

***OSCE PA Helsinki +40 Project***



**The OSCE's role in (re)consolidating  
European security:  
Strengthening unity of purpose  
and effectiveness**

**A Food-for-Thought Paper  
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## **OSCE PA Helsinki +40 Project Food-for-Thought Paper**

### **The OSCE's role in (re)consolidating European security: Strengthening unity of purpose and effectiveness**

#### **Introduction**

Twenty-five years after the end of the Cold War, the need for a sincere effort to reconsolidate the European security architecture has been increasingly recognized on both sides of the Atlantic. The various organizations in that architecture were all created with differing agendas and in different contexts. Consequently, adaptation and co-operation has developed among them. Over the last two decades, however, the roles and relative importance of the security institutions in Europe have undergone significant changes. Any future evolution in the European security architecture must therefore recognize the roles of the OSCE, EU, NATO and other institutions as they have developed.

The Ukraine crisis has exposed the ineffectiveness of existing institutions and security mechanisms in Europe, proving that they have not been able to completely remove the shackles of the Cold War and adapt to new realities. The Ukrainian crisis has not only revealed a deepening East-West divide, but has also called into question the fundamental principles of the European security architecture. The rules, considered fundamental for post-World War II inter-state relations in Europe, have been violated, including the 1975 Helsinki Final Act.

Unquestionably, the OSCE has assumed a major role in the efforts to resolve the ongoing crisis, drawing upon its extensive toolbox to pursue a political solution. At the same time, the organization was unable to prevent its outbreak and the creation of new dividing lines. The future of the OSCE, however, depends on more than just the settlement of the current crisis in Ukraine. It strongly depends on the ability of the organization to address the concerns that threaten relations between its participating States. A genuine and firm political commitment from all participating States to the key goals of the organization is required.

The Helsinki +40 process is an excellent opportunity for the OSCE to reaffirm, at the highest level, the relevance of its founding principles relating to international law and the UN Charter, and to more actively encourage participating States' full and equal implementation of these principles. As a forum for parliamentarians directly elected by the people and with high democratic legitimacy and visibility, the OSCE Parliamentary Assembly has a unique responsibility to foster public debate and build support for the Helsinki +40 process. The OSCE PA's Helsinki +40 Project provides a unique opportunity to reflect on the OSCE's accomplishments and identify where reform is needed in order to stay relevant and efficient.

## **Part I. Problems facing the European security architecture**

In recent years, changes in the political and security context in the Eurasian and Euro-Atlantic region have made the vision of a security community less plausible than it was 25 years ago, when the Charter of Paris for a New Europe was adopted. Although the threat of a large-scale armed conflict within the European Union now appears negligible, the potential for regional and local conflicts remains. Extremism, the uncertainty regarding the future of the relationship between Europe and Russia, unresolved conflicts and instability within the broader European neighborhood have an increasingly detrimental effect on the overall security in the OSCE area. Divisions and mistrust are re-emerging, while the normative consensus, based on a shared interpretation of the fundamental principles, has been challenged within the OSCE.

Divergent perceptions and actions have undermined confidence between States, which has already been shaken by earlier crises. Multilateral co-operation has become more difficult, while unilateral and bilateral approaches have received new impetus. The convergence in the perception of domestic and transnational threats, which would enable greater, deeper co-operation, interferes with divergent perceptions of military and other external threats that might halt co-operation and promote unilateralist behaviour. Therefore, it remains the task of the OSCE to provide a forum for discussion and to increase co-operation, particularly in the current difficult period.

Although all OSCE participating States face the same transnational threats (terrorism, human trafficking, cyber-crime, etc.), they have not made full use of the OSCE's potential for co-operation and effective responses. Yet, the complexity of transnational challenges indicates that OSCE participating States can benefit more from coming closer via increasing co-operation than they can from drifting further apart. It is remarkable that the trend of a strong convergence of perceptions of domestic and transnational threats concerns both countries in transition and developed countries, countries involved in conflicts or situated in zones of instability as well as countries not involved in conflict. The main problem witnessed almost everywhere is a lack of governance capacity at all levels to address a multitude of perceived threats. This confirms the enduring significance and relevance of the OSCE in the European security architecture.

As the only pan-European security organization, the OSCE has a crucial role to play in overcoming past hostilities and building authentic co-operative security. The OSCE's strength – today as in the past – is that States with differing values, cultures and historical experiences can sit together and establish, through political compromise and consensus-building, common rules for living together.

In order to become more effective in addressing transnational threats and challenges, the OSCE must continue to avoid a one-size-fits-all approach and adopt a more dynamic strategy. Furthermore, the OSCE should remain conscious that it is not the only international organization active in these fields. Other organizations, be they governmental or non-governmental, should not be considered as competitors but as partners. Indeed, successful outcomes in Bosnia and Kosovo, as well as in other Western Balkan countries, have mainly been achieved thanks to

effective and efficient co-operation with the other relevant regional and international organizations on the ground, as well as engagement with civil society and authorities. Reaching an optimal level of co-operation and division of labour will require constant attention.

The OSCE should strengthen its role as a UN regional arrangement under Chapter VIII of the United Nations Charter by implementing UN conventions, aiming at more joint UN/OSCE initiatives, and taking over tasks of a genuinely regional nature. The partnership between the OSCE and the UN could prove critical for addressing security challenges and the humanitarian situation in Ukraine. The UN has pledged its support for the OSCE's efforts in the country and for strengthening the UN-OSCE partnership. Co-ordination and co-operation between the OSCE and the relevant UN agencies on the ground has produced successful outcomes, but more efforts are needed. Both OSCE and UN field operations are precious assets, and their potential for co-operation, not solely in Ukraine, should be utilized to the maximum.

A more focused co-operation with OSCE Mediterranean and Asian partners is necessary to fulfill the particular demands of participating States bordering crisis regions outside the OSCE area. To satisfy the needs of smaller participating States, the OSCE can provide, through OSCE field operations and other instruments, capacity-building and training, lessons learned and best practices. It can also serve as a platform for sub-regional dialogue and policy co-ordination.

## **Part II. OSCE mechanisms – in need of modernization?**

The dramatic developments in Ukraine during 2014 and 2015 have once again demonstrated the relevance of the co-operative crisis-management tools and mechanisms of the OSCE, and put issues of strengthening and reforming the organization on the European agenda.

The OSCE's functions and operations have stood the test of time for nearly 40 years. Although the Organization and its activities have changed significantly, the OSCE's comprehensive approach to security and co-operation in Europe continues to shape its decision-making processes and the operation of the field missions. The Helsinki principles also remain relevant. Their relevance in today's Europe is particularly underlined by the seriousness of the ongoing discussion on compliance, non-compliance or limited compliance with these principles and other OSCE commitments.

There is broad recognition that the OSCE's politico-military dimension remains one of the organization's major strengths. Despite lacking its own military forces, the OSCE has contributed to Europe's military security through the negotiation of ground-breaking agreements on arms control. The Treaty on Conventional Forces in Europe (CFE) was negotiated, and is implemented, in an OSCE context. CFE and other OSCE arms agreements, including the CSBM regime, have significantly reduced the amount of conventional arms deployed in Europe. Through an extensive regime of confidence-building, transparency, verification measures, and early warning intervention mechanisms, most of Europe has achieved a far greater degree of security with greatly reduced levels of arms and tensions. It has primarily been the OSCE's comprehensive approach to security, encompassing politico-military, economic and

environmental, as well as human aspects, that has allowed the organization to provide a successful platform for dialogue and to play a unique role within the European security architecture. Moreover, as the sole areal security organization counting the United States, Europe, Russia and Central Asia among its members, the OSCE is uniquely positioned to encourage dialogue on today's challenges.

The crisis in Ukraine has underlined that a key strength of the OSCE is also the long-term presence of its representatives on the ground. This enables the Organization to monitor developments and put objective facts on the table. Indeed, the OSCE's field operations remain some of the most significant instruments of multilateral diplomacy in the areas of conflict prevention and crisis management. However, the imbalance between the constantly decreasing field presences and the ever-expanding headquarters in Vienna is undermining the Organization's competitive advantages in the contemporary European security architecture. Therefore, it is imperative to end the trend of budget reductions for field operations and the closure or downgrading of OSCE presences in areas where work and monitoring are still required.

When reflecting on what the OSCE has accomplished over the last 40 years, there is no doubt that the Organization, by developing a unique combination of human rights, democracy, and solid security standards and agreements, has played a major role in promoting stability and security in Europe. Nevertheless, the OSCE should consider broad-scale reforms in order to remain relevant and effective. Recent years have witnessed deepening differences in participating States' approaches to a wide range of issues, including their views on the necessary steps to reform the organization and adapt it to ongoing changes unfolding in Europe and the wider world. This lack of cohesion has prevented the Organization over recent years from arriving at a consensus on the necessary directions and measures to reform itself. The culture of searching for consensus and compromise solutions has been nearly abandoned, while a number of countries and groups of OSCE States increasingly rely on unilateral action. Despite nominal adherence to the principle of indivisible co-operative security, the levels of security remain variable throughout the OSCE area. Conventional arms control regimes have gone into decline. Differences in the interpretation and implementation of OSCE commitments by individual States persist.

The need to constantly review and modernize the OSCE action plan as new threats emerge has been broadly recognized. An essential first step to revitalize the work of the OSCE is a clear and firm recommitment to the Helsinki principles. A more extensive review of the implementation of those principles is also required. If participating States are to be held accountable to their commitments. The prevailing consensus-based decision-making of the OSCE's intergovernmental bodies, which remains relevant and applicable to core documents and principles, has proven to be a serious obstacle to effective and immediate action in times of crisis, making reaching agreements extremely difficult. Therefore, more consideration should be given to incorporating more transparent decision-making processes. Improving the functioning, effectiveness and work of field missions, and establishing new flexible institutional structures

which rely less on the rigid consensus principle within the OSCE, may also prove useful and improve the Organisation's ability to adequately and swiftly respond to new crises.

### **Part III. The reform proposals of the OSCE PA**

The OSCE Parliamentary Assembly has had a profound role in facilitating inter-parliamentary dialogue on security issues and enabling open discussions on the problems the Organization faces today and possible ways to enhance its effectiveness. The OSCE Parliamentary Assembly remains a critical player because it is, in essence, more independent than any other OSCE body and can take political initiative. However, the PA should be more closely engaged in the OSCE decision-making processes, much as the Parliamentary Assembly of the Council of Europe's relations with its parent body.

In recent years, it has often been reiterated that although structural reforms are certainly required, the essential problem lies elsewhere, and that the OSCE's ability to reform will ultimately depend on the degree to which participating States are committed to unlocking the Organization's potential.

Election observation has been recognized as the most politically relevant and visible activity of the OSCE, and the involvement of the Parliamentary Assembly is critical to maintaining its visibility and comparative advantage in this field. It has been recommended, however, that ODIHR and the OSCE PA increase their co-operation and ensure full adherence to the 1997 Co-operation Agreement in order to maintain the independence of OSCE election observation activities.

The Resolution on Helsinki +40 adopted at the OSCE PA's 2012 Annual Session in Monaco calls on OSCE participating States to tackle further important reforms, such as the question of a constituent document for the OSCE and the redefinition of the role of the presidency and the Secretary General of the OSCE. The Parliamentary Assembly has repeatedly recognized that the consensus rule should be modified, that decision-making processes should become more transparent, and that debates should not only be limited to issues where a consensus exists but should extend to contentious matters where it is lacking. It has also been reiterated that if a participating State wishes to block or delay consensus, it should do so openly and defend its position publicly.

Agreement on multi-year programmes and budget cycles by OSCE participating States is considered crucial. A closer relationship between the PA and the OSCE decision-making processes is pivotal. Furthermore, in the field of conflict prevention and crisis management, it has been recommended that the OSCE PA be given more political initiative, such as the ability to organize "fact finding missions" and facilitate OSCE-led negotiations.

For the OSCE to regain political credibility and act as an effective crisis management and conflict prevention and resolution body, other concrete measures have been recommended, including the establishment of a Best Practices Unit to provide the OSCE with a permanent

lessons learned capability and the development of a Civilian Rapid Reaction Capability to be deployed in times of crisis to supplement the work of field missions.

The 2013 Istanbul Declaration underlines the Assembly's support for the OSCE Ministerial Council's decision in Dublin to launch a set of objectives aimed at strengthening the OSCE approaching the 40<sup>th</sup> anniversary of the Helsinki Final Act. Participating States were urged to make use of the Helsinki +40 process to rebuild mutual trust, to combine informal diplomatic dialogue with political engagement and to take advantage of the process at the political level to reach concrete decisions on an action plan to achieve an indivisible Euro-Atlantic and Eurasian security community. The Declaration calls on the acting OSCE Chairmanship, in conjunction with the Troika, to clarify the goals and purpose of the Helsinki +40 process. It also underlines the need to inform the public about the process, so as to increase both interest and transparency. It stresses that more OSCE PA oversight is needed to counter the current democratic deficit within the OSCE Institutions. It encourages the OSCE PA to discover new ways to support OSCE field missions. The need to proceed with ongoing discussions and negotiations in order to update and modernize the 1999 Vienna Document is also underlined.

## **Conclusion**

August 1, 2015 will mark the 40<sup>th</sup> anniversary of the Helsinki Final Act. Since the signing of this agreement, the relevance of the OSCE in the European security architecture has only increased. Notwithstanding the OSCE's evident strengths which include, among others, a wide geographical scope, long-term presence in the field and inclusive decision-making process, the rapidly evolving geopolitical landscape has proven that the OSCE's existing capacities may not be sufficient to cope with the new challenges. Therefore, reform is urgently needed.

In a time of acute crisis, in order to rebuild trust and strengthen the OSCE, Europe must revive the spirit of Helsinki and Paris – especially given that other areas worldwide are currently looking to the OSCE as a model for new regional security arrangements. Future security challenges must be approached from a firm foundation.

**Helsinki +40 Project - Recommendations from the GMF and RIAC Seminars**

<p><b>OSCE Principles and Commitments</b></p>	<ul style="list-style-type: none"> <li>• Reconfirming, by the OSCE participating States, the relevance of and their commitment to adhere to the fundamental principles of the 1975 Helsinki Final Act.</li> <li>• Enhancing the assessment of the implementation of the Helsinki Principles and commitments by national and multinational efforts, including at Ministerial Council meetings, in the Permanent Council and at OSCE PA gatherings.</li> <li>• Developing concrete mechanisms for enacting the commitments undertaken, possibly through a code of conduct for OSCE participating States in the most problematic areas.</li> <li>• Convening an OSCE-wide high-level meeting or summit to consider lessons learned from the Ukraine crisis and to readjust the OSCE and European security architecture generally.</li> </ul>
<p><b>Institutions and structures</b></p>	<ul style="list-style-type: none"> <li>• Increasing the OSCE's capabilities to swiftly react to an unfolding crisis by expanding the independence of the relevant structures and institutions.</li> <li>• Strengthening the role of the OSCE Parliamentary Assembly within the overall OSCE structure in order to improve the functioning of the Organization itself.</li> <li>• Further strengthening the internal institutions created by the OSCE, including through support from the OSCE PA.</li> <li>• Modernizing and readjusting the scope of work and resources available to the Conflict Prevention Centre, the Forum for Security Co-operation and the Transnational Threats Department.</li> </ul>
<p><b>Legal Personality</b></p>	<ul style="list-style-type: none"> <li>• Adoption of an OSCE Charter (constituent document) which would clarify the structure and modus operandi of the Organization.</li> <li>• Adoption of the Convention on the International Legal Personality of the OSCE.</li> </ul>
<p><b>Decision-making and modus operandi</b></p>	<ul style="list-style-type: none"> <li>• Eliminating, at least partially, the consensus decision-making rule, which can be a serious impediment to effective and immediate action in times of crisis.</li> <li>• Incorporating more democratic decision-making processes, such as those already in place in the OSCE Parliamentary Assembly.</li> <li>• Increasing transparency through live-streaming OSCE proceedings and utilizing social media.</li> <li>• Dialogue and confidence-building measures are necessary. More initiatives, promoting open discussions and increasing awareness about the tools at the Organization's disposal, are needed.</li> </ul>

<b>Economic and environmental dimension</b>	<ul style="list-style-type: none"><li>• Establishing a common Euro-Atlantic free-movement and free-trade area in collaboration with the UN Economic Commission for Europe.</li><li>• The OSCE Parliamentary Assembly can do more to actively engage with participating States to stem corruption and its spread.</li></ul>
<b>Field operations</b>	<ul style="list-style-type: none"><li>• Ending the trend of decreasing budgets for field operations and the closing or downgrading of the OSCE presences in areas where robust work and monitoring are still needed.</li></ul>

## Questions for debate

- Where does the OSCE fit in the European security architecture?
- What are the strengths of the OSCE in countering current challenges? What distinguishes it from other international organizations? Should these strong points be enforced and developed further? If so, how? Will it be possible to ensure adequate resources to allow the organization to meet new tasks?
- How can we avoid duplication of specific security functions and efforts among the OSCE, NATO, the EU and the UN?
- How can the OSCE reconcile NATO's enlargement and Russia's security concerns creating a viable common European security area?
- How can the European Security Architecture become resilient and resistant to internal crisis? Can focusing on common threats that require co-ordinated responses help re-establish a stronger sense of common purpose among participating States? What are the truly pan-European challenges facing the OSCE area today?
- How can we encourage more active engagement between the PA and other OSCE institutions?
- How can OSCE capacities within the four phases of the conflict cycle (early warning, conflict prevention, crisis management, post-conflict rehabilitation) be further strengthened?
- Some argue that the OSCE profile will be strengthened if the organization focuses on a more limited range of priorities/issues. Which ones should be selected?