

The Culture of Dialogue

The OSCE *Acquis* 30 Years after Helsinki

CORE | Centre for OSCE Research | Institute for Peace Research and Security Policy at the University of Hamburg (IFSH)
Frank Evers | Martin Kahl | Wolfgang Zellner



Table of Contents

| | |
|----|---|
| 3 | Foreword by the OSCE Chairman-in-Office Dr Dimitrij Rupel |
| 5 | Introduction |
| 9 | 1. The Culture of Dialogue – A Value in Itself |
| 17 | 2. The OSCE’s Contribution to International Security |
| 17 | 2.1 Politico-Military Security between States |
| 26 | 2.2 Economic and Environmental Security between States |
| 30 | 2.3 The Human Dimension as an International Commitment |
| 33 | 3. OSCE Efforts to Promote Intra-State Group Security |
| 33 | 3.1 Politico-Military Security for Groups |
| 37 | 3.2 OSCE Efforts to Promote Intra-State Economic and Environmental Security |
| 39 | 3.3 OSCE Efforts to Promote the Human Security of Groups |
| 43 | 4. The OSCE’s Contribution to the Security of Individuals |
| 43 | 4.1 Politico-Military Security for Individuals |
| 44 | 4.2 OSCE Efforts to Promote Individual Economic and Environmental Security |
| 46 | 4.3 The OSCE’s Contribution to Individual Human Security |
| 53 | 5. The Institutional Character of the OSCE |
| 59 | 6. The OSCE’s Openness to Civil Society Groups |
| 61 | 7. The OSCE’s Openness to International Partners |
| 65 | Conclusion |
| 67 | CSCE/OSCE Documents |
| 71 | List of Abbreviations |



Foreword by the OSCE Chairman-in-Office Dr Dimitrij Rupel

This year we are marking the 30th anniversary of the Helsinki Final Act and the 15th anniversary of the Charter of Paris for a New Europe. These two documents are keystones in the security architecture of post-World War Two Europe and have provided the foundation and buttress of a more united and secure Europe.

The CSCE made a substantial contribution to building peace in a deeply polarized world, in which an atmosphere of deep hostility and mistrust prevailed. It was a catalyst for profound changes in East-West relations, and was instrumental in fostering democratization and co-operation in the process of post-Cold War transition.

Ten years ago the CSCE was transformed into the OSCE. This reflected the growing permanence and institutional character of what had once been nothing more than a series of conferences. In the course of this transformation, the OSCE developed a range of institutions, specialized Units in the Secretariat, decision-making and consultative bodies, and field missions. These structures carry out a wide range of activities across the various dimensions of the OSCE's comprehensive approach to security.



The OSCE's election monitoring activities and efforts to prevent inter-ethnic conflict are well known. The OSCE has played an equally important, if less high-profile, role in disarmament, arms control, and confidence- and security-building measures.

While the OSCE helps to keep a lid on potential conflict situations in Georgia and Moldova, and between Armenia and Azerbaijan, it can look back on successful conflict resolution efforts in helping to end the civil war in Tajikistan, constraining conflict in the former Yugoslav Republic of Macedonia and Georgia, stabilizing Albania during its period of civil unrest, and assisting in the post-conflict rehabilitation of Bosnia and Herzegovina and Kosovo.

Recently, the OSCE played a vital role in stabilizing post-election tensions in Ukraine and Kyrgyzstan, and was a key monitor and confidence-builder along the border between Georgia and the Russian Federation.

The OSCE is re-tooling itself rapidly to deal with new threats and challenges to security. It is developing state-of-the-art expertise in policing, anti-trafficking and counter-terrorism while looking at

other important issues like border management and security, migration, and combating intolerance and discrimination.

The OSCE has always been innovative and flexible and is therefore used to adapting to the challenges of the day. Lately, some have suggested that recent changes do not go far enough and the OSCE needs to be substantially reformed in order to maintain its relevance and effectiveness. A Panel of Eminent Persons has been convened to make recommendations that will be the centrepiece of high-level consultations in the autumn of 2005.

The debate on reform and the celebration of anniversaries has placed the OSCE in the limelight. This is both unusual and welcome for an Organization that usually maintains a low profile.

People are increasingly asking what the OSCE is all about and where it is going. Projects like this CORE booklet help to raise awareness of the OSCE, which is frequently misunderstood and undervalued.

Europe and the world as a whole are going through a period of dynamic transition. International organizations need to adapt, and it is no coincidence that the United Nations, OSCE, EU, and others are all talking about reform.

This is not a time of crisis for the OSCE, it is a window of opportunity. This booklet aims to provide readers with a better understanding of the OSCE and its contribution to European security and co-operation at this time of momentous change.

I congratulate the Government of Finland for its initiative and the authors of this report for their important contribution to scholarship on the OSCE.

Let us use this opportunity to channel our ideas and energies into building a better OSCE and making full use of its potential to help the people of Europe secure a more peaceful future.

Introduction

This booklet provides an overview of the evolving CSCE (Conference on Security and Co-operation in Europe)/OSCE (Organization for Security and Co-operation in Europe) *acquis*, which consists of general principles and more detailed commitments within the Organization's three dimensions: politico-military, economic and environmental, and human. It presents the components of the *acquis* and mechanisms for their implementation in dialogue with OSCE partner States, international and non-governmental organizations.

Dialogue between governments, civil society groups, and partner States and organizations has always been a key driving force of the Organization. Out of this dialogue, the CSCE developed the principles of the 1975 Helsinki Final Act with the famous Decalogue at its core, which made an essential contribution to defusing and later overcoming the Cold War confrontation between East and West.

Following the end of the Cold War, the CSCE reinvented itself for the first time. It quickly developed into a framework for the provision of civilian and co-operative means for assistance in good governance, early warning, crisis prevention, conflict management, and post-conflict rehabilitation. In the course of this process, the Conference became an Organization.

Today, the OSCE is facing a new dimension of transnational threats and challenges deriving from globalization and technological change, from demographic imbalances, illegal migration, trafficking and other forms of organized crime, and from international terrorism and the proliferation of weapons of mass destruction. The scale of these challenges means that the OSCE now has to reinvent itself yet again. As is also true of other international organizations, this process of change and adaptation is accompanied by intensive and frequently controversial discussions.

While the basic principles and characteristics of the CSCE/OSCE – its inclusiveness, its comprehensive agenda and co-operative approach, and its openness and flexibility – have always remained the same, the Organization has covered considerable ground in creating specific commitments, policy approaches, institutional features, and working instruments. This booklet presents these developments in some detail in relation to the OSCE's three dimensions and considers their impact on European security relations. The results of the OSCE's efforts are shown with regard to the Organization's three key target groups: the Organization's 55 participating States themselves as well as specific groups and individuals within those States.





*The signing of the CSCE Helsinki Final Act on 1 August 1975 marked the culmination of an intense series of diplomatic negotiations that had begun in the Finnish capital two years earlier. From left to right:
The Head of the Government of Spain Carlos Arias Navarro;
President of the Republic of Finland Urho Kekkonen;
President of France Valéry Giscard d'Estaing.*

LEHTIKUVA OY



*From left to right: US Secretary of State Henry Kissinger;
Prime Minister of the United Kingdom Harold Wilson;
US President Gerald Ford.*



*From left to right:
President of the Republic of Finland Urho Kekkonen;
General-Secretary of the Central Committee of the
Communist Party of the Soviet Union Leonid Brezhnev;
Chancellor of the Federal Republic of Germany Helmut Schmidt;
Soviet Foreign Minister Andrei Gromyko.*

The Culture of Dialogue – A Value in Itself

Dialogue quite literally underpins the whole development of the CSCE/OSCE, and dialogue between governments, civil society organizations, and partner States and organizations remains the main driving force of the Organization today. The OSCE is a unique undertaking. It is perhaps the only international organization of its size with no charter, founding treaty, or other ordinary legal document, but which is based entirely on the willingness of its participating States to engage in a permanent, institutionalized, and open dialogue on all issues included on the OSCE's comprehensive agenda, to come to conclusions and decisions, and to forge instruments for their implementation. This openness with regard to the Conference/Organization's agenda, and the identity of the parties and partners involved in the process was a revolutionary way to organize security at a time when military alliances were the dominant actors, and when it was far from clear that "security is not gained by erecting fences", but "by opening gates", as the *Finnish President Urho Kekkonen* put it at the inaugural meeting of the 1975 Helsinki Summit. Over three decades and under vastly different historical conditions, the OSCE has created and maintained a culture of dialogue that has been the foundation of its success as a key contributor to security and co-operation in Europe. No other continent disposes of an equivalent multi-purpose communication system for security and co-operation.

Basic Features of the OSCE Dialogue

Any effective communication system needs rules that define the relations among its participants. The

OSCE has developed functional principles that have proven their value since the start of the Helsinki process.

Multilateral dialogue. Before the CSCE process, a comprehensive pan-European framework for dialogue did not exist. The CSCE proved to be "the only place where all European States, the USA, and Canada can speak out on the basis of equality and without fear of being marginalized", as the *Head of the Swiss Delegation, Ambassador Edouard Brunner*, said in 1980. The CSCE's first great success was, therefore, simply to establish this dialogue, and to give it continuity, enabling its later institutionalization.

Inclusiveness. An essential precondition for the success of the Helsinki process was the willing participation of all the states of Europe, the United States of America, and Canada. This inclusiveness extended to a second layer of states, consisting of countries for which European security is particularly relevant: the Mediterranean and (later) the Asian Partners of the OSCE.

Inclusiveness

"All European States, the United States and Canada shall be entitled to take part in the Conference on Security and Co-operation in Europe."

Final Recommendations of the
Helsinki Consultations 1973

Equality of states. An equally important core value of the OSCE is the principle of the equality of states and the related consensus rule in decision-making. No State, whether small or a superpower, a member of a powerful military alliance or non-aligned, can be outvoted. Everybody has the same veto right.

Consensus

“Decisions of the Conference shall be taken by consensus. Consensus shall be understood to mean the absence of any objection expressed by a Representative and submitted by him as constituting an obstacle to the taking of the decision in question.”

Final Recommendations
of the Helsinki Consultations 1973

Comprehensive agenda. One of the greatest achievements in the CSCE/OSCE’s history is its development of a concept of comprehensive security that includes the politico-military, the economic-environmental, and the human dimensions, and links international and domestic security. This was all the more pioneering in 1975 – at a time when security was predominantly defined in military terms.

Co-operative approach. The CSCE/OSCE has always followed a co-operative policy approach. Its basic philosophy is to assist states in implementing their commitments through an ongoing process of dialogue and collaboration, not to punish them for non-compliance.

Common and Comprehensive Security

“We will build our relations in conformity with the concept of common and comprehensive security, guided by equal partnership, solidarity and transparency. The security of each participating State is inseparably linked to that of all others. We will address the human, economic, political and military dimensions of security as an integrated whole.”

Charter for European Security 1999

Principles and pragmatism. One of the reasons for the CSCE/OSCE’s success is that the Helsinki Decalogue, a compilation of basic principles, has proved to be the foundation of so many fundamentally pragmatic solutions. It is precisely this combination of principles and pragmatism that allows the OSCE to combine a unique flexibility with such steadfastness of purpose.

Flexibility and adaptability. The OSCE’s norm-based and comprehensive approach to security and its emphasis on pragmatism and co-operation make it highly adaptable in response to political change. Different topics can be managed with different degrees of intensity at different times. The CSCE started out as a forum for security dialogue and co-operation between the members of two military alliances and several non-aligned states. The ongoing evolution of this conference has resulted in the OSCE we see today: a key player in European security co-operation and assisting with good governance.

Although the world has fundamentally changed since 1975, the principles of the Helsinki Decalogue and the rules guiding the OSCE's dialogue process have lost nothing of their relevance over the last three decades. As the *Austrian Foreign Minister, Benita Ferrero-Waldner*, put it in 2000: "In the case of the CSCE, today the OSCE, we are dealing with a success story *sui generis*. In its adult stage this child of the Cold War, which is comparable to scarcely any other international organization, has shown itself to be an indispensable institution. If it did not exist, it would have to be invented."

The CSCE/OSCE's Adaptability to Changing Security Environments

Based on its principles and its flexibility, the CSCE/OSCE has displayed a high degree of adaptability to profoundly changing security environments over three distinct periods:

East-West Dialogue and Détente during the Cold War.

When informal preparatory talks inaugurated the Helsinki process in November 1972, the USA and the Soviet Union had just adopted a first interim agreement on the limitation of strategic nuclear weapons and had put into force the Anti-Ballistic Missile Treaty. In Europe, it appeared possible that an agreement could be reached on commencing preliminary negotiations on Mutual and Balanced Force Reductions. With the signing of the Quadripartite Agreement on the status of Berlin and the treaties between the Federal Republic of Germany and the Soviet Union, Poland, and the German Democratic Republic, West Germany's policy of rapprochement with the Eastern Bloc (*Ostpolitik*) had gained momentum. Preventing nuclear war by defusing the East-West military confrontation

centred on Europe remained the overriding priority. And this was increasingly accompanied by the desire to at least partially overcome the confrontation by means of co-existence and co-operation. As *Leonid Brezhnev, Secretary General of the Communist Party of the Soviet Union*, put it in 1973: "We are deeply convinced that the current reversal from cold war to *détente*, from military confrontation to more solid security, to peaceful co-operation, is the main tendency in present international relations." This was the moment at which the CSCE could bring together all the various elements of a multi-dimensional process of productive change: security, economy, and humanitarian issues based on commonly agreed principles and values.

Declaration on Principles Guiding Relations between Participating States

- I. Sovereign equality, respect for the rights inherent in sovereignty
- II. Refraining from the threat or use of force
- III. Inviolability of frontiers
- IV. Territorial integrity of States
- V. Peaceful settlement of disputes
- VI. Non-intervention in internal affairs
- VII. Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief
- VIII. Equal rights and self-determination of peoples
- IX. Co-operation among States
- X. Fulfilment in good faith of obligations under international law

Helsinki Final Act 1975

Years of intensive dialogue were necessary to start and sustain this process, as vividly described by *US CSCE Ambassador Max Kampelmann* in 1983: “I spent about 250 hours in private discussions with the Soviet delegation. [...] Here we talk about many different things, we have no taboos. One starts from the assumption, that there are fundamental differences between us, philosophical differences on the nature of man, and at the same time one starts from the assumption that one does not want war, that one has to prevent it under all circumstances”. Ongoing dialogue, protracted efforts to understand – though not to accept – the worldview of the other side, and the joint determination to avoid war: These were the intellectual and spiritual building blocks out of which the Helsinki Decalogue was created and which served to keep it viable until the end of the Cold War and beyond.

Multilateral Dialogue during the Transition Period

The brief transition period from 1989 to 1992 was a time of great expectations. This is reflected in the words of the 1990 Charter of Paris, which states that political change has “opened a new era of democracy, peace and unity in Europe.” However, this was also a time of dissolving alliances and the break-up of states, and these processes were all too often accompanied by violent conflict and the large-scale displacement of populations. “Ethnic cleansing” was the horrific new euphemism that Europe had to learn.

Surprised and largely unprepared for these challenges, the international community looked desperately for instruments to meet them. This was another historic moment for the CSCE. Quicker than other international organizations, it developed into a framework for offering civilian and co-operative capabilities for upholding or re-establishing the rule of law, crisis prevention, conflict management, and – later – post-conflict rehabilitation. It was at the 1992 Helsinki Summit that the CSCE developed, at least in a nascent form, most of the relevant instruments. It was also here that it took the first decisive step towards transforming itself from a conference into an organization.

Cross-Regional and Multilateral Dialogue in a Period of New Consolidation

The turmoil of the transition period lessened after a few years. Few new conflicts have broken out since the mid-1990s. Most transition states are consolidating some level of democratic governance. As a consequence, the OSCE’s main focus first turned to the solution of unresolved “frozen conflicts” and to post-conflict rehabilitation in war-torn countries, and the Organization then took on a new and novel role as the continent’s provider of state-of-the-art services in security co-operation and democratization. In adopting these new functions, the OSCE builds on the same normative basis and working principles it has always had, while once again adapting its specific policies and working instruments.

The 55 OSCE Participating States

Albania, Andorra, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Holy See, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Turkmenistan, Ukraine, United Kingdom, United States of America, Uzbekistan

reform, sustainable border regimes, international terrorism, organized crime, trafficking in drugs, weapons and human beings, all kinds of democratic institution-building – including the reform of electoral processes – and, as always at the heart of the Organization’s work, better protection of human and minority rights in all participating States. The OSCE is thus midway through re-inventing itself for a second time within three decades.

The 11 OSCE Partners for Co-operation

The Asian Partners for Co-operation:
Afghanistan, Japan, Republic of Korea,
Mongolia, Thailand

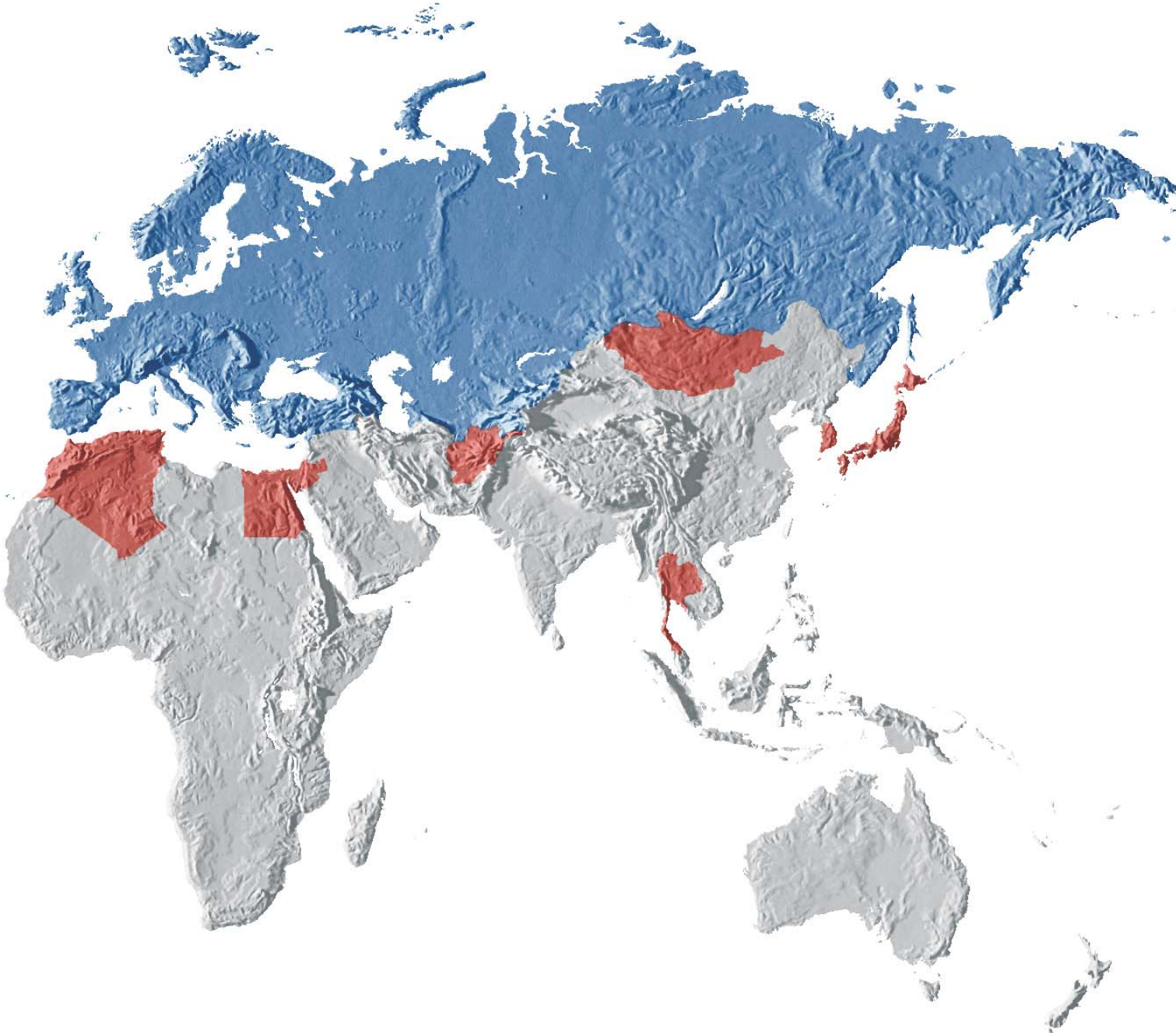
The Mediterranean Partners for Co-operation:
Algeria, Egypt, Israel, Jordan, Morocco, Tunisia

This process of change and adaptation is still underway. Today, there is a need for both intra-regional and cross-regional dialogue between the EU states, South-eastern Europe, Eastern Europe, the South Caucasus, and Central Asia, for international dialogue between the OSCE states and other international organizations, and for transnational dialogue at the level of civil society. According to the 1999 Charter for European Security, the OSCE provides a platform for all these efforts in co-operation with other international actors. New policy approaches are needed to address issues such as security-sector

The following chapters describe the evolving CSCE/OSCE *acquis*, which consists of general principles and more detailed commitments across all three dimensions, and which covers a wide range of institutions, instruments and activities for their implementation in co-operation with partner States, international organizations, and NGOs.



OSCE Participating States
OSCE Partners for Co-operation



The OSCE's Contribution to International Security

When the CSCE process began in the early 1970s, it necessarily concentrated on the international dimension of security. Only a decade after the Cuban Missile Crisis, the need to avert the danger of nuclear war and to ease Cold War tensions by means of co-operation and *détente* was of salient importance. Nonetheless, although the CSCE/OSCE has always been an inter-governmental institution by its very nature, the effects of its activities have also been projected onto individuals and groups within its participating States.

2.1 Politico-Military Security between States

The CSCE/OSCE's comprehensive concept of security, which links the politico-military, the economic and environmental, and the human dimensions, represented a major innovation in international politics when its key components were established with the adoption of the 1975 Helsinki Final Act. At that time, the term "security" was almost exclusively understood as referring to international, inter-state relations and primarily to military matters. The significantly greater breadth of the CSCE concept gave states the room to manoeuvre they urgently needed to defuse and gradually overcome military confrontation through dialogue and co-operation based on commonly agreed principles. Nevertheless, security continued to be predominantly perceived as security between and for states; only later did the notion of security for groups and individuals gain in prominence.

Basic Principles and Commitments

The framing of the CSCE's international-security dimension began with the adoption of general principles. More detailed commitments and in-

terpretations were agreed upon later, followed by working instruments, institutions, and an ever-diversifying range of activities. No less than six of the ten Principles Guiding Relations between Participating States of the Helsinki Final Act are directly related to international security. "Sovereign equality, respect for the rights inherent in sovereignty" provides the foundation for the subsequent principles of "refraining from the threat or use of force", "inviolability of frontiers", "territorial integrity of states", "peaceful settlement of disputes", and "non-intervention in internal affairs". The consensus that was reached on these fundamental values was all the more remarkable given that the two main groups of states involved in the negotiations perceived their social and political systems as inherently antagonistic. The paradox of antagonistic co-operation between otherwise irreconcilable adversaries was the starting point and the first great achievement of the CSCE.

It was only with the 1990 Charter of Paris for a New Europe that the period of antagonistic co-

operation came to an end. The Paris Charter did not invent new principles, but rather reaffirmed the Helsinki Decalogue. However, it did so on the completely new basis of a common understanding of comprehensive principles not only for international behaviour, but also for domestic democratic governance. The participating States declared their “steadfast commitment to democracy based on human rights and fundamental freedoms, prosperity through economic liberty and social justice, and equal security for all countries.” The logical consequence of this was the States’ conviction “that in order to strengthen peace and security among our States, the advancement of democracy, and respect for and effective exercise of human rights, are indispensable.” In Paris, the CSCE took the crucial step from antagonistic to comprehensive co-operation, changing in the process, as the American scholar Emanuel Adler put it, from a “nascent security community” to an “ascendant” one.

Identifying New Threats and Challenges

By the time of the CSCE’s Helsinki Summit in 1992, the spirit of optimism that runs through the Charter of Paris had been severely dampened by the outbreak of the Yugoslav wars of secession and several violent conflicts in the post-Soviet area. At Helsinki, the participating States recognized that they were experiencing “a time of promise but also a time of instability and insecurity. Economic decline, social tension, aggressive nationalism, intolerance, xenophobia and ethnic conflicts threaten stability in the CSCE area. Gross violations of CSCE commitments in the field of human rights and fundamental freedoms, including those related to national minorities, pose a special threat to the peaceful development of society, in particular in

new democracies.” Within a few years, the CSCE’s focus had shifted from military confrontation to violent intra-state conflict. The CSCE States reacted rapidly, adopting a comprehensive package of decisions to counter these new threats.

A few years later, the security situation in Europe had profoundly changed yet again. Most intra-state conflicts were in the process of being resolved or at least “frozen”, and their place was taken by new asymmetrical and transnational threats. Consequently, at the 1999 Istanbul Summit, the participating States adopted the Charter for European Security, a groundbreaking document that links security between states to security within states, the norms of security co-operation to comprehensive collaboration with other international organizations, and major security challenges to the OSCE’s collective instruments. The participating States recognized that “threats to our security can stem from conflicts within States as well as from conflicts between States.” International terrorism, violent extremism, organized crime, drug trafficking, and economic problems were identified as growing security challenges. The participating States recognized clearly that no single state or organization can meet these challenges alone. It therefore adopted an operational document that focuses on co-operation between the OSCE and other organizations, the Platform for Co-operative Security. Among the instruments at the Organization’s disposal, the Charter mentions enhanced dialogue, OSCE field operations, Rapid Expert Assistance and Co-operation Teams (REACT), the Operation Centre, police-related activities, peacekeeping, and the OSCE Court of Conciliation and Arbitration.

The OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century, adopted at the 2003 Maastricht Ministerial, further refines the analysis of current security challenges and formulates effective answers to them. Building upon 1999's Charter for European Security, the Strategy identifies – alongside inter- and intra-state conflicts – “terrorism, proliferation of weapons of mass destruction, excessive and destabilizing accumulation and uncontrolled spread of small arms and light weapons (SALW), human rights violations, mass expulsion, deterioration of the socio-economic situation, and illegal immigration” as the major contemporary threats to security and stability in Europe and beyond. Alongside the 2003 OSCE Strategy, the participating States decided to develop an OSCE Border Security and Management Concept. Also in 2003, a small working unit was established within the Secretariat's Conflict Prevention Centre that launched, in 2004, the OSCE South-East European Cross-border Co-operation Programme, and supported the work of the informal Working Group on the elaboration of an OSCE Border Security and Management Concept.

The growing awareness that the comprehensive security concept of the OSCE cannot be regarded in purely politico-military terms, but has to address anti-terrorism, police matters, and border security as well, is reflected in the decision of the 2002 Porto Ministerial to hold Annual Security Review Conferences.

Security Dialogue and Arms Control

The CSCE/OSCE has provided Europe with the world's most dense network of arms control arrangements, closely interlinked with an ongoing

security dialogue, which has been institutionalized since 1992. The two main pillars of this unique arms control regime are Confidence- and Security-Building Measures (CSBMs), later augmented by limitations and reductions applying to conventional weapons and military personnel under the Treaty on Conventional Armed Forces in Europe (CFE 1990) and the Concluding Act of the Negotiations on Personnel Strength of Conventional Armed Forces in Europe (1992). There are three distinct CSBM regimes: the Helsinki Final Act regime (in force since 1975), the Stockholm Document regime (since 1986), and the Vienna Document regime (since 1990).

Seen from today's perspective, the Confidence-Building Measures (CBM) contained in the Helsinki Final Act were extremely limited: Only manoeuvres exceeding a total of 25,000 troops had to be notified to all participating States 21 days in advance. This applied to all European CSCE States apart from the Soviet Union, of which only a strip of 250 km along its western borders was included. The invitation of observers was left as a voluntary matter. Compared to this, the 1986 Stockholm Document on CSBMs represented a qualitative shift for two reasons: first, it applied to the whole of Europe from the Atlantic to the Urals, and second, it provided for obligatory on-site verification. This was not only vital for the credibility of the CSBMs as such but also for future agreements on arms limitation and reduction. As the *Foreign Minister of the Federal Republic of Germany, Hans-Dietrich Genscher*, said on the eve of the Stockholm Document's adoption: “With this, a fundamental breakthrough has been reached, which has importance for the whole of arms control.”

And indeed, the Stockholm Document was a crucial

With the help of an OSCE voluntary fund and under the supervision of the OSCE Mission to Moldova: the withdrawal of heavy weapons and ammunition started in Transdniestria, June 2001.

OSCE/Neil Brennan



step on the way towards the CFE Treaty, which was originally signed by the 22 member states of NATO and the Warsaw Treaty Organization at the 1990 Paris Summit.

The CFE Treaty sets ceilings on tanks, armoured combat vehicles, artillery pieces, attack helicopters and combat aircraft in the area between the Atlantic and the Urals, and provides for this to be verified via the exchange of detailed information and an intrusive system of on-site inspections. During the dissolution of the Warsaw Treaty and the 1991 break-up of the Soviet Union, the CFE Treaty proved to be a highly effective instrument for distributing military equipment among the former members of the Warsaw Treaty and the successor states to the Soviet Union. In Latvia, from which Russian troops had been withdrawn by 1994, the OSCE deployed a representative to monitor the temporary operation and dismantling of the Russian Skrunda radar station between 1995 and 1999. Later on, the CFE Treaty, this “cornerstone of European security”, as it was called in the 1999 Charter for European Security, was adjusted to

reflect the changed realities in Europe and the enlargement of NATO in particular. At the 1999 OSCE Istanbul Summit, 30 States signed the Adapted CFE Treaty. It has not yet entered into force because some States Parties understand the implementation in full of the hitherto unfulfilled “Istanbul commitments” concerning the withdrawal of Russian forces from Georgia and Moldova to be a precondition for the commencement of their national ratification processes.

The third generation of CSBMs was kick-started by the 1990 Vienna Document, which was amended in 1992, 1994, and 1999. The Vienna Document 1999 is a powerful compendium of highly sophisticated CSBMs, including the exchange of military information (including defence planning), risk reduction via consultation and co-operation, military contacts, prior notification and observation of certain military activities, constraints on military activities, and stipulations for compliance and verification. The 1992 CSCE Helsinki Summit established the Forum for Security Co-operation (FSC) as a framework for ongoing dialogue on security and arms

control issues, which has become the central OSCE body for deliberation and decision-making on politico-military questions. To review the implementation of these numerous regulations, Annual Implementation Assessment Meetings were established.

Together, the Vienna Document 1999 and the CFE Treaty establish an outstanding level of military transparency, to which no other part of the world even comes close. Various complementary treaties and other documents support the primary function of CSBMs, including the 1992 Treaty on Open Skies, an aerial inspection regime separate from but related to the OSCE context that also includes the territories of the USA, Canada and the whole of the Russian Federation, as well as the 1994 CSCE document on the Global Exchange of Military Information.

In spite of these remarkable achievements, the OSCE's performance in the politico-military dimension does come in for criticism. In the view of some participating States, the Organization has neglected its first-dimension tasks. And indeed, one can say that the CSBMs have been the victim of the OSCE's success as the overall security situation has improved since the Cold War. In recent years, the OSCE's efforts regarding CSBMs have been limited to their implementation, and no new, future-oriented instruments have been adopted. Consequently, a number of participating States are calling for fresh initiatives, while others claim that CSBMs are a means to engender security and not an end in themselves.

A second function of CSBMs concerns non-proliferation and export control. Here, the 1994

OSCE Principles Governing Non-proliferation serve as guidelines for nuclear, chemical and biological weapons of mass destruction and missile technology. On the conventional level, the 2000 Document on Small Arms and Light Weapons and related decisions taken in recent years aiming at preventing the unauthorized diffusion of dangerous conventional weapons demonstrate clearly that the greatest perceived threat has shifted from military confrontation between states to international terrorism.

The third function of OSCE arms control measures is to provide concrete assistance to participating States. Thus, the OSCE Document on Small Arms and Light Weapons contains specific stipulations on assistance to participating States. And the very purpose of the 2003 OSCE Document on Stockpiles of Conventional Ammunition lies in assisting states in destroying or safely storing such stockpiles. During 2003-2004, Belarus, Kazakhstan, the Russian Federation, Tajikistan, and Ukraine submitted requests for assistance.

With its multiple overlapping arms control regimes, Europe leads the way in military transparency, restraint, and co-operation. This achievement would have been inconceivable without the normative foundation and institutional framework provided by the OSCE.

Peaceful Settlement of Disputes

The participating States had agreed in the Helsinki Final Act to continue to discuss mechanisms for the peaceful settlement of disputes on the basis of the Draft Convention on a European System for the Peaceful Settlement of Disputes, a document submitted by Switzerland. The issue was debated at

the expert meetings in Montreux 1978, Athens 1984 and La Valletta 1991, where the OSCE Dispute Settlement Mechanism was adopted. While the Valletta Mechanism did not assume much relevance in practice, the ongoing discussions led to the establishment of the OSCE Court of Conciliation and Arbitration in 1992, which was based on a legally binding convention. Any dispute between states may be submitted to the Conciliation Commission. States are free to accept the Commission's proposals or not. However, if the parties have agreed to submit to arbitration, the Tribunal's ruling is binding. So far, 33 participating States have ratified the Convention of Conciliation and Arbitration and acceded to the Court. The fact that no cases have yet been submitted shows that states prefer to solve their disputes by political rather than by legal means.

Conflict Prevention and Crisis Management

At the 1992 Helsinki Summit, the participating States had to recognize that for "the first time in decades we are facing warfare in the CSCE region. New armed conflicts and massive use of force to achieve hegemony and territorial expansion continue to occur. The loss of life, human misery, involving huge numbers of refugees have been the worst since the Second World War." The CSCE reacted to these new challenges faster than other international organizations, creating a broad range of conflict-prevention and crisis-management instruments. First, it strengthened its decision-making capacity by clarifying and streamlining the role of the Council of Ministers, the Committee of Senior Officials, and the Chairman-in-Office. Second, it established the innovative institution of the High Commissioner on National Minorities (HCNM). Third, it created "fact-finding and rapporteur missions", the nas-

cent form of what later developed into the OSCE's field operations. Fourth, it agreed on modalities for CSCE peacekeeping. Fifth, the role of the Office for Democratic Institutions and Human Rights (ODIHR) was considerably enhanced. And finally, the CSCE resolved to strengthen its co-operation with other international and non-governmental organizations. In taking these decisions, the OSCE has assumed a major amount of responsibility for solving domestic conflicts within its participating States on the basis of consensus and co-operation.

Field Operations

The OSCE has so far never fielded a traditional peacekeeping operation. In contrast, the Organization's first diplomatic field missions were deployed only weeks after the Helsinki decisions. OSCE field operations address both intra-state and inter-state conflicts. While these two tasks are frequently combined, it is possible to identify field operations that primarily serve to stabilize and solve international conflict situations. The very first two CSCE field missions were the CSCE Missions of Long Duration in Kosovo, Sandjak, and Vojvodina and the CSCE Spillover Mission to Skopje, which were deployed in September 1992. Both missions were confronted with the similar task of preventing the outbreak of open crises and conflicts – in the first case, between central authorities and certain regions (Kosovo, Sandjak, and Vojvodina) with a risk of international escalation, and, in the second, preventing the "spillover" of the conflict from the Federal Republic of Yugoslavia (FRY) to the former Yugoslav Republic of Macedonia (FYROM). Consequently, their mandates were broadly comparable: to promote dialogue with the governmental authorities, representatives of the communities in the regions,



An OSCE border monitor disembarks from a helicopter during an overnight patrol in Shatili, Georgia, October 2002.

political parties and other organizations, to collect information, to make reports, and to establish contact points to co-ordinate the solution of problems identified. The Missions in Kosovo, Sandjak, and Vojvodina had to be closed in June 1993 because the OSCE and the FRY could not agree on an extension. After the unrest that approached civil war level in FYROM in spring and summer 2001, the Spillover Mission to Skopje was converted into a much larger post-conflict rehabilitation mission, whose primary concern is relations between ethno-political groups.

The OSCE Mission to Georgia, which was deployed in December 1992, was the first OSCE field operation established during an open conflict. It was mandated to help create a framework for a lasting political settlement of the Georgian-Ossetian conflict and to intensify discussions with all parties involved, to liaise with the United Nations operations seeking to resolve the Georgian-Abkhaz

conflict, and to promote respect for human rights and assist in the development of democratic institutions in Georgia as a whole. Thus, the OSCE cooperates with the UN and with the Russian peacekeeping forces. In December 1999, the mission's mandate was expanded to include observation of the border between Georgia and the Chechen Republic of the Russian Federation. In December 2001, observation of the border between Georgia and the Ingush Republic of the Russian Federation was added; and in January 2003, observation of the border between Georgia and the Dagestan Republic of the Russian Federation. While the border monitoring mandate expired at the end of 2004, the general concept of stabilizing border regimes in a sustainable way is gaining more and more importance within the OSCE.

The Personal Representative of the Chairman-in-Office (CiO) on the Conflict Dealt with by the Minsk Conference, a position established in August

1995, represents the OSCE CiO in matters relating to the Nagorno-Karabakh conflict and has contributed to efforts to achieve an agreement on ending the armed conflict there and creating conditions for the deployment of an OSCE peacekeeping operation. A High-Level Planning Group has been preparing contingency plans for this since 1995. With five field assistants, the Personal Representative has a role somewhere between an ordinary field operation and a negotiation facilitator.

Both international and domestic conflicts can only be solved when the conflict parties agree on a solution. This simple fact means that international actors, among them OSCE field operations, cannot provide more than assistance and facilitation. The success of any given mission thus cannot be measured solely by asking whether the conflict has finally been resolved. In the cases of Nagorno-Karabakh and Georgia, the avoidance of further escalation and the stabilization of the overall situation, frequently called “freezing” a conflict, can already be considered an achievement.

Crisis Prevention by the High Commissioner on National Minorities

The High Commissioner is an instrument of conflict prevention and crisis management within the security dimension. His tasks are to deal with the triangular set of relationships between nationalizing majorities, national minorities, and kin states. While majority-minority relations are a matter of intra-state security, the question of kin states is clearly an international matter. In at least two cases – Hungary and its neighbours, and the relations between Estonia and Latvia and the Russian

Federation – the HCNM proved instrumental in defusing tense situations and preventing escalation. The HCNM was also very helpful in relieving tensions over Crimea, whose status and level of autonomy were sharply disputed between Crimean and Ukrainian authorities, with Moscow and Kyiv jousting for position in the background.

Combating Terrorism

Since the Helsinki Final Act, almost every major OSCE document has addressed the fight against terrorism. The 1999 Charter for European Security reads: “International terrorism, violent extremism, organized crime and drug trafficking represent growing challenges to security.” After September 11, 2001, the OSCE has substantially enhanced its efforts to fight terrorism. The prime objective is to prevent the financing, preparation, and implementation of any act of terrorism on the territories of OSCE participating States. In co-operation with other organizations, the OSCE is trying to make the most of its comprehensive concept of security, implementing measures that focus on human rights, police and law enforcement, border security, anti-trafficking, and arms control.

The OSCE’s anti-terrorism efforts are based on a number of key documents: the Bucharest Plan of Action for Combating Terrorism (2001), which also provides the mandate for the establishment of the Action against Terrorism Unit in the Secretariat; the Bishkek Programme of Action (2001); the OSCE Charter on Preventing and Combating Terrorism (Porto 2002); and the Sofia Ministerial Statement on Preventing and Combating Terrorism (2004). On the decision of the 2003 Maastricht Ministerial,

OSCE



OSCE-supported activities to eliminate surplus small arms and light weapons: Belarusian soldiers prepare to destroy shoulder fired “Strela-IIM” anti-aircraft missiles near Sluck, Belarus, 25 May 2005.

the OSCE set up a Counter-Terrorism Network to strengthen contacts and facilitate the exchange of information.

The most important aspects of the OSCE’s direct counter-terrorism efforts concern assistance to participating States in the ratification and implementation of the 12 UN anti-terrorism conventions, travel-document security, container security, the use of the internet by terrorists, and the suppression of terrorist financing as dealt with by the Office of the Co-ordinator of OSCE Economic and Environmental Activities. These efforts have been driven forward by a number of Ministerial Council decisions: on Travel Document Security (Maastricht 2003) and Reporting Lost/Stolen Passports to Interpol’s Automated Search Facility/Stolen Travel Document Database (Sofia 2004), on Enhancing Container Security (Sofia 2004), and on Combating the Use of the Internet for Terrorist Purposes (Sofia 2004).

These activities are complemented by a number of decisions on specific arms control measures, concerning Man-Portable Air Defence Systems (MANPADS, Maastricht 2003) and OSCE Principles for Export Control of MANPADS (Sofia 2004), OSCE Principles on the Control of Brokering in Small Arms and Light Weapons (SALW), OSCE Standard Elements of End-user Certificates and Verification Procedures for SALW exports (Sofia 2004), as well as the OSCE Document on Stockpiles of Conventional Ammunition (2003). Key partners in the OSCE’s counter-terrorism efforts are the UN Counter Terrorism Committee, the UN Office on Drugs and Crime, the European Union, NATO, the Council of Europe, and subregional organizations.

2.2 Economic and Environmental Security between States

A New Category of Security Thinking: Economic and Environmental Co-operation

Linking peace and security to economic and social progress is an innovation in European security thinking that owes its existence to the CSCE. In basket two of the 1975 Helsinki Final Act, economic affairs and matters of environmental protection were promoted to the category of issues considered directly relevant for European security. Thirty years after the Second World War, the participating States committed themselves to accepting each other's right to freely choose and develop different economic and social systems, respecting different levels of economic development, and refraining from any acts of economic coercion. In addition, the participating States agreed to co-operate "as equals, to promote mutual understanding and confidence" in order to gain "benefits resulting from increased mutual knowledge and from progress and achievement in the economic, scientific, technological, social, cultural and humanitarian fields" (Helsinki Final Act 1975). While Decalogue principles such as non-intervention in internal affairs and peaceful settlement of disputes were intended to guarantee peace between states, the principle of co-operation was aimed at curbing the threat of inter-state conflict from below by encouraging grass-roots contacts across national and ideological boundaries.

Helsinki 1975: Promoting Common Solutions for Major World Economic Problems

With regard to economic matters, the participating States realized that, irrespective of systems, co-operation "can be developed, on the basis of equality

and mutual satisfaction of the partners, and of reciprocity permitting, as a whole, an equitable distribution of advantages and obligations of comparable scale" (Helsinki Final Act 1975). The concrete consequences of this were plans to co-operate in trade, industry, science, and technology. The intention was to bring a certain degree of stability and predictability to the ongoing East-West confrontation. The economic and environmental dimension also provided a forum for linking economic and other security-related issues. In this way, the commitment to promote common solutions for major world economic problems (Helsinki Final Act 1975) also served basket-one motives, for example by accelerating disarmament negotiations and helping to curb the conventional and nuclear arms races, and with regard to human rights issues. Even what appear to be minor issues within the economic dimension have sometimes had significant consequences for human security. For instance, the rather prosaic-sounding commitment to promote tourism nourished discussions on freedom of movement. It thus referred to commitments in the field of human rights and fundamental freedoms.

Over time, business contacts ranging from sharing information and skills to increasing trade and commerce were established between East and West. Industrial and scientific co-operation at governmental level and within the business world initially focussed on major projects of common interest in areas such as the harmonization of standards, business arbitration, agriculture, energy, natural resources, and space research. The creation of joint

ventures between Eastern and Western companies was a highly significant aspect of trans-European co-operation. These contacts helped lay the foundations for change through rapprochement and the reduction of Cold War tensions. The top-down promotion of economic contacts made possible the forging of links at all levels, both of which resulted in more stability.

After the Cold War: A Common Understanding of Economic and Environmental Values

During the brief transitional period in the late 1980s and the early 1990s, a common understanding of key values emerged, one that still defines the basics of European economic life today. The commitment to convergence in economic policies was expressed, for example, in the appeal for “support and solidarity to participating States undergoing transformation to democracy and market economy” (Helsinki Document 1992). In practical terms, structural adjustment embraced the change from planned to market economies, the shift of governments from direct economic control to indirect influence via fiscal and monetary policy, the anchoring of economic relations in the rule of law, the liberalization of prices, trade, capital flows, and investments, the creation of a competitive business environment conducive to the development of small and medium-sized enterprises, and the deregulation of labour markets. Convergence in economic policies and structural adjustment have become an integral part of the OSCE commitment to maintain a common, comprehensive, and indivisible security space. The commitment to adjustment was also intended to reduce trade and technical barriers, such as protectionist policies, restrictive customs, and travel procedures. This commitment was con-

nected to the promotion of regional, sub-regional, and trans-border co-operation and the stimulation of trade, investment, and the development of infrastructure (3rd Economic Forum, Prague 1995). In the early 1990s, the conversion of military enterprises also played a role in the European economic reform process.

The commitment to protect nature and to use natural resources in a responsible way also contributed to challenging traditional modes of thinking in Europe and to the concept of sustainable development worldwide. It later found expression in the “common objectives of sustainable economic growth, a rising standard of living, an improved quality of life, expanding employment, efficient use of economic resources, and protection of the environment” (Economic Co-operation in Europe, Bonn 1990), reflecting the insight that there are close links between economic liberty, social justice, environmental responsibility, and security. The idea of common responsibility for environment and development, as enshrined in the UN Declaration of Rio (1992), might not have been a direct outcome of CSCE/OSCE efforts. Nevertheless, it took on board accumulated European security thinking, as most notably articulated by the Club of Rome. Within the CSCE/OSCE, the dialogue on environmental issues has led to a sophisticated understanding of the links between security building and the environment in general, including specific issues such as energy or water (Economic Forums, Prague 1998, 1999, and 2002). The inclusion of sustainable development objectives on the agendas of international peace operations is also one of the CSCE/OSCE's achievements.

Tackling the Economic Causes of Conflict

Initially, CSCE/OSCE commitments on economic issues were aimed at providing political assistance to processes of change that were already underway. When, in the late 1980s, violent conflicts ended Europe's unique four-decade-long peace, the Organization had to develop its own conflict-management profile – including those aspects that relate to the economic dimension. Relevant risks to security, their causes, and potential consequences had to be addressed by means of political instruments. The “attention of relevant international institutions” had to be drawn “to the need of taking appropriate measures for alleviating difficulties stemming from those risks” (Lisbon Document 1996).

Promoting Transborder Co-operation

In order to prevent conflicts or mitigate their effects, participating States have committed themselves to promoting regional, sub-regional, and “transfrontier co-operation between territorial communities or authorities, involving border areas of two or more participating States with the aim of fostering friendly relations between States” (Helsinki Document 1992). The OSCE's work to promote cross-border co-operation between South Caucasus countries, for example, does not directly touch upon managing conflicts in the region, but contributes to a public environment that, it is hoped, will generate positive attitudes towards conflict resolution.

Economic Activities of OSCE Field Operations

The tasks of OSCE field operations established in the 1990s range from disputes between states to conflicts between governments and regional authorities, national and other minorities, and social

groups. These issues include matters such as public and economic administration, access to resources, and levels of assistance in economic emergencies. In some Balkan states, OSCE field operations have acquired a leading role in the economic sphere as, for example, consultancy, co-ordination, and implementation institutions. The OSCE Mission in Kosovo, for example, is participating in central and regional working groups on the return of refugees in co-operation with the United Nations High Commissioner for Refugees (UNHCR). It has made recommendations on socio-economic reintegration of minority communities and has organized training in the area of local self-government. In Georgia, the OSCE Mission is playing a role in the economic reconstruction of the Georgian/South-Ossetian conflict region. In Ukraine, while a new constitution was being drafted, the mission dealt with economic disputes between the central government, Crimean authorities, and a number of national minorities. In Central Asia, ongoing efforts are attempting to help settle water disputes.

Along with the Organization's limited implementation capacities, the problematic nature of measuring success in economic conflict management has turned the on-site implementation of economic security commitments into a disputed point. In the words of Thomas Price, the first Co-ordinator of OSCE Economic and Environmental Activities, the OSCE “is not an economic organization in the sense of the many specialized organizations that collect and analyse data (such as the UNECE, OECD or IEA), nor is it an economic organization like the many international organizations, multilateral institutions, and bilateral donors (such as the IMF, World Bank, EBRD, et al.) which have provided

much-needed assistance to States in the process of restructuring their economies.” Consequently, it is vital for the OSCE to look for ways of co-operating with these and other organizations. The Platform for Co-operative Security, which encourages co-operation with “mutually-reinforcing organizations”, shows the way ahead (Istanbul 1999).

Pursuing Regional and Subregional Economic Co-operation and Integration

At present, the OSCE is increasingly confronted with challenges that derive from the political, economic, and social disparities between the EU area, the Group of Like-Minded States, and the USA on the one hand, and the bulk of South-eastern and Eastern European, South Caucasian, and Central Asian countries on the other. Although progress is being made in the second group of regions (to varying degrees), the asymmetries that divide the continent pose a danger to the common, comprehensive, and indivisible European security space.

To overcome divisions and narrow disparities, to adapt to recent developments, and to supplement the 1990 Bonn Document, the OSCE participating States adopted an OSCE Strategy Document for the Economic and Environmental Dimension at Maastricht in 2003, which contains the commitment to “pursue opportunities for regional and subregional economic integration and co-operation”.

Taking into account globalization processes, the “growing openness of national economies and their greater exposure to external economic shocks and financial turbulence”, and the perception of new Threats to Security and Stability in the Twenty-First Century (Maastricht 2003), the OSCE promotes dialogue between the European regions via contacts on four different levels: with the governments of participating States, with regional organizations such as the EU and the Commonwealth of Independent States (CIS), with specialized international organizations, and with a broad range of civil society institutions and other non-state actors.

Criticism of the OSCE's Performance in the Economic and Environmental Dimension

The participating States are aware that the OSCE is not an economic, financial, or donor organization, and that this limits its activities in this dimension from the outset. However, a number of States take the view that the Organization does not fully exploit the possibilities inherent in its economic and environmental dimension and that it is not given the importance and weight ascribed to the other dimensions, especially the human. Some argue in favour of expanding the Organization's implementing capacities. Criticism has thus been levelled at both the OSCE's programmatic basis and its operational approaches.

2.3 *The Human Dimension as an International Commitment*

A New Category of Security:

The Human Dimension

Security is about more than alliances and treaties, military and economic strength. The realization that the security of states also depends on the security of the individuals within them was an innovation in European security thinking and one of the great achievements of the East-West dialogue of the 1970s. As a result, the CSCE participating States recognized that there is no security without respect for basic political and civil rights. They have granted human rights the same status as other fundamental principles of peace and security, such as the sovereign equality and territorial integrity of states. Uniquely in the world, the CSCE participating States, by signing the Helsinki Final Act, have assumed collective responsibility for each other's national development in the field of human rights. They gave security a new dimension: a human dimension.

Creating a Normative Structure:

The Basic Principles of the Human Dimension

In OSCE terminology, the expression "human dimension" is used to describe politically binding commitments and activities that aim to ensure full respect for human rights and fundamental freedoms, to see that the rule of law is upheld, to promote the principles of democracy and build, strengthen and protect democratic institutions, and to encourage tolerance throughout the OSCE region. Over 30 years, these commitments have accumulated to form a central pillar of the OSCE *acquis*. In Principle VII of the Helsinki Decalogue,

the participating States confirmed that they will "respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion. They will promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms all of which derive from the inherent dignity of the human person". At the same time, the States recognized that respect for human rights and fundamental freedoms "is an essential factor for the peace, justice and well-being necessary to ensure the development of friendly relations and co-operation among themselves as among all States." In this way, they inseparably linked classical security building with the human dimension. The Final Act already specifies the first steps for the practical implementation of these commitments – measures such as establishing human contacts and encouraging mutual understanding.

With the end of the Cold War and the transformation of Eastern Europe, the Helsinki commitments were expanded to include several new and groundbreaking objectives: democracy, the rule of law, and political pluralism. The continent was united under the participating States' pledge to "co-operate and support each other with the aim of making democratic gains irreversible" (Charter of Paris 1990). This was the new political bond that united all parts of Europe.

At the second CSCE Human Dimension Conference in Copenhagen in 1990, the participating States rec-

ognized “that pluralistic democracy and the rule of law are essential for ensuring respect for all human rights and fundamental freedoms, the development of human contacts and the resolution of other issues of a related humanitarian character.” They therefore welcomed “the commitment expressed by all participating States to the ideals of democracy and political pluralism as well as their common determination to build democratic societies based on free elections and the rule of law.”

Collective Responsibility for Human Dimension Commitments

In times of political crisis, the CSCE/OSCE has repeatedly proven its ability to adapt quickly to changing security challenges. Whenever it has proved necessary, participating States have reinterpreted the Organization's concept of security. Most significant has been the fine-tuning of the principle of non-intervention in internal affairs: under the pressure of large-scale violence in South-eastern Europe and the threat of escalating instabilities in Eastern Europe, a new understanding was formulated, according to which international stability and domestic human dimension issues are interdependent.

As a consequence, human dimension commitments are no longer left solely to the discretion of individual states, but are guaranteed by collective responsibility. The participating States agreed that reference to national sovereignty is no longer a sufficient reason to dismiss questions relating to the implementation of human dimension commitments as unjustified intervention in domestic affairs. They agreed to allow international observation and the formulation of recommendations on

appropriate solutions for the implementation of human rights (Copenhagen 1990). They “categorically and irrevocably” declared “that the commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned” (Moscow 1991). They also agreed that it would be possible to adopt political declarations and carry out other political steps “if necessary in the absence of the consent of the State concerned” (Prague 1992). This constitutes a new departure in “soft” international law.

Internal Affairs

“The participating States emphasize that issues relating to human rights, fundamental freedoms, democracy and the rule of law are of international concern, as respect for these rights and freedoms constitutes one of the foundations of the international order. They categorically and irrevocably declare that the commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned. They express their determination to fulfil all of their human dimension commitments and to resolve by peaceful means any related issue, individually and collectively, on the basis of mutual respect and co-operation.”

[Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE](#)
Moscow 1991

Consensus Minus One

“The Council decided, in order to develop further the CSCE’s capability to safeguard human rights, democracy and the rule of law through peaceful means, that appropriate action may be taken by the Council or the Committee of Senior Officials, if necessary in the absence of the consent of the State concerned, in cases of clear, gross and uncorrected violations of relevant CSCE commitments. Such actions would consist of political declarations or other political steps to apply outside the territory of the State concerned. This decision is without prejudice to existing CSCE mechanisms.”

Document on Further Development
of CSCE Institutions and Structures
Prague Council of Ministers 1992

The OSCE has created a range of activities and mechanisms for ensuring the implementation of its human dimension commitments. Activities range from declarations, monitoring missions, and review meetings, to the activities of special representatives and OSCE field operations. There are two specific mechanisms that also enable the OSCE to take action on human dimension issues. Known as the Vienna and Moscow Mechanisms, they can be invoked *ad hoc* by any participating State. The Vienna Mechanism (1989) obliges a participating State to respond to requests for information and to attend bilateral and follow-up meetings of the Human Dimension Conference. The Moscow Mechanism (1991) provides for the additional possibility of establishing *ad hoc* missions to assist a given State where there is a “particularly serious threat”. It also allows for the option of the OSCE advising on possible solutions, making it probably the most intrusive human dimension monitoring instrument.

OSCE Efforts to Promote Intra-State Group Security

Although the notion of group security played a limited role on the CSCE agenda at first, it was always an integral part of the CSCE/OSCE's comprehensive concept of security. This chapter shows how the issue of security for groups evolved in all three dimensions as the CSCE/OSCE process developed.

3.1 Politico-Military Security for Groups

The High Commissioner on National Minorities

One of the most significant and (potentially) most violent types of conflict between groups within a state are so-called ethnic conflicts, which could more accurately be called ethnicized or ethno-political conflicts. Such conflicts almost always have an international dimension. To address this specific type of conflict situation, the CSCE established the innovative and hitherto unparalleled institution of the High Commissioner on National Minorities (HCNM) as one of its prime instruments for tackling both intra-state and inter-state security threats. The mandate of the High Commissioner, adopted at the 1992 Helsinki Summit, stresses early warning and preventive early action in inter-ethnic conflicts.

The High Commissioner works independently, confidentially, and impartially. He decides on his own where to become involved and where not, but he will not consider "situations involving organized acts of terrorism" (Helsinki Document 1992). He is only requested to consult with the Chairman-in-Office and to report confidentially on his findings. Confidentiality has proven to be an indispensable working principle, as it avoids the misuse of the

The High Commissioner on National Minorities

"The High Commissioner will act under the aegis of the CSO and will thus be an instrument of conflict prevention at the earliest possible stage. [...] The High Commissioner will provide 'early warning' and, as appropriate, 'early action' at the earliest possible stage in regard to tensions involving national minority issues which have not yet developed beyond an early warning stage, but, in the judgement of the High Commissioner, have the potential to develop into a conflict within the CSCE area, affecting peace, stability or relations between participating States, requiring the attention of and action by the Council or the CSO. [...] Within the mandate, based on CSCE principles and commitments, the High Commissioner will work in confidence and will act independently of all parties directly involved in the tensions."

The Challenges of Change
Helsinki Summit 1992

HCNM's activities by interested parties. Although the High Commissioner bases his activities on the OSCE's normative human dimension *acquis*, he is neither a human dimension instrument nor a kind of ombudsman, but a security institution. He is the High Commissioner on, not for national minorities.

The *modus operandi* of the High Commissioner has basically remained the same in all the conflicts he has dealt with: by fostering dialogue between all parties he has not only been able to gradually improve the situation of minorities in various countries, but has also succeeded in improving relations between these states and the kin states of the minority groups in question.

The High Commissioner has been or still is active in Albania, Croatia, Estonia, FYROM, Georgia, Greece, Hungary, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Romania, the Russian Federation, the Slovak Republic, Tajikistan, Turkey, Ukraine, and Uzbekistan. The HCNM has visited some of these countries only once, others more than 50 times. Where OSCE field operations exist, he co-operates with them closely. Usually, the High Commissioner, after a visit to a country and extensive discussions, gives non-binding written recommendations to the government concerned. As the content of these recommendations has tended to repeat itself from case to case, expert groups were tasked by the High Commissioner to elaborate several sets of general recommendations: the Hague Recommendations on Education Rights of National Minorities (1996), the Oslo Recommendations Regarding Linguistic Rights of National Minorities (1998), the Lund Recommendations on Effective

Participation of National Minorities in Public Life (1999), the Warsaw Guidelines on Minority Participation in Elections (2001), and the Guidelines on the Use of Minority Languages in the Broadcast Media (2003).

Although his recommendations are not binding, and both his office and his budget are small, in the large majority of cases where he has become involved, the High Commissioner has contributed to a substantial improvement of the situation. And although his activities remain largely unrecognized by the public at large, he represents one of the OSCE's greatest success stories. At the same time, he symbolizes the Organization's philosophy like no other OSCE institution: its comprehensive concept of security linking all three dimensions, its inclusiveness, and its gradualist and co-operative approach.

Efforts by Field Operations to Enhance the Security of Groups

Potentially violent intra-state conflicts develop when social or political groups do not content themselves with competing within the framework of generally accepted rules, but aim at excluding some "others" in favour of themselves by violent or non-violent means. Every OSCE field operation deployed in an environment characterized by intra-state conflict treats the question of group security in an impartial manner. Frequently, but not always, these groups are ethno-political in character.

OSCE field operations have dealt with ethno-political group conflicts within States at different levels of escalation. The OSCE Mission to Estonia, the OSCE

Mission to Latvia, the OSCE Mission to Ukraine, and the OSCE Spillover Monitor Mission to Skopje were all concerned with the lowest level of escalation: conflict prevention. Although each of these missions focused on ethno-political group relations, the concrete questions to be solved differed significantly in each case: naturalization and citizenship in Estonia and Latvia; Crimean autonomy and inter-ethnic reconciliation in Ukraine; minority education and representation in public life in FYROM. At the next level of escalation, the level of conflict management, the OSCE Mission to Georgia and the OSCE Mission to Moldova are concerned with secession attempts, while the OSCE Mission to Tajikistan aimed first at ending a civil war and then at promoting reconciliation. The OSCE Assistance Group to Chechnya promoted a peaceful solution to that conflict and actively contributed to ending the first Chechen war. At the level of post-conflict rehabilitation, the OSCE Mission to Bosnia and Herzegovina, the OSCE Mission to Croatia, the OSCE Mission in Kosovo and, today, the OSCE Spillover Mission to Skopje have been involved in inter-ethnic reconciliation, the return of refugees, holding and monitoring elections, democratic governance and institution-building, the fostering of free media, and many other issues. In the case of Bosnia and Herzegovina, the OSCE has also carried out various activities related to arms control agreements according to articles II, IV and V of Annex 1B of the Dayton Peace Agreement.

Not all conflicts between groups are ethno-political in nature. This was the case in Albania, where the OSCE Presence contributed to the restoration of law and order after the breakdown of public order

in 1997. It is also true of all OSCE field operations working in evolving transition situations, such as the small OSCE Offices and Centres that have been established since 1995 in the South Caucasus and Central Asia, the OSCE Office in Minsk, and the OSCE Project Co-ordinator in Ukraine. Here, the beneficiaries of the OSCE's activities are a wide variety of social and political groups: voters, refugees, members of professional groups, inhabitants of certain regions, potential victims of trafficking, and many others.

Debate over the OSCE's Field Operations

The co-operative character of OSCE field operations is embodied in the procedures that lead to their deployment: an invitation by the State concerned and a mandate adopted in consensus by the Permanent Council. Nevertheless, a stigma sometimes appears to be attached to field operations, separating the OSCE community into States with field operations, and those without. These accusations of geographical asymmetry are accompanied by criticisms of substantive asymmetry, which refers to a perceived imbalance between the OSCE's three dimensions in favour of the human dimension and to the detriment of the politico-military and economic and environmental dimensions. Finally, OSCE field operations are sometimes accused of intruding into the domestic affairs of participating States.

It seems that the ongoing stigmatization is based, at least in part, on an image problem: OSCE field operations are associated with crises and conflicts. And these were indeed the key factors behind the first and second generations of OSCE missions. However, since most conflicts in the OSCE area

are now either in the process of being solved or have at least been “frozen”, OSCE field operations are increasingly developing into something new: facilitators of security co-operation and services to support democratic governance. Those missions in the Balkans that have temporarily taken over certain functions normally fulfilled by the state are a world away from the OSCE Offices and Centres in the Caucasus and Central Asia, where every major project is discussed and agreed with the governments. The stigmatization of OSCE field operations ignores the tendency towards greater co-operation with governments and civil society. Another way of defusing this issue that has been proposed – one that parallels developments within the UN – would be to develop issue-based missions, e.g. a mission on trafficking in human beings. These could be deployed in one country, throughout a region, or within the entire OSCE area.

During the past few years, a lively debate has developed within the OSCE community on improving the effectiveness of field operations. As these are one of the Organization’s key assets and its most significant comparative advantage, there exists a high degree of confidence that the OSCE and its participating States will be wise enough to preserve and further develop this valuable instrument.

The Contribution of Arms Control to the Security of Groups

Most arms control agreements have their main focus on inter-state relations, but there are some that also deal with the security of groups. This is true of the OSCE Code of Conduct on Politico-Military

Aspects of Security, which was adopted in 1994. Stipulating that States “consider the democratic political control of military, paramilitary and internal security forces as well as of intelligence services and the police to be an indispensable element of stability and security”, the Code of Conduct establishes norms to protect the rights of all social and political groups that could suffer at the hands of elements of the security sector. Furthermore, the Code of Conduct rules that States will ensure that armed forces are assigned to internal security missions “in conformity with constitutional procedures”, “subject to the rule of law”, and that this assignment is “commensurate with the needs for enforcement”. This is an even more important stipulation, as it relates to the use of force in domestic crisis situations. In the area of classical arms control, the same issue is addressed by the 1993 CSCE document on Stabilizing Measures for Localized Crisis Situations. The documents on small arms and light weapons and on stockpiles of conventional ammunition also serve to protect group security, as small arms are the most frequently used weapons in inter-group conflicts, while stored surplus ammunition can impact the safety of local communities.

3.2 OSCE Efforts to Promote Intra-State Economic and Environmental Security

Addressing the Interests of National and Other Minorities

The OSCE participating States are committed to protecting the interests of particular population groups with respect to a multitude of security-related economic and environmental issues. OSCE human dimension commitments also have various consequences for the OSCE's economic and environmental activities. The Organization, usually represented by the Office of the OSCE Co-ordinator of Economic and Environmental Activities and the economic units and economic officers of its field operations, therefore pays special attention to the economic and social interests of national and other minorities. In FYROM, the OSCE has used its political weight to urge the government to increase the number of Albanians working in the state sector, especially in the police and the army. In Ukraine, the High Commissioner on National Minorities has campaigned for the social and economic reintegration of Crimean Tartars and has organized an international donor conference for their benefit.

OSCE participating States are also committed to tackling security threats arising from trafficking in human beings and illegal migration and to countering "violence, intolerance, extremism and discrimination" against various groups "including migrant workers, asylum seekers and other immigrants" (Strategy to Address Threats to Security and Stability in the Twenty-First Century, Maastricht 2003). The OSCE's field operations, in particular,

have become highly skilled in protecting the interests, including the economic interests, of formerly deported or internally displaced persons (FDPs/IDPs), refugees, and returnees. In large parts of the post-Soviet area, the OSCE has acted as a political facilitator in resettling and naturalizing FDPs and IDPs. Working closely with local institutions and international partners such as the Office of the High Representative and the UNHCR, the OSCE Mission to Bosnia and Herzegovina has contributed to the restitution of pre-war property, thus securing the right of return for refugees and displaced people. Other missions in the region have performed similar work. Return and repatriation issues were also given special attention during the OSCE campaign to promote post-conflict rehabilitation (8th Economic Forum, Prague 2000).

Concerning threats emerging from intra- and interstate conflicts, it is well-established OSCE practice to maintain contacts with various actors, such as representatives of national minorities, heads of migrant organizations, local self-government officials, spokespersons of trade unions, representatives of small and medium-sized enterprises, and environmental protection groups. Furthermore, the OSCE directs the attention of its development and humanitarian partner organizations to the situation of residents living in disputed territories, such as those that are the locus of what are dubbed "frozen conflicts". Co-operation between the OSCE economic and environmental dimension, the OSCE HCNM,

and partner organizations such as the UNHCR and the International Organization for Migration (IOM) has played a significant role in emerging crisis situations and post-conflict rehabilitation. The 13th Economic Forum (Prague 2005) took a general approach, addressing demographic trends, migration, and problems with integrating persons belonging to national minorities.

Protecting Populations from Environmental Hazards

Starting from the assumption that “ecological disasters resulting from natural causes, economic activities or terrorist acts may also pose a serious threat to stability and security”, the OSCE encourages States “to consider the ratification of existing international environmental legal instruments” and “support the full implementation of these instruments by States that are parties to them” (Strategy Document for the Economic and Environmental Dimension, Maastricht 2003). A consequence of this commitment is the objective to protect the populations of territories suffering from or endangered by the threat of disaster caused by industrial facilities, nuclear power plants and nuclear waste deposits, landslides or earthquakes. In selected cases, the OSCE and its field missions campaign for the involvement of specialized national and international partners. Thus, particular action was taken in drawing attention to threats arising from nuclear power generation in Armenia. In Kyrgyzstan, a project was initiated to rehabilitate at-risk uranium waste dumps.

Supporting the Fight against Terrorism

The OSCE participating States have not only addressed the economic impact of trafficking in human beings, drugs, small arms, and light weapons (11th Economic Forum, Prague 2003), but have also emphasized the relevance of economic issues for the international fight against terrorism. They have focused attention “on addressing root causes, such as economic and social isolation, which can be fertile ground for extremist ideologies”, and aim to “fight the ‘grey zones’ of organized crime, including trafficking in people and arms” and act as a “bridge between regional initiatives in order to set common priorities” (CiO Report, Bucharest 2001).

3.3 OSCE Efforts to Promote the Human Security of Groups

Protecting the Rights of Persons Belonging to National Minorities

The outbreak of war in the former Yugoslavia and a number of post-Soviet countries made the participating States starkly aware of the specific security needs of national minorities. In the Helsinki Final Act, they had already committed themselves to “respect the right of persons belonging to such minorities to equality before the law” and to “afford them the full opportunity for the actual enjoyment of human rights and fundamental freedoms”. At the 1989 Vienna Follow-up Meeting, the participating States affirmed that they would take all “necessary legislative, administrative, judicial and other measures and apply the relevant international instruments to ensure the protection of human rights and fundamental freedoms of persons belonging to national minorities within their territory”.

The participating States opened a new chapter in minority protection in 1990. By adopting a detailed catalogue of minority rights commitments at the Human Dimension Meeting in Copenhagen in 1990, they ensured such measures would have a prominent place on the European political agenda. Today, the Copenhagen Document remains the prime source of OSCE norms for national minority protection.

The Geneva Report of the CSCE Meeting of Experts on National Minorities (1991) and the final documents of the 1992 Helsinki, 1994 Budapest, and 1999 Istanbul Summits reaffirmed these norms.

National Minorities

“The participating States will protect the ethnic, cultural, linguistic and religious identity of national minorities on their territory and create conditions for the promotion of that identity.”

“Persons belonging to national minorities have the right to exercise fully and effectively their human rights and fundamental freedoms without any discrimination and in full equality before the law. [...] To belong to a national minority is a matter of a person’s individual choice and no disadvantage may arise from the exercise of such choice.”

“Persons belonging to national minorities have the right freely to express, preserve and develop their ethnic, cultural, linguistic or religious identity and to maintain and develop their culture in all its aspects, free of any attempts at assimilation against their will. In particular, they have the right to use freely their mother tongue in private as well as in public; to establish and maintain their own educational, cultural and religious institutions, organizations or associations [...]; to profess and practise their religion [...]; to establish and maintain unimpeded contacts among themselves [...]; to disseminate, have access to and exchange information in their mother tongue”.

[Document of the Copenhagen Meeting
of the CSCE Human Dimension Conference
Copenhagen 1990](#)

Supported by the OSCE High Commissioner on National Minorities: daily news broadcasts for Armenians living in the south of Georgia.



For obvious reasons, the Stockholm Council Meeting (1992) forcefully declared that violations of these norms, such as ethnic cleansing or mass deportation, would not be tolerated. The participating States also took steps to address the particular problems of Roma and Sinti – a national group that lives scattered throughout the continent (Budapest 1994).

Having witnessed how ethnic tensions could be a key source of large-scale violence in contemporary Europe, the CSCE, at its 1992 Helsinki Summit, created the institution of the High Commissioner on National Minorities. While the HCNM is clearly an instrument “of conflict prevention and crisis management” (Helsinki 1992), he bases his work on the OSCE’s human dimension commitments. Linking the first to the third dimension in this unique way, the institution of the HCNM is a prime example of the CSCE/OSCE’s comprehensive security concept.

OSCE Efforts to Promote Tolerance, Understanding and Co-operation

The participating States see a vital need for tolerance, understanding, and co-operation and are concerned at “manifestations of intolerance, discrimination, aggressive nationalism, xenophobia, anti-semitism and racism” (Helsinki 1992). This runs through the OSCE’s entire agenda on inter-ethnic relations: from the Declaration on Aggressive Nationalism, Racism, Chauvinism, Xenophobia and Anti-Semitism (Rome 1993), to the decisions on Tolerance and Non-Discrimination of Maastricht (2003) and Sofia (2004). In 2004, three major events were held: the OSCE Conference on anti-Semitism in Berlin in April, the OSCE Meeting on the Relationship between Racist, Xenophobic and anti-Semitic Propaganda on the Internet and Hate Crime in Paris in June, and the OSCE Conference on the Fight against Racism, Xenophobia and Discrimination in Brussels in September. The declarations of the Chairman-in-Office in

Berlin and Brussels gained widespread attention. In December 2004, the Chairman-in-Office appointed three personal representatives: a Personal Representative on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions; a Personal Representative on Combating Anti-Semitism; and a Personal Representative on Combating Intolerance and Discrimination against Muslims.

Protecting the Rights of Migrants

The OSCE also addresses the rights of various groups of migrants. These range from asylum seekers to formerly deported and internally displaced persons, refugees, returnees, and migrant workers. The Office for Democratic Institutions and Human Rights (ODIHR), with its dedicated Migration Unit, deals with issues of freedom of movement, non-discrimination and choice of place of residence, migration, pre-emptive action to avoid displacement, and human contacts. While questions such as resettlement, naturalization, restitution of property rights, and housing dominated the agenda in the 1990s, increasing attention is now being devoted to asylum seekers and migrant workers. The Organization strives to create a practical inter-state mechanism to ensure effective regulation of this field.

The OSCE's Contribution to the Security of Individuals

In the early phases of the CSCE process, the issue of individual security was almost entirely confined to efforts within the human dimension. This chapter shows how the question of the security of individuals was gradually expanded to play an ever more important role in commitments belonging to the other two dimensions as well.

4.1 Politico-Military Security for Individuals

Police Assistance: Enhancing the Security of Individuals

When individual citizens see their security threatened, they will turn to the police. This is no problem as long as the police work professionally and are impartial regarding domestic conflicts. In a number of States, however, especially those with ethno-political divisions, these two aspects of individual security may represent a problem.

Responding to this need, the OSCE, by means of the police departments of its field operations and the “Strategic Police Matters Unit” in the OSCE Secretariat, is assisting several countries with the establishment, reform and/or training of police forces, including multi-ethnic police forces. The prime example is the OSCE Police Service School in Kosovo, which had trained nearly 7,000 police officers by the end of 2004. Multi-ethnic police training was also provided by the OSCE in the municipalities of Presevo, Medvedja and Bujanovac in South Serbia, and in the former Yugoslav Republic of Macedonia. The OSCE teaches community-policing skills, which focus on the security needs of individual citizens in various locations, including Armenia, Croatia, FYROM, Serbia and Montenegro, and – as

part of a larger police project – Kyrgyzstan. Almost all police-related efforts include special training on organized crime, drug trafficking, and the structural development of police forces.

Other Activities to Enhance the Security of Individuals

Several OSCE field operations, such as the OSCE Mission to Croatia, deal with the repatriation of refugees, a matter that involves fundamental aspects of individual security. Individual security is also a concern in the public awareness campaigns against trafficking in human beings that OSCE field operations have launched in co-operation with the ODIHR. Finally, the OSCE's work to combat the threat posed by man-portable air defence systems concerns a threat to individual security in the form of potential terrorist attacks on civilian aircraft. In the end, however, it must be recognized that individual security is and cannot be the main focus of the OSCE's efforts. The main responsibility for individual security clearly lies with the individual participating States. The High Commissioner on National Minorities is even expressively forbidden in his mandate from dealing with individual cases.

4.2 OSCE Efforts to Promote Individual Economic and Environmental Security

As a political organization, the OSCE usually provides no legal or other protection in individual cases. Nonetheless, it regards itself as obliged to consider such cases inasmuch as they reflect the failure of participating States to fulfil specific norms and principles. It has made a commitment to “promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms all of which derive from the inherent dignity of the human person and are essential for his free and full development” (Helsinki Final Act 1975). The suffering of individuals is therefore an issue for the OSCE, especially when it is the result of failings on a large scale. The Organization is committed to addressing the cases of citizens striving for good governance and public participation. It supports entrepreneurs running small and medium-sized businesses, workers fighting discrimination or refused the right to establish or join independent trade unions, migrants and migrant workers, victims of terrorism, people affected by trafficking or exposed to national and transnational organized crime, victims of conflicts, and socially vulnerable people.

The OSCE prepares brief reports on individual cases and raises them with governments and major international partners, such as the Council of Europe and the EU. OSCE field operations, in particular,

mediate in bringing individual cases to the attention of international organizations concerned with development co-operation and humanitarian assistance (such as the European Bank for Reconstruction and Development, the IOM, the UNHCR, and the World Bank), human rights, environmental and other protection organizations (such as Amnesty International, Greenpeace, Transparency International, and the United Nations High Commissioner for Human Rights), and national implementation agencies and NGOs. In selected cases, the OSCE monitors trials involving individuals being prosecuted for exercising their rights.

The participating States are committed to taking a strong stand against corrupt practices in economic and political life (Istanbul 1999). The promotion of transparency and good governance in economic and environmental matters (9th Economic Forum, Prague 2001) has set in motion campaigns to ensure the protection of citizens’ rights. Joint action has been taken alongside international partners and non-governmental organizations.

As for environmental protection, OSCE participating States “emphasize the significant role of a well-informed society in enabling the public and individuals to take initiatives to improve the environment” and commit themselves “to promoting

Natela Grigalashvili



Conducting joint activities with civil society partners: a discussion of environmental issues at an OSCE workshop on the implementation of the Aarhus Convention in Almaty, Kazakhstan, March 2005.

public awareness and education on the environment as well as the public reporting of the environmental impact of policies, projects and programmes” (Charter of Paris 1990). In Turkmenistan, to give an example, the OSCE has conducted a series of seminars promoting environmental education for secondary school students. A number of OSCE field operations and environmental protection groups have joined forces to carry out high-profile lobbying for the adoption and implementation of the Århus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. Evidence of these campaigns’ effectiveness includes public and governmental involvement in several environmental issues highlighted by the Organization, such as the

safety of nuclear installations, the transboundary effects of industrial accidents, the illegal movement and disposal of toxic and hazardous wastes, and reducing vulnerability to natural and technological disasters. Here, the OSCE has played a supportive role in working out compromises between conflicting interests in several participating States.

4.3 The OSCE's Contribution to Individual Human Security

Developing Commitments for the Protection of Individual Human Rights

In the 1970s, the Helsinki Final Act was the only pan-European international agreement that acknowledged the vital interdependence of political and military security, economic relations, and human rights for the overall conduct of affairs within and among states. To link “baskets” of issues that were traditionally considered in isolation from each other was a key achievement of Helsinki.

Under the headline “Co-operation in Humanitarian and other Fields”, the third basket of the Final Act lists 25 specific *desiderata* related to human rights and fundamental freedoms, including increased cultural and educational exchanges, broader dissemination of information, “freer movement and contacts, individually and collectively, whether privately or officially, among persons, institutions and organizations of the participating States”, and the solution of humanitarian problems. These are all considered ways of contributing to the strengthening of peace and understanding among peoples.

Over the years, the CSCE/OSCE has steadily enlarged the human dimension of European security. It has elaborated principles, norms, and commitments that define the foundations of individual human security. The “full acceptance of the supreme value of the human personality” by every single European country (Copenhagen 1990) was a cultural break-through for the continent.

Developing Instruments for Human Rights Implementation

To guarantee the rights and freedoms of all individuals living in its area, the OSCE has developed human dimension instruments, including declarations and other politically binding resolutions, conferences, meetings, seminars, and action plans. They also include the OSCE's field operations and three OSCE institutions: the Office for Democratic Institutions and Human Rights (ODIHR), the High Commissioner on National Minorities (HCNM), and the Representative on Freedom of the Media (FOM). What the OSCE does not provide is a body that individuals can petition. Nor does it have powers to prosecute violation or non-implementation of commitments. Instead, it strives to raise attention, conduct dialogue, and provide assistance.

The Office for Democratic Institutions and Human Rights (ODIHR)

The key OSCE institution for implementing human dimension commitments is the Office for Democratic Institutions and Human Rights. Its origin goes back to the 1990 Charter of Paris, which established an Office for Free Elections in Warsaw. The Prague Ministerial Council (1992) expanded the functions of this office and transformed it into the ODIHR. The 1992 Helsinki and the 1994 Budapest Summits mandated the ODIHR with monitoring and assisting the implementation of human dimension commitments by serving as a venue for bilateral and international meetings and as a clearing-house for information. To the broad public, the ODIHR became best known for its role in

election monitoring and assistance. The ODIHR consists of three main departments – the Democratization Department, the Human Rights Department, and the Election Department – together with the Contact Point for Roma and Sinti Issues. The most recently established part of the ODIHR is the Programme on Tolerance and Non-Discrimination, which has its own working unit. The ODIHR convenes the annual Human Dimension Implementation Meetings, Supplementary Human Dimension Meetings, Human Dimension Seminars, and other meetings to improve the implementation of OSCE commitments by participating States, and stimulate discussions on particular human dimension issues. The ODIHR employs more than 100 staff members from some 25 States and works closely with other relevant organizations, such as the UNHCR, the Council of Europe, the EU, and many non-governmental organizations.

Monitoring the Observance of Human Rights

OSCE participating States “respect the rights of everyone, individually or in association with others, to study and discuss the observance of human rights and fundamental freedoms and to develop and discuss ideas for improved protection of human rights” (Copenhagen 1990). In accordance with this commitment, the OSCE conducts research and analysis into the human rights situation in its participating States. The activities of the ODIHR's Human Rights Department range across the protection of human rights and fundamental freedoms, promoting human rights in the fight against terrorism, monitoring trials and places of detention, disseminating information on capital punishment, and conducting training and education programmes in the field of human rights. Concrete examples

include a trial monitoring project in Azerbaijan, a course instructing Uzbek women on their rights, and a training programme for Kazakh NGOs active in monitoring the human rights situation. Similar tasks are carried out by OSCE field operations. The OSCE Office in Minsk, for example, has been tasked with assisting the Belarusian Government in promoting institution-building, consolidating the rule of law, developing relations with civil society, and monitoring and reporting on this process.

Monitoring Elections

OSCE participating States “declare that the will of the people, freely and fairly expressed through periodic and genuine elections, is the basis of the authority and legitimacy of all government” (Copenhagen 1990). This commitment has made the OSCE into a prime defender of the right of citizens to participate in governing their own countries. Today, the OSCE is Europe's leading agency for election monitoring and assistance. In its monitoring activities, it follows the participating States' commitment to “invite observers from any other CSCE participating States and any appropriate private institutions and organizations who may wish to do so to observe the course of their national election proceedings” (Copenhagen 1990).

Over the years, the ODIHR has developed a broadly accepted and highly sophisticated system for monitoring national and local elections. It covers all elements of democratic electoral processes, namely the legal framework; the administration of elections; the election campaign and the media environment; the provisions for complaints and appeals, voting, and counting; and the announcement of results. As this clearly shows, the ODIHR's election assistance

Workers at a polling station in the Dobrinje neighbourhood of Sarajevo open a ballot box after the close of voting in the municipal elections in Bosnia and Herzegovina, 2 October 2004.



extends far beyond the high-profile work of election-day monitoring and also includes a range of technical assistance projects carried out in collaboration with participating States. The ODIHR's methodology for observing elections has been outlined in the Election Observation Handbook. Further specialized publications produced by the ODIHR include Handbooks for Monitoring Women's Participation in Elections and for Domestic Election Observers, Guidelines for Reviewing a Legal Framework for Elections, and Guidelines to Assist National Minority Participation in the Electoral Process. As a rule, the ODIHR co-operates with other international observation missions, OSCE field operations, and the OSCE Parliamentary Assembly.

The ODIHR election observation missions have so far been active in nearly 30 participating States, including France, the UK, and the USA. The ODIHR has issued a grand total of more than 200 election-related reports of all kinds from the beginning of 2002 up to April 2005. In 2004 alone, the ODIHR deployed a total of 15 observation and assessment

missions and sent an Election Support Team to Afghanistan. In the course of the year, the ODIHR deployed a total of around 5,000 short-term and 400 long-term observers.

The 2003 Maastricht Ministerial Council decided to consider ways to improve the effectiveness of election assistance and the need for additional commitments on elections. Relevant issues that were not fully dealt with in the 1990 Copenhagen Document include referendums and "recall" elections, electronic voting and counting technologies, the development of election standards by other international organizations, and, of course, the implementation of existing commitments. The debate on these questions is continuing, as it was not concluded at the 2004 Sofia Ministerial Meeting.

Providing Assistance in Good Governance and the Rule of Law

The ODIHR's Democratization Department focuses on promoting democratic governance and the rule of law, fostering gender equality and freedom of

movement, and providing legislative support. Democratic governance programmes include activities such as capacity building of governmental and non-governmental institutions, training state and local officials, and supporting local self-government. Current gender equality programmes concentrate on three key areas: developing women's leadership capacities and their role in decision-making, preventing and combating violence against women, and building up local gender expertise. Freedom-of-movement activities deal with the rights of migrants, issue-driven regional and sub-regional co-operation, and assistance to participating States in the introduction of population registration systems. Legislative support provided by the ODIHR includes an online database containing more than 5,000 pieces of relevant legislation.

The ODIHR has created grassroots mechanisms to support and fund small projects initiated by local actors and implemented together with OSCE field operations. Encouragement of such initiatives is often aimed at preventing or resolving conflicts in troubled local areas and frequently goes hand in hand with projects to strengthen the work of NGOs. Projects at grassroots level include training programmes, technical assistance, information campaigns on human dimension issues, activities to combat trafficking in human beings, gender-equality projects, and activities to combat torture and to promote religious freedom. Over recent years, OSCE field operations have noticeably expanded their efforts in the area of democratization assistance. As in other fields of OSCE involvement, project-based work is playing a growing role in the Organization's profile.

The OSCE Representative on Freedom of the Media

Upholding media freedom is a core issue for protecting human rights and fostering democracy. The OSCE's activities in this field are focused on the institution of the Representative on Freedom of the Media (FOM), which was established by the 1996 Lisbon Summit. In accordance with his mandate, the FOM observes media developments, concentrating on making a rapid response in cases of serious non-compliance with OSCE principles. In alleged cases of serious non-compliance, the FOM seeks to make direct contact with the State in question and with the other parties involved, provides assistance, contributes to resolving the issue, and informs the participating States by reporting to the Permanent Council. In this way, the FOM protects an occupational group that is vital for preserving and disseminating OSCE values: journalists and other media workers. The Representative's second main task is to assist participating States in achieving full compliance with OSCE commitments concerning freedom of expression and media freedom.

The OSCE Representative on Freedom of the Media has identified two general key threats to freedom of the media. The first is "structural censorship" by means of indirect political and economic pressure, e.g. monopoly or control of newsprint production and import, monopoly on distribution, and pressure to withhold advertising from opposition media. While structural censorship is predominantly found in Eastern Europe and the former Soviet Union, the misuse of libel and defamation laws by government officials and commercial companies concerns all States, including the most advanced democracies. In November 2004, the Representative

Women in Bukhara, Uzbekistan, June 2003. The promotion of women's human rights and the active participation of women in the life of society are cornerstones of the OSCE's gender programme.

OSCE/Alexander Nitzsche



convened a workshop on this issue in Paris, which issued expert recommendations entitled What Can be Done to Decriminalize Libel and Repeal Insult Laws.

To reflect the importance of the internet, the OSCE Representative organized two conferences in Amsterdam in 2003 and 2004 dealing with freedom of the media in relation to this new medium. The second OSCE Internet Conference elaborated recommendations and best practices for the use of the internet. The Representative's work is complemented by target group-specific projects, e.g. the "mobile.culture.container", a mobile discussion club for young people that travelled through Bosnia and Herzegovina, Croatia, and Serbia and Montenegro.

Protecting Freedom of Religion or Belief

Protection of freedom of thought, conscience, religion, or belief is one of the most basic human-rights issues. OSCE commitments in this field have made a considerable contribution to setting trends in European public thinking. The ODIHR has established an Advisory Panel of Experts on Freedom of Reli-

gion or Belief, which reviews issues such as national legislation on religious matters, the promotion of dialogue with religious groups, and the encouragement of tolerance through education systems and the media. The ODIHR conducts seminars on issues related to inter-religious matters and co-operates with relevant individuals and organizations in participating States.

Efforts to support inter-religious dialogue and religious tolerance became particularly urgent in the aftermath of September 11, 2001. The Organization has made a number of policy statements, ranging from a general rejection of identifying terrorism with any nationality or religion (Bucharest 2001) to reaffirming "that action against terrorism is not aimed against any religion, nation or people" (Porto 2002), and encouraging intercultural and inter-religious dialogue.

Promoting Gender Equality and Protecting the Human Rights of Women

Promoting gender equality, the advancement of

women's human rights, and the active participation of women in society have been concerns of the OSCE for several years. The Organization undertakes "measures to eliminate all forms of discrimination against women" (Istanbul 1999). Gender-related aspects of conflict prevention and crisis management have been declared matters of concern for the OSCE (Oslo 1998). Gender advisers work at the OSCE Secretariat, the ODIHR, and in several missions. The ODIHR Gender Unit implements specific projects, and gender advisers monitor other areas of work to ensure that the need for promoting gender equality is taken into account. The OSCE as an organization has committed itself to take into account the need for gender balance when recruiting personnel for its own Institutions and field operations (Istanbul 1999). The Permanent Council has approved an OSCE Action Plan on Gender Issues (2000), and a new Action Plan for the Promotion of Gender Equality was adopted by the Sofia Ministerial Council (2004).

Preventing Trafficking

Combating the various forms of trafficking has been an important element of the OSCE's comprehensive concept of security since the 1990s. In this context, trafficking in human beings for forced and exploitative labour, including for sexual exploitation, has been identified as one of the most pressing human rights abuses in the OSCE region. The OSCE structures that are concerned with anti-trafficking issues are the ODIHR, the field operations, the Special Representative on Combating Trafficking in Human Beings, the Secretariat (especially the Strategic Police Matters Unit, the Anti-Trafficking Assistance Unit, and parts of the Conflict Prevention Centre, CPC), and the Office of the Co-ordinator of OSCE

Economic and Environmental Activities, which has developed a number of specific programmes ranging from raising awareness to legislative review and NGO capacity-building. OSCE commitments on anti-trafficking measures and instruments are contained in the OSCE Action Plan to Combat Trafficking in Human Beings that was adopted in July 2003. It is based on contributions made by a number of participating States at the Ministerial Councils in Vienna (2000), Porto (2002), and Maastricht (2003). Later on, the Sofia Ministerial Council (2004) decided to adopt an addendum to the Action Plan to address the special needs of child victims of trafficking.

With the establishment of the Action Plan, a Special Representative on Combating Trafficking in Human Beings was appointed. The Representative is supported by an Anti-Trafficking Assistance Unit located at the OSCE Secretariat. Her mandate is to assist participating States in fulfilling their commitments outlined in the Action Plan, to raise public and political awareness, and to ensure effective cooperation within the Organization and with other international agencies and organizations.

The Institutional Character of the OSCE

The institutional development of the CSCE/OSCE has never followed a master plan, but has rather proceeded in reaction to the pressing needs and challenges the Organization has faced. This situation-driven institutional growth process has led to the rather complicated, patchwork-like network of OSCE Institutions and structures that exists today.

The CSCE/OSCE has been continuously developing common principles, norms, and commitments since Helsinki 1975. To organize the overall process of dialogue and co-operation, it was necessary to create effective operational or institutional arrangements. Between 1975 and 1990, the CSCE process was kept alive by means of extensive Follow-up Meetings: the Belgrade Follow-up Meeting from October 1977 to March 1978, the Madrid Follow-up Meeting from November 1980 to September 1983, and the Vienna Follow-up Meeting from November 1986 to January 1989.

The transformation of the *Conference on Security and Co-operation* into the *Organization for Security and Co-operation* ran through several stages from the 1990 Paris Summit to the 1994 Budapest Summit. In Paris, the participating States resolved to establish the CSCE Secretariat, the Conflict Prevention Centre (CPC), and the Office for Free Elections – the predecessor of the ODIHR. All in all, these earliest institutional structures comprised nine officers and technical staff. By strengthening the CSCE decision-making process, establishing the position of High Commissioner on National Minorities, creating field operations, and enhancing the

ODIHR's mandate, the 1992 Helsinki Summit was the key event in the transformation from a conference to an organization, a change that was formally endorsed in Budapest in 1994.

The Political Character of the OSCE

The OSCE is a medium-sized international organization, a regional arrangement under Chapter VIII of the United Nations Charter. Nevertheless, it lacks any significant legal capacity under international law. Although the question of establishing such legal capacity has been debated since the 1992 Stockholm Ministerial Council, no consensus has been reached. At the 1993 Rome Ministerial Council, the participating States adopted a decision on Legal Capacity and Privileges and Immunities, according to which they themselves were charged with conferring legal capacity on the Organization. This approach failed, however, and the issue has been debated ever since in the Informal Working Group on Legal Capacity.

In the Helsinki Final Act, the participating States committed themselves to fulfilling their obligations arising from international law, treaties, and agreements. In addition, they have developed a concept of political commitments aimed at ensuring security and co-operation on the European continent. Over time, these obligations have collectively formed what is now sometimes called the OSCE *acquis*, or, more commonly, the OSCE's norms, principles, and commitments. The two expressions are used interchangeably.

Decisions taken by the OSCE are politically but not legally binding. This has certainly made it easier for many States to agree with far-reaching commitments. It also gives the Organization a high degree of flexibility in political and operational terms.

OSCE Decision-Making Procedures and Bodies

OSCE decisions are taken in consensus. According to the 1973 Final Recommendations of the Helsinki Consultations, the famous “Blue Book”, consensus “shall be understood to mean the absence of any objection expressed by a Representative and submitted by him as constituting an obstacle to the taking of the decision in question.” States can add interpretative statements to certain decisions, but these do not prevent the decision being passed. The only exception to the consensus rule, agreed at the 1992 Prague Council of Ministers, stipulates that “in cases of clear, gross and uncorrected violations of relevant CSCE commitments” the Council can take appropriate action, “if necessary in the absence of the State concerned”. Such action is limited to political steps outside the territory of the State in question.

The OSCE disposes of a hierarchy of all-purpose decision-making bodies – from Summits and Ministerial Councils to meetings of the Senior Council and the Permanent Council (PC). The Forum for Security Co-operation acts as a separate negotiating and decision-making body within its own sphere of competence. Although Summits were originally scheduled to take place every two years, the last met in Istanbul in 1999. Ministerials are held on an annual basis, and the Senior Council currently also convenes once per year, but only in the form

of the Economic Forum. As a consequence, the regular meetings of the Permanent Council and the Forum for Security Co-operation have become the OSCE’s everyday decision-making bodies. The decision-making process in the PC is supported by five subsidiary bodies: the Preparatory Committee, established by the 1999 Istanbul Summit; the Advisory Committee for Management and Finance; the Economic and Environmental Sub-Committee; the Contact Group with the Mediterranean Partners for Co-operation; and the Contact Group with the Partners for Co-operation in Asia. The PC and the FSC are also supported by several formal and informal working groups, including the Working Group on Legal Capacity, the Working Group on OSCE Reform, the Informal Working Group on Gender Equality and Anti-trafficking in Human Beings, the Informal Working Group on Combating Terrorism, the Informal Working Group on the OSCE Border Security and Management Concept, and the Informal Working Group on Improving the Functioning and Effectiveness of Field Operations. While none of these bodies takes decisions, they all contribute to formulating OSCE policy.

The Parliamentary Assembly of the OSCE

The Parliamentary Assembly (PA) of the OSCE was established by the 1990 Paris Summit. Comprising members of the legislative bodies of the participating States, it contributes to the OSCE’s policy-making process. Its basic rules of procedure, working methods, size, mandate, and distribution of votes were set forth at a high-level parliamentary leaders’ meeting in Madrid in 1991. The Assembly’s International Secretariat is based in Copenhagen and has a sub-office in Vienna.

The Parliamentary Assembly convenes once per year (the Annual Session) and holds additional Fall and Winter Meetings. Declarations and resolutions are elaborated in three General Committees (one each for the OSCE's three dimensions) and in the *Ad Hoc* Committees on Transparency and Accountability in the OSCE, on Abkhazia, on Belarus, and on Moldova. The President of the Parliamentary Assembly has appointed Special Representatives on Gender Issues, on Human Trafficking Issues, on Mediterranean Affairs, and on the Nagorno-Karabakh Conflict. The work of the PA is co-ordinated by the Bureau of the OSCE PA, comprising the President, nine Vice-Presidents, and the Treasurer of the PA, and the Standing Committee, which includes, in addition, the heads of the national delegations to the PA, and the chairpersons of the three General Committees.

Unlike the Council of Europe, the OSCE is not subject to any formal rules regulating relations between the Organization and its parliamentary body. Although they are not binding on the OSCE's decision-making process, the resolutions of the Parliamentary Assembly can influence OSCE policies. Beyond their parliamentary discussions, members of the Parliamentary Assembly are heavily involved in the OSCE's election-monitoring activities.

Functional Institutions of the OSCE

The OSCE has three functional institutions, each of which is responsible for a specific topic: the Office for Democratic Institutions and Human Rights (ODIHR), the High Commissioner on National Minorities (HCNM), and the Representative on Freedom of the Media (FOM).

The HCNM, the FOM, and the Director of the ODIHR are directly appointed by the Ministerial Council. On a day-to-day basis, they report to the PC and the Chairman-in-Office (CiO). Although fairly small – the ODIHR employs more than 100 staff members, the HCNM around 20, and the FOM even fewer – these institutions have separate budgets within the OSCE Unified Budget and enjoy a high degree of autonomy. The Co-ordinator of OSCE Economic and Environmental Activities also focuses on a specific topic, but does not represent a separate institution, working instead directly under the supervision of the Secretary General.

Operational Institutions

The Chairman-in-Office – a position held by the foreign minister of the state that holds the annually changing OSCE Chair – and the Secretary General are the Organization's key executive office holders. While the CiO bears overall responsibility for executive action, the SG acts under the guidance of the CiO as the OSCE's chief administrative officer. The Chairman-in-Office, after due consultation with participating States, prepares and chairs meetings of the Ministerial Council, takes the initiative in implementing Ministerial Council decisions, makes statements on behalf of the Organization, appoints Heads of Missions, and provides political guidance to field operations. The Chairman-in-Office chairs the meetings of the Permanent Council and other bodies. The Chair can designate Personal Representatives or Envoys and establish *ad hoc* steering groups for specific tasks. The current, preceding, and incoming Chairpersons – or their representatives – together make up the OSCE Troika.

The Secretary General is appointed by the Ministerial Council for a once-renewable period of three years. He or she represents the Chairman-in-Office and supports all the Chair's activities, while also overseeing the work of the Secretariat, whose function is to assist the Secretary General. The Secretary General supports the process of political dialogue among participating States, contributes to the preparation of OSCE meetings, and draws attention to issues relevant to his or her mandate (Sofia 2004). The question of whether the position of the Secretary General should be further strengthened to balance the discontinuity of annually changing Chairmanships is one of the subjects of the current debate on OSCE reform. There is strong support for taking further steps in this direction.

Budget and Personnel

The OSCE's Unified Budget – some 170 million euros in 2005 – is financed by the participating States according to two scales of contributions: the standard scale of contributions and the scale of contributions for large OSCE missions and projects such as the OSCE Mission to Bosnia and Herzegovina and the Mission in Kosovo. Some 75 per cent of the budget is spent on field operations, around 15 per cent is assigned to the Secretariat, and about ten per cent is accounted for by the three OSCE Institutions, the FOM, the HCNM and the ODIHR. The OSCE is clearly a rather lean and cost-effective organization. An additional source of income, not included in the Unified Budget, is voluntary contributions by States or international organizations for specific projects.

Across all categories of staff, there were 3,560 individuals working for the OSCE in early 2005. Of this

total, 440 persons were allotted to the Secretariat and the OSCE Institutions. As there is a maximum employment period for contracted professional staff, the OSCE is not a career organization. One consequence of this is that the Organization has a limited institutional memory, something that is also of concern to some in the reform debate. The number of seconded international staff, mainly working in field operations, is currently around 750. They are paid by the seconding participating States, while the Organization itself provides them with a *per diem*. The secondment system allows the Organization to build up and deploy field operations quickly, flexibly, and more inexpensively. Some 2,370 local staff are currently employed in the field operations.

OSCE Field Operations

Three conditions generally have to be met before a field operation can be deployed: a Memorandum of Understanding must be concluded with the inviting State, and a mandate and a budget must be approved by the Permanent Council. Mandates are adopted for six or twelve months and have to be extended after that period. Field operations are led by Heads of Mission, Heads of Office, or Heads of Centre, who are appointed by the CiO, to whom they are responsible. They must report to both the CiO and the Permanent Council. Heads of Missions enjoy considerable freedom of action in managing the day-to-day work of OSCE field operations. This enables field operations to act flexibly and to adapt to changing conditions.

“Field operations” is a collective term for an extremely broad range of activities. A field operation may have as few as four international staff, as in

the case of the small OSCE Offices and Centres in the South Caucasus and Central Asia, or as many as 2,000, as was planned for the Kosovo Verification Mission. Field operations work on the basis of widely different mandates in a variety of political environments. Their profiles range from traditional field representations, via mediating efforts, such as the OSCE Minsk Group, to projects outsourced to third parties, as in the case of the OSCE Academy in Bishkek. The current debate on the reform of OSCE field operations takes the great diversity of these activities into account.

OSCE Reform

The reform debate is as old as the OSCE itself. One of its roots lies in the structural complexity of the Organization. The current debate can be seen as centred around three “Cs”: continuity, co-ordination, and co-operation. Continuity is an unavoidable problem for an organization with an annually changing Chair and a high number of limited-term staff. It can only be achieved by strengthening the role of those elements of the Organization that remain with it over a longer period of time: the Secretary General and the Secretariat. The need for co-ordination is a direct result of the OSCE’s complicated structure. Answering this question requires identifying who is capable of performing a co-ordinating role. In fact, only the Chairman-in-Office, supported by the Secretary General, can effectively perform this task. Finally, it is vital that the Organization itself reflects the co-operative relations between the 55 States that underlie its existence. Co-operation must therefore not only apply to the implementation of OSCE policies, but must also guide intra-organizational relations.

Because the OSCE reform debate mirrors the ever-changing relations and ongoing dialogue between its participating States, it is not a discrete event, but a continuous process. It reflects a variety of views on the nature and tasks of the Organization itself and on the urgency of the need to safeguard its flexibility or to increase overall control.

The OSCE's Openness to Civil Society Groups

Over thirty years, the CSCE/OSCE has demonstrated a remarkable ability to adapt to new challenges and the changing political priorities of its participating States and partners. It has served their interests, and their interests have framed the Organization's *acquis* – its principles, norms, commitments, institutions, and activities. The OSCE *acquis* is open for voluntary adoption by those who are willing to participate in and contribute to European security. It is not imposed on partners but offered to them for consideration and implementation. The fact that the *acquis* is politically rather than legally binding certainly makes it more attractive to both governmental and non-governmental partners. This degree of openness helps to ensure that the OSCE reacts flexibly, swiftly, and effectively to generate the instruments needed to meet emerging security threats and challenges.

Openness to Civil Society Groups: Establishing Numerous Lines of Co-operation

Involving civil society groups in its activities is an important aspect of the CSCE/OSCE approach to European security building. In the 1975 Helsinki Final Act, the participating States had already announced that not only governments but also “institutions, organizations and persons have a relevant and positive role to play in contributing toward the achievement of [the] aims of their co-operation.” This involved considerably more than merely promoting business contacts or scientific

and technological exchange. Agreement on humanitarian aid and on human contacts such as meetings between members of divided families or the reunification of families played a notable role for many years. All these activities were intended to create an inclusive and lasting concept of security “to make *détente* both a continuing and an increasingly viable and comprehensive process, universal in scope” (Helsinki Final Act 1975).

Over the years, the OSCE has pursued numerous activities in co-operation with all kinds of civil society groups. It has become normal practice to involve non-governmental organizations in various security-building efforts: from information exchange and lobbying campaigns, through development co-operation and assistance in good governance, to direct conflict management. The OSCE Platform for Co-operative Security has systematized this approach. Non-governmental organizations are regarded as an integral component of a strong civil society and as particularly well suited to “perform a vital role in the promotion of human rights, democracy and the rule of law.” The OSCE participating States have made a commitment “to enhance the ability of NGOs to make their full contribution to the further development of civil society and respect for human rights and fundamental freedoms” (Istanbul 1999).

The OSCE's Openness to International Partners

Openness to International Organizations: Creating a Platform for Co-operative Security

The OSCE perceives itself as part of a broader network of international security-building arrangements that includes a variety of players. The OSCE's interaction with partner organizations and institutions is based on the Platform for Co-operative Security, adopted at the Istanbul Summit in 1999, the relevant decisions of the Bucharest (2001) and Porto (2002) Ministerial Councils, and the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century, adopted at the Maastricht Ministerial Council in 2003. In all these documents, the OSCE participating States pledge to seek the development of political and operational coherence among all European bodies dealing with security threats and challenges. The participating States have made it their business to "strengthen the mutually reinforcing nature of the relationship between those organizations and institutions concerned with the promotion of comprehensive security within the OSCE area" and to strive to "deploy the institutional resources of international organizations and institutions of which they are members in support of the OSCE's work". However, they "do not intend to create a hierarchy of organizations or a permanent division of labour among them." (Istanbul 1999). Improving the mechanisms of the Platform for Co-operative Security is part of the ongoing discussion of reform within the OSCE.

The participating States have also underlined the integrating role the OSCE is able to play in developing a flexible framework for co-ordination among international organizations through regular top-level contacts, staff-to-staff meetings, joint on-site action, the identification of liaison officers or points of contact, and cross-representation at appropriate meetings. They seek to ensure coherence among all the various bodies dealing with European security, both in responding to specific crises and in formulating responses to new risks and challenges (Platform for Co-operative Security, Istanbul 1999). The 2003 OSCE Strategy further states that the OSCE needs to remain flexible in its co-operation with different organizations, whose capabilities and focus may change over time.

Openness to Co-operation with OSCE Mediterranean Partners and Partners in Asia

From the outset, the Helsinki Final Act included the premise that "security in Europe is to be considered in the broader context of world security and is closely linked with security in the Mediterranean area as a whole". The participating States declared their intention to develop good-neighbourly relations and mutually beneficial co-operation with the non-participating Mediterranean States. Today, the Mediterranean Partners include Algeria, Egypt, Israel, Jordan, Morocco, and Tunisia. This co-operation was reaffirmed in subsequent documents,

Jordan's Ambassador in Vienna, Shehab A. Madi (centre), speaking at the meeting with the Mediterranean Partners for Co-operation at the 12th OSCE Ministerial Council, Sofia, 5 December 2004.



such as the Common and Comprehensive Security Model (Lisbon 1996) and the Charter for European Security (Istanbul 1999).

At the 1992 Helsinki Summit, the participating States declared their intention “to deepen their co-operation and develop a substantial relationship with non-participating States, such as Japan”. They also worked to develop their relations with other Asian partner States. In 1994, Korea became an OSCE partner State, followed by Thailand (2000), Afghanistan (2003), and Mongolia (2004). Participating States are committed to strengthening security co-operation with the Mediterranean and Asian Partners for Co-operation as a means of enhancing regional stability and transferring the benefits of the OSCE’s historical experience, as appropriate, to other continents.

Communication between the OSCE and its partners is maintained at all kinds of OSCE events, from Summits and Ministerials to seminars and workshops. Seminars focussing specifically on issues

relating to partner States have become regular events. There are also two Contact Groups, comprising representatives of both participating and partner States, which have the sole task of maintaining an open channel of dialogue with the two groups of Partners.

In the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century, participating States encourage their Mediterranean and Asian Partners to voluntarily implement OSCE principles and commitments. The latter are frequently invited to participate as observers in Permanent Council and Forum for Security Co-operation meetings (Maastricht 2003).

The results of the 2004 Sofia Ministerial Council have led to the strengthening of the partnership with the OSCE Asian and Mediterranean Partners. Based on all three OSCE dimensions, a comprehensive report on enhanced co-operation was developed to strengthen mutual security. The report was supported by a Ministerial Council decision that

recognized the well-established co-operative relations between the OSCE and its Mediterranean and Asian Partners for Co-operation. The report was a result of discussions whose goals included identifying additional fields of co-operation and interaction with the two groups of partner States.

Co-operation with Regional Organizations Beyond the OSCE Area

Regional organizations are increasingly becoming key instruments for conflict prevention, conflict resolution, and post-conflict rehabilitation and stabilization. The guiding principles for the role of regional arrangements in promoting security and stability are outlined in Chapter VIII of the UN Charter, whose Article 51 stipulates, among other things, that Members of the United Nations entering into regional arrangements shall make every effort to achieve peaceful settlement of local disputes through such regional arrangements or agencies before referring them to the Security Council.

Since 1994, the UN Secretary General has convened five high-level meetings between the UN and regional organizations. The UN Security Council has also held similar meetings. As a regional arrangement under Chapter VIII of the UN Charter, the OSCE is an active participant in this framework. The OSCE also invites regional organizations to a number of its activities, such as Summit and Ministerial Council meetings.

For the first time, the 2001 Bucharest Ministerial Council decision on combating terrorism refers to exchanging best practices and lessons learned with partners outside the OSCE area, such as the Mediterranean Partners for Co-operation and Partners

for Co-operation in Asia, the Shanghai Co-operation Organization, the Conference on Interaction and Confidence-Building Measures in Asia, the Organization of the Islamic Conference, the Arab League, the African Union, and those States bordering on the OSCE area. The OSCE has also had contacts with the Organization of American States, the Association of Southeast Asian Nations (ASEAN), and the ASEAN Regional Forum.

The 2003 OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century goes even further by making reference to sharing OSCE norms, principles, commitments and values with other regions, in particular neighbouring areas, and promoting the further development of contacts with organizations in those areas.



*2003 Chairman-in-Office, Netherlands Foreign Minister
Jaap de Hoop Scheffer, at the 11th Ministerial Council, Maastricht,
1-2 December 2003.*

Conclusion

The situation currently facing most multilateral organizations is paradoxical: on the one hand, the growing complexity of tasks that no state can address alone means such organizations are needed more than ever before. On the other hand, many of them, including NATO and the UN, are in the midst of crises associated with the need to adapt, and involving often highly contentious reform debates.

For a number of reasons, the OSCE is no exception. First, the political environment in which it operates has changed substantially during the last decade. Not only have the twin enlargements of the EU and NATO affected Europe's political geography, these organizations' institutional development has also influenced the way work is shared among international organizations. In addition, the focus of global politics has shifted from Europe to the Middle East and Asia. Second, the character of the tasks and challenges to be addressed by the OSCE has profoundly changed. Asymmetrical development within the OSCE area and new threats deriving from globalization and technological change, demographic imbalances, illegal migration, trafficking and other forms of international organized crime, proliferation of weapons of mass destruction, and international terrorism create a need for new policy approaches and working methods. Third, divergent developments and needs among the participating States of the OSCE themselves make consensus-building more difficult.

The need to adapt to these new challenges and conditions has provoked a reform debate within the OSCE, which has seen the emergence of sharply divergent points of view. In the declarations made in Moscow and Astana in 2004, the Russian Federation and other members of the Commonwealth of Independent States (CIS) have raised important criticisms. In their view, OSCE activities are characterized by neglect of the Organization's security and economic dimensions and excessive focusing on human dimension issues. A further criticism concerns the geographic asymmetry of OSCE activities, in particular its field operations. These, furthermore, are seen as being too intrusive into the domestic affairs of their host states. Debates on these reproaches have led to considerable disagreement, one effect of which was the inability of the Maastricht (2003) and Sofia (2004) Ministerial Councils to agree on final *communiqués*. Nonetheless, the fact that the Sofia Ministerial adopted a decision on the establishment of a "Panel of Eminent Persons on Strengthening the Effectiveness of the OSCE" mandated to "give new impetus to political dialogue and provide strategic vision for the Organization" shows that the OSCE has taken its reform debate seriously.

The current difficult situation the OSCE finds itself in provides an opportunity to build a new consensus on the Organization's functions and tasks and its proper place among Europe's institutions. The 2005 Chairman-in-Office, Slovenian Foreign

Minister Dimitrij Rupel, has spoken of a “triple-R agenda”: “to revitalize, reform and rebalance the OSCE.” In many ways, the OSCE is well placed to meet the challenges posed by the reform process. It can build upon a sophisticated *acquis* of norms, principles, commitments, and Institutions that has been developed and proven over 30 years. It can also call upon a toolbox of highly specialized instruments and extensive experience in assistance in good governance and the rule of law, crisis

prevention, conflict management, and post-conflict rehabilitation. And it can fall back on its considerable expertise in adapting to changed circumstances. Nonetheless, the scale of these new challenges means the OSCE now has to reinvent itself yet again, once more adapting its policies and the means it has to implement them. If it succeeds in this, it may continue to play a key role in promoting security through co-operation in Europe.

CSCE/OSCE Documents

CSCE and OSCE documents are available at: www.osce.org

Selected Documents of General Relevance

| Year | Place of Adoption | Name |
|-------------|--------------------------|---|
| 1973 | Helsinki | Final Recommendations of the Helsinki Consultations |
| 1975 | Helsinki | Final Act of the Conference on Security and Co-operation in Europe |
| 1983 | Madrid | Concluding Document of the CSCE Follow-up Meeting 1980-1983 |
| 1989 | Vienna | Concluding Document of the CSCE Follow-up Meeting 1986-1989 |
| 1990 | Paris | Charter of Paris for a New Europe |
| 1992 | Prague | Document on Further Development of CSCE Institutions and Structures |
| 1992 | Helsinki | The Challenges of Change |
| 1992 | Stockholm | Meeting of the CSCE Council: Summary of Conclusions |
| 1993 | Rome | CSCE and the New Europe – Our Security is Indivisible |
| 1994 | Budapest | Towards a Genuine Partnership in a New Era |
| 1996 | Lisbon | Lisbon Document (including the Declaration on a Common and Comprehensive Security Model for Europe for the Twenty-First Century) |
| 1997 | Copenhagen | Common Concept for the Development of Co-operation between Mutually-Reinforcing Institutions |
| 1999 | Istanbul | Charter for European Security (including the Platform for Co-operative Security) |
| 2001 | Bucharest | Combating Terrorism and the Bucharest Plan of Action for Combating Terrorism |
| 2001 | Bucharest | Fostering the Role of the OSCE as a Forum for Political Dialogue |
| 2003 | Maastricht | OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century |

Selected Documents on the OSCE Politico-Military Dimension

| | | |
|------|------------|--|
| 1986 | Stockholm | Document of the Stockholm Conference on Confidence- and Security-Building Measures and Disarmament in Europe |
| 1992 | Prague | Declaration on Non-Proliferation and Arms Transfers |
| 1993 | Vienna | Stabilizing Measures for Localized Crisis Situations |
| 1994 | Budapest | Code of Conduct on Politico-Military Aspects of Security |
| 1994 | Budapest | Global Exchange of Military Information |
| 1994 | Budapest | OSCE Principles Governing Non-Proliferation |
| 1999 | Vienna | Vienna Document of the Negotiations on Confidence- and Security-Building Measures |
| 2000 | Vienna | OSCE Document on Small Arms and Light Weapons (SALW) |
| 2003 | Maastricht | OSCE Document on Stockpiles of Conventional Ammunition |
| 2004 | Sofia | OSCE Principles on the Control of Brokering in Small Arms and Light Weapons |
| 2004 | Sofia | OSCE Principles for Export Controls of Man-Portable Air Defence Systems (MANPADS) |

Selected Documents on the OSCE Economic and Environmental Dimension

| | | |
|------|------------|---|
| 1990 | Bonn | Document of the Bonn Conference on Economic Co-operation in Europe |
| 2003 | Maastricht | OSCE Strategy Document for the Economic and Environmental Dimension |

Selected Documents on the OSCE Human Dimension

| | | |
|------|------------|---|
| 1990 | Copenhagen | Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE |
| 1991 | Moscow | Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE |
| 1991 | Geneva | Report of the CSCE Meeting of Experts on National Minorities |
| 1993 | Rome | Declaration on Aggressive Nationalism, Racism, Chauvinism, Xenophobia and Anti-Semitism |
| 2000 | Vienna | Decision on Enhancing the OSCE's Efforts to Combat Trafficking in Human Beings |
| 2000 | Vienna | OSCE Action Plan on Gender Issues |
| 2003 | Maastricht | Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area |
| 2003 | Maastricht | Combating Trafficking in Human Beings |
| 2003 | Maastricht | Tolerance and Non-Discrimination |
| 2004 | Sofia | OSCE Action Plan for the Promotion of Gender Equality |
| 2004 | Sofia | Tolerance and Non-Discrimination |

List of Abbreviations

| | |
|---------|--|
| ASEAN | Association of Southeast Asian Nations |
| CBM | Confidence-Building Measures |
| CFE | Treaty on Conventional Armed Forces in Europe |
| CiO | Chairman-in-Office (OSCE) |
| CIS | Commonwealth of Independent States |
| CPC | Conflict Prevention Centre (OSCE) |
| CSBM | Confidence- and Security-Building Measures |
| CSCE | Conference on Security and Co-operation in Europe |
| CSO | Committee of Senior Officials (CSCE) |
| EBRD | European Bank for Reconstruction and Development |
| EU | European Union |
| FDP | Formerly Deported Persons |
| FOM | Representative on Freedom of the Media (OSCE) |
| FRY | Federal Republic of Yugoslavia |
| FSC | Forum for Security Co-operation (OSCE) |
| FYROM | the former Yugoslav Republic of Macedonia |
| HCNM | High Commissioner on National Minorities (OSCE) |
| IDP | Internally Displaced Persons |
| IEA | International Energy Agency |
| IMF | International Monetary Fund |
| IOM | International Organization for Migration |
| MANPADS | Man-Portable Air Defence Systems |
| NATO | North Atlantic Treaty Organisation |
| NGO | non-governmental organization |
| ODIHR | Office for Democratic Institutions and Human Rights (OSCE) |
| OECD | Organisation for Economic Co-operation and Development |
| OSCE | Organization for Security and Co-operation in Europe |
| PA | Parliamentary Assembly (OSCE) |
| PC | Permanent Council (OSCE) |
| REACT | Rapid Expert Assistance and Co-operation Teams (OSCE) |
| SALW | Small Arms and Light Weapons |
| UN | United Nations |
| UNECE | United Nations Economic Commission for Europe |
| UNHCR | United Nations High Commissioner for Refugees |

CORE gratefully acknowledges the support of the interested Delegations of the OSCE participating States for the production of this booklet. In particular, CORE wishes to express its gratitude for financial contributions made by the governments of Austria, Belgium, Finland, Germany, Iceland, Ireland, Liechtenstein, Netherlands, Slovenia, Sweden, Switzerland, and Turkey.

CORE expresses its gratitude to the Head of the Permanent Mission of Finland to the OSCE, Ambassador Aleksi Härkönen, for his initiative and support.

However, CORE bears the sole responsibility for the contents of this booklet.



CORE | Centre for OSCE Research

Institute for Peace Research and Security Policy at the University of Hamburg (IFSH)

Hamburg 2005

ISBN 3-00-016668-8

