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## The OSCE - The Present and Future of European Security<sup>1</sup>

Europe is currently going through an extremely important stage of its development that calls for the exercise of extraordinary responsibility. On the threshold of the 21st century, the European states face the necessity of practical measures to achieve a unified security space, free of dividing lines, on the continent. In an objective sense, too, the situation is developing in this direction. After the end of the Cold War and a phase of euphoria at the beginning of the nineties, when the realization of a Europe both unified and free of conflict appeared to be within easy reach, there followed a stage of sober reflection on the many difficulties in a multi-polar system such as the one that has been developing in the Euro-Atlantic area. Against the background of the common values and goals which the participating States have identified and embodied in the documents adopted at OSCE Summit Meetings, the different interests that continue to exist in reality in the economic realm, in military policy and in other fields of interest have made themselves felt.

Differences and conflicts between ethnic groups have become an important and dangerous destabilizing factor in the Euro-Atlantic area. Not only do they "tear apart" individual countries but they threaten to spread to neighbouring states and thus represent a serious threat to the stability of Europe as a whole. This does not apply just to the post-Soviet area or to former Yugoslavia. Inter-ethnic conflicts are continuing to smoulder in "prosperous" European countries as well. They should not be underestimated because there are already signs that virulent inter-ethnic conflicts could ignite the latent ones. Nor can we close our eyes to such phenomena as the spread of drugs, organized crime, the pollution of the environment and similar problems. Thus Europe is now being confronted with a whole range of old and new threats of the most varied kind. The Europeans must decide how they want to deal with them so as to attain the lofty goals that they have set for themselves and to ensure their security.

In our view, the establishment on this continent of a full-fledged regional organization based on a treaty on European security is the surest way to guarantee security and stability as well as to forestall further conflicts in Europe. The Organization for Security and Co-operation in Europe must become a central factor in the creation of a unified Euro-Atlantic area without dividing lines. Viewed in historical perspective, this organization has played the most

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important positive role in the rapprochement between East and West and in the development of contacts and co-operation between the opposing social systems. It has been possible, within the framework of the OSCE, to work out and agree upon common principles and "fair rules of the game" for relations between countries with contrary interests. In the course of decades, mechanisms and instruments for early warning and the settlement of conflicts were developed and tested. And, quite apart from its historic foundations, the OSCE enjoys by its very nature a number of advantages that permit us to put this organization at the centre of pan-European developments, to speak of its co-ordinating and system-building role and to see in it the future of guaranteed security on the continent.

First, there is its broad geographic extension - the OSCE comprises 55 participating States, among them not only traditional European countries but a number of Asian ones as well as the United States and Canada. In addition, it maintains contacts with a large number of partner countries in the Mediterranean area and in East Asia which make their own contributions to a co-operative relationship with the OSCE.

Second, unlike all other European organizations the OSCE has not focused on one particular aspect but operates on the basis of a comprehensive understanding of security that includes military, economic, environmental, humanitarian and other considerations.

Third, the OSCE, except in matters affecting the guarantee of human rights, works on the consensus principle. Practice has shown that this principle is the best one for upholding the interests of individual participating States while at the same time retaining flexibility and the ability to act. Moreover, it reflects the democratic character of the Organization in which the vote of the smallest country has exactly the same "weight" as that of a great power.

Fourth, the OSCE has, so to speak, two faces. It is on the one hand a forum for dialogue, negotiations and co-operation and thus stimulating and setting the direction of the process of building a new Europe. The OSCE fulfils an important norm-creating function by making possible a detailed conceptual review of theoretical issues related to security and co-operation in the Euro-Atlantic area. And the Organization is indispensable as a structure for working out compromises on key issues of European life in which all of us, who are neighbours in the European house, participate.

On the other hand, the OSCE has at its disposal a broad range of practical instruments for its operational activities, *inter alia* in the fields of early warning, conflict prevention, crisis management and post-conflict rehabilitation. There is no other organization that has instruments such as the long-term missions. The High Commissioner on National Minorities and the Personal Representatives of the Chairman-in-Office have also been effective. Recently two new institutions - the OSCE Representative on Freedom of the

Media and the Co-ordinator of Economic and Environmental Activities - were established from which we expect a serious and positive contribution, in their respective areas of work, to the task of building security.

If the OSCE is to operate successfully it is extremely important to maintain the proper balance between these two functions. It would not be appropriate to limit the role of the OSCE to its operational responsibilities while pushing the norm-setting function into the background. Unfortunately, a number of participating States are tending in this direction. The Organization urgently needs a legal basis provided by a treaty - clear documents which regulate both its overall activity and the activities of individual instruments such as the missions. If the consensus principle were to be violated there would be a risk that OSCE decisions might be taken in the interest of individual countries or groups of countries. The Organization still falls far short of meeting all the criteria for a regional arrangement in the sense of Chapter VIII of the Charter of the United Nations. But none of these problems arise from the essential nature of the OSCE. Every organization is only as effective as its members want it to be. What is most important, therefore, is the political will of the participating States of the OSCE to develop its considerable potential. There has, after all, been a fair amount of progress in this direction. The idea we presented a number of years ago for working out a new Security Model for Europe for the 21st Century is taking form and heading for success. It was developed further at the Lisbon Summit in 1996. There was general acknowledgement of the need to discuss working out and adopting a new and comprehensive document for the Organization - a Charter on European Security. The meeting of the Ministers of Foreign Affairs of the OSCE participating States in Copenhagen in December 1997 adopted a document on the parameters of the Charter setting forth its fundamental elements, on which further work is needed.

It is our view that the working out of this Charter should be the OSCE's main point of emphasis in the current phase. It is, after all, a document whose importance can be measured against that of the Helsinki Final Act. As was stated in the decision at the Copenhagen meeting of the Ministerial Council, the Charter should serve the needs of our peoples in the new century, address the risks and challenges to security, and complement and advance the processes of integration across the OSCE area. The Charter should reaffirm the principles of the OSCE and acknowledge its continuing validity and applicability in ensuring peace and stability. At the same time, it should continue to uphold consensus as the basis for decision-making in the OSCE.

It is of importance that the Copenhagen decision stressed the need to strengthen the OSCE in its ability to carry out those activities that are peculiar to it. The Foreign Ministers agreed that the OSCE is the only pan-Euro-

pean security organization and hence that it plays the key role in securing peace and stability in Europe.

In this connection, the Copenhagen Document emphasizes the innovative character of the Charter, which is intended as a further step in developing the standards and practice of the OSCE participating States. We attach particular importance to this aspect. It is true that the basic principles of the OSCE continue unchanged and must be observed strictly. But we believe that changes in the real political and economic situation in Europe positively demand that these principles be applied in a new way, without departing from the provision of the Helsinki Final Act that all principles are "of primary significance, and, accordingly, they will be equally and unreservedly applied, each of them being interpreted taking into account the others". The OSCE participating States are to respect these principles and apply them fully and "in all aspects, to their mutual relations and co-operation in order to ensure to each participating State the benefits resulting from the respect and application of these principles by all".

It is our view, given the present circumstances and based on these provisions of the Final Act, that it is time to give greater precision to the contents and application of existing norms and principles. This process has, *de facto*, been under way in the OSCE for a long time. One example is the decisions of the Moscow meeting of the Conference on the Human Dimension of the CSCE in 1991, which provide an interpretation of the principle of non-intervention in internal affairs for the period after the end of the Cold War. All we are proposing is that this process be regulated and given a clear organizational and legal framework. The working out of the Charter offers one opportunity for doing this.

At the same time, we are categorically against exploiting the Charter to give individual states or groups of states the opportunity to violate the sovereignty of their OSCE partners or to interfere in their internal affairs under the pretext of "ensuring the implementation of OSCE commitments" or of "solidarity", or through the introduction of new institutions and mechanisms as a "reaction against violations of the principles and decisions of the OSCE" without any clear mandate or regulation for their activities and without subjecting them to review by the collective leadership organs of the OSCE, particularly the Permanent Council. Russia shares the concern that all participating States should fully observe OSCE principles and the commitments they have undertaken. As we see it, however, this implementation should apply equally to all. That means, as we understand it, that there can be no "double standards" within the OSCE with regard to one group of states or another. All of the partner countries within the Organization must meet their obligations equally, irrespective of the developmental state of their democratic, economic or other institutions and without assuming the mantle of judges

pointing out the weaknesses of other participating States. Every country, without exception, has problems in this area. The only question is whether the violation of norms reflects an objective inability to meet the high OSCE standards - whether for financial, economic or other reasons that need to be taken into consideration. What is called for in such a case is help from the international community - but not given in the tone of a "prosecutor" and not accompanied by heavy penalties.

An outstanding example of obvious, crude and continuous violations of OSCE principles and norms can be seen in the behaviour of the leaders of Latvia and Estonia towards the non-titular populations residing on the territory of these countries. Immediately after attaining independence these countries imposed unequal status on a substantial portion of their inhabitants, and failed to implement the recommendations of international organizations.

The result of this policy, which has been going on for seven years, is the splitting of Estonian and Latvian society and the aggravation of their relations with neighbouring states. And all of this is taking place against the background of a generally successful solution of a similar situation in Lithuania. We believe that the status of the non-titular population in the Baltic states (which is not only Russian - there are Poles, Jews, White Russians and others among them) is not an exclusively internal affair of Latvia and Estonia but that it merits regular and strict monitoring by the OSCE.

Another categorical imperative is the rejection of new dividing lines on the European continent created by emphasizing the right of membership in military alliances. This trend, unfortunately, can be seen especially in the positions of those countries that seek to join NATO as quickly as possible. We regard this approach as an attempt to establish an "official interpretation" of sovereign equality and of respect for the rights inherent in sovereignty which will seriously damage the interests of European stability and security.

The right of each participating State to "be free to choose or change its security arrangements, including treaties of alliance, as they evolve" is contained in many OSCE documents, including the decisions of Copenhagen on the Guidelines for the Charter on European Security. But the same document has another clearly stated provision which the proponents of a free choice of alliances like to ignore: "They will not strengthen their security at the expense of the security of other States."

The Copenhagen Ministerial meeting also stated that "(w)ithin the OSCE, no State, organization or grouping can have any superior responsibility for maintaining peace and stability in the OSCE region" and that none of them may "regard any part of the OSCE region as its sphere of influence". This means that the above-cited provisions of Copenhagen must be viewed in their entirety. Only then will the goal of equal security for all OSCE participating States be ensured, as set forth in the Charter of Paris of 1990.

One fundamental issue is that of retaining the consensus principle. As already mentioned, a departure from this principle is permissible in strictly limited exceptional cases related to respect for human rights. However, this does not affect the fundamental provision in the decisions of Copenhagen that consensus shall continue to be upheld as the basis for decision-making within the OSCE. Otherwise, the OSCE might be used not for the implementation of agreed common interests but for promoting the day-to-day politics of certain countries with the aim of pressuring other countries to subject the rights inherent in their own sovereignty to the interests of the former, which would thus be able to gain all kinds of advantages. In other words, what is involved here is a strategic threat to the OSCE - the risk of violation of those principles by which the participating States, in conformity with the Helsinki Final Act, have hitherto been guided in their mutual relations.

Viewed in this context, the question of a need to deviate from consensus "in order to ensure the OSCE's flexibility" appears inappropriate. The effectiveness and, in this case, the flexibility of the OSCE are determined not so much by the method of reaching decisions as by the political will and the willingness to compromise of the participating States.

With regard to the OSCE as a regional arrangement in the sense of Chapter VIII of the United Nations Charter and its central role in guaranteeing European security, the Russian side proposes that this role be strengthened by agreement on taking on the obligation - thus further developing the principle of refraining from the threat or use of force - to assist, with all available means, any state which has become the object of aggression. The determination of when an act of aggression has taken place should be made by the Security Council of the United Nations. Such an agreement, as we see it, would refute arguments about the relative "weakness" of the OSCE and reinforce its close ties to the UN.

The most important characteristic of the Charter is its comprehensive character - the fact that it takes into account all aspects of security - military, economic, humanitarian and other.

The Charter is designed to secure the successes already achieved in the fields of military co-operation, arms control and confidence- and security-building measures.

As for economic policy, particular attention ought to be given to the interests of the transformation countries and their integration into the global economic system.

In addition, the Charter should strengthen the OSCE's potential for combating such threats to common security as violations of human rights and fundamental freedoms, manifestations of intolerance, of aggressive nationalism, racism, chauvinism, xenophobia and anti-Semitism. In view of the current situation in Europe, issues related to upholding the inter-ethnic dialogue and

promoting the implementation of provisions related to the rights of persons belonging to national minorities will be of particular importance. We expect that the adoption of the Charter will contribute to a rapid and effective solution of situations such as the ones in Albania and Kosovo. In the process, consideration must of course be given to the interests of multi-national states as well as to the rights of national minorities. This means, among other things, strict observance of the principle of territorial integrity.

Other issues that should not be neglected are those related to the operational activities of the OSCE such as peacekeeping and improving the Organization's effectiveness in the fields of early warning, preventive diplomacy, conflict prevention, crisis management and post-conflict rehabilitation.

Finally, the Charter should provide a firmer foundation for the OSCE's role as a forum for co-operation between regional and sub-regional groupings in the OSCE area. This function has particular importance in view of the fact that there are a number of large structures that concern themselves with security in the Euro-Atlantic area. We expect that the Charter will help to improve both the structure and the arrangements for co-operation between institutions, thereby increasing its effectiveness. It is not a question of the OSCE dominating other organizations. Co-operation should not be hierarchical and it should aim at the best possible use of the capacities and potential of each organization. The OSCE can take over the role of co-ordinator in this connection. It is also not a question of putting the OSCE in opposition to other structures such as NATO, the EU or the Council of Europe. NATO's declared willingness to carry out peacekeeping operations under an OSCE mandate is, in our view, a positive factor. The Founding Act between Russia and NATO includes an obligation by both sides to contribute to strengthening the OSCE and to increase its effectiveness. We believe that developing inter-institutional co-operation and setting forth its modalities in the Charter will contribute to finding optimal co-operative solutions to a wide range of concrete problems.

The Charter on European Security should be a document at the level of Heads of State or Government and should be adopted at that level. This will call for extensive and strenuous work on the part of all participating States.

Working out and adopting a Charter on European Security should elevate the activity of the OSCE to a higher level and, as a result, strengthen its role and its significance in the guaranteeing of European security. This objective would be served, among other things, by the strict observance of decisions already made on the regular holding of political meetings of the OSCE at the level of Heads of State or Government and of the Foreign Ministers. The nature of the Organization is such that regular Summit Meetings are needed every two years to give impetus to its work. In the years when there are no Summits, meetings of the Ministerial Council should be held. The Organiza-

tion's ability to act and, ultimately, its reputation will depend to a great extent on whether we can agree on modalities for reinforcing its organizational structure and its everyday activities.

To summarize, let us again emphasize that the Organization faces serious problems and responsibilities as well as new risks and challenges. The OSCE has sufficient potential to deal with them successfully. Everything will depend on the will and the readiness of the participating States to work together in strengthening the OSCE and making full use of its inherent capacities to fulfil the hopes and expectations of the peoples living in the OSCE area - a firm commitment to democracy based on human rights and fundamental freedoms, prosperity through economic freedom and social justice, and equal security for all of our countries.