

COMMON PURPOSE

Towards a More Effective OSCE

Final Report and
Recommendations of the
Panel of Eminent Persons
On Strengthening the Effectiveness of the OSCE

27 June 2005

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Introduction: A Mandate for Change

Europe is going through a dynamic period of transition. It has experienced significant political and social changes. Much of what has been agreed since 1975 in Helsinki has been achieved. There has been substantial progress on the path of establishing democratic institutions and market economies. The Cold War division lines have disappeared. The OSCE has contributed to this progress.

New threats to international security and stability have emerged. Different historic backgrounds, the uneven pace of integration, economic growth and democratic development have led to the emergence of new problems in achieving comprehensive security.

Although the OSCE's ability to adjust in a flexible manner to the changing security environment is generally appreciated, its relevance, effectiveness and strategic orientation have been questioned. In 2004, most members of the Commonwealth of Independent States issued the Moscow Declaration and then the Astana Appeal to OSCE partners with a number of criticisms and suggestions for reforming the OSCE.

The underlying concern is whether the OSCE is living up to the expectations of building a Europe "whole and free", or whether new dividing lines are being drawn. Is the OSCE losing its focus and its relevance? Has it been applying double standards? Is there an imbalance between the dimensions and an exaggerated focus on countries East of Vienna? Does a real political will exist to make use of the Organization to solve problems related to the region's security issues? Such questions are being asked at the highest level.

Several Chairmanships have given reform a high priority. At the Ministerial Council in Sofia in December 2004, OSCE Foreign Ministers expressed their awareness of the need for a broad and thorough debate on reviewing and strengthening the role of the OSCE. They expressed the belief that the OSCE could be more effective, and therefore decided to establish a Panel of Eminent Persons on Strengthening the Effectiveness of the OSCE. This was followed up by the Slovenian Chairmanship through the appointment of the signatories.

The mandate of the Panel is to give new impetus to political dialogue and provide strategic vision for the OSCE in the 21st century, to review the effectiveness of the Organization, its bodies and structures, and to provide recommendations on measures to effectively meet the challenges ahead.

The Panel has not reviewed global threats and challenges. This has already been comprehensively addressed, in the OSCE context, through the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century.

The Panel briefly assessed the strategic role and position of the OSCE in the European security network, considered how this role can be more clearly defined and further strengthened, and provided recommendations on how this could be done.

These recommendations are designed to contribute to the High Level OSCE Consultations, to strengthen the long-term effectiveness of the Organization, for the benefit of improving security through co-operation in the OSCE area. The Panel trusts that the participating States will find its recommendations useful and that the outcome will contribute to revitalising the Organization.

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1 | The OSCE's Position, Role, and Approach

1.1 Adapting to a new security paradigm

1. The OSCE is an integral part of “European” security, including both the Transatlantic and Eurasian dimensions. In the network of European security organisations it is distinguishable by its broad membership, its comprehensive mandate and its activities in its field operations. The OSCE is the only regional Organization for co-operative security issues in which States from Vancouver to Vladivostok participate on equal terms. The OSCE's comprehensive approach to security is based on high-level political dialogue and a broad range of flexible institutions and instruments. The OSCE has a comprehensive approach to security, clearly expressed in a series of agreements and supported by instruments in all dimensions of security, to which all members have agreed. This combination has made the OSCE a useful service provider in all fields.
2. The old dividing lines of the Cold War no longer exist. As a consequence, the role of the OSCE, like other security organisations, is being adapted to this new security paradigm. While the OSCE, during the last 15 years, has continued to prove its value through its ability to respond adequately to new threats to European security, the Organization's agenda and its set of operational tools needs further improvement.
3. A rapidly evolving European and Eurasian landscape requires an organisation like the OSCE to play a constructive role in preventing the emergence of new dividing lines. Recent events show the need for the

OSCE to manage and resolve crises, prevent conflict, and strengthen comprehensive security, regional co-operation and foster peace. Unresolved conflicts in the OSCE area are a concern to all participating States. States in which official institutions and their capacity to govern are still developing can benefit from OSCE assistance. Terrorism, trafficking (in particular in human beings), corruption and organised crime all profit from instability, which in turn has an impact on the security of all participating States.

Unresolved conflicts

In several parts of the OSCE region, there are unresolved conflicts (the Nagorno-Karabakh conflict, the Georgian-Ossetian conflict, the Georgian-Abkhaz conflict and the Moldova-Transdniestrian conflict) where major fighting took place in the late 1980s and/or the first half of the 1990s. The hostilities have all but ceased, although no long-lasting solution has been reached between the parties concerned. The OSCE has been called on to assist in finding peaceful solutions, a specific task which varies from issue to issue, according to the individual mandates agreed by the relevant decision-making bodies of the OSCE.

4. The OSCE's consensus-based decision-making and co-operative approach make it a forum where all participants come together with an equal voice. It integrates all States with an interest and stake in European security. In that respect, it is a necessary, yet underused forum for comprehensive political dialogue on issues with an impact on security and co-operation across a vast area.
5. As a privileged member of the OSCE family, the Parliamentary Assembly can make a specific contribution. In particular it can play an important role in raising awareness of OSCE principles and commitments notably in national parliaments of participating States.
6. The relationship with NGOs is important and should be further developed. NGOs can provide useful information and be valuable partners in processes of broad consultations.

1.2 Strengthening unity of purpose and effectiveness

7. OSCE values and commitments are the bedrock on which the Organization stands. They constitute the principles and standards on the basis of which States participate in the OSCE. Therefore the most important step towards a stronger and more relevant OSCE is a firm recommitment to the standards and political commitments its leaders have signed up to since 1975. All OSCE commitments, without exception, apply equally to all participating States. Any action undertaken in accordance with one such commitment should be consistent with all

other commitments. Raising awareness of OSCE commitments, and their full implementation by all participating States will enhance the profile of the Organization and the understanding of its relevance.

The OSCE at a glance

The OSCE is an "Organization" only since 1 January 1995, and it retains the underlying framework of the earlier "Conference" on Security and Co-operation in Europe (CSCE), which first met in 1973. The CSCE is best known for the Helsinki Final Act signed on 1 August 1975, and the so-called "Helsinki process" that played an important role in inspiring human rights activists and fostering détente in the 1970s and 80s.

The CSCE was conceived at the height of the Cold War as a diplomatic mechanism to bridge the positions of the three blocs – NATO, the Warsaw Pact and the non-aligned or neutral states. Its membership was broad in order to include all States with a stake and interest in European security: from Vancouver to Vladivostok. Following the end of the Cold War, the CSCE was transformed into an organisation to assist States in the process of post-communist transition to democracy and market economy and to help all participating States to address new threats and challenges to security.

The so-called "three dimensions" – politico-military, economic & environmental, and human – (corresponding to the "three baskets" of the CSCE's Helsinki Final Act) still define the OSCE's unique and comprehensive approach to security. Similarly, the processes of dialogue, negotiation and co-operation, based upon consensus, remain as the Organization's mode of decision-taking and its operational practice.

An active partner in the network of European security organisations and a regional organisation under the United Nations Charter, the OSCE can claim a lead role in addressing issues within the four phases of the "conflict cycle" – early warning, conflict prevention, crisis management and post-conflict rehabilitation affecting any of its States. The main political arenas of the OSCE are the Permanent Council (ambassadors in Vienna), the Ministerial Council and Summits. The Forum for Security Co-operation in Vienna oversees the military section of the first dimension.

8. To increase the effectiveness of the OSCE, the Organization needs to create a stronger sense of common purpose among its participants, to make States feel that they have a stake in the Organization and that they are treated as equals. Such a development could be realised along the following lines:
 - a) While retaining its comprehensive approach to security the OSCE should focus its work on those areas where it has comparative advantages and can add value;
 - b) Strengthening trust and confidence between participating States as well as between groups of States is of crucial importance. The OSCE should play its role as an organisation for equal and even-handed co-operation and assistance in maintaining security and stability, and all OSCE instruments should be applied in this spirit;
 - c) Identifying agendas, priorities and topics consistent with fostering compliance with OSCE commitments;
 - d) The work of the Secretariat, Institutions and field operations of the Organization must be coherent and consistent with priorities of the OSCE set by the participating States so that the Organization has a common focus and external profile;
 - e) The basic priorities and action plans must have a long-term

- perspective and be in line with the evolving security environment;
- f) A stronger focus and coherence of action would shape a stronger OSCE identity with a common perception of the OSCE's goals, both internally as well as for the general public;
 - g) Stronger political leadership and management of the Secretariat, Institutions and field operations of the Organization should contribute to the desired coherence and long-term relevance and applicability of basic principles, while the different Institutions should retain their ability to make independent evaluations and take programmatic initiatives in accordance with their respective mandates.

1.3 Relations with other international organisations and partners

- 9. The OSCE's role as a regional arrangement under Chapter VIII of the United Nations Charter has been influenced by the enlargement of the European Union, NATO and the Council of Europe. This has led to an increasing overlap in memberships, mandates and capacities. Moreover, the role of the OSCE and how it is perceived vary in the different participating States, *inter alia* depending on their relationship to these other international organisations.
- 10. Managed well and taking into account the legitimate interests of all participating States, co-operation and co-ordination with other actors strengthen common and comprehensive security within the OSCE area. The main responsibility lies with participating States to ensure that policy planning looks at European security organisations in concert and not in isolation. The Panel recommends that:
 - a) The relationship with the UN should be further developed, taking into account the ongoing discussions on the reform of the UN to strengthen the complementarity between the UN and regional arrangements, for example in the regional implementation of global instruments, in conflict prevention and peace-building;
 - b) Pragmatic and even-handed co-operation should be enhanced between the OSCE and other regional and sub-regional organisations especially in relation to crisis management, setting and implementation of norms, and operational activities;
 - c) On the basis of the Declaration on Co-operation endorsed in Warsaw on 17 May 2005 between the OSCE and the Council of Europe, further practical work should be carried out to fully realise the potential of this co-operative relationship;
 - d) Being an independent Organization with its distinctive mandate,

relations between the OSCE and other international organisations in the European security network should focus on what the OSCE does best and where its added value lies;

- e) The OSCE's role and comparative advantages should be regularly and systematically assessed as part of the agenda of the Ministerial Council and the Permanent Council.

11. Since security in the OSCE area is affected by international developments, particularly in adjacent areas, the OSCE has a clear self-interest in sharing its security-related expertise with its neighbours. The OSCE should remain prepared to consider invitations to contribute as appropriate to the development of security and democracy, particularly in Partners for Co-operation and neighbouring States, and in special cases outside the OSCE area.

OSCE's counter-terrorism activities

The OSCE has actively supported the work of the United Nations and its specialised bodies in the global effort against terrorism. This support is most clearly reflected in the OSCE's work on the ratification and implementation of the 12 Universal Anti-Terrorism Instruments. The OSCE also facilitates capacity-building assistance. In January 2004, the OSCE and International Civil Aviation Organization (ICAO) hosted an unprecedented international closed-door, law enforcement workshop on countering the threat of shoulder-fired missiles (MANPADs) to civil aviation. In May 2005, the OSCE, in co-operation with the UN Inter-regional Crime and Justice Research Institute (UNICRI), organised another such event, this time on suicide terrorism.

1.4 Comparative advantages and focus

12. Making use of its comparative advantages, the OSCE should bear in mind its co-operative approach and should help States, at their request and invitation, to help themselves in the agreed areas. Assistance in capacity-building, with respect to implementing OSCE commitments should therefore be a main aim of operational activities.
13. In some OSCE priority areas, such as police training, rule of law and the fight against trafficking in human beings, the OSCE could take a leading role.

OSCE police-related activities

The Organization's involvement in police activities first began in Croatia during 1998 with advisory and monitoring tasks. This developed into advising on police reform over the whole country. The OSCE's role in the training of police started in 1999 with the Kosovo Police Service School-programme, which has graduated some 7,000 police officers. OSCE then assisted in police-related activities in ethnically mixed areas of southern Serbia, later extended to both the republics of Serbia and Montenegro and introduced to the former Yugoslav Republic of Macedonia. In 2003, the Strategic Police Matters Unit launched its first full-scale, long-term programme to assist the police force in a participating State, Kyrgyzstan.

14. The OSCE is a norm-setter in areas covered by its comprehensive mandate. When requested, the OSCE should assist participating States to fulfil OSCE commitments. If asked, it could also encourage and assist within its competence participating States to adopt and implement the norms and standards set by other international organisations.

15. Under the prevailing circumstances and taking into account that the priorities for OSCE co-operation with participating States may vary from country to country, the Panel believes that the OSCE should give priority to:
 - a) Enhancing political dialogue;
 - b) Early warning and conflict prevention;
 - c) Post-conflict rehabilitation including restorative justice and reconciliation;
 - d) Arms control and confidence- and security-building measures;
 - e) The fight against terrorism, extremism and organised crime;
 - f) Promotion of police training, border management, the rule of law and democratic control of armed forces;
 - g) Encouraging regional economic co-operation;
 - h) Promotion of tolerance and non-discrimination, including respect for the rights of persons belonging to national minorities and protection of freedom of the media;
 - i) Election observation and the follow-up of recommendations;
 - j) Institution-building and the promotion of good governance;
 - k) The fight against trafficking in human beings, drugs and weapons.

2 | Improving Comprehensive, Common and Co-operative Security

2.1 New threats and challenges — the need for a cross-dimensional perspective

16. Since the 1975 Helsinki Final Act, the CSCE/OSCE's commitments and activities have traditionally been divided into three baskets, or dimensions. This has been a convenient way to cluster issues into subject areas: the politico-military, economic and environmental, and human dimensions.
17. The CSCE/OSCE early on recognised that security is comprehensive and indivisible and that the dimensions are inter-linked. As UN Secretary-General Kofi Annan writes in his report *In larger freedom*, “not only are development, security and human rights all imperative; they also reinforce each other”.
18. The OSCE's comprehensive approach to security, plus its comprehensive mandate, are two of its hallmarks and greatest strengths. Globalisation, increasing inter-dependence and the emergence of new threats to security in the OSCE region (including from non-state actors) have led to a further blurring of lines between dimensions and make a narrow one-dimensional approach less relevant. A cross-dimensional perspective is therefore needed more than ever, both in terms of a conceptual approach and in leading to co-ordinated, pragmatic activities. Such an approach underlines the crucial importance of all three dimensions

in the context of comprehensive security. The OSCE is well-equipped and well-positioned to take such a cross-dimensional approach and put it into practice. Furthermore, effective multilateralism can enable collective action to tackle trans-national and cross-sector challenges. The Panel therefore recommends:

- a) High-level, high-profile meetings on thematic issues could be convened as necessary to focus attention on matters of relevance to all participating States. For example, decisions on the venue of future conferences on tolerance and non-discrimination should be decided taking into account the geographical diversity of States with multi-ethnic and multi-religious populations;
- b) Cross-dimensional approaches should be reflected in all aspects of OSCE activities, including meetings like the Economic Forum, the budget, Programme Outline and public relations material;
- c) In view of the specific structural and institutional set-up of the OSCE, a cross-dimensional approach implies the need for increased intra-Organizational co-ordination, particularly in relation to combating new threats to security;
- d) Cross-dimensional elements of strategies and projects should be strengthened by close co-operation with other regional and sub-regional organisations that offer complementary resources, capabilities and expertise.

The OSCE budget cycle

The Unified Budget of the OSCE is financed by contributions from the participating States. The approved budget for 2005 amounts to 168.6 million Euros. In the 2005 budget, the allocation for the Secretariat and the Institutions represents 31 per cent of the total resources, whereas 69 per cent is allocated to field operations. The budget process is programmatic. The main political priorities for the following year's budget are discussed in the Programme Outline. The Advisory Committee on Management and Finance deals with budgetary matters. This body prepares budget decisions for approval by the Permanent Council. In addition to the resources in the Unified Budget, participating States may also donate extra-budgetary contributions to various projects. In 2004, extra-budgetary income amounted to 21.4 million Euros.

2.2 The Politico-Military Dimension

19. The OSCE has a well-earned reputation for dealing with the politico-military aspects of security. The OSCE's infrastructure and work in disarmament, arms control and confidence- and security-building measures (CSBMs) play an important role in fostering security in Europe and are an integral element of the OSCE's comprehensive approach to security.

20. As the OSCE's work in the politico-military dimension was geared towards the military balances and strategic priorities of the 1980s and early 1990s, it should be brought up to date to deal with the challenges identified in the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century.
21. Other fundamental documents dealing with the political-military dimension, like certain elements of Chapter III of the 1992 Helsinki Document and the 1999 Vienna Document should be reviewed and brought up to date where necessary.
22. The OSCE could share its expertise in this dimension with others facing similar threats, particularly at the sub-regional level. In turn, it could if advantageous draw on the expertise and resources of others to make the most effective use of available capabilities.

2.3 The Economic and Environmental Dimension

23. The Strategy Document for the Economic and Environmental Dimension offers a good opportunity for addressing common economic and environmental challenges to security in the OSCE area. The OSCE will never have the means and resources to be a major donor. Its niche is in addressing economic and environmental aspects of security in a holistic, cross-dimensional way that takes into account the comprehensive nature of security as a way of promoting co-operation and conflict prevention.
 - a) The OSCE should strengthen its capacities including those on the ground to support and help in meeting local challenges by mobilising international resources and expertise possessed, for instance, by the World Bank, European Union, UN Development Program (UNDP), European Bank for Reconstruction and Development (EBRD), NGOs and others;
 - b) Such an approach would highlight the OSCE's possibilities as a co-operative partner, and it would strengthen the link between economic development, inter-state economic co-operation, good governance and democratisation. By linking international actors with significant resources to host countries with specific needs, the OSCE could promote a programmatic approach without unnecessarily (and unrealistically) trying to develop and manage large-scale projects on its own;

- c) The OSCE should promote sub-regional co-operation, for example in south-eastern Europe, the South Caucasus and Central Asia;
- d) Activities in the economic and environmental dimension should reflect the OSCE's role as a comprehensive security organisation. A good example is the Environment and Security Initiative, where the OSCE adds value regarding the security aspect, whereas the UNDP incorporates the development aspect and the UN Environment Program (UNEP) the environmental aspect;
- e) Environmental problems have important security aspects in fields that the OSCE could address, *inter alia* the growing problem of environmental refugees and internally displaced persons;
- f) Public-private partnership is crucial to achieve environmentally sustainable growth. The OSCE should promote the UN's Global Compact Initiative and similar initiatives.

2.4 The Human Dimension

24. In the human dimension, encompassing human rights (including national minority rights), the rule of law, and democracy, the OSCE has developed comprehensive standards and commitments. OSCE participating States have agreed, for example in the 1991 Moscow Document, that commitments undertaken in the human dimension are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned. The OSCE has a progressive approach to protecting the dignity of the individual. Human security in general, and the security of the individual in particular, are seen as the individual and collective responsibility of all participating States. Human rights and security are inseparable.

- a) Monitoring of the implementation of human dimension standards is a particularly challenging and in many situations highly sensitive task. To encourage equal treatment and improve transparency, OSCE monitoring should be done in an unbiased and more standardised way.
- b) The OSCE/ODIHR's work on electoral monitoring and assistance is an area where the OSCE has extensive experience and expertise and is widely known. It is important to improve and further develop a high OSCE profile on this issue to help participating States upon their request to implement the commitments they have already undertaken and to consider new commitments which correspond to evolving election issues, such as the introduction of new technologies.

- c) Special attention should be devoted to election monitoring standards based on experience acquired. Criteria and methodology that ensure objectiveness, transparency and professionalism should be further developed and an approach taken that guarantees equal treatment of all participating States. The existing handbook on election monitoring and other election mechanisms and practices should be periodically updated with the active involvement of election practitioners from various election monitoring bodies;
 - d) Participating States concerned and ODIHR should be encouraged to pay more attention to post-election follow-up through dialogue and practical co-operative support. In addition, after consultation with the State concerned, ODIHR should report to the Permanent Council (PC) on election follow-up.
 - e) The OSCE should build on its work on tolerance and non-discrimination, and promote this theme across its full range of activities. ODIHR and other Institutions should make effective use of the data, information and existing analytical capacities of other international organisations and research institutes.
 - f) The OSCE should restructure the role currently played by the three Personal Representatives on tolerance and non-discrimination, incorporating the work of the Personal Representatives into the structure of the ODIHR in a suitable way.
25. If a Human Dimension Committee is established (see para. 32), the Human Dimension Implementation Meeting (HDIM) could be reduced to a maximum of five days. Upon invitation, the HDIM could be held outside Warsaw every second year in order to raise its profile and increase the sense of ownership among participating States.

3 | The Structural Response

26. In order to improve its effectiveness, the OSCE requires structural reform. A number of changes are necessary to address the issue of the Organization's profile and identity, its management and leadership, its decision-making processes, how its field operations are run, and its operational capabilities.

3.1 Strengthening the OSCE's identity and profile

27. The Panel believes it is important to raise the awareness of the OSCE in the participating States.

28. The OSCE's development from a conference to a full-fledged international organisation must now be completed, finally making "participating States" into "member States".

29. The OSCE's standing as an international organisation is handicapped by its lack of a legal personality. The lack of a clear status also affects OSCE personnel when stationed in crisis areas without the protection that diplomatic recognition would give them.

30. The Panel therefore recommends that:

- a) Participating States should devise a concise Statute or Charter of the OSCE containing its basic goals, principles and commitments, as well as the structure of its main decision-making bodies. This would help the OSCE to become a full-scale regional organisation;
- b) Participating States agree on a convention recognising the OSCE's legal capacity and granting privileges and immunities to the OSCE

and its officials. Such a convention would not diminish in any way the politically binding character of OSCE commitments.

- c) The OSCE's profile among other international organisations would be raised by focusing more clearly on a limited range of priorities, giving a more public and long-term face to its leadership, and encouraging a stronger sense of ownership among its participants.
- d) To make itself more accessible the OSCE should provide to the public a better understanding of what is happening within the OSCE. More efforts should be made to publicise and explain the important work of the field operations. Admission of the press or public to meetings of the Permanent Council should be considered more often. Deepening further the engagement with NGOs would also help to spread information about the OSCE's contributions to comprehensive security.
- e) A long-term strategic perspective based on established OSCE strategies would be useful in order to improve planning and continuity and reduce the chance of priorities changing annually. This could be enhanced by giving the Secretary General a stronger role in ensuring consistency and continuity of OSCE priorities.
- f) The Permanent Council should play a leading role in adopting political priorities and planning activities of the Organization in accordance with Ministerial Council decisions and translating them into budget programmes.

3.2 Improving consultative and decision-making processes

- 31. The OSCE should actively use its potential as a forum for equal, meaningful and high-level political dialogue among all participating States.
- 32. One of the OSCE's strengths is its inclusiveness. This should be fully reflected in its consultative and decision-making bodies. In order to make these bodies more inclusive, inter-active and transparent, involving all participating States more actively and effectively, the Panel recommends:
 - a) To introduce a committee structure made up of three pillars corresponding to the traditional dimensions: a Security Committee, a Human Dimension Committee and an Economic and Environmental Committee. Such a Committee structure, sub-ordinate to the Permanent Council, would allow for more open exchanges, would focus the agenda of the Permanent Council and would raise its profile as a forum for political dialogue and decision-making.

- b) The Panel was divided on whether the actual tasks and functions of the Forum for Security Co-operation (FSC) could be fulfilled by the new Security Committee. One view was that the FSC should be transformed into the new Security Committee. The other view was that the FSC should be maintained with its autonomous status, fulfilling its 1992 mandate with its agenda updated. The latter position would mean that the new Security Committee would not substitute for the FSC but would only fulfil the non-military aspects of the politico-military dimension, not covered by the FSC.

33. The Panel further recommends:

- a) To broaden the ownership of the participatory process by increasing the number of participating States involved in chairing committees;
- b) That the OSCE should codify, revise and bring up to date its rules of procedure;
- c) That consensus should be preserved as the rule for OSCE decision-making;
- d) That in order to prevent protracted debates over senior appointments, participating States with candidates should not abuse the consensus rule by unilaterally blocking consensus;
- e) That the countries that are blocking consensus should be identified;
- f) That more effective use should be made of informal discussions, as a part of the decision-making process;
- g) That ambassadors-only discussions could be held in Vienna from time to time, to encourage a more open exchange of views on sensitive matters.

34. For a number of years, Ministerial Council meetings have been particularly difficult. The meetings (including the preparations thereof) are perceived to have been overloaded with reports and decisions that could have been dealt with by the Permanent Council. The Panel recommends:

- a) Reviewing the preparations for the Ministerial Council and the traditional form of the Ministerial Council decisions. Concentrating the official results in an agreed political communiqué might help to regain the attention of the public for this central event in the OSCE's yearly work cycle.

3.3 Clarifying the roles of the Chairman-in-Office and Secretary General

35. In addressing the division of labour between the Chairman-in-Office and the Secretary General, the Panel believes that it is necessary to have a more precise definition of roles in order to increase effectiveness and provide the OSCE with a clearer identity.
36. The role of the Chairman-in-Office should be to lead the political, rather than the operational activities of the Organization. The Chairman-in-Office's most important tasks, to be performed personally or through his/her representative, should continue to include:
 - a) Providing the executive political leadership of the Organization;
 - b) Preparing the Ministerial Council;
 - c) Preparing draft decisions and presiding over the discussions of the Permanent Council;
 - d) Introducing new political initiatives and proposals for political priorities for the Organization, to be submitted to the Permanent Council;
 - e) Assisting the participating States in building consensus.
37. Building on the Sofia Ministerial Council decision on the Role of the Secretary General (MC.DEC/15/04), the Panel recommends that the role of the Secretary General should be further enhanced so as to enable him/her to:
 - a) Be a public face of the Organization, to be able to communicate a long-term, coherent identity of the OSCE and its operations;
 - b) Play a greater role in identifying potential threats to regional security and bring them, after consultation with the Chairman-in-Office, to the attention of participating States;
 - c) Be more actively involved in developing the operational aspects of the OSCE's priorities;
 - d) Play a more active role in the operational management of field operations. As the development of events requires, the Secretary General should report to the Permanent Council on field operation-related activities;
 - e) Take the lead on OSCE's operational engagement in crisis situations;
 - f) Play a greater role in planning, by proposing multi-year objectives (including a budget perspective);

- g) Play a more active role in co-ordinating OSCE activities, including through the hosting of at least one meeting a year with heads of Institutions;
 - h) Be the central point of contact for other international organisations and NGOs for all aspects of operational issues relevant beyond the mandate of individual OSCE structures and Institutions.
38. The enhanced and more active role for the Secretary General will entail:
- a) A continuous exchange of information and close co-operation between the Secretary General and the Chairman-in-Office;
 - b) The need for a strengthened Secretariat, organised to support the Secretary General as well as the Chairman-in-Office;
 - c) Better pooling and channelling of existing information particularly from OSCE Institutions, field operations and research centres as well as improved processing of such information, including the development of lessons learned and best practices.
39. The enhanced role of the Secretary General may necessitate the creation of the post of Under or Deputy Secretary General.
40. It may also entail the need for more resources to enable the Secretary General to effectively carry out his/her mandate.

3.4 Enhancing field operations

41. Field Operations remain an innovative and operational aspect of the OSCE's work, and deserve special attention. They are an asset and where possible should be even further improved.

OSCE field operations

Since 1991, the CSCE/OSCE has deployed over 20 field operations (or missions) at the request of the host countries. Currently, there are 18 field operations based in 16 host countries, with a total staff of 3,390 (1/3 seconded, 2/3 locally employed). The missions are deployed across the Balkans, Eastern Europe, the southern Caucasus and Central Asia. The biggest missions are concentrated in the Balkans. Although varying greatly, all mission mandates share the fact that they are negotiated with the host country requesting an OSCE presence and must then have the approval of the full Permanent Council. All existing mandates have a duration of 12 months or less, except one (OSCE Centre in Ashgabad) that is at present unlimited. Currently the largest field operation is the OSCE Mission in Kosovo (OMiK) which, although declining, still accounts for about half of all expenditure on field operations and one third of all OSCE staff deployed in the field.

42. The Panel makes the following recommendations for improving the effectiveness of field operations:
- a) Mandates must ensure that the objectives of the mission are clear and agreed between the OSCE and the host State;
 - b) Mandates should normally not be fixed for more than one year and could be renewable depending on the specific tasks and on the outcome of consultations with the host States;
 - c) To improve guidance and facilitate the regular evaluation of the work of field operations, realistic benchmarks should be established for measuring progress and duration of implementation of the mandate;
 - d) In order to strengthen accountability and political oversight Heads of Mission should personally present a report at least twice a year to the Permanent Council. In addition, they should also hold regular meetings with informal “Friends of ...” groups, where these exist;
 - e) The Secretary General should take the lead role in the operational guidance of field activities;
 - f) Heads of Missions should submit regular and spot written reports to the Secretary General with a copy to the Chairman-in-Office;
 - g) Field operations should receive more specialised support, particularly in relation to all phases of capacity-building projects, from OSCE Institutions including more effective use of short-term staff visits;
 - h) Special attention should be paid to the issue of local staffing, particularly in order to build up national capacity to deal with issues covered by OSCE field activities, address salary discrepancies, and encourage staff rotation.
 - i) To take into account the broad spectrum of new threats and challenges and their cross-dimensional nature, the OSCE could consider developing a new type of thematic mission that could look at a specific issue in one country, or to ensure coherence in the work in a broader regional/sub-regional context.
 - j) The Panel underlines the importance of the process of selection of Heads of Missions being transparent and as competitive as possible. The nominations should be made by the Chairmanship in consultation with the Secretary General and the host country. To improve the actual situation, the Panel recommends making Heads and Deputy Heads of Mission posts open to public competition with salaries paid from the core budget of the OSCE. This could increase the professionalism of such posts and open them up to a broader pool of candidates.

3.5 Strengthening operational capacities

43. The Secretariat, Institutions, as well as Personal and Special Representatives all contribute to advancing the OSCE's agenda. However, there is frustration among participating States, including Chairmanships, that current structures are not optimal for putting the political priorities of the participating States into operation. Against this background, the Panel recommends that:

- a) Participating States should resist the proliferation of structures in the OSCE;
- b) The appointment of Personal and Special Representatives should be for a limited period of time and focusing on a specific issue. Personal and Special Representatives should not build up separate operational capacities; rather they should make use of existing operational capacities in the ODIHR, the Secretariat and field operations;
- c) Employment should always be based on professionalism as well as reflecting gender and geographic balance. Without making the OSCE a career organisation, ways should be considered to enable the Organization to retain staff (subject to regular assessment) for a sufficiently long period in order to preserve continuity;
- d) The Panel underlines the importance of a clear and transparent system on the use of extra-budgetary contributions;
- e) The Secretariat should be re-structured to take into account political and operational changes, as well as reforms and changes in operational priorities.

OSCE Secretariat, Institutions and Representatives

The OSCE Secretariat is located in Vienna and has approximately 300 staff members. In addition to providing administrative support to the whole Organization, the Secretariat is home to the Conflict Prevention Centre, the Office of the OSCE Co-ordinator of Economic and Environmental Activities, as well as specialised units dealing with police-related activities, counter-terrorism, border issues and anti-trafficking.

The largest Institution is the Office for Democratic Institutions and Human Rights (ODIHR) situated in Warsaw. The more than 100 staff members of this Office carry out activities relating to electoral assistance and monitoring, human rights, democratisation, gender issues, migration, rule of law, tolerance and non-discrimination, as well as Roma and Sinti issues.

An important conflict prevention Institution is the OSCE's High Commissioner on National Minorities, based in the Hague, devoted to preventing inter-ethnic conflict and promoting relations between minority and majority communities. The newest Institution, the OSCE's Representative on Freedom of the Media is based in Vienna and is concerned with prompting conditions for free, fair and pluralistic media as well as reporting on cases of failure to meet commitments. In addition to these three specialised Institutions, the Chairman-in-Office can name special or personal representatives to cover specific issues or regions.

Annex I: Acknowledgements

The Panel

Nikolay Afanasievsky, Ambassador of the Russian Federation to Poland. He is a CSCE pioneer, having served with the Soviet Delegation at the negotiations of the Helsinki Final Act from 1973 to 1975. Later he served as the Ambassador of the USSR and subsequently the Russian Federation to Belgium and then France, as well as Deputy Foreign Minister.

For the final meeting, Ambassador Afanasievsky was represented by Ambassador **Vladimir Shustov**, former Permanent Representative of the Russian Federation to the CSCE/OSCE.

Hans van den Broek, Minister of Foreign Affairs of the Netherlands from 1982 to 1992, and member of the European Commission from 1993 to 1999, responsible for enlargement and external relations. Presently he is Chairman of the Boards of a number of non-profit organisations such as the Netherlands Institute for International Relations, *Clingendael*, and the Carnegie Foundation.

Wilhelm Höynck, first OSCE Secretary General from 1993 to 1996, following a distinguished career in the Foreign Service of the Federal Republic of Germany. In 1999, he was Personal Representative for Central Asia of the OSCE Chairman-in-Office.

Kuanysh Sultanov, Deputy of the Senate of the Parliament of Kazakhstan and Chairman of the Committee on Social and Cultural Development. Ambassador Sultanov previously served as his country's Ambassador to the People's Democratic Republic of China and non-resident Ambassador to Vietnam, Mongolia and the Democratic People's Republic of Korea.

Knut Vollebaek, Ambassador of Norway to the United States. During his term as Minister of Foreign Affairs of Norway, from 1997 to 2000, he was Chairman-in-Office of the OSCE in 1999. Ambassador Vollebaek has chaired the meetings of the Panel as its *Primus inter Pares*.

Richard Williamson, a partner in the US law firm Mayer, Brown, Rowe & Maw. He has held a number of senior posts in his country's foreign service including Assistant Secretary of State at the US Department of State, Ambassador to the UN Offices in Vienna, the UN Commission on Human Rights, and as Ambassador and Alternative Representative to the UN for Special Political Affairs.

Miomir Žužul, Member of Parliament and Minister of Foreign Affairs of Croatia, 2004-05. Previously he served as Croatia's Ambassador to the United States, after having served as Ambassador and Permanent Representative of the Republic of Croatia to the UN in Geneva.

Panel Meetings

<i>Date</i>	<i>Venue</i>
17 February 2005	Brdo pri Kranju, Slovenia
10-11 March	Vienna, Austria
6-7 April	Warsaw, Poland,
4-6 May	Brussels, Belgium
1-3 June	Vienna, Austria

The Panel was supported by, among others:

The Chairmanship-in-Office (focal point)

Ambassador Boris Frlec, Head of the OSCE Task Force, Ljubljana

Renata Marmulaku, Counsellor, OSCE Task Force

Tatjana Pirc, First Secretary, OSCE Task Force

The OSCE Secretariat

Walter Kemp, Senior Adviser, Office of the OSCE Secretary General

Keith Jinks, Senior Press and Public Information Officer

Hans-Michael Plut, Deputy Director for Conference Services

Personal Assistants

Andrey Rudenko, Senior Counsellor,
Mission of the Russian Federation to the OSCE
(PA to Afanasievsky and Shustov)

Arjen van den Berg, Senior Policy Advisor,
Ministry of Foreign Affairs, The Hague
(PA to Van den Broek)

Ricklef Beutin, OSCE Desk Officer,
Federal Foreign Office, Berlin
(PA to Höynck)

Akan Rakhmetllin, Head of OSCE Section,
Ministry of Foreign Affairs, Astana
(PA to Sultanov)

Tobias E. Svenningsen, Adviser,
Ministry of Foreign Affairs, Oslo
(PA to Vollebaek)

David Kostelancik, Deputy Political Counsellor,
Mission of the United States to the OSCE
(PA to Williamson)

Daniel Ridički, Adviser,
Minister of Foreign Affairs, Zagreb
(PA to Žužul)

Panel Guests

The following people were invited to brief the Panel:

Marco Borsotti, UNDP Representative in Baku

Ambassador Liviu Bota, Head of the Permanent Mission of Romania to the OSCE

Pieter De Krem, Member of the Belgian Parliament

Ambassador Rolf Ekeus, OSCE High Commissioner on National Minorities

Pieter Feith, Deputy Director for External relations and Politico-Military Affairs, Council of the European Union

Walter Gehr, Project Co-ordinator, Terrorism Prevention Branch, UNODC

Professor Victor-Yves Ghebali, Graduate Institute of International Studies, Geneva

Ambassador Istvan Gyarmati, Chairman of the Board, The Centre for Euro-Atlantic Integration and Democracy

Miklos Haraszti, OSCE Representative on Freedom of the Media

Helga Konrad, Special Representative to the Chairman-in-Office Against Human Trafficking

Ambassador Ed Kronenburg, Director of the Private Office of the Secretary General of NATO

Dimitar Jalnev, Programme Co-ordinator, Action Against Terrorism Unit, OSCE Secretariat

Ján Kubiš, Secretary General of the OSCE

Dr. Dov Lynch, research Fellow, European Union Institute for Security Studies, Paris

Spencer Oliver, Secretary General, OSCE Parliamentary Assembly

Ambassador Roy Reeve, Head of the OSCE Mission to Georgia

Dr. Aaron Rhodes, Executive Director, International Helsinki Federation for Human Rights

Klaus Schumann, Director General, Council of Europe Secretariat

Ambassador Peter Semneby, former Head of the OSCE Mission to Croatia

Ms. Daniele Smadja, Director Multilateral Relations and Human Rights, Directorate General for External Relations, European Commission

Ambassador Christian Strohal, Director, Office for Democratic Institutions and Human Rights

Marcin Swiecicki, Co-ordinator of OSCE Economic and Environmental Activities

Ambassador Margit Waestfelt, Head of the Permanent Mission of Austria to the OSCE and Chairman of the Informal Group of Friends on Improving the Functioning and Effectiveness of the OSCE Field Operations.

Dr. Monika Wohlfeld, Deputy Director, OSCE Conflict Prevention Centre

Dr. Andrei Zagorski, Moscow State Institute for Foreign Affairs

Dr. Wolfgang Zellner, Acting Head, Centre for OSCE Research (CORE), Hamburg

The Panel would also like to thank:

H.E. Karel De Gucht, Minister of Foreign Affairs of the Kingdom of Belgium

H.E. Dr. Daniel Rotfeld, Minister of Foreign Affairs of the Republic of Poland

H.E. Dr. Dimitrij Rupel, Chairman-in-Office and Minister of Foreign Affairs of the Republic of Slovenia

H.E. Ján Kubiš, Secretary General of the OSCE

H.E. Daan Everts, Permanent Representative of the Kingdom of the Netherlands to the OSCE

H.E. Mette Kongshem, Permanent Representative of the Kingdom of Norway to the OSCE

The Governments of the **Federal Republic of Germany**, **Principality of Liechtenstein**, **Kingdom of Norway**, and the **United States of America** for their financial support

All individuals, Institutions, Missions and Governments of participating States that have briefed or assisted Panel Members during this process.

Annex II: The Panel's Mandate



Organization for Security and Co-operation in Europe
Ministerial Council
Sofia 2004

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7 December 2004
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DECISION No. 16/04 ESTABLISHMENT OF A PANEL OF EMINENT PERSONS ON STRENGTHENING THE EFFECTIVENESS OF THE OSCE

The Ministerial Council,

Determined to enhance the OSCE's capacity to address the challenges of the twenty-first century as one of the pillars of the Euro-Atlantic security architecture,

Recognizing that the thirtieth anniversary of the Helsinki Final Act, the fifteenth anniversary of the Charter of Paris for a New Europe and the tenth anniversary of the OSCE provide with a unique opportunity to reflect on the role of the Organization in a transforming Europe,

Realizing that there is a need to improve the Organization's functioning as well as its capabilities for collective action, without diminishing its strengths and flexibility,

Mindful of the need to proceed further with this work in 2005 by taking broad and forward-looking approach to strengthening the overall capacity of the OSCE:

I.

1. Decides to establish a Panel of Eminent Persons on Strengthening the Effectiveness of the OSCE, in order to give new impetus to political dialogue and provide strategic vision for the Organization in the twenty-first century;

2. Further decides that the Panel will review the effectiveness of the Organization, its bodies and structures and provide an assessment in view of the challenges ahead. The Panel will make recommendations on measures in order to meet these challenges effectively;

3. Tasks the Chairman-in-Office to appoint the members of the Panel after consultations with all participating States. The composition of the Panel, which shall have up to seven eminent persons with knowledge of the OSCE, will take into account the diversity of the OSCE community, including from participating States hosting field presences. Members of the Panel will have their costs covered by extrabudgetary contributions. Secretariat support shall be provided by the OSCE Secretariat through existing resources. The Chairman-in-Office shall act as Focal Point for the Panel during its work. The Panel shall present its report with recommendations no later than the end of June 2005 to the participating States through the Chairman-in-Office. Specially convened High Level OSCE Consultations will be held as a follow-up. The Permanent Council shall take a decision on the organizational modalities and the timetable of such a specially convened High Level OSCE Consultation by the end of July 2005;

4. The Consultations will examine the report of the Panel as well as other possible contributions, and will forward their conclusions and recommendations through the Permanent Council to the Ministerial Council meeting in 2005 for appropriate action.

II.

The Ministerial Council further tasks the Permanent Council, through the Working Group on Reform and the Informal Group of Friends of the Chair on Improving the Functioning and Effectiveness of OSCE Field Operations, to continue consideration of issues pertaining to improving the functioning of the Organization. The Chairpersons of the Groups will be available for consultations with the Panel of Eminent Persons when necessary.

