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## The OSCE and Subregional<sup>2</sup> Co-operation in Europe

### *Introduction*

In 1997, in Copenhagen, the OSCE participating States agreed that "they will further strengthen non-hierarchical co-operation between the OSCE and other organizations within a Platform for Co-operative Security to be elaborated as an essential element of the Document-Charter (...) Based on the provisions set out in the Common Concept, they will offer the OSCE as a potential forum for interaction of regional and subregional groupings in the OSCE area, with the aim of facilitating exchanges of information and of developing a pragmatic approach to addressing challenges, including those in the field of post-conflict rehabilitation".<sup>3</sup>

Subregional co-operation has been an integral component of Western European co-operation and integration since 1945. The Benelux and the arrangements between the Nordic countries provide excellent examples of such co-operation. The post-Cold War years saw a further development of existing subregional groupings, and the emergence of several new ones, voluntarily entered into by OSCE participating States in Central and Eastern Europe, the Baltics, and in South-eastern Europe. These co-operation frameworks offer the countries of these subregions the possibility to develop and expand their mutual relations and relations with Western European partners, and to gain

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  - 2 To define the concepts of "region" and "subregion" in the context of the OSCE poses some problems. The 1997 OSCE Copenhagen Document refers to both regional and subregional groupings without specifying the difference between those. One should note also that the OSCE is itself a regional arrangement under Chapter VIII of the United Nations Charter, and that therefore any geographically defined groups of states within the OSCE space can be understood as subregions. For the purpose of this chapter, a subregion is understood to refer to a geographically (and often also historically) coherent area within the OSCE space as a whole. However, in some contexts, particularly arms control and CSBMs, and regional round tables, the accepted usage is to refer to groups of states as regions rather than subregions and to speak, for example, of regional CSBMs. For the purpose of this chapter, where common usage is to speak of "region" and "regional" rather than, as defined above, of "subregion" and "subregional", for reasons of clarity this common usage will be maintained, but marked in italics.
  - 3 Organization for Security and Co-operation in Europe, Sixth Meeting of the Ministerial Council, Copenhagen, 18-19 December 1997, reprinted in the present volume, pp. 431-457, Decision No. 5, Guidelines on an OSCE Document-Charter on European Security, pp. 444-452, here: pp. 446-447.

relevant experience in a number of areas, in a process often viewed as a warm-up for European integration processes.<sup>4</sup>

This development has not gone unnoticed in the OSCE and other international organizations and institutions, which realize that subregional frameworks can play a valuable role in European security (keeping in mind their limitations), and that subregional co-operation in Central, Eastern, and South-eastern Europe can fulfil its potential only if supported by international organizations and institutions. These organizations (particularly the OSCE and the United Nations, but also the Council of Europe and the European Union) already provide the principles on which these groupings and frameworks are based.

This paper focuses on the issue of OSCE's co-operation with formalized, and occasionally institutionalized, subregional frameworks, that is intergovernmental frameworks established by subregional groups of states within the OSCE area such as the Council of the Baltic Sea States (CBSS), the Central European Initiative (CEI), the Black Sea Economic Cooperation (BSEC), the Royaumont Process, and the Southeast European Cooperative Initiative (SECI). However, it also briefly considers two other dimensions of subregional co-operation relevant to the Organization: informal intergovernmental co-ordination of positions by groups of states within the OSCE on various political issues; and aspects of the OSCE's work which have a subregional dimension, one example of which is the implementation of subregional agreements concluded elsewhere (the Pact on Stability in Europe, and the Annex 1-B of the Dayton/Paris Agreement). These two dimensions highlight the opportunities for, and limitations of, co-operation between subregional frameworks and the OSCE.

*Informal Co-ordination of Positions by Groups of States within the OSCE, and Subregional Aspects of the OSCE's Work*

*Informal Co-ordination of Positions by Groups of States within the OSCE*

The circle of participants of the OSCE and the comprehensive nature of its mandate suggest the usefulness of co-ordination and co-operation on a subregional basis: states with similar subregional interests tend to join together on an *ad hoc* basis.

In the decision-making process, several groups of states co-ordinate their positions within the OSCE - on a regular basis the largest (and formalized) cau-

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4 Cf. Alyson J.K. Bailes/Andrew Cotter, Multi-layered Integration. The Sub-Regional Dimension. An Interim Report with Recommendations addressed to the Chairman-in-Office of the OSCE and OSCE Participating States, Warsaw 1996, p. 2.

cus of the European Union states and the ten associated states (which reflects their commitment to a Common Foreign and Security Policy), and - on a case-by-case basis - the North Atlantic Treaty Organisation; in addition, there are smaller and more flexible subregional groups of states which co-ordinate their positions on an *ad hoc* basis. The so called GUAM group (Georgia, Ukraine, Azerbaijan and Moldova), the three Baltic states, four Central European states (Poland, Hungary, the Czech Republic and Slovakia), and occasionally some or all of the five Central Asian states co-ordinate depending on the relevance of issues.

The co-ordination of positions among OSCE participating States based on common interests reflecting geographic proximity makes clear that in a consensus-based organization, the process is as important as the result, meaning that consensus-building on a subregional basis is considered overall a positive phenomenon. At the same time, some countries may approve of flexible, *ad hoc* subregional caucuses, but may feel left out, or confronted with the emergence of "power blocs" in the OSCE, if faced by inflexible, dogmatic subregional groups. In this context, formalized links between the OSCE and subregional frameworks may be considered difficult by some OSCE participating States.

Significantly, multilateral co-ordination of positions among subregional groups of states in the OSCE context has so far not led to creation of more formalized subregional frameworks, or to the involvement of existing frameworks in the co-ordination of positions in the OSCE.

#### *Subregional Aspects of the OSCE's Work*

In the field, no OSCE mission has a mandate providing for a clear subregional dimension. Because OSCE missions are intended to offer cost-effective, timely and flexible responses to a broad range of issues, and are in all cases deployed with the approval of the host country, the OSCE participating States place emphasis on developing "tailor-made" and therefore different mandates. However, pragmatic and goal-oriented co-operation on specific issues of subregional concern (such as refugees) takes place between some missions, often with contributions from other international organizations.

The subregional dimension is also subject to debate in the OSCE's arms control fora, but here the usual terminology refers to regional aspects. For reasons of clarity, this common usage is maintained in the context of this chapter. As a 1995 OSCE seminar concluded, "the present OSCE and arms control agreements (sic) constitute an important tool and a sound basis for ensuring security and stability. However, they do not always meet specific re-

gional concerns."<sup>5</sup> To take these *regional* concerns into account, the OSCE's Forum for Security Co-operation (FSC) has on its regular agenda a discussion of participating States' experience in the area of bilateral and *regional* issues. The result is a regularly updated informal listing of voluntary agreements that deepen existing common commitments, prepared by the OSCE Secretariat.

The issue of *regional* arms control commitments also found its way onto the agenda of the *ad hoc* working group for the review of the Vienna Document 1994 (third edition) on the Negotiations on Confidence- and Security-Building Measures and Disarmament in Europe. However, even though there is some support for *regional* approaches to arms control, a number of countries find the concept difficult. Arms control is indivisible, it is argued, and countries oppose special *regional* arrangements, particularly when they are suggested by third states.

An example of a specific *regional* issue on the agenda of the FSC are proposals regarding confidence- and security-building measures (CSBMs) for the Baltic region. If accepted, *regional* proposals such as these could theoretically be incorporated in the form of a chapter in a planned revision of the Vienna Document. According to, for example, Wolfgang Ischinger, Political Director of the German Foreign Ministry, specific CSBM commitments codified in the Vienna Document could be complemented and strengthened through specific *regional* measures decided in the context of a *regional* table, with the participation of both Russia and the United States.<sup>6</sup>

The OSCE also has experience in implementing subregional agreements concluded elsewhere. The OSCE's contribution to the Stability Pact and the involvement in the implementation of Annex 1-B of the Paris/Dayton Agreement are two recent and important cases. In the case of the Stability Pact, the common usage is to refer to *regional* round tables. The situation under Annex 1-B is more complicated, as the Annex refers overall to an "Agreement on Regional Stabilization", Article IV to "Measures for Sub-Regional Arms Control" (for the Republic of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina, the Republika Srpska, the Republic of Croatia, and the Federal Republic of Yugoslavia) and Article V to a "Regional Arms Control Agreement" ("in and around former Yugoslavia"). The difference between "regional" and "subregional", in this case, is pragmatically defined and distinguishes a group of states from that same group plus surrounding countries.

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5 Forum for Security Co-operation, Seminar on Regional Arms Control in the OSCE Area: Chairman's Summary, 18 July 1995.

6 Wolfgang Ischinger, Nicht gegen Rußland. Sicherheit und Zusammenarbeit im Ostsee-Raum [Not against Russia. Security and Co-operation in the Baltic Sea Region], in: Internationale Politik 2/1998 p. 39.

Under the Stability Pact, *regional* round tables (for the Baltic region and Central and Eastern Europe) were convened to focus on particular *regional* challenges and to identify concrete projects and relationship-building activities that might contribute to *regional* stability. The Pact on Stability in Europe was adopted and signed in Paris on 20-21 March 1995. Monitoring of compliance with and implementation of the specific agreements outlined in the Pact was entrusted to the OSCE. The OSCE offered to provide "involvement with regard to the observance of OSCE principles and commitments in the implementation of the (...) agreements or arrangements" of the Stability Pact, and described the experience of the *regional* tables as useful for dealing with *regional* issues.<sup>7</sup> The experience of *regional* round tables has since been reflected in debates on subregional initiatives in the OSCE context, but neither the possibility of requesting OSCE assistance with the implementation of projects and activities decided upon in the Stability Pact nor the possibility of using *regional* round tables in the OSCE context has so far been used.

Another of the Organization's current experiences is the negotiation and implementation of the progressive measures for arms control and regional stability provided for in Articles II, IV and V of the Annex 1-B of the Dayton/Paris Agreement. Article II on "Confidence- and Security-Building Measures in Bosnia and Herzegovina" was signed in Vienna on 26 January 1996; Article IV on "Measures for Sub-Regional Arms Control", aimed at establishing a stable military balance at the lowest levels of armaments, was signed in Florence, Italy, on 14 June 1996. Both of these Articles are considered a success for the OSCE. The next step for the OSCE is the negotiation of Article V (Agreement on Regional Stabilization), which deals with *regional* arms control agreements and has as its goal the establishment of a *regional* balance in and around the former Yugoslavia.<sup>8</sup> The processes are considered to be complementary to the work undertaken by subregional groupings in South-eastern Europe, such as the Royaumont Process or the South-east European Cooperative Initiative (SECI).

As for the OSCE's activities undertaken on a subregional rather than on a comprehensive basis, these are accompanied by debate and, occasionally, controversy. While the subregional approach lends itself to many of the OSCE's goals and principles, the concept of comprehensive security, which is at the base of the OSCE's work, makes pursuing subregional activities complex and for some participating States troublesome. As in the case of coordination of positions on a subregional basis, flexibility, transparency and access may prevent these kinds of problems. Significantly, the experience of

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7 Decision no. 63, 31 Plenary Meeting of the OSCE Permanent Council, 25 July 1995.

8 The Special Representative of the Chairman-in-Office for Article V Negotiations was appointed in Copenhagen in December 1997.

subregional aspects of the OSCE's work has not so far led to either the creation of more formalized subregional frameworks, or to involvement of existing frameworks in this dimension of the OSCE.

### *The OSCE's Co-operation with Formalized Subregional Groupings*

Prior to the decisions of Copenhagen, references had been made to subregional co-operation in OSCE documents. It was in 1996 in Lisbon that a direct link was established between the OSCE and subregional frameworks. The Lisbon Summit Declaration states that "the OSCE could contribute to using fully the potential of the various regional co-operative efforts in a mutually supportive and reinforcing way".<sup>9</sup>

The 1997 Copenhagen Document refers to the Platform for Co-operative Security, which is one of the proposed elements of the Document-Charter on European Security, aimed at developing a concept for synergies between the OSCE and other organizations, including subregional groupings, in a non-hierarchical manner. To date, a focused debate on the subregional dimension of the Document-Charter has not yet taken place, although a number of unofficial papers on that subject have been introduced in the working group of the Security Model Committee dealing with the Platform.

On the part of the subregional groupings, the documents and declarations express willingness to implement OSCE's principles, pursue close general links with the Organization, and co-operate in a number of specific areas. The member states of the various subregional groupings have repeatedly reaffirmed their commitment to the implementation of the relevant documents of the OSCE. In a recent example, the Council of the Baltic Sea States (CBSS), at its seventh Ministerial Session in Nyborg on 22-23 June 1998, reiterated that "co-operation and security are in particular based on common principles and adherence to the OSCE as well as on commitments of the states to the UN Charter".<sup>10</sup> Similar declarations have been made by other subregional groupings.

Not all of these groups have decided to take on a security role. Rather, a number of them, particularly those with a more diverse membership, such as the Black Sea Economic Cooperation (BSEC), which has identified economic co-operation "as a contribution to the CSCE process",<sup>11</sup> have chosen either not to pursue security initiatives, or to pursue them on an informal ba-

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9 Organization for Security and Co-operation in Europe, Lisbon Document 1996, Lisbon, 3 December 1996, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (Ed.), OSCE Yearbook 1997, Baden-Baden 1997, pp. 419-441, here: p. 424.

10 Communiqué of the Seventh Ministerial Session of the CBSS, Nyborg, 22-23 June 1998.

11 Summit Declaration on Black Sea Economic Cooperation, 25 June 1992.

sis, and focus on other areas. Others however, without taking on a "hard" security role, have acknowledged the role of contacts with the OSCE in this sphere. For example, the Central European Initiative (CEI) Foreign Ministers' meeting, held in Sarajevo in June 1997, stressed the need to intensify co-operation in the sphere of security, stability and confidence-building measures through regular contacts with the OSCE and other relevant organizations in Europe.

Some specific areas for co-operation have been identified by subregional groupings. The CBSS, for example, "welcomed the intention of the CBSS Commissioner to give priority to and co-ordinate his efforts in the media field with the EU, the High Commissioner on National Minorities and the OSCE Representative on Freedom of the Media".<sup>12</sup> The OSCE and the Council of Europe co-operated with the CEI working group on national minorities in drafting the CEI Instrument for the Protection of Minority Rights.<sup>13</sup> CEI experts participated in monitoring the national elections in Albania in June 1997, which were held under the auspices of the OSCE.

Another specific case are the two most recent subregional initiatives aimed at South-eastern Europe, the Royaumont Process and the Southeast European Cooperative Initiative (SECI), which, in their conceptual stages, were intended by their "architects" to be, or to become in time, integral parts of the OSCE. The "Process of Stability and Good Neighbourliness in South-East Europe", called the Royaumont Process, an EU initiative that emerged from the Stability Pact, began in late 1995 and was signed together with the Dayton/Paris Peace Agreement. It deals with problems of stability and good-neighbourliness in South-eastern Europe. In the initial declaration of the process, the South-eastern European states participating in it emphasized that they "consider that this reflection should take place in the framework of the OSCE, repository of the Pact on Stability. To this end, we propose to give it, in due time, the form of a 'regional table for strengthening stability, good neighbourliness and cooperation in south-east Europe', where all States of the region will be represented on an equal footing, consistent with the relevant OSCE decisions".<sup>14</sup> This principle of equal footing, which gives the Federal Republic of Yugoslavia (which does not participate in the OSCE) access to the forum, has not allowed the OSCE to co-ordinate the process as originally intended. A temporary solution was found in having the EU Presidency serve

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12 Communiqué of the Seventh Ministerial Session of the CBSS, cited above (Note 10).

13 In 1990, CEI countries agreed it was essential that democracy, the rule of law, human rights, including the rights of persons belonging to national minorities, should be respected, promoted and guaranteed. The CEI Working Group on Minorities carried out discussions on this topic. By November 1994, the Foreign Ministers of the CEI had approved the CEI Instrument for the Protection of Minority Rights, a political declaration. [<http://www.digit.it/ceinet/ceibroch/polit.htm>]

14 Declaration on the Process of Stability and Good Neighbourliness, Royaumont, 13 December 1995.

on a provisional basis as a point of contact and co-ordinator of the initiative, with the OSCE attending meetings. The issue of Yugoslavia's participation in the OSCE has so far not been resolved. In the concept paper for the SECI (but not in its subsequent documents), the OSCE is seen as the framework within which SECI will function. In neither case has this been possible, since any such move requires the consensus of the OSCE participating States, but practical arrangements for co-operation with the SECI have been developed (the SECI Co-ordinator has been designated by the OSCE Chairman-in-Office; the OSCE has begun to provide technical support; and SECI representatives participate in seminars and conferences organized by the OSCE).

*Assessment of Factors Promoting and Hindering the Development of the OSCE's Co-operation with Subregional Frameworks*

The fact that 54 states participate in the Organization implies that all European states members of subregional groupings are also represented in the OSCE. This implies opportunities for co-operation between the OSCE and these groupings. Furthermore, both the OSCE and subregional co-operation frameworks can facilitate co-operation between states that are members of treaty-based organizations, such as NATO, and those who are not, or not yet, members of such organizations. They can thus help overcome dividing lines, in accordance with the OSCE concept of indivisible security.<sup>15</sup>

There are, however, participating States that are hesitant to create or to participate in special arrangements on a subregional basis and/or formalized subregional groupings, either because they see them as imposed by others or because they are apprehensive either of arrangements that do not ensure equal possibilities and rights to all their members or of being marginalized by or within these frameworks. But the most important consideration, and one that has to be addressed adequately, is the fear on the part of a number of states that the OSCE, this unique pan-European framework, might be fragmented.

The OSCE is a consensus-based organization, reflecting the principle of co-operative security. It implements this principle by encouraging the growth of mutual understanding and promoting the mutual accommodation of other states' interests - goals also pursued by subregional groupings.<sup>16</sup> The consensus-rule also creates certain limitations. For example, it is not always easy or even possible to reach consensus on formalizing links with other international institutions and organizations, and that may also apply to subregional groupings. It is often easier to work within the OSCE in a low-visibility,

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15 Bailes/Cotter, cited above (Note 4), p. 2.

16 Cf. *ibid.*, p. 3.

pragmatic and flexible manner, and to base co-operation on an implicit understanding.

The OSCE is an organization based on a comprehensive understanding of security. Its philosophy reflects an approach focusing on traditional security aspects as well as on the human dimension, democracy-building, the economic dimension, the environment and humanitarian dimensions. But subregional groupings as well have the potential to deal with a wide range of non-military security issues and respond sensitively to their members' actual "soft" security needs, thus also reflecting the concept of comprehensive security. In this sphere, there may be room for co-operation between the OSCE and subregional groupings. The OSCE, however, cannot provide financial and project-oriented support, and cannot be used as a forum for, for example, infrastructure programmes - a prominent aspect of subregional groupings' work. Here, other organizations and institutions, particularly the European Union, are of importance.

#### *Conclusion: Possible Future Developments*

The declaratory policies of both the OSCE and of subregional frameworks on co-operation are often quite ambitious. This is a reflection of the fact that the principles and commitments of the OSCE are also goals of subregional groupings. On the one hand, the OSCE can assist subregional groupings by addressing concrete problems on the ground as they arise by carrying out its tasks of crisis prevention, crisis management and post-conflict rehabilitation - monitoring, mediating and sending missions - which no subregional grouping is able to carry out by itself. On the other hand, subregional processes and frameworks help to promote and implement OSCE principles and objectives, including a co-operative approach towards security. However, the implementation of political declarations leaves much to be desired. Especially the more ambitious plans - e.g. actually embedding subregional frameworks in the OSCE - have not been implemented as they require consensus among participating States. Potential for increased co-operation between the OSCE and subregional frameworks exists in a number of areas. They include the discussion of CSBMs, the economic and environmental dimension, human rights, issues pertaining to freedom of the media, election monitoring and support for civil society, including NGOs. In the economic dimension, the Lisbon Summit Declaration already commits the Organization to further enhancing its ties to mutually reinforcing international economic and financial institutions. In the same paragraph, the Organization commits itself also to enhancing its "(i)nteraction with regional, subregional and transborder co-operative initiatives in the economic and environmental field" because of

their contribution to the promotion of good-neighbourly relations and security.<sup>17</sup> It is an area in which subregional groupings are interested - for example, the incoming Danish Presidency of the CBSS also made environmental and nuclear safety a priority area. The appointment of the Co-ordinator of OSCE Economic and Environmental Activities can be expected to improve interaction with subregional groupings. Also, the recently established institution of the OSCE Representative on Freedom of the Media may be of interest to subregional frameworks. The Representative intends to pursue close links to these groupings.

More far-reaching, OSCE's activities with a subregional character and also to some degree the possibility to co-ordinate positions on a subregional basis on various issues within the OSCE decision-making process may be considered as ready-made opportunities ("plug-ins") for the involvement of more formalized subregional frameworks.

The Document-Charter for European Security, now being negotiated, in particular the Platform for Co-operative Security, may further redefine the OSCE's relations with subregional frameworks. Communication and interaction between subregional groups and international organizations and institutions can provide a useful tool in shaping the European security environment. It can help in developing shared agendas and joint projects and prevent competition between subregional groups, particularly for EU support. The OSCE could then provide a conceptual framework for co-operation and a forum for an inter-institutional exchange of views, a function which could be used to support subregional co-operation - and one for which the OSCE, because of its geographic reach, is probably best suited among European institutions and organizations. Clearly, the developing contacts with subregional groupings must be well integrated into the OSCE framework in order to avoid the danger of fragmenting European security. It is not yet certain how the issue of subregional co-operation will be brought into the Document-Charter. The initiatives to develop the Platform as part of the Document-Charter and to apply it adequately should come from OSCE participating States that are also members of subregional frameworks.

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17 Lisbon Document 1996, cited above (Note 9), p. 422.