians hoped that at least some participating States that were not without influence would give a positive reception to these ideas. France had long shown interest in providing a legal foundation for the CSCE - ever since President Mitterrand had put forward the idea of a pan-European confederation. In Bonn, too, there had been some sympathy for an architectural conception not entirely unlike the ideas developed in Moscow. "We want to gradually build in Europe an over-arching CSCE security structure that will span both of the Alliances, which themselves will continue to exist for a substantial period of time - a structure into which the Alliances can be integrated and ultimately absorbed." It was the business of the Alliances "to become increasingly superfluous in their military function and to develop into factors of co-operative security". This was the original tone struck by Foreign Minister Hans-Dietrich Genscher[9] - at a time,

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8   For references see ibid., p. 415.
9   Quoted in: Frankfurter Allgemeine Zeitung of 19 March 1990, p. 2 (own translation).

to be sure, when the Federal Republic still had to be concerned about the agreement of the leadership in Moscow to NATO membership for a united Germany. When the issue of working out a "Code of Conduct" was first raised in Helsinki in 1992, twelve participating States (including Germany and Russia) favoured eventually developing this into a CSCE Security Treaty.[10] In May 1994 the Foreign Ministers of Germany and the Netherlands had presented proposals for Budapest whose guiding principles were "the road to collective security in the CSCE area" and "strengthening the operational capabilities of the CSCE" and which amounted to a kind of subsidiarity rule in relations between the CSCE and the UN with regard to the exercise of security responsibilities.[11] In view of the undisputed monopoly of the UN Security Council on the imposition of coercive measures against violators of the peace on behalf of the community of states, this was a rather far-reaching project for the expansion of the OSCE into a regional collective security organization.

We have trustworthy indications that the Russian ideas about an "Executive Council" were also commented on favourably by the German side. That alone

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10 See the somewhat hedged "initiative decision" to take up the project of a "Code of Conduct" in Section 22 of the Helsinki Summit Declaration. The "Code of Conduct" was then adopted by the next Summit, in 1994, as Chapter IV of the "Budapest Decisions". See Budapest Document 1994, cited above (Note 4), pp. 161-167. Also Klaus Achmann, Kooperative Sicherheit: Neue Grundsatzdokumente [Co-operative Security: New Basic Documents], in: OSZE-Jahrbuch 1995, cited above (Note 7), pp. 307-320, esp. pp. 308ff.; in addition, Ortwin Hennig, The Code of Conduct on Politico-Military Aspects of Security, in: OSCE Yearbook 1995/1996, cited above (Note 1), pp. 273-289; and Jonathan Dean, The OSCE "Code of Conduct on Politico-Military Aspects of Security": A Good Idea, Imperfectly Executed, Weakly Followed-up, in: ibid., pp. 291-298.
Of particular importance in the context we are looking at here are, among others, the following parts of the "Code of Conduct":
-    the reaffirmation that the participating States "are determined to act in solidarity if CSCE norms and commitments are violated" (Part I, No. 5);
-    the consent to consult promptly with a participating State seeking assistance in the case of self-defence and to consider jointly actions that may be required (ibid.);
-    the commitment not to support states that are in violation of the obligation to
refrain from the threat or use of force or that are in any other manner inconsistent
with the Charter of the United Nations and with the Declaration on Principles
Guiding Relations between Participating States contained in the Helsinki Final Act
     (Part III, No. 8).
One can view these provisions, even though they have only a politically binding character, as a basis or a preparatory step for a system of security solidarity. Transferring them to the level of obligations under international law would come quite close to the views under discussion here (which at that time were not only Russian ones) of the OSCE as a genuine regional security organization.

11 The text of the so-called Kinkel-Kooijmans initiative of May 1994 is in: Europa-Archiv 1994, pp. D 440ff. (in German language). On pp. D 437ff. is the text of Minister Kinkel's explanatory speech to the CSCE in Vienna (in German language too). In the event of tensions and disputes, the CSCE, under the motto "CSCE First", was to act first to settle them; only if that effort were unsuccessful was the Security Council to take over and if necessary its involvement was to be possible without the agreement of the countries involved in the conflict; the CSCE States were to be permitted to make proposals to the Security Council for the settlement of the conflict - including the conferral on the CSCE of the responsibility for carrying out appropriate measures or the empowerment of the CSCE to decide on such measures itself.

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appeared to create the impression in Moscow that the transformation of the CSCE into an OSCE with a legal basis and endowed with certain elements of regional collective security was at least a possibility - and this policy would at the same time offer the prospect of a "pan-European" alternative to an eastward enlargement of NATO that would expand NATO's dominance in the field of pan-European power relationships.[12]

In the summer and autumn of 1994, however, the issue began to aggravate. Washington abandoned its previously rather reserved position on the issue of NATO enlargement (so that shortly before the Budapest Summit the North Atlantic Council proclaimed that it was no longer a question of "whether" but only of "how" to enlarge NATO). Russia's ideas - despite a certain amount of sympathy earlier exhibited by Western participating States - turned out to have no prospect of achieving consensus; moreover, the negotiations on conditions for CSCE peacekeeping operations (an essential element of the projected regional security system, after all) proved to be highly complex and ambiguous (because Russia wanted a "green light" for its own competencies in the eastern part of the CSCE region, e.g. within the CIS).[13] Thus the drama of the Budapest Summit was pre-programmed: once again Boris Yeltsin passionately defended his concept for the OSCE - but in fact he had long since seen that it was hopeless.

It is only against this background that one can understand the significance of what happened in Budapest. First, the renaming of the CSCE as "OSCE" was agreed upon but at the same time the following statement was made: "The change in name from CSCE to OSCE alters neither the character of our CSCE commitments nor the status of the CSCE and its institutions."[14] Second, a decision was made to start the discussion on a "Security Model for the 21st Century". A number of considerations underlay this compromise. For one thing, it is a proven CSCE/OSCE procedure when dealing with proposals for which consensus cannot (yet) be achieved not to reject them out of hand but to keep on raising them. That does not mean that they will necessarily be accepted next time or the time after that, but that has occasionally happened. Such hopes may have been entertained in Moscow (and perhaps elsewhere). Moreover, some participants had good reason, not only at the Budapest Summit but for some time thereafter, to avoid final commitments as long as various important decisions were pending whose outcome could be regarded as of real importance for the future of the OSCE.[15] There was, in addition, a desire in several Western

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12   Regarding a number of circumstances that would presumably support this evaluation, see Schneider, cited above (Note 7), p. 415.

13   Cf. ibid., p. 418ff.

14   For the renaming, see the Budapest Summit Declaration, cited above (Note 4), No. 3, p. 145, and the Budapest Decisions, Chapter I, No. 1, ibid., p. 153; the statement is in the Budapest Decisions, Chapter I, No. 29, ibid., p. 156.

15   Benedikt von Tscharner and Linus von Castelmur referred in this connection to the then impending Russian presidential elections, the ambivalent situation in Bosnia and the problems related to the eastward enlargement of NATO; see the article mentioned in Note 1, in this case p. 239.

capitals not to let Boris Yeltsin simply go home to Russia with empty hands, a desire related both to the domestic political situation in Russia and to Russia's strong feelings about NATO's eastward enlargement. This meant: we, the participating States, are at the present time unable or unwilling to move in the direction strongly desired by Russia and regarded as at least worthy of consideration by a number of others - but the last word has not yet been spoken and we want to look at the matter in a leisurely fashion. But: what matter? The transformation of the renamed CSCE/OSCE into a Euro-UN? Its promotion to become the organization chiefly responsible for the security of Europe? It was precisely this that made the sceptics shy away. They did not even want to commit themselves to a clearly defined project respecting the subjects and drafts under discussion. In this respect, the introduction of the "Security Model" concept alone is informative.

It was customary at an earlier time to work with other concepts such as "security architecture", "security system", "security organization", etc. In contrast to these, the expression "model", in languages like English or German, has a variety of possible meanings. It does not refer to reality but to the sphere of ideas. In accordance with a widely accepted use of the expression, a model is a construct, a guiding image, but not (yet) the transference of those things into a binding reality; for example, it is not (yet) a structure of institutions and mechanisms even though the building of models can lead to real structures.[16] In contrast to terms such as "security organization", "security system", "security order", etc., the expression "security model" carries a feeling of distance between it and any notion of binding obligations or of anything that ought necessarily to be.[17] On the other hand, in sociology the concept of a model is used in the sense of a simplified reconstruction of reality as it is, without any prescriptive sense[18], so that a "security model" could also be understood as a simplified depiction of existing arrangements, i.e. of the structural and inter-institutional status quo.

Hence, as long as the expression "security model" is not given a specific character by precise usage in political or scholarly discourse it remains ambiguous and peculiarly non-committal. The description of the subject under discussion

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16 In English the verb "to model" can under certain circumstances also mean "to lead the way" or "to set the pace".
17 According to Roget's Thesaurus the use of the word "model" can also involve such meanings as "dummy" or "mock up".
18 See for example the section entitled "Der Modellbegriff" ["The Model Concept"], in: Jürgen Kromphardt, Wirtschaftswissenschaft II: Methoden und Theorienbildung in der Volkswirtschaftslehre [Economic Science II: Methods and Theory-creation in the Teaching of Economics], in: Handwörterbuch der Wirtschaftswissenschaft [A Compact Dictionary of Economic Science], Vol. 9, new ed., Stuttgart/Tübingen/Göttingen 1988, pp. 904ff., in this case p. 906; Ralf Borchard/Ulrich Weihe, article entitled "Modell" ["Model"], in: Jürgen Kriz et al. (Ed.), Politikwissenschaftliche Methoden [Methods of Political Science], Vol. 2 of Lexikon der Politik [Encyclopaedia of Politics], ed. by Dieter Nohlen, Munich 1994, pp. 268ff.

thus expresses in a way a decision to keep it and the problem area open and imprecise.[19] Similarly, it is interesting when Western delegates, in particular, frequently use the expression "security model exercise" for the work of the Security Model Committee (this can involve such meanings as "task", "effort", and "mental labour" but also, under some circumstances, have undertones along the lines of "ritual exercise", "study" (in the sense of "etude", etc.).

The Course of Discussion until the Lisbon Summit

The last OSCE Yearbook provided a description of how the work on the "Security model" proceeded after the Budapest decision. It is worth remembering, however, that most of the work during the entire first year - and a large part of the discussion thereafter - was devoted to identifying security risks and challenges, with numerous versions of a catalogue; and one of the seminars put on in late spring 1997 as part of the work on the Security Model was also given over to the subject of "Specific Risks and Challenges".[20]

However, the "Security Model Committee", which was set up at the beginning of 1996 under the auspices of the Permanent Council, also turned its attention increasingly to questions of principle - structural problems, in particular - having to do with how the various risks and challenges could be effectively and constructively met.

To be sure, the Committee had received certain guidelines for this purpose from the Budapest meeting of the Ministerial Council.[21] At issue was "the development of a common security space based on the OSCE's comprehensive and co-operative concept of security and its indivisibility" - a space which was to be "free of dividing lines" and in which all participating States "and the organizations to which they belong" work together "in a constructive, complementary

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19   There is some evidence for the assumption that the term "security model" was suggested to the Russian delegation, which made the motion, by other delegations. Why the Russian diplomats agreed to it is something we cannot go into here. The author of this article was told by informed circles (outside the OSCE community) that the model concept in Russian is used almost synonymously with "structure" so that the subliminal secondary meanings indicated in this text may not have been consciously registered. The fact that in English-language versions of Russian statements the terms "security system" and "security model" appear to be used almost synonymously would seem to argue for this interpretation.

20   On the "catalogue of risks" see von Tscharner/von Castelmur, cited above (Note 1), pp. 230ff. In comparison with the "excerpt" from the "list of risks" reprinted there on p. 231, the focus of the seminar on specific risks and challenges which took place from 5-7 May 1997 on three themes - "terrorism", "organized crime" and "drug trafficking" - is noteworthy. In the first phase of discussions, the listing of security risks involved arguments over the main substantive problems in the controversy on security architecture - for example, when the Russian delegation argued for including the unnecessary expansion of military alliances as one of the security threats in the catalogue.

21   See Fifth Meeting of the Council, Budapest, December 1995, in: Bloed (Ed.), cited above (Note 1), pp. 215-228, here pp. 223-227.

and mutually reinforcing way". Within the OSCE, no State and no organization or grouping was to have more responsibility than any others for the maintenance of peace and stability in the OSCE region, nor might any of them regard any part of the OSCE region as its/their zone of influence. At the same time, the objective was to contribute "to the transparent and democratic evolution of regional and transatlantic organizations with a view to strengthening confidence, security and stability in the OSCE region". However, every State is entitled "to choose or change its security arrangements, including treaties of alliance, as they evolve".

These formulations are quite informative. The rejection of any organizational hierarchy, constantly emphasized by the Western side in particular, found expression (i.e. the "no" to the idea of a superior position for the OSCE); the text could also be understood as a rejection of Russian claims for a hegemonic position in its relations with the "near abroad". On the other hand, Russia could interpret it as a vote against possible claims by NATO to play a dominant role as a self-appointed pan-European stabilizing agent, so to speak. At the same time it reinforced the thesis dear to the hearts of a number of participating States (particularly those which, like Poland, were interested in joining NATO) that the project for a Security Model should not be permitted to delay or delegitimize the eastward enlargement of the North Atlantic Alliance. (They could, of course, appeal to the fact that the right of participating States to choose their own security arrangements had long been a CSCE/OSCE principle.)

The formula of an indivisible security space without dividing lines was understood in various ways. Moscow described the difference between members of NATO and non-members as a problematic dividing line. NATO, of course, saw it differently and took the statement about constructive co-operation between the states and organizations as a kind of obligation to accept one another and not to react to the policies of the Alliance by refusing to co-operate. Policy - and this includes enlargement policy - must of course be "transparent" and take account of the legitimate security interests of all states. Finally, there was no talk about the creation of any new pan-European organization or any fundamental change of character in any of the existing ones; on the other hand, this sort of thing was not explicitly ruled out. In essence this meant that Russia, along with the minority that shared its views, more or less accepted the views of the vast majority of participating States. Whether that was out of conviction or *nolens volens* does not need to be discussed here.

Discussions were carried on intensively in the months leading up to the Lisbon Summit. A special meeting of the Security Model Committee on 11 October 1996 constituted a kind of high point. The positions taken by a number of important participants in the autumn of 1996 (coupled, for clearer understanding, with occasional looks back at their earlier contributions) can be described as follows:

For *Russia* - the development of whose position is to be described somewhat more exhaustively owing to the interesting nuances - Foreign Minister Yevgeniy Primakov pleaded for a "new security system". The new Security Model[22] should in some way "embody" all international organizations active in the field of European security. The OSCE should take on a central and leading role and for that reason "new structures" would not be necessary. Several times Foreign Minister Primakov used the formula of a "collective security system". The authority of the UN, however, should remain untouched.[23] The Russian interventions and contributions in fact set forth ideas, with some modifications, which the delegation had presented previously - e.g. the proposal to develop and adopt a "European Security Charter" as a fundamental document of the desired security system. This Charter was obviously not only intended as a collective security treaty but was designed to provide for a division of functions and rules to govern the working together of the various European and trans-Atlantic security organizations and to offer special security guarantees to those states that could not depend on assurances of solidarity based on alliance membership.[24]

In later contributions Russia argued for the passage in Lisbon of a "Declaration" to mark the beginning of work on a "treaty foundation" for the new security system. The draft of that treaty was to be presented to the next Summit (1998) and, in particular, contain the following guidelines:

- No state, no group of states and no organization should claim any dominant responsibility for peace and stability in the OSCE area or establish spheres of influence.
- Those countries with a need for them should receive security guarantees through a network of bilateral, multilateral and pan-European agreements and arrangements (only, however, if they accept OSCE commitments and expressly renounce any border changes).
- The substance of the Helsinki Principles should be developed further and formalized as a treaty. (No doubt this referred particularly to the relationship between "territorial integrity" and "self-determination".)
- A network of complementary agreements should provide for co-ordination and division of functions between the OSCE and other multi-national institutions (here Russia of course also mentions the Commonwealth of Independent States); in addition, ties with and between sub-regional groups and organizations should be developed (Barents Euro-Arctic Council, Central European Initiative, etc.).

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22   See Note 19.
23   Speech to the Permanent Council on 20 September 1996, Document REF.PC/587/96.
24   See von Tscharner/von Castelmur, cited above (Note 1), here pp. 236-237.

- In addition to existing OSCE organs, an "advisory committee" (or another body with limited membership) should be set up to present recommendations to other institutions in connection with very urgent matters.
- In 1997 or 1998 all OSCE participating States and all important organizations and institutions concerned with European security should convene for a "Pan-European Conference", obviously for the purpose of making appropriate decisions.

Again in the autumn of 1996 these ideas were successively elaborated and to some extent modified, as follows:

- Meaningful co-operation between the various organizations and institutions should be made easier by agreements and by "memoranda on mutual understanding" which, by providing for exchange of information and consultation, should make joint decisions and actions possible.
- At the same time, work should begin in Lisbon on a legal framework for the future European security system. The envisaged treaty should lead to the creation of a common security space and to a division of labour and co-ordination between the existing organizations. There should be no hierarchy but, rather, a legally binding set of rules for co-operation. This work should be assigned to a working group of the Permanent Council.
- The economic dimension of security should be made a part of this by analogous measures to promote inter-action - with the UN Economic Commission for Europe (ECE), the OECD, the International and European Banks for Reconstruction and Development and the European Investment Bank, among others.
- As for the OSCE itself, formal consideration should be given to a legal basis for its status and the codification of the principles and commitments adopted in its framework. For this purpose the Secretariat should be expanded to include a "juridical service". With regard to the system of OSCE bodies, the Senior Council should be abandoned; the Permanent Council could, as necessary, meet at the level of Vice-Foreign Ministers or Political Directors and delegate work to other institutions and working groups. A smaller body, a "Security Policy Committee", should be established to provide support for the Chairman-in-Office and the Permanent Council; made up of permanent and annually changing non-permanent members, it would prepare decisions and make recommendations. The modalities of its composition should be worked out by the Permanent Council. A later Russian contribution talks instead about a "Committee of the Chairman-in-Office for Security Issues"; the "permanent members" should be provided by countries with a special responsibility for European security. The intention was apparently to assuage concerns about the exclusion of the comprehensive organs,

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–   especially the Permanent Council, and hence about a weakening of the consensus principle, by referring to the committee's support function. The Troika was also to play a bigger role. In addition, "regional round tables" were to be set up, that is, sub-regional bodies for consultation and negotiation such as had already played a part in the process of developing the "Pact on Stability in Europe".

–   The mandate of the High Commissioner on National Minorities should be adapted to the requirements. It would actually be desirable to give his recommendations a binding character; since there is no consensus for that, the Permanent Council should concern itself regularly with his recommendations and with the reactions of the states to which they are addressed.

–   With regard to conflict management it would be desirable to have an agreement on parameters and guidelines for missions and for the use of the mechanisms for dealing with conflicts. The OSCE should not lay claim to an arbitration role. It should only make proposals to the UN Security Council when all efforts towards a peaceful settlement of a dispute have failed; and even then the consensus principle must be preserved.

The *NATO countries* emphasized that the existing structures and principles of OSCE should be retained. Progress should take place in conformity with the principle of flexibility. With regard to co-operation between various organizations, it was desirable to proceed pragmatically and not to seek a sharply defined division of labour or to establish hierarchies. The Security Model could be helpful in working out rules (principles and norms) to govern inter-action and co-operation between institutions and organizations such as OSCE, NATO, EU, WEU, the Council of Europe, etc., but not in the form of a formal treaty. In a sense this amounted to arguing the case for a "code of conduct", not just for relations between countries (and within them) but for those between international organizations as well. The European Union's similar project for a "Platform for Co-operative Security" was advocated.

As for their own role, the NATO members pointed to the Cooperation Council (NACC) and to the favourable judgement of NATO's leadership role by NACC members; also mentioned were the "Partnership for Peace" and IFOR. With respect to Russia, and Ukraine as well, the Alliance was seeking a stable relationship and a partnership beneficial to all.

The *European Union* emphasized - as did NATO as well - a high priority concern for the implementation of principles and commitments already established. In particular, the Security Forum ought to review the observance of commitments agreed to in the Code of Conduct. Special attention ought to be given to the possibility of joint action by OSCE States when OSCE commitments were not observed. The concept of "OSCE first" (in the spirit of the above mentioned Kinkel-Kooijmans initiative) was raised again. With regard to peacekeeping op-

erations, the OSCE should not claim sole competence if the UN itself did not act, but the binding character of all relevant UN and OSCE provisions must be unquestioned by all who are bound by them.[25]

The EU had presented the above-mentioned project for a "Platform for Co-operative Security" back in the spring of 1996, thus offering an alternative to the concept of a system of collective security anchored in international law.[26] As was to become clear in the autumn, the EU's interest was in particular to have the OSCE offer a "platform" for communication and co-operation between the participating States and the various organizations involved in security matters.[27]

In that connection, also the EU argued for a pragmatic enlargement of co-operation between various organizations, referring to its own exemplary activities (the "Pact on Stability in Europe" and its transfer to the OSCE,[28] for example, the Euro-Mediterranean Partnership, and the bilateral agreements promoting stability, e.g. the "Europe Agreements" with Central and Eastern European countries and the partnership agreements, e.g. with Russia).

In the autumn the ideas on the Platform as a "central political element of the Security Model" were given more definite form. Not only countries but relevant groups of countries, organizations and institutions should make use of the OSCE and support it in efforts to arrange for the management of European security. The OSCE should set up norms of conduct for these groups and actors, especially to ensure

- respect for OSCE principles and commitments,
- transparency with regard to the structure of the organization and its further development,
- the voluntary character of membership,
- that there will be no interference with the "growth" of other organizations, and

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25 This again brought up the issue of "third party peacekeeping" which had been vigorously debated in advance of Budapest. See Schneider, cited above (Note 7), in this case pp. 418ff. and 420ff.

26 Benedikt von Tscharner and Linus von Castelmur described the "Platform" in their contribution to the OSCE Yearbook 1995/1996, cited above (Note 1), in this case p. 234, as "a combination of statutes, 'corporate identity' and a concrete work program". The main characteristics, however, were a) its only politically, not legally, binding nature, and b) the absence of a comprehensive and leading role for the OSCE, which was to have only one of a number of artfully combined roles in the overall play.

27 The meaning of "platform" is thus ambivalent: on the one hand it is the characterization of a document to be drawn up for continuing the process of promoting security and co-operation and thus the antithesis to the term "charter" (incidentally, "platform", in American usage, also refers to the "election program" of a political party); on the other hand, it makes one think of a forum or a podium that is available for discussions.

28 Cf. Pál Dunay/Wolfgang Zellner, The Pact on Stability in Europe - A Diplomatic Episode or a Lasting Success?, in: OSCE Yearbook 1995/1996, cited above (Note 1), pp. 299-312.

− that there will be no effort to establish spheres of influence beyond the circle of members.

The project could be carried out by having organizations that want to associate themselves with the "Platform" issue appropriate statements that would cover, *inter alia*, their willingness to observe the above-named commitments and the contributions the organization or group in question was prepared to make. Possible institutional arrangements would be the establishment of liaison offices, joint procedural rules, and arrangements for missions and the like. The result would be not only closer ties but also encouragement and support for the various organizations and the avoidance of dividing lines.

There were a number of other noteworthy contributions to the discussion during the autumn of 1996:

The *German* Foreign Minister, Klaus Kinkel, in a speech to the Permanent Council, referred in positive tones to "interesting" ideas expressed by the President of the French Republic, Jacques Chirac, about the gradual conversion of the OSCE's set of norms into valid international law. A suggestion by the then Chairman-in-Office, the Swiss Foreign Minister Flavio Cotti, for the creation of an "advisory committee" with seven permanent and eight alternating members to advise the Chairman-in Office and make proposals was described by Kinkel as "extraordinarily interesting". At the special meeting of the Security Model Committee already mentioned, a German speaker indicated interest in a possible re-examination and authentic interpretation of the Helsinki principles, an idea which prompted another delegate, representing another EU and NATO member, to respond with a critical comment.

Switzerland (which as a regular participating State and as the country holding the Chairmanship had, so to speak, a special role to play) presented an entire list of possible measures of co-operation between international organizations ranging from *ad hoc* agreements on joint undertakings (without hierarchies) to synergy-promoting procedural rules and to yearly meetings that might be arranged by the OSCE. In addition, Switzerland, as an individual State, suggested an internal OSCE commitment on the part of the participating States to provide information and consult with the others before any changes were made in their national security policies; the occasions for this (in accordance with the comprehensive view of security characteristic of the OSCE) were not to be limited to politico-military aspects of security.[29]

Ukraine used the discussion of a Security Model as the occasion for a statement that it had nothing against NATO enlargement if it took place gradually and

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29 Carrying out this idea would bring about an unusually far-reaching change in the culture of international relations as there are hardly any important political decisions that do not involve some aspect of security, whether economic, political, ecological, social etc. All of these things would become part of a comprehensive process of communication and consultation.

transparently and did not lead to the deployment of nuclear weapons on the territory of the new members (Belarus's proposal for a nuclear-free zone from the Baltic states to the Black Sea was supported). Ukraine also favoured working out concepts and implementation arrangements for OSCE peacekeeping operations, including appropriate arrangements with NATO, the WEU and, under certain circumstances, the European Union. "Partnership for Peace" could play a significant role. But operations of this kind should take place exclusively under the auspices of the OSCE (the Commonwealth of Independent States was not mentioned).

All of this shows that in the weeks and months before the Lisbon Summit the negotiating situation had entered an exciting phase:

Russia came nearer to Western thinking in a number of respects and tried to stay within the guidelines of the Budapest Ministerial Council meeting. At the same time, however, it tried to keep essential elements of its conception, in various versions, on the table - e.g. the central role of the OSCE in European security architecture and the structural improvement (e.g. by giving it a legal status) needed for that purpose, and also the idea of a closer organ analogous to the UN Security Council whose adoption was pursued by concessions with respect to its authority (only of an advisory character).

NATO in all important respects stuck to its basic position but showed some flexibility on the "Platform" project put forward by the EU.

The *European Union*, more than NATO, showed a certain willingness to consider structural "progress". The project for the "Platform" evinced a number of quite attractive features. It tried, for example, to tie two concepts together: one was the basic "Western" position, namely, a "no" to the idea of a "static" and "hierarchical" new construction of a pan-European security order and, in its stead, a "yes" to pragmatic flexibility, i.e. to *ad hoc* co-operation amongst existing organizations as appropriate to the situation (a relationship between "supply" and "demand" of this sort of course favours the holders of political "market power", i.e. in this case particularly NATO); on the other side there was the idea of a special, elevated role for the OSCE, first owing to its especially advantageous position and function in the field of consensual establishment of governing rules (principles and norms for a code of conduct which would apply to international organizations as well as countries), secondly because it was to carry out the key function of arranging for inter-action and co-operation between the other organizations by providing the "Platform" and serving as "host" and as a point of co-ordination.

That means that as far as appearances were concerned the "Platform" project gave the OSCE a central position in the inter-institutional network and this looked like an accommodation to Russian desires. On the other hand, in a "realistically" calculated power relationship, the greater strength would continue to lie with NATO (and, in a certain sense, also with the European Union itself)

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since the operational weakness of the OSCE would not be overcome by the re-alization of this project alone - both because it does not have significant sanc-tions to impose and owing to the continuing validity of the consensus princi-ple.[30]

One can speculate at length on the possible reasons for this negotiating situation - for example, on the question of whether a game with divided roles was being played when a number of influential EU members let it be known that they would be willing to take a closer look at giving legal status to certain elements of the OSCE system; or on what intentions lay behind the hints from several important actors that they were prepared to examine more closely the Russian ideas on the introduction of a "closed ended" body for preparing decisions, or at least to find them interesting. It is possible, for example, that a certain rede-signing of the OSCE - especially of the way it appears in public (in the sense in-dicated) - might have or ought to have served as a "bargaining chip" in the de-bate over NATO enlargement, in such a way as to meet Russian concerns (whether articulated by Parliament or otherwise) about this enlargement with demonstrative concessions on Russian ideas about the Security Model and the position of the OSCE within this model. On the other hand it was predictable that the idea of a new body, even if only of an advisory nature, in which not all participating States were to be represented would meet with unyielding resist-ance, especially from numerous smaller delegations (and capitals). For those countries that wanted (with a view to problems related to NATO enlargement, perhaps) to demonstrate a willingness to make concessions to the Russian side in the area of OSCE development, it was thus absolutely without risk to do so in connection with the creation of such a body.

The Lisbon Declaration

It is not by chance that the Lisbon decision on the "Security Model" appears meagre at first sight - when one considers the interests and positions described above. We can forego a detailed interpretation of the text.[31] A large number of familiar commitments and assertions are reaffirmed and repeated. It emphasizes the "central role" of the OSCE "in achieving our goal of a common security space" - "free of dividing lines in which all States are equal partners". But few new ideas or prospects are developed to give it reality. The key elements of sol-

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30   It has been known for some time that despite the consensus rule tendencies towards the effective operation of an "iron law of oligarchy" have been making themselves felt even in the CSCE/OSCE. This became evident, for example, in the establishment of *ad hoc* working groups to deal with certain conflicts - for which the Chairman, along with rep-resentatives of the immediately affected and neighbouring countries, almost always invites representatives of the "great ones". An example of this is the "Minsk Conference" and its executive committee, the "Minsk Group".

31   See Note 5.

idarity in the Code of Conduct are stressed;[32] the transparency of all security arrangements, the principle of taking into consideration the security concerns of other states, the positive value of bilateral or regional efforts to create security and partnership and many other statements of a similar kind are all gathered together in this document.

It raises the possibility of a joint appeal to the Security Council to concern itself with cases that require measures under Chapter VII of the UN Charter - but without the clause (which could not obtain a consensus in Budapest) stating that this could be done even without the agreement of the parties to the conflict or of those breaking the rules, and that it could be tied to concrete recommendations about appropriate measures.

The most that might be new are the following passages in the catalogue of future responsibilities of the Security Model Committee:

− More effective instruments should be developed to deal with cases of non-compliance with OSCE commitments.
− The "Platform for Co-operative Security" should establish modalities for co-operation between the OSCE and other security organizations.
− The opportunities for using OSCE instruments for preventive diplomacy and conflict prevention should be improved through appropriate measures.
− The elaboration of a "Charter on European Security" should be considered. (There is no indication of what it should contain or of the form it should have.)

The Continuation of Work

Discussions have continued in the Security Model Committee following the Lisbon Summit.

As a country particularly interested in the creation of a "Security Charter", Russia has taken the relevant statement from Lisbon as the occasion to elaborate its ideas on this subject. The project should be viewed as an extensive development process (thus, in a certain sense, Russia accepts the West's stress on the dynamic character of the efforts towards a Security Model, but has obviously not abandoned its notions of finality). The Charter should build on the "acquis" of the pan-European security regimes. At the level of principles it is important to adapt the Helsinki Decalogue to new problems and to flesh it out with new statements of a principled character on such matters as:

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32   No. 6 of the Declaration, see Note 10.

- the principle of taking account of the security interests of states which are not members of any Alliance;
- a more precise clarification of the relationship between the principles of territorial integrity and national self-determination;
- strengthening the prohibition of the use of force, giving firmer assurances of solidarity with potential victims of aggression or of other violations of the Security Charter, and prohibiting the use of certain weapons.

With regard to preparations for concrete action, the Charter should contain provisions on pan-European arrangements for peace operations (guidelines for mission activities, for activities of preventive diplomacy, conflict prevention, crisis management, peacekeeping and post-conflict rehabilitation missions). One chapter should be devoted to arms control and CSBMs. Other sections would deal with the economic, social and environmental dimensions of security. A further chapter on the "human dimension" should concern itself with the security of people - "democratic security" (a concept introduced by the Council of Europe which relates to the connection between security and political order) - and minority rights, in connection with which, interestingly enough, the subject of "collective rights" is raised.[33] Finally, another part of the Charter on security co-operation between organizations could take up the substance of the "Platform for Co-operative Security" tabled by the European Union.

It is understandable that these proposals did not meet with undivided approval. The United States felt that other elements of the Committee's agenda ought to have priority before one could even start to consider whether a Security Charter would make sense. There were critical observations from other delegates along the following lines:

- It was still completely unclear what kind of formal and substantive relationship there should be between the ideas for a "Security Model" and a "Charter".
- The identification of concrete "issues" should have priority along with the formulation of commitments to be derived from them; it did not make much sense to design "structures" of a general nature and freighted with lofty claims.[34]
- Improvements in the implementation of detailed provisions already worked out and the development of additional provisions would take up all of 1997;

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33   Contribution of 14 February 1997. Document Ref. PC/81/97. Hitherto it has been only the guarantee of individual rights of persons belonging to minorities that was capable of achieving consensus in the CSCE/OSCE, as also in the United Nations.

34   The initiators of the "Charter" project had argued for giving the Charter fundamental and comprehensive significance similar to the Helsinki Final Act of 1975, but on a higher plane of substance and status appropriate to the possibilities existing today.

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 thus it was premature to concern oneself with the form and content of a "Charter".
− One should ask oneself what a "Charter" of this kind would contribute at all to real improvement of the security situation.
− A look at the crisis in Albania and the OSCE's involvement there showed that the ability of the OSCE to deal with problems did not depend on the existence of such a Charter.

Still other delegations did not reject early consideration of this subject out of hand but thought it important first to have a thorough discussion of what the Charter ought to consist of and what not.
The handling of this issue has so far not gone beyond preliminary discussion. The Danish Chairman's mediatory suggestion that one ought first to identify pieces of the mosaic that would fit into the composition of a Charter met with only partial agreement.
Instead, the most recent discussions of the Security Model Committee have focused on special issues. One, in connection with the discussion of the "Platform", has to do with the establishment and/or expansion of co-operation with other organizations.[35] Related to this was the seminar held in June 1997 on regional security co-operation to which a large number of regional organizations and groups of countries were invited. There is another subject that has to do with the particulars of regional security co-operation, i.e. the adaptation of confidence- and security-building arrangements to the specific circumstances of various regions. (The problems of confidence- and security-building in Southeastern Europe, namely in Bosnia and Herzegovina and its neighbouring areas, represent a particularly delicate special case.)
The ideas associated with the term "Platform for Co-operative Security" and having to do with co-operation - non-hierarchical, but initiated by the OSCE - between itself and various other kindred organizations have not so far led to any very clear perspectives. It has not been decided, for example, whether the "comprehensive view of security" which is typical of the OSCE should constitute the foundation for these efforts. If "security policy" in the narrower sense of the word is at issue then the organizations that might be considered as partners in inter-action and co-operation would above all be ones responsible for military security such as NATO (together with the new Atlantic Partnership Council which has replaced the former Co-operation Council) or the WEU. But if the

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35 The Secretariat presented a status report on this issue according to which formal relations exist so far only with the United Nations although there are more or less regular and intensive contacts and consultations with a large number of organizations and it has even become customary for them to invite each other to important conferences, etc. Particular attention is given to co-operation in the field between OSCE missions and missions of other organizations (UN, EU/EC, etc.); the multilateral co-operation of many actors in connection with the peace process in Bosnia and Herzegovina constitutes a special case.

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"comprehensive" view of security is determinative - e.g. if the economic and environmental dimensions of security are also part of the equation - then numerous other organizations could be regarded as "partners", from the OECD to the UN Economic Commission for Europe (ECE) or from the Council of Europe to the various development banks.

On the other hand, special attention has been given to the topic of support in solidarity for participating States in various possible situations. A number of prospects have taken shape. One might be solidarity in the event of catastrophes of various kinds and also in internal crises (e.g. illegal attempts to impair or eliminate the democratic order and the rule of law). Another would be joint action in the event of non-compliance with OSCE principles and norms by a participating State. Such action would take account of the possibility that what is involved is not deliberate disregard of the OSCE rules but circumstantial difficulties of implementation whose removal calls for friendly assistance to the country in question.

Quite another category of situations which is regarded as particularly critical involves the threat or use of force against a participating State which needs to receive support in solidarity from its partners. Appropriate measures should be provided for in all of these cases. Depending on the circumstances they could range from consultations to the despatch of missions and other supportive actions, up to and including the involvement of the UN Security Council. In conformity with the basic principles of the OSCE on the relationship between security and co-operation and the comprehensive view of security, consideration is being given to how co-operative measures could first be applied, before (in the event they prove ineffective) resorting to negative sanctions. Of course, constant vigilance with regard to the observance of commitments and rules is an indispensable condition of timely and effective joint action.

These discussions in the Security Model Committee are also taking place as part of its treatment of the "Platform" project. Consideration is being given to the idea of using the "Platform" not only for discussion of inter-institutional co-operation between the OSCE and other organizations but also of matters that are, so to speak, internal to the OSCE such as better arrangements for preventive diplomacy, crisis management and post-conflict rehabilitation. This seems somewhat confusing at first blush but it is not without reason. The impression has arisen that quite a number of delegations would like to deal with issues related to the "Security Model" as much as possible in the "Platform" framework, not least because they have no interest in pursuing these discussions as part of the project for a "Security Charter", where they might have to go along with the treatment of other elements of the "Charter". One occasionally gets the impression that one of the main tactical purposes of the "Platform" project is to serve as an alternative to the idea for a "Charter". This does not mean, however, that the proponents of the "Platform" are all agreed on what should go into it.

As a general matter, the logical and material relationship between the discussion of the "Security Model" and the project for a "Platform for Co-operative Security" has not been fully clarified. From the very beginning the "Platform" heading has been used both to table ideas for procedural and structural improvements internal to the OSCE and to present concepts for the development of co-operative relations between the OSCE and other organizations active in the security field. That is worth noting here because it demonstrates clearly the ambiguity that has accompanied the subject of the "Security Model for the 21st Century" from the start. This issue has always been viewed by some participants under the aspect of elevating the OSCE to the position of main guarantor of European security. In this way all individual projects can somehow be viewed as ones affecting the OSCE itself. To other participants it was obvious from the beginning that the OSCE would become no more than one component of a group of non-hierarchically co-operating organizations; thus some projects are, so to speak, matters for the OSCE itself while others have to be worked out between it and a series of other organizations and institutions. Under these circumstances the OSCE can do no more than present proposals to other organizations and invite them to co-operate, even if it has reached its own internal consensus on how to deal with certain things.

Thus conceptual ambiguity emerges from the variety of interests and intentions.[36] In other words, OSCE discussions cannot be appropriately understood if one accepts the statements, so to speak, at face value. They are always an expression of political interests and intentions which are often clearly discernible but sometimes must be derived from the context.

A Concluding View

During the period covered by this article the interests of important OSCE participating States and groups of states were affected by circumstances that go beyond internal OSCE relationships. These have already been mentioned by reference to the debate over NATO's enlargement. We can therefore assume that the agreement between NATO and the Russian Federation of 27 May 1997 on the "Founding Act on Mutual Relations, Cooperation and Security" will also alter the terms of the discussion on the "Security Model".[37] However, it is not yet clear just what kind of change this will be.

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36   The cogent observation of Adam Daniel Rotfeld is applicable here: "Specific interests of individual great powers are generally hidden behind the facade of formal disputes or complicated debates on the institutional transformation of existing security systems." Still, in the OSCE, as we have seen, it is not only great powers that are involved in these debates. See Adam Daniel Rotfeld, Die Zukunft des Europäischen Sicherheitssystems [The Future of the European Security System], in: Vierteljahresschrift für Sicherheit und Frieden (S+F) [Quarterly for Security and Peace] 4/1995, pp. 221ff., in this case p. 222.

37   See Note 6.

It is possible that the agreement between NATO and Russia will lessen the significance of the OSCE's reform efforts. Signature of the Founding Act shows that Moscow has accepted the eastward enlargement of NATO. OSCE reforms, viewed as "bargaining chips" for Russian acceptance of NATO enlargement, would thus have lost some of their value.[38] The view in Moscow may have been that it was better to work things out directly with NATO than to rely for the future development of East-West relations on a forum that can only reach clear decisions when countries like Liechtenstein and Malta, Kazakhstan and Uzbekistan, Estonia and Latvia have also given their agreement.

But another interpretation is possible, namely that Russia - because it entered into the agreement of 27 May 1997 only *nolens volens* - is all the more interested in not having that agreement be the only significant basis for East-West developments. If that were the case, the multilateral OSCE discussion on the European Security Model might gain in relevance.

The future is open. The discussions in the Security Model Committee will go on. What the final result will be - or in the absence of a prescribed conclusion and, consequently, as a "story without an ending" - cannot yet be predicted.

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38   That the Russian leadership might have lost some of its interest in the reform of the OSCE was already indicated in the aftermath of the altercation in Budapest; see Andrej Zagorski, Rußland und die OSZE - Erwartungen und Enttäuschungen [Russia and the OSCE - Expectations and Disappointments], in: OSZE-Jahrbuch 1995, cited above (Note 7), pp. 109-119.