THE OSCE IN THE CONTEMPORARY WORLD: THE SECURITY DIMENSION

Keynote Address by Gareth Evans, President, International Crisis Group, OSCE Parliamentary Assembly, Toronto, Canada, 18 September, 2008

Back in 1990, just after the end of the Cold War, I published an article as Australian Foreign Minister which caused quite a stir in the Asia Pacific region: it suggested that what the then-very ideologically divided and quarrelsome states of East and South East Asia needed was an institution modelled on the OSCE (or CSCE as it then was), namely a "Conference on Security and Cooperation in Asia".

The attraction, of course, was a body which, with its origins going back to the Helsinki Final Act of 1975, at the height of the Cold War, had proved its worth in building habits and states of mind of cooperation, not confrontation. It seemed indeed a living embodiment of the concept of "common security" developed by the Palme Commission in the early '80s, with countries coming together mutually committed to interdependence, joint survival, taking into account the legitimate security anxiety of others, and, in short, achieving security *with* others, not *against* them.

Eighteen years later in Asia we still haven't moved much closer to put in place the kind of cooperative security architecture I had in mind. But maybe it's time now to turn our attention back to the greater European heartland itself, and reinvigorate *here* – in this great swathe of the world's territory from Vancouver to Vladivostok -- the core idea of common security. Maybe it's time to remind ourselves what it means not for anyone else but for *this* organisation, the OSCE, which more than almost any other has had this idea, and the associated but slightly broader idea of cooperative security, at the very heart of its raison d'etre almost from the outset.

The Need for Rethinking OSCE's Security Role

The reason, of course, for wanting to think hard right now about the nature and utility of our present regional security architecture, cooperative or otherwise, is because we meet here at a time when, in the immediate aftermath of the Russia-Georgia conflict, the geopolitical landscape in the OSCE area looks more uncertain, and potentially dangerous, than at any time since 1990. There have been a number of major scene-changing international events in recent years -- the rapidly growing strength and influence of China, Washington's bloody and bank-breaking misadventure in Iraq, the invasion of Afghanistan post 9/11, the recognition at last that climate change is a problem of potentially catastrophic dimensions, and what now seems likely to be a very significant global economic downturn which even the strength of a number of emerging markets wont be able to hold back. But we now have a truly pivotal event: the Russian invasion and occupation of Georgia. Indeed, in the long run, 8 August 2008 could become more widely recognised as a turning point in international affairs than 11 September 2001.

It is important, that said, to keep these recent events in perspective. Although we have heard more Cold War rhetoric in the last five weeks than in the last two decades, we are nowhere near resuming that unhappy state of affairs. There is a lot of national pride, and testosterone, involved in today's Russian chest-beating, but none of the old ideology. Today's Russian Federation is not the Soviet Union, economically backward and in the business of the worldwide export of collectivism and authoritarianism. It is acutely aware that it can't throw up the shutters and turn its back on the world: its massive energy resources are only worth anything if it can sell most of them to the West, and the shock of the capital flight and stock market battering it has been suffering in the aftermath of its Georgia adventure must have persuaded it that there are limits to the extent to which it can go in turning the clock back. Its failure to win any kind of political backing from China or the CIS countries for its recognition of the two Georgian entities has demonstrated its reduced power to attract allies and should have compounded its sense of loneliness.

And the West in this post-post-Cold War world is not what it used to be either, not least because the expanded EU has become a major player, both economically and politically, as seen in the Georgia crisis itself, with the French Presidency played the leading role in brokering, albeit with a few false steps along the way, agreements that have at least stopped the guns firing and are securing the exit of Russian troops from the uncontested parts of Georgia. The EU is an organisation whose members, even the most nervous of them in Central and Eastern Europe, do not want to rebuild the Iron Curtain.

But there remains reason, nonetheless, for concern. However dilapidated may be the condition of much else of its military infrastructure, Russia's army remains large and powerful in regional terms. And the country retains an immense stockpile of nuclear weapons, a great many of them (like those of the US) still actively deployed and on hair-trigger alert: unusable though these weapons should be in a rationally ordered universe, and as everyone hopes they will be, and as sincere as Russian leaders may be in saying they are serious about negotiating further nuclear arms control, the existence of this capability means that, on any view, Russia remains a military power that no-one can ignore.

When it came to Georgia, there can't be much doubt that Russia was in the mood for a fight, keen to punish its former satellite for its love affair with NATO; to warn others, especially Ukraine, not to go down the same route, and if it could to humiliate NATO by showing it to be indecisive and ineffective. If Georgia's Mikhail Saakashvili had not ignored the advice that he received from so many, including my own International Crisis Group, that he would find himself alone and vulnerable, and stand to lose far more than he gained, if he made any attempt to reclaim South Ossetia or Abkhaszia by force, Russia may not have launched its military action when it did, and on the scale that it did. But Georgia's push into South Ossetia allowed Moscow to demonstrate to wavering NATO members President Saakashvili's reckless streak; Russia's willingness to use overwhelming force against any perceived threat to its interests; and the dangers of a membership route for any former Soviet republic.

President Medvedev announced at the end of August that Russia intended to preserve geographical spheres of "privileged interest" on or near its borders, and focused particularly on Russia's willingness to defend "the life and dignity" of Russian citizens "no matter where they are located".[1] Against the background of Russia having offered as a primary justification for its invasion of Georgia the protection of Russian citizens in South Ossetia and Abkhazia -- its moral indignation undiluted by the consideration that it had created most of those citizens itself by handing out Russian passports on demand! -- alarm bells have understandably rung in a number of neighbouring countries. The current OSCE High Commissioner on National Minorities, Knut Vollebaek, has made the point, commenting on Georgia, that history has shown how dangerous and destabilising it is for states to take unilateral action to defend, protect or support their citizens or "ethnic kin" abroad, and warned against using this as a justification for undermining the sovereignty and territorial integrity of other states.

The Georgian events, and Medvedev statement, are certain to resonate in the Baltic states with their large Russian minorities; in ethnically Russian northern Kazakhstan; and especially in Ukraine – whose leadership has been mainly pro-Western and keen to join not only the EU but NATO, but nearly one in five (or almost 8 million) of whose citizens are ethnically Russian and live mostly close to the Russian border, and where Crimea (where the Russian Black Sea fleet still based in Sevastopol) is a particular potential flashpoint. Mr Putin reportedly told President Bush at the Bucharest NATO summit that Ukraine is "not even a real country", that much of its territory was "given away" by Russia, and that it would "cease to exist as a state" if it joined NATO.[2]

OSCE's Value Added as a Security Organisation

So there is a need for a long hard rethink of the kind of security institutions this region needs – and which are realistically achievable. Can OSCE play itself back into a role of real relevance, and real utility?

The starting point for answering any such question has to be, I think, a frank acknowledgment that for a long time the OSCE as a whole, despite the excellent work of some of its component parts (for example the office of the High Commissioner on National Minorities which I've referred to already, and will come back to again) has been rather marginalised, and seems to have been punching below its potential weight.

In the area of Economic Affairs, Science, Technology and the Environment, no doubt there is useful work that has been, and will continue to be, done. The two big themes of Migration and Trade with which this conference is concerned (along with Security) are as important issues as any outside the security area, and both themselves have important implications for regional security. But I don't think anyone believes that OSCE's contribution to the resolution of these problems will be any more than that of one-among-many, given the scale, complexity and intractability of the issues involved.

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[1] Charles Clover, 'Russia announces 'spheres of interest' ', *Financial Times*, 31 August 2008

[2] Leon Aron, 'Russia's next target could be Ukraine', Wall Street Journal, 10 September 2008

For migration, for example, while the OSCE has recently developed with the IOM and ILO a best-practice handbook on labour migration, and has repeatedly emphasized the importance of observing principles of non-discrimination, one of the greatest difficulties in addressing the issue is the broad variation in migration patterns across the OSCE region, which includes significant destination countries (including the U.S., Russia and Cànada), major countries of origin (including some other members of the CIS, several of which are among the top ten countries of origin in the world), and a number of countries of transit as well. The policymaking challenge this diversity creates is compounded by the diversity of immigration, border management and labour standard regimes among OSCE countries.

Similarly with trade: while the OSCE strives to strengthen transport links, business-friendly environments and entrepreneurship capacities across such different economies, it inevitably runs up against formidable problems such as corruption and weak governance, which threaten to negate any economic gains. While the organization has supported the OECD's Anti-corruption Network for Transition Economies it needs to do more to implement existing international frameworks for fighting corruption and money laundering – easier said, of course, than done.

In the area of Democracy, Human Rights and Humanitarian Questions, despite the sterling role this Parliamentary Assembly continues to play in passing principled resolutions on many sensitive questions, it has been frustratingly difficult in recent years for the organisation as a whole to contribute significantly to progressive reform. No one can downplay the animosity expressed within the OSCE in recent years between Russia and other CIS countries on the one hand and the West on the other. As they fought over the future direction of the organisation, many harsh statements and bitter accusations have been traded. Moscow led a group of countries trying to push the organisation more into the realms of counter-terrorism and economic co-operation, feeling the OSCE was singling them out too often for transgressions in human rights and democracy, which Western countries refused to give up on what it saw as core aspects of the OSCE's broad-spectrum mission.

The past few years have seen Russia delay approval of the OSCE budget, threaten massive budget cuts, and voice anger in particular over the independence of the office overseeing election observation missions, ODIHR, with the row getting so nasty that ODIHR was unable to send a mission to Russia earlier this year to cover the presidential elections. The irony is that OSCE election observer missions have earned over the years, from independent organisations like my own International Crisis Group, as many brickbats as bouquets -- for example while the mission in Macedonia had played a very helpful role, there was the positive assessment of Armenian presidential elections in February 2008 that in fact were fraught with problems and led to fatal clashes between police and demonstrators. The diversity of the organisation's membership and the requirement for consensus too often make for lowest common denominator decision-making and less than vibrant operational impact.

Despite all these problems, no one has actually walked away from the OSCE. The sides argued, but the arguments were all made at the same table in an agreed format, and the

organisation held together. And that meant that when all hell broke out on in Georgia last month, putting to the test the organisation's continuing relevance in the crucial Security area, it was able to perform quite well, suggesting that it might indeed have a uniquely useful role to play in the tense new environment created by that conflict.

One such security role is monitoring. The OSCE was immediately seen as the natural, most impartial choice for the expanded international monitoring that was clearly needed quickly as the conflict unfolded. And because it was reasonably trusted by all sides and already had a mission on the ground for over a decade in South Ossetia, the response time was refreshingly quick -- certainly by comparison with the interminable delays that are very often associated with the deployment or expansion of a UN mission. On 13 August, the EU decided to strengthen the OSCE's capabilities; on 19 August, the OSCE Permanent Council agreed in principle to send up to 100 personnel to Georgia to monitor compliance with the ceasefire and withdrawal; and on 21 August the first twenty monitors arrived. The organisation's quick response was driven right from the top, with the OSCE Chairman in Office, Finnish Foreign Minister Alexander Stubb saying: "We just need to get them in right now; then we will worry at a later stage what the mandate and scope will be".

Plenty of immediate challenges remain, and considerable international pressure will need to be maintained on Russia to ensure that they are resolved. The remaining 80 monitors have still not yet been deployed due to difficult discussions still going on with Russia about their operating modalities, and Moscow is only just starting to allow UN agencies like UNHCR, WFP and UNICEF into the so-called "security zones" adjacent to South Ossetia and Abkhazia. In the coming weeks, the OSCE needs to be provided full access and freedom of movement throughout South Ossetia, with no restriction on its reporting; and its presence should be stronger than the 8 officers it had in South Ossetia before the August events, as there is substantial work to be done in both ethnic Georgian and Ossetian villages. But with Russia as an OSCE member, having as such a direct role in the oversight of its missions, these various problems should be capable of resolution sooner or later. The short point for present purposes is that the OSCE's rapid response during the immediate crisis has been laudable, and there is no other multilateral organisation, reasonably trusted by all sides, that could have acted so quickly.

Beyond this monitoring function, there is a broader conflict prevention role for the OSCE to play in this new regional security environment on which attention should now again be closely focused, for which most of the necessary institutional framework is in place, though it needs re-energising. Part of that framework is the OSCE's Conflict Prevention Centre, which maintains an early warning situation room and focuses operationally on confidence-building measures (particularly involving military transparency), helping states with border security and small arms stockpile management, and supporting multiple field missions - nineteen currently, engaging over 2,800 staff members – working mainly on post-conflict capacity building. My impression is that a good deal of the confidence and capacity building activity so far has been rather marginal in its impact, and that the field missions tend to be of very variable quality, with much depending on the energy and vision of their individual leadership – but the base on which to build does exist.

The other part of that framework, and I suspect the one more immediately capable of adding value in the present rather tense post- Georgian war environment, is the office of the High Commissioner on National Minorities (HCNM). I have long held, and often publicly expressed, the view that one of the world's greatest achievements in conflict prevention in recent decades has been the largely unheralded work of the High Commissioner, particularly during the volatile early post-Cold-War period when Max van der Stoel held the post, quietly stopping as many as a dozen major ethnic and language-based conflicts from breaking out across Central and Eastern Europe, from the Baltics to Romania, largely through persuading the states in question to adopt preventive measure like effective legal minority rights protections. That work has continued under van der Stoel's successor Rolf Ekeus, and now Knut Vollebaek who played a usefully visible role during the Georgian crisis, and it is now particularly important that it gain renewed momentum.

OSCE and the Responsibility to Protect

As someone who has just published this week a book on the new international norm of "the responsibility to protect"[3], and who has been involved from the outset with its development and promotion (beginning with my role as co-chair in 2001 of the International Commission on Intervention and State Sovereignty, sponsored by our hosts today, Canada), I hope you will forgive me suggesting that the OSCE now has both the need, and the opportunity through the office of the HCNM in particular, to become a major institutional player in the operationalisation of the concept.

As most of you I hope by now will know, the core idea of R2P, which was adopted unanimously by UN General Assembly sitting at head of state and government level in the 2005 World Summit, is that every state has the responsibility to protect its own peoples from mass atrocity crimes – genocide, ethnic cleansing, other crimes against humanity, and war crimes; that when it seeks assistance in doing so, other states have the responsibility to help it; and that when it manifestly fails to do so – either through incapacity or ill-will – then the wider international community has the responsibility to take effective protective action, whether by way of prevention, reaction, or post-crisis rebuilding, and that in very extreme cases that action could take the form of coercive military force, undertaken with Security Council approval.

R2P is not about the protection or advancement of the interests of ethnic or national minorities as such, but in practice the situations that do erupt in deadly violence, and involve the mass atrocity crimes that the R2P norm is concerned with, all too often have minority issues at their core. The task of the international community in these matters is above all preventive – to recognise the potential for certain situations to flame out of control, and to work patiently at putting in place the kind of solutions and strategies that will stop that happening. One of the many tragedies of the recent events in Georgia is that with patience and cooler heads all around (and certainly this was the position of my own

[3] *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All*, Brookings Institution Press, 2008, xvi + 349 pp

International Crisis Group in its many reports on these topics) the aspirations of both the Abkhaz and the South Ossetians could probably have been met over time, without either violence or the breakup of the state. In devising these kinds of strategies, and implementing them on the ground, the OSCE's HCNM has no peer, and in working now in the post Georgian war context to ensure that national minority rights issues elsewhere do not become new conflict flashpoints there is no institution anywhere in the world that could do this better.

The responsibility to protect norm continues to attract a number of critics, mainly from those who don't know – or know but don't want to accept – that it is a doctrine with carefully defined scope and limits, not an excuse for bad old imperialist or colonialist habits to assert themselves, and is about much more than just the use of military force. For those of us who have worked long and hard to create a consensus that the world should never again turn its back on another Cambodia or Rwanda, every misapplication of R2P -- genuine or cynical -- is an occasion for alarm. Should the impression gain hold that R2P is just another excuse for the major powers to throw their weight around, the hard-won 2005 consensus is going to prove very fragile indeed.

So one of the many challenges for R2P supporters in the period ahead is to respond quickly and clearly to obvious misuses of the concept, and I was pleased to see the HCNM among those making clear that Russia's claim to be applying the responsibility to protect norm in its military action in Georgia was simply not justified. Protecting your citizens next door is not an R2P rationale. R2P is, as I have said, about the responsibility of a sovereign state to protect populations within its own borders (and of other states to assist it), and the responsibility of other states to step in with appropriate action if that state is unable or unwilling to do so. It does not address the question of an individual country taking direct action to protect its nationals located outside its own borders. When such action has been taken in the past, as it often has been, the justification has been almost invariably advanced in terms of "self-defence" (since 1945, under Article 51 of the U.N. Charter) -- although of course that defence will be seen by many people as rather limp in circumstances where the people in question have only become nationals of the intervening country by virtue of passports being freely handed out.

The other major reason for resisting the Russian characterisation of the situation is that Moscow has not made a compelling case that the threat posed by Georgia to the South Ossetian population was of a nature and scale to legitimate the use of military force. Even if in every other respect this was an R2P situation, justifying an international response, it is hard to argue here that the Russian response was anything other than completely disproportionate.

NATO's Dilemma

While OSCE was never conceived as a security organisation that would use hard military force, either to protect its members from external attack or to deal with misbehaviour within its own ranks. NATO, by contrast, was unequivocally conceptualised from the beginning as a military alliance, at the heart of which was the Article 5 agreement by the

parties "that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all". While it has always required from its members and potential members a commitment to the principle of democracy, individual liberty and the rule of law, and while its Strategic Concept has been revised in recent years to provide for members of the alliance to defend not just other members but to engage in a full range of crisis response operations, operating out of area if necessary, it has remained throughout its history essentially a classic collective security organization.

And therein lies the dilemma the organization has faced since the end of the Cold War, and even more acutely now in the aftermath of the Georgian War. What kind of organization does it want to be? There are at least three broad directions in which the group's future could lead.

- It could retreat into full Cold War mode and remain essentially a transatlantic regional defence alliance concerned above all about threats from the east, willing to embrace new members committed to democratic, market-oriented values but unable to even conceptualise Russia itself as a member.

- At the other extreme it could be transformed into an organisation with geographically open-ended membership focused essentially on working with the UN Security Council to provide multilateral and cooperative security and global military resources: essentially a *gendarmes du monde* role, which could only conceivably become globally palatable if any use of force by it were authorized by the Security Council.

- Alternatively, an intermediate but still adventurous position, it could remain a primarily region-focused inclusive security arrangement, but one willing as necessary to play a global role, with membership open to all those committed to its basic values, including potentially Russia itself should it return to the path of democratic reform and responsible international behaviour.

Each of these directions has its supporters, but the trouble for NATO in moving down any of these paths is that it is a prisoner not only of its history, but of the new post-Georgian war reality. Solidifying its traditional Cold War role, which is how the rapid admission of Georgia and Ukraine would certainly be seen by Russia, seems a higher risk activity than it would have been just two months ago: how many NATO members really want to have an Article 5 treaty obligation to protect either of them should another August-type crisis erupt?

But any move in the other direction, to rethink the wisdom of an expansion policy that stopped at Russia's borders, and to be overtly willing to eventually embrace Russia as a member in an organization that would be transformed over time into one of an essentially cooperative security nature, is in the present climate almost impossible to push forward. Not only the countries of East and Central Europe who like the idea of NATO as bulwark, but many other NATO members as well, and particularly the U.S., would treat such ideas with huge suspicion and any move in that direction as admitting weakness or rewarding the aggression or perceived aggression of the other party.

So NATO is essentially stuck. If it goes the American route of speedy Georgian and Ukrainian membership, this is bound to stir the Russian bear, with the probability of a succession of new crises, and expectations being raised in new members that the organisation as a whole may not be able or willing to meet militarily. But if NATO is now seen not only to pull back from extending the hand of membership to those two candidate countries but to adopt a wholly new approach to Russia, this in turn will not only expose it to cries of appeasement or weakness from a number of its members, but may indeed encourage rash action from Russia, which would have learned that aggression pays.

OSCE's Opportunity

NATO's dilemma is OSCE's opportunity. If the ideas of common and cooperative security are to be kept alive, as they must be if we want to move to reduce the tensions of the present situation rather than adding to them, then the only readily available institutional vehicle for doing so is the OSCE.

The broad security horizon of OSCE, with its its stress on "human dimension" aspects, and its strong track record in dealing with difficult and sensitive minority rights issues, makes it perhaps inherently more capable than anyone else of addressing the immediate challenges in the region-- and more adaptable to meet emerging ones. By being inclusive, comprising all the countries of the region and then some, it offers a forum and mechanisms with which all sides can feel familiar and comfortable.

One must resist the temptation to be too romantic about this. OSCE has many organizational limitations, and the requirement for consensus makes decisive action extremely difficult. There will always be those in Moscow, Washington and other capitals who will think that provocative rhetoric, unilateral action and exclusive arrangements will achieve better results than cooperative security efforts. But the hope is the logic of geography, and of cooperation, will prove a better argument than fear. If its member states are truly interested in de-escalating current tensions, then there are no available institutions better capable of providing a vehicle for that than the OSCE, with its historical roots in the region, inclusiveness and multi-dimensional remit.

This Parliamentary Assembly also has an important role to play in setting the necessary tone and atmosphere for the de-escalation required, both through its regular statements and declarations as well as through the activities of the president and special envoys. Let's hope the organisation as a whole can rise to the challenge.