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PARLIAMENTARY ASSEMBLY



Reform of the OSCE

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COMPILATION OF EXPERTS' CONTRIBUTIONS/DOCUMENTS

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RENÉ VAN DER LINDEN

AMBASSADOR JACQUES ANDRÉANI

REFORMING THE OSCE

Reforming the OSCE? It is worth trying. The organization is in a crisis. Its imperfections are quite visible. It is a complex structure. It has been assembled in a haphazard manner, along the years, adjusting to a deeply evolving context, but maintaining at the same time unchanged principles and rules, and it bears the mark of these contradictions. While it could be envisaged after the end of the cold war that the CSCE would be placed at the center of the new European architecture, it has been more and more overshadowed by other organizations. It continues however to play a very significant role, contributing to peaceful relations, conflict prevention, protection of human rights and promotion of trust and cooperation. But, though the OSCE does all of that, the general public is not entirely aware of its efforts and of the results achieved. It has a scarce visibility, the level of public attention is low, and the main political leaders are no longer involved in the meetings. There has been no summit since 1999. In the last few years, the debates have taken a polemical turn, accusations of distortion, double standard and unbalanced approach of the various elements of the Helsinki agenda being leveled against the OSCE, chiefly by the Russian Federation.

It is for these reasons that it has been decided to work on a reform. It can prove a useful undertaking if it brings about effective improvements in the organization's administrative structure, better working methods, more clarity in the division of tasks between OSCE and other institutions, avoiding an impression of competition. The debate on reform could also, hopefully, work as a therapy by doing away with some of the underlying mistrust that exists among the participating states, although this appeasing effect should not be taken for granted.

The main truth that we must bear in mind, while embarking on this reform track, is that the crisis in the OSCE does not primarily stem from its structural or administrative defects. While such shortcomings are undeniable, and can surely be remedied, taking care of them will not suffice to put an end to the malaise. The present difficulties are not only due to disruptions in the organization, uncertainties in responsibilities, or imprecisions in working methods. While such deficiencies do exist, the main causes of the crisis lie elsewhere. They are political.

They have to do with conflicting views about the future of some of the countries that were part of the Soviet Union and Yugoslavia and about the outside influences that might orientate developments in these countries.

This is not to say that working on reform is useless. It is in itself desirable, because it can lead to improvements that will be welcome. But it is hard to see how it could go to the roots of the problem. If these root causes can be addressed, it is in the context of overall political relations between the main actors, among which the United States, the Russian Federation, and the countries members of the European Union.

Does that point to a kind of privileged talk between these three actors, to a leading trio inside the OSCE? This would be obviously in direct contrast to one of the basic tenants of the Helsinki spirit. No steering group can be created in the OSCE. Working out a reform is a task in which all member countries should be fully involved, as in any other part of OSCE business. It is true at the same time that clarification between the US and Russia, and between the EU and Russia, about the perspectives for Europe as a whole could go a long way to alleviate bad feelings and restore confidence.

Bearing in mind this preliminary observation, let us look at which changes would be desirable and feasible.

Let us start by what should not be changed.

There are in the OSCE heritage elements that should be kept, because they are indispensable to the furthering of the member states' common aims and they are inherent to the philosophy that has inspired the Helsinki Final act, the CSCE process, and the creation of the OSCE.

Among those are the comprehensive approach to interstate relations, with the three elements incorporated in the three Helsinki "baskets", the basic importance of the ten principles governing relations between states, their equal application and interrelated interpretation, the belief that the implementation of CSCE and OSCE commitments by member states is a legitimate topic for frank discussion between governments, the right of each state to participate fully in all activities. Must be also kept as a common asset the expertise that has been accumulated since the Helsinki summit in such fields as, for example, confidence-building and stabilization measures, exchanges of views on military aspects of security, election monitoring, prevention of conflicts, control of borders.

The rule of consensus has been one of the characteristic traits of the CSCE and OSCE process from the very beginning. It is a rule to which many member

states are attached, and which is part of this democratization of international relations to which the Helsinki process has contributed so much. By its nature, this rule can lead to excesses, because it can be utilized as a leverage to impose decisions that others resist. Such cases have occurred already at the time of the preparation of the Helsinki Final Act. A systematic use of the veto by one country could mean a desire to advance its own particular points of view at the expense of the normal working, and finally, even, of the existence of the OSCE. We are not there yet. But there is some concern about this situation, and one hears suggestions to replace it by a “consensus minus X” for certain decisions. On the other hand, the rule of consensus is important, and proposals to limit its application would give rise to understandable objections. What might be attempted would be to fight the “hidden veto”, by which a country tries to impose its views on one point by threatening to veto another one. One should work for more “transparency” in decision-making.

Another specific character of the OSCE is the existence of “field-missions”. They represent the originality of OSCE work in its more concrete aspects, and provide for an overall continued presence of the organization in troubled areas. Such missions should be kept, a degree of autonomy should be preserved and they must be of course aware of the delicate balance they have to strike in their relations with local authorities. They should exert caution in judging how far they should go in asserting their mandate in presence of objections from local authorities, and they should have the responsibility to do it. Such a delicate assessment cannot be made from far away. The OSCE hierarchy must trust them, correcting the course a later stage if need be. The missions can succeed only if they avoid appearing as the agents of outside initiatives not approved by member governments, which should not preclude relations of close and trustful cooperation with NGOs, Foundations or other foreign institutions, official and private. There may be a case for reforming the procedure for informing the public about election monitoring, so as to avoid cases in which assessments are made public even before OSCE central institutions are aware of them.

What about the “balance” between baskets? One should observe that there is no text either in the Final Act or in subsequent common language, to the effect that equal attention should be given to the three main points of the CSCE agenda. The Final Act says only that the détente process is “global”. Still there is undoubtedly general agreement to recognize that the various aspects of interstate relations are interrelated, and that it is not proper to neglect one of these aspects.

The reproach of stressing the human dimension too much at the expense of the other aspects, is not to be ignored. The obvious response is certainly not to diminish resources devoted to the human aspect, but simply to increase the attention and means given to the security and the economic-environmental baskets. Nor would it be appropriate to reduce the status of the Office for Democratic Institutions and Human Rights, whose creation is one of the most important advances since the end of the cold war, or to diminish its autonomy. The delicate character of the matters involved makes it necessary that this office should be able to make its own decisions without micro-management.

Several suggestions have been made concerning OSCE activity in the two other baskets.

There is room for an extension of OSCE work in the field of military security, in the line of OSCE Strategy for Responding to Threats to Security and Stability in the 21st Century, adopted in 2003, making use of the annual Security Review, decided in 2002. Police training, border control, anti-terrorist activities, areas where more could be done. If there are valid objections to exchanges of views on military doctrines, these objections should be made explicit and discussed. Proposals for new or refined CBM should be examined.

One hopes that an implementation of the Istanbul commitments will allow the security basket to be more active again in the near future.

In the second basket, the whole domain of ecological security should be explored for more OSCE cooperation.

As far as the structures of the organization are concerned, one should avoid, both an excess of rationalization that would oversimplify the chart, ignoring the historical reasons which explain the peculiar relations between the various parts of the OSCE machinery, and a passive attitude which would be tantamount to leaving the existing system intact while adopting purely semantic changes. The key seems to be strengthening the capacity of the Secretary-General to coordinate the action of the different OSCE institutions, while respecting the particular traits of each. He must be the one who informs the Permanent Council of the OSCE institutions' activity, which implies, obviously, that he must know all about these activities. His role in decision-making should be strengthened as well. He should be, together with the CiO, the OSCE's voice in relations with other institutions, member governments and the public.

**JOINT PROJECT BY THE SWISS FOUNDATION FOR WORLD
AFFAIRS AND
THE OSCE PARLIAMENTARY ASSEMBLY TO EXAMINE
THE FUTURE OF THE OSCE IN PARALLEL
WITH THE OSCE EMINENT PERSONS GROUP**

- The OSCE - as previously the CSCE - has played a key role over the past 30 years to help foster a climate of trust and cooperation on the European continent on the basis of common values and objectives. We should continue to value the OSCE's comprehensive approach to security, as expressed in the three dimensions of politico-military, economic and environmental as well as human rights issues.
- It is of imperative importance that all member states, including those east of Vienna, recognize the value of OSCE and find their interest in the ongoing activities of the organization. All member states should bear in mind the interests of the others.
- At the same time we have to acknowledge that the world has changed in these past 30 years, not least in Europe. The current discussion about OSCE reforms with the objective of making the organisation more capable to tackle the challenges of today is of crucial importance. While adapting to these challenges I believe that the OSCE must continue to build on the fundamental principles and values of the OSCE on which it was founded.
- The OSCE expertise built up in the area of election observation and the independent role played by ODIHR are assets that must be guarded. The OSCE's legitimacy derives from the values and principles to which we have all subscribed during these last 30 years. Upholding these values and principles is a core task for the OSCE which must not be called into question. The same goes for a number of other areas within the human dimension of the OSCE, including the important role played by field missions in this respect. The OSCE provides a unique European forum for an all-European cooperation and dialogue, unparalleled for its inclusiveness and shared ownership. If the OSCE would not in the future be able to play its current role in the human dimension, we would all stand to lose. The values that underpin the OSCE also constitute the foundation of relations between all other member states with Russia as well as our cooperation in other fora.

Suggestions

- It is necessary within the EU-Council to **carefully examine the Russian concerns and requests**, especially as there are areas where EU-MS and like-minded countries could accommodate some of their specific wishes, I cite here for example:

- Strengthening the **political-military dimension**:
 - sharpening the OSCE's early warning tools, i.e. better managing existing information resources, give the Secretariat a stronger analytical capability, and have the SG play a more active role in bringing issues to the attention of member states.
 - update the 1999 Vienna Document, develop civilian rapid reaction teams to assist states in fast-breaking crisis situations (public order, legislative reform, good governance),
 - comprehensively review Chapter III of the 1992 Helsinki Document and bring it up to date,
 - intensify links with organizations doing work similar to OSCE in, i.e., destruction of ammunition stock piles (OSCE does not have resources for this, others like NATO do); this could be an area for partnership.

- Strengthening the **economic and environmental dimension**:
 - Holding an **Economic Forum in 2006** dedicated to transport and/or energy matters,
 - **reforming the Economic Forum** in order to enhance its effectiveness, i.e. through organized B2B meetings
 - holding some of the preparatory seminars in countries east of Vienna;

- **Human dimension**: Develop **election technologies and procedures** – follow-up to SHDM of 21/22 April 2005:
 - Implement existing commitments – improve follow-up to recommendations of Election Observation Missions;
 - develop new commitments to supplement existing ones - “Copenhagen Plus”;
 - Election observation: Election observation assessment methodologies, diversification of election observers, election observer training.

- develop **OSCE capacity in security sector** reform: police training, border monitoring/training, anti-terror-activities,

- increasing the **OSCE-efforts** - also in coordination with other players - **at mediating** so called “frozen conflicts”,

- Aiming, through appropriate means, at a **better geographic distribution of the posts** in the OSCE-Secretariat and in the OSCE Institutions.

- **The principle of consensus** has always been the basis for the CSCE/OSCE process. Introducing majority vote on certain matters would be complicated and meet insurmountable political opposition. However, consensus should not be used secretly. Transparency is necessary. The best way to improve decision making is further strengthening the decision making capacity of the Secretary General, particularly in administrative and personal related matters.

- On the **principle of consensus**, we could, however, modify it in such a way as to allow a consensus minus one regime in administrative and

personnel decisions; countries submitting candidates for OSCE postings f.ex. should not be allowed to vote;

- Regarding the **OSCE-SG**, there is also room for strengthening his position in the Organisation's operational management, allowing him to focus more strongly on early-warning, on specific request by the CIO act on his behalf in specific political situations - mediating and negotiating in conflict situations;
- However, there is a **red line** which must not be crossed **on issues such as the independent status of ODIHR, free and independent handling of election observation and request for agreed principles and commitments of the human dimension.**
- We have to make sure that the ongoing discussions do not eventually result in a situation where the OSCE cannot reach its goals laid down in the commonly agreed documents, esp. the **Moscow document of 1991** which stated categorically and irrevocably that commitments undertaken in the human dimension of the CSCE were matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned.
- **support the tasks of the group of eminent persons** appointed by the CIO, avoid conflicts and overlapping with its work.

**AMBASSADOR ISTVAN GYARMATI
CHAIRMAN OF THE BOARD,
THE CENTRE FOR EUROATLANTIC
INTEGRATION AND DEMOCRACY**

OSCE - IN CRISIS?

1. My first and most important remark is: the OSCE is NOT in a crisis. Or at least, not more than all other international institutions in the field of security, like NATO, UN and even the European Union. What are in crisis are first of all the whole international security system and the Governments. The international security system, because the old system, the so called Westphalien system is in the process of collapse, since new players, sometimes as strong as states or even with more destructive power than states, appeared on the scene and their goal is not to integrate in the system, but to destroy it. And the Governments, because they don't have the slightest idea of how to deal with the new situation and the new threats.
2. Secondly, the specificities of the "crisis" of the OSCE are a result of the changed behavior of Russia and some of its *quasi* allies. Changed compared to the 1990's, where Russia more or less tries to behave as a normal state, belonging to the Euro-Atlantic "civilization" and we tried to believe this was genuine and lasting. It wasn't. Russia is "back to normal", as it always was since Peter the Great, an authoritarian empire, which tries to control its neighbors, establish a sphere of influence as big as possible and dominate as much in Europe as it can. It is not too much and that's what makes Russia so frustrated.

This is why Russia dislikes these days the OSCE so much. Russia fell in love with NATO for two reasons. First, because it has a special status within NATO. We made the huge mistake of establishing a structure and even worse, a policy, where Russia is *de facto* the partner of the entire Alliance. And nobody else has this status and in this respect – and this is for Russia, for whom perception has always been more important than reality – Russia is unique. Even more than the members of the Alliance. Secondly, because NATO is no threat for Russian interests and Russia knows that. If somebody can profit from the cooperation, it's Russia.

Unlike this, the OSCE is extremely dangerous. First, Russia is in the OSCE one of many. Equal to Estonia, Malta, Georgia, and others. Unheard of! Secondly, because the OSCE deals with issues vital for the Russian administration. It deals with the conflicts of the near abroad. It deals with the elections of the countries of the near abroad. And it deals with internal issues of Russia, like freedom of speech, freedom of the press, etc. You don't need to have too much fantasy to imagine, why this is extremely disturbing for President Putin and his followers.

Russian behavior and demands within and towards the OSCE are strikingly similar, in many cases identical, to those the Soviet Union put forward in the 1980's. Too much emphasis on the human dimension (then basket three). Too little emphasis on the politico-military dimension. Interference

with internal affairs, especially stealing the elections for the anti-Russian forces, denying that something else, other than the CIA can organize deeply dissatisfied people against nasty dictators. Proposal to compare “military doctrines”. And the list could grow longer and longer. I felt 20 years younger, when I listened to these demands.

3. Does that mean everything is all right? Of course, not. But the first point when addressing the deficiencies and the “what to do’s”, we must note that the reason of doing so should NOT be the Russian criticism. In fact, the areas where Russians criticize the OSCE should be the ones to be strengthened first. We must start understanding, emphasizing and arguing that the elimination of the three baskets reflected real change. OSCE activities cannot anymore be put into three – or more or less – “baskets”: they are comprehensive. OSCE activities cannot and should not be seen as onesectoral, they are multisectoral. From this comes the first structural change necessary: the Forum for Security Cooperation outlived its usefulness. The comprehensive activities of the OSCE should be overseen and directed by one single, integrated body, the Permanent Council. Accordingly, the Secretariat should also not be divided between those, who deal with the FSC those, who deal with the PC.
4. The “balance” between the different, non-existent baskets should not be a matter of concern, since I am convinced, the baskets do not exist anymore, nor do the separate dimensions. OSCE activities are multidimensional, cover all aspects, especially the former politico-military and human dimensions (I do not mention the economic dimension, since I do not think it is or has ever been relevant for the OSCE, although in many activities, notably in the missions, it is more present than ever). One area that should be strengthened in this respect is security sector governance, which became one of the most important issues, since the understanding grew that without it no reform would be feasible. I believe this also a multidimensional effort and fits very well the new profile the OSCE should acquire.
5. There is need for more and more continuous political leadership, analytical and early warning capability. This could be best achieved by strengthening the Secretary General and the Secretariat. This is not a new idea. In fact, ever since the inception of the Organization and the establishment of the position of the SG and the CiO the debate has been continuous. There is now an emerging understanding that the role of the SG must be strengthened. I believe it is true. The role of the CiO should become less operational. It does NOT mean that the political leadership of the CiO should be diminished, but the implementation of that political guidance should shift more the SG and the Secretariat. The reason for this is manifold. First, there is continuity. The yearly change of CiOs while offering a chance of fresh ideas, deprives the organization of institutional memory and continuity and this causes obvious problems and more: those, who do not want the OSCE to be successful in their own little conflict or problem, can successfully play on time, waiting until the new CiO comes in, hoping that the new one will be weaker, less interest in that particular issue, less capable or less willing to address that particular problem, politically more inclined or less courageous, etc. Secondly, the bureaucracy supporting the CiO is very different from CiO to CiO. As increasingly more and more small countries with small foreign ministries and limited interested in OSCE wide

issues tend to hold the Chairmanship, the ability of the CiO to address the “big” issues efficiently, also diminishes.

Accordingly, the position of the SG should be strengthened. First, the SG should be understood more as a political position. In order to make it possible, the position of the Deputy Secretary General should be created. The DSG should be responsible for running the organization; he/she would be the head of the administration, under the guidance of the SG. This would relieve the SG of the day-to-day responsibility of overseeing the bureaucracy of the organization. In substantive terms the SG should be authorized to:

- a. represent the OSCE without restriction
- b. to bring issues to the attention of the Permanent Council, especially when human rights are violated and/or a conflict is threatening in one of the participating states
- c. direct the heads of missions

The SG should perform his duties in consultation with the CiO and the political leadership role of the CiO would not be abolished.

6. The consensus rule has always been one of the most controversial issues within the OSCE. I am not particularly inclined either way. There are advantages and disadvantages of it, too. We must, however, take into consideration a few issues, when deciding about keeping or changing it. Should we decide to change it, we must consider the consequences: how we are going to enforce a decision. If we do not create more effective enforcement mechanisms, the OSCE then really will become a mini- UNGA, with dozens of decisions taken and nothing happening. Should we keep the consensus rule, we should then even more strengthen the operational capabilities of the Secretariat and the Missions. Within their mandates they should be able to act without seeking consensus in the PC. I know, like several other ideas in this paper, this is the case right now. But I believe, in order to make the operational capabilities of the OSCE more effective, we should expand these activities, including strengthening the role of the Secretary General, as suggested above.
7. The role of the Parliamentary Assembly should be strengthened. This would on the one hand, strengthen OSCE’s democratic credentials and legitimacy, on the other, it would give it additional capabilities, without having to go through the painful process of institutional reform of the executive arm. The PA could become a real player. First, regular meetings between the CiO, the Secretary General and the President of the PA should be held. These meetings would set OSCE policies. Second, the Secretariat of the PA should be strengthened. A few experts should be added on a permanent basis and the possibility of hiring *ad-hoc* experts on as needed basis should be created. This would enable the PA and the President to react to certain events and also to undertake, in some cases, independent action. The Pa could dispatch short-term missions in case of event, like the current events in Uzbekistan, prepare and issue report and recommendations for the CiO, the SG and the PC.
8. There has always been also talk about the duplication with Council of Europe. Here I think it is totally unnecessary to do anything. Yes, there have been stupid moves – like the proliferation of High Commissioners,

etc., but the cooperation between the two organizations has been for quite some time excellent. We should be able to tell the critics: there is no duplication, or where is duplication, it is very much needed.

The most important pre-requisite for “saving” the OSCE is to make Governments understand that the OSCE is one of the most important organizations in Europe. It is badly needed, since in the new era democracy-building and human rights are no less important than they used to be in the Cold War. There might even be a need for the OSCE in the democratic countries of Europe, if the drive for security, or rather the drive to use the realistic need to defend against organized crime and terrorism, should go beyond the acceptable - and we are in many countries not far from it. It could also be very useful in some other areas, should nationalism and populism continue to grow in the OSCE area.

How to deal with the Russian problem? First, we do have a “recipe”: since the issues at stake are very similar to the issues that we had in the 80s, our reaction should be very similar. We must insist on our principles and keep the OSCE focused on them. Russians – and everybody else – must be held accountable to the commitments we all undertook within the OSCE. The policy of appeasement *vis-à-vis* Russia will be as devastating as this policy has ever been *vis-à-vis* any authoritarian/dictatorial regimes.

It doesn't mean we could and should not accommodate some Russian concerns. Extending election monitoring to “Western” countries is a good idea. There are many problems related to elections elsewhere, too (mention one or two: party financing, especially during elections, the role of commercial media in election campaigns, etc.). Holding a seminar on military doctrines is also a good idea (although Russia might not get what she wanted, since Russia is one of the few countries other than the US, which holds pre-emptive strikes in high esteem), since we all need to re-think our military postures. It would also give us a slight chance to return the CFE Treaty to its normal path after having betrayed it for the sake of satisfying totally illegitimate Russian demands related to this Treaty earlier.

In sum: the OSCE is not in crisis. At least not more than the other “left-over” organizations. The opposition of Russia *vis-à-vis* the OSCE is not a crisis of the OSCE; it is a crisis of Russian democracy (if any). Accordingly, our response should not be panic, not be to declare the “reform” of the OSCE an absolute and urgent necessity, but rational thinking insisting on the principles and commitments of the OSCE *vis-à-vis* all participating states. And: more money. The OSCE is the best value-for-money organization. But even the best cannot survive without funds. The budget of the OSCE must be significantly increased. Yes, even the Secretariat must be strengthened and quite a few new positions must be created. Missions should be strengthened and given more funds for local projects. But, most importantly, the operations should be expanded. Especially in the field of election monitoring and assistance.

HON. ALCEE L. HASTINGS, MC
President, OSCE Parliamentary Assembly

I want to express my gratitude to Edouard Brunner, the Chairman of the Swiss Foundation For World Affairs, for joining me and the Parliamentary Assembly in this exercise to contribute to the critical debate about the future of the OSCE. I also want to thank those who have been willing to participate in this endeavor.

As President of the OSCE Parliamentary Assembly, one of the oldest, and I dare say most successful and established, institutions in the Organization, I can that as parliamentarians, we have frequently been critical of the way in which the OSCE functions. We have often made constructive suggestions for improvement. Some of our recommendations, such as the creation of the Office of Free Media, the establishment of the post of Economic Coordinator, and efforts to address the gender balance have been embraced and adopted by the OSCE. Other recommendations, calling for more transparency and accountability and changing the consensus decision-making requirement, have been met with great resistance in the Permanent Council. I should point out, however, that several Chairmen in Office have endorsed the need for change of the consensus rule, usually after they had finished their mandate. Most recently, the present Secretary General, Ambassador Ján Kubiš, has also joined in support of our recommendations that a change in the consensus rule, at least for administrative and budgetary matters, should be seriously considered.

We have organized this colloquium and asked knowledgeable experts to contribute ideas in the hope that we can make a constructive contribution to improve the OSCE. Since I was elected President of the Assembly last year, I have spoken out on several occasions about the critical situation in the OSCE. I submit, as my contribution, excerpts from my pronouncements on this subject at the OSCE Ministerial Council Meeting in Sofia last December, the OSCE Parliamentary Assembly Winter Meeting in Vienna last February, and at the OSCE Parliamentary Assembly Expanded Bureau Meeting in Copenhagen a few weeks ago.

**Excerpts on Reform (And Future) of the OSCE
From Recent Speeches/Statements**

OSCE Ministerial Council Meeting, Sofia, December 2004

- While we believe in the progress we have made, one cannot ignore the calls from within the organization and without for reform. And not just OSCE reform, but the time has come for all multilateral organizations to do critical introspection to indeed be sure we are meeting yesterday's, today's, and tomorrow's challenges and responsibilities in our globally chaotic societies. Today is tomorrow. We don't have time to waste.
- The OSCE must continue to reform and adapt its mechanisms and procedures with a view to upholding its efficiency and credibility.
- One of the main weaknesses of the OSCE lies in its decision making procedure. The highly decentralized responsibilities and the fact that the PC in its collectivism is the chief executive officer, together with a non transparent and indiscriminate application of the consensus principle not only make it difficult to come to decisions, but also render it sometimes virtually impossible to hold anybody accountable for the organization's activities or –most of all –it's failure to act.
- With its Resolution on Co-operation, the Assembly reiterates its previous recommendations that the OSCE carry out the necessary reforms with regard to its decision-making procedure, both in terms of enhancing its transparency and of looking into the possibility of differentiating the consensus principle, providing for instance for a consensus minus two or three for decisions on budget and personnel, particularly for heads of institutions and missions as well as for other high-level personnel.
- The Assembly supports the further strengthening of Police and Anti-Terrorism activities, as well as the development of the economic and environmental dimension.
- The Assembly also welcomes a further strengthening of the work of our missions in Central Asia and in the Caucasus. You all know how much value the assembly attaches to the work of the missions in general. We believe that they are the OSCE'S most valuable assets. We therefore cannot share any calls for substantial reductions in the areas of our field activities nor on human rights issues
- Without understanding, OSCE is fated for failure. It is imperative that we each of us, recognize the need for OSCE and begin to feel it in our skin, and then we will know that what we're doing is worthwhile. **Why the need for OSCE?** Because the world will be more dangerous without it. Because the survival of humankind may lie with us.

OSCE PA Winter Meeting, Vienna, February 2005

- I welcome the priorities of the Slovenian Chairmanship outlined by the Chairman-in office in his address to the Permanent Council a few weeks ago. The OSCE, as you stated, needs revitalization and reform. The OSCE Parliamentary Assembly is ready and willing to assist the Chairmanship in this process.
- The OSCE remains the most flexible and responsive Euro-Atlantic foreign policy instrument for non-military contingencies. It is the primary instrument for early warning, conflict prevention, crisis management, and post-conflict rehabilitation in our region. We cannot allow that this important Organization to become non-operational because of its budgetary procedures.
- From 35 we have grown to 55. From a Conference we have become an Organization. But what will our role be in the future? How can we better meet the challenges that continue to arise in our countries? What can the Organization provide to our citizens? - As parliamentarians we have direct contact with our constituents and we can better define the issues that worry and trouble them.
- The OSCE has a co-operative approach to solving problems. Starting from the premise that security is indivisible, we have a common stake in the security of Europe and should therefore co-operate to prevent crises from happening and to reduce the risk of already existing crises from becoming worse. The underlying assumption is that co-operation can bring benefits to all participating States, while insecurity in one State or region can affect the well-being of all. The key is to work together.

Expanded Bureau, Copenhagen, April 2005

- The situation of the OSCE today as we approach the 30th Anniversary of the Helsinki Process is not optimistic. We all recall the presentation by OSCE Secretary General Kubiš in Vienna: the current situation of the OSCE is disturbing, to say the least. Although there have been great difficulties, a final agreement with conditions has only recently been reached on the Organization's budget.
- The Parliamentary Assembly of the OSCE can greatly contribute to the process of adapting the Organization to the new challenges by making public opinion more aware of the OSCE and its activities. Personally, I am trying to ensure that our Annual Session is carried on live, national television in the United States. I also have been pro-active in reaching out to the traditional and non-traditional media outlets. The Assembly will also continue its important work supporting democratic reforms throughout the OSCE region. The various *ad hoc* committees of the Assembly and the leadership we provide to election observation missions are part of our input in that process.

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CSCE/OSCE 1975 – 2005:
ACHIEVEMENTS AND PROBLEMS

1. The Helsinki process has been playing, mainly in its first 15-20 years, an important positive role in Europe and in the world: it contributed to smooth transition from the Cold War and confrontation to the present period of cooperation; it has created for that an unique mechanism of negotiations (more than 100 conferences and meetings, including 6 summits, more than a dozen of foreign minister's meetings, etc.); it made the notion "security" broader and divisive; it fixed the principle of consensus; it raised the role of medium and neutral states; it educated several generations of multilateral diplomats etc. And most important: it helped Europe to live in peace for 60 years – an absolute record for this continent. That's why the attempts to depreciate the Helsinki process are inadmissible and fruitless. Particularly in the year of its jubilee.

2. Today, however, the OSCE is in a complicated situation. The organization, founded to unite states for security and co-operation, is being transformed now, by certain forces, into some artificial instrument of reconstruction and democratization of the "peripheral Europe". Such approach created disbalances in the Organization's work, first of all functional disbalance (over-emphasizing of the "third basket" to the prejudice of the "first and second baskets") and a geographical disbalance (attention exclusively paid to post-soviet and post-Yugoslav spaces).

On inadmissibility of these disbalances repeatedly indicated Russia and, collectively, CIS countries, but that warning was ignored.

Now the problem is as follows: either the Organization eliminates these disbalances, works according to its original aims and functions, or it loses its own specific face, particularly in the atmosphere of duplication by NATO, EU and Council of Europe, and ceases to be a claimed body for a group of States – with all corresponding consequences from that.

3. We believe that it is impossible to accept the present alarming situation in OSCE, existing disbalances and conflicting vision of priorities of this Organization, which still remains respected and authoritative.

Under these circumstances institutional reform must become the key direction of its activities in the nearest future. It should be implemented along the following lines:

– Restoration of the violated balance of three dimensions of security.

In the military-political sphere the main task is to speed up the ratification of the adapted CFE Treaty, which Russia had ratified. There is a need to continue the work for the purpose of adapting the Vienna document on CSBM of 1999, and, in particular, to convene a high level seminar on military doctrines. We stand for increasing the role of the Forum for Security Cooperation.

It's necessary to increase the contribution of OSCE to counteraction of terrorism.

The economic dimension of the OSCE must be filled with a new content. In this spirit we tabled a proposal to convene a conference on ecological security in the OSCE area.

It is the humanitarian dimension where the systematic shortcomings of the OSCE are seen most clearly: double standards, political manipulation, biased approaches to certain states, the use of human rights questions for political pressure. The ODIHR more and more transfers its decisions from technical ones into an instrument of pressure and a factor of destabilization. It is necessary to work out common objective criteria of unbiased evaluation of the electoral processes in the whole OSCE area.

– The OSCE field presence needs to be more effective. All projects, implemented by field presences must be, as a minimum, agreed upon with the authorities of receiving states. Those aspects which are not foreseen by the mandates of the missions require decisions of the OSCE Permanent Council. The extra-budgetary financing must be used exclusively on officially agreed mission projects.

There are a number of other problems. The scale of financial contributions requires reconsideration. There is a need to implement the principle of a just geographical distribution of posts in all services, institutions and missions of the organization. New rules of procedure for the OSCE are required.

At the same time the principle of consensus in the decision making process must be preserved as a basis for the OSCE work as well as the objective multifaced character of the Organization.

If the reforms are not implemented in the nearest future, OSCE may turn into a discussion (or even propaganda) club with most important security and cooperation problems settled outside it, directly between corresponding states and regional or sub-regional organizations and leaving the OSCE on the margins of European architecture.

THE FUTURE OF THE CSCE PROCESS

There are ominous signs indicating that the OSCE is facing a serious crisis of “substantive” as well as of an organizational/institutional character. Some even speak of the possibility that the organization may end up in a virtual “paralysis”. This would be a most regrettable situation; the CSCE-OSCE has played, and still could play, an important role in shaping interstate relations in Europe. Therefore no efforts should be spared to rescue the OSCE from possible collapse. The Washington colloquium is a most commendable initiative to this end.

This said, rescuing the OSCE does not mean that it should be rescued at all costs. There are certain basic values underlying the CSCE — OSCE process without which it hardly has any viability. These values constitute in sum what has become known as the human dimension.

The CSCE — OSCE process was, as we know, conceived as a cooperative process. The various baskets of the Final Act — as well as its principles — were drafted as somewhat interlinked, constituting a broad spectrum of values, commitment and interests. However, what was the great innovation and the great step forward in what at the time was called East -- West relations, was the human dimension, the general acceptance that the right of the individual and human rights, were legitimate concerns for all, and that discussing them would not be considered interference in internal affairs. These inalienable gains for the OSCE process cannot and must not be compromised if the process is to survive as a meaningful process in present day interstate relations in Europe. The way human rights and the rights of the individual are being infringed upon in OSCE member states serve as a painful reminder of the fundamental need to preserve this dimension of the OSCE process.

Preserving the human dimension must not be allowed to be construed as an impediment to working for a better balance between activities falling under the three baskets of the Helsinki Act. In fact, working for a better balance should be an important goal in the renewed efforts to revitalize the OSCE. There is ample room for increasing cooperation in practically all fields falling outside the human dimension, notably in the economic and cultural field, and in the environment, not to speak about the field of security and election monitoring.

The consensus rule should be preserved in spite of the many objections that can be made against it. During the formative years of the CSCE process the consensus rule was very often brought to the test, and one played around with ideas like “consensus minus one” and other variants in order to reach agreement in tense situations. In the end one managed somehow to reach agreement without violating the consensus rule.

Even if it has become more complicated to reach consensus with all the new members of the OSCE than it was when the organization counted only some 30

members, it seems in the long term interest of all member states to make all possible efforts and show maximum flexibility not to give up the consensus rule. One should even be prepared to suffer protracted bargaining without compromising vital values and commitments of the process. If in the end all such compromise efforts definitely fail, it could be a possible way out, which might be less dramatic than breaking the consensus rule, to resort to using an ‘opt-out arrangement’, in the sense that if a state finds itself in a position not to give its consensus in a certain matter, it simply decides not to be part of the decision to be made. Evidently this would be far from an ideal solution, but the alternative seems much worse.

THE FUTURE OF THE OSCE
ONE MISSION'S VIEWPOINT

Context.

The OSCE Mission to Georgia was established in 1992 with the sole task of promoting negotiations between the conflicting parties in Georgia with the aim of reaching a peaceful, political settlement. This mandate was expanded in March 1994 to include activities in the Human Dimension throughout the territory of Georgia. Between January 1999 and December 2004, the Mission was also tasked to operate a Border Monitoring Operation (BMO) along the border between the Russian Federation and Georgia in the Chechen, Ingush and Dagestan sectors. The BMO mandate failed to achieve a consensus for its continuation and closed during the opening months of 2005. However, assistance in the training of Georgian Border Guards continues under a new Programme endorsed by the Permanent Council in April 2005.

Currently the Mission conducts activities in all three OSCE Dimensions, although the largest part of the work in both physical and financial resource terms falls with the Military/Security area.

Issues.

1. Cooperation with National Authorities

This is the key area to both the “success” and “efficiency” of any Field Mission. Missions are in-country at the request and with the agreement of the host authorities. It is, obviously, critical for the Mission to secure the confidence and trust of the host Government in order for it to deliver its mandates of assisting in the promotion and implementation of OSCE principles and commitments. The relationship requires constant attention/discussion in order to avoid the twin risks of either being seen to be outsiders “lecturing” the national authorities or allowing the hosts to “co-opt” the Mission’s activities. Frequently, Missions need to deliver tough messages/criticisms and can only succeed if they have both credibility and respect. By extension, any Mission needs to establish a similarly effective partnership with opposition, non-governmental structures and mass media. No Mission can afford to be risk averse.

In the case of the Georgia Mission, there is the additional complication of needing to work with the other parties to conflict resolution. In the case of South Ossetia (our main work area), this means the authorities in Tskhinvali, North Ossetia and the Russian Federation. There are, inevitably, times when our role is perceived by one party or the other to be biased or non-objective.

2. The “Competitive Advantage”

Debate about “competition” between international organisations appears to be more conducted at the level of Headquarters and not in the field. Here, constant discussion and information sharing avoids the problems of duplication, differing objectives and the tendency by host governmental and non-governmental organisations to engage in “forum shopping”.

Each of us plays to our strengths and abilities. For the OSCE Mission in Georgia these are:

- The political leverage derived from Georgia’s membership of OSCE and the commitments it has entered into with the Organisation. This is not yet true for either the EU or NATO, although Georgia’s aspirations for membership of those provides them a degree of leverage. The only potential “competitor” for us would be the Council of Europe. However, the lack of a substantial field presence (one Representative in Tbilisi) inclines them more to cooperation than “turf warfare”.
- The use of this leverage to assist other international players in achieving their objectives.
- The ability effectively to use the cross dimensional approach to, particularly, conflict resolution issues. Using EC funding, the Mission is engaged in a major project on rehabilitation and refugee return in South Ossetia which, in turn brings in UNDP and UNHCR. The Human Dimension engages in grass roots community projects with Georgian and Ossetian NGOs whilst the economic team are undertaking small projects and business training activities. All of these reinforce the political negotiation process and serve to build confidence between the parties. Similar activities are underway in Abkhazia to assist the UNOMIG operation there in promoting peaceful settlement. No other organisation has this capacity. It is, however, recognised by all local, international partners as our strength.
- The ability to fill “niche” areas to assist the implementation of e.g. World Bank programmes, as well as to act as a catalyst in bringing the attention of the international community to the resolution of problem areas. In many ways, the OSCE is regarded as a “neutral player”, not pursuing any particular bilateral or multilateral agenda.

With somewhat less certainty, the ability of the OSCE to respond rapidly to a given situation can be seen as an advantage. The Georgia experience in this regard is mixed. At the time of the “Rose Revolution” it proved possible to raise some 6 million Euros in the course of one meeting in Maastricht. This enabled the Mission to undertake a successful programme radically to improve the conduct of the Presidential and Parliamentary elections. All achieved over an intensive, three month period. However, to secure PC approval for a “rapid response” project to train the Georgian Border Guards, following the closure of the BMO, took 4 months of discussion in Vienna before agreement was reached on something less than the Mission’s original proposal.

3. A Further Strength – But Also A Problem

The major factor in the success of all Field Missions is the quality and commitment of our National Staff members. Because of the poor employment prospects in all the areas where missions are located, the field of qualified talent is extremely large. Given that most international secondees tend to stay in-country for only 2-3 years, the continuity provided by nationals means that there is hardly any diminution in the quality or pace of our activities. National staff understanding of the culture, political, economic and social processes are enormous assets.

The OSCE needs to be able to offer national staff the opportunity to work in other mission areas or Vienna on a more structured basis than at present. It also needs to provide adequate pay structures (local staff salaries have been effectively frozen for 3 years because of an inability to agree new scales in Vienna).

However, it also needs to be pointed out that Missions run the risk of being perceived as maintaining an alternative civil service structure in the country. Talent which should be better employed in working directly for the Government prefers to take advantage of better than local salaries by working for international organisations or diplomatic missions. Although this is not a solely OSCE problem, it is one that needs careful handling.

On the subject of staffing, some comments on **international staff**. It would be helpful if Participating States could all agree to annual (or preferably 2 year), as opposed to six-monthly, contract periods. Although the Georgian Mission experience suggests that the majority of secondees stay *en poste* for two years, there are examples of individuals being withdrawn at short notice, leaving gaps in coverage. States might find difficulty in seconding serving diplomatic or government personnel for two year periods, but that kind of term would make Mission work more attractive to non government individuals, who are reluctant to apply for posts on the current basis. It would also mean that international staff might take a more strategic approach to the areas of responsibility, rather than measuring their time in six month blocs.

It would also be helpful if governments could abstain from the current levels of intense lobbying on behalf of their candidates and abandon the idea that certain jobs in certain missions are “reserved” for particular nationalities. At the end of the day, it is the sole prerogative (and accountable responsibility) of the Head of Mission to appoint staff members depending on their “fit” for the post.

4. Other “Problematics”

To complete the discussion, there are a number of other issues which, from a Mission viewpoint, need to be addressed. These are:

- The tendency of incoming Chairmen-in-Office and Vienna Delegation Working Groups to adopt decisions on currently “fashionable” subjects with little or no consultation with Field Missions. Whilst it is perfectly understandable that new Chairs wish to make their particular impact on the Organisation, it is unfortunately true that few of their particular “themes” relate to the already agreed work priorities of the Missions. A little advance consultation would avoid this problem. Similarly, “Action Plans” adopted in

Vienna are seldom shared with Missions before their adoption, even though they inevitably envisage activities being carried out on the ground. Again, prior communication would prove helpful.

- Increasing centralised administration and bureaucratic insistence on the letter of the regulations add to problems in the field. We are currently in the somewhat absurd situation of drafting Outline Budget bids for 2006 within 1 week of the adoption of the 2005 Budget. Before looking to the next year, the major task now is to work out what is possible in the remaining months of this year. But the dates for the Budget cycle are fixed...

In the past three years the amount of “second guessing” and micro management from the centre has become more noticeable. For a Head of Mission, the greatest attraction of the OSCE was that you negotiated your Budget and resource needs and then, together with your host authorities, got on with the task and implemented the mandate taking full responsibility. Whilst totally accepting the needs for accountability and transparency, a balance needs to be re-established.

- The need for a much more pro-active exchange between delegations and the Mission. At present, delegations base their assessments of a Mission through the reading of fortnightly and Spot reports and the (now) annual appearance of the Head of Mission before the PC. Within the Conflict Prevention Centre, there should be encouragement for a more structured liaison role/activity between interested delegations and the Missions concerned. At present, the CPC seems to be too heavily tasked in supplying Speaking Notes for senior officials (with consequent demands on Missions) and editing reports rather than in engaging with delegations.

5. Public Visibility

The OSCE has developed a range of public information products, but crucially does not foster a robust and strategic press policy. At present, the OSCE's interaction with the media tends to be mostly reactive and, in some cases, reluctant.

This is the result of a number of factors, the most influential being a weak sense of identity, and the lack of conviction that the role of media relations is essentially political.

Any work with the media is risky and can be uncomfortable. This compounds the issue in an organization which apparently tends to care little for public opinion or the powerful effects of the media. ‘Sensitivities’ or quiet diplomacy are often cited by diplomats and bureaucrats who may have misinterpreted the concept of well-timed pro-active actions as aggressive and dangerous. Even routine press inquiries fall foul of this fear.

There are examples where the non-action has by chance limited damage to the negotiating processes. But tactical silence should be part of a more pro-active and strategic approach to enhance the Organization's credibility and effectiveness.

The public information aspects of the organization's work are well-established. The website and publications have been overhauled and are sustained by contribution from the field. However some Missions, particularly those with little resource of their own, have called repeatedly for assistance for a range of products specifically for field work. However, publications are subjected to a rigorous review process within the organization, which often results in late publication especially of the translated versions so necessary in the field.

Press Work and Internal Communications

Governed by the discretion of the Head of Institution or Mission, and the circumstances surrounding its mandate, the output of each is very different. In terms of field diplomacy, Mission press work is mainly tailored for local press and public, and depending on the mandate, for some international media outlets. Press work in the field can be prolific and pro-active. The Secretariat department works to the Chairmanship agenda and should have more of an understanding of the multilateral context. Institutions also work within their own framework.

But to be truly effective, all PR personnel should be fully aware of the all the context behind political and strategic discussions, be they in the field or of the Organization as a whole. While it can be argued there is much communication vertically in the various pillars of the OSCE, there should be more constructive horizontal exchange between the institutions.

If the institution follows the culture of the Organization as a whole, the PR output will be strategically limited. Weak direction can be detrimental to the Organization's perceived effectiveness. This can feed back negatively into the decision-making process. This is especially true when there is a bi-lateral dispute and both States in question have effective propaganda machinery.

Speed and accuracy are important for tactical media work, and a strong communication network within the organization should reflect that need. Presently, there is a weak culture of substantial interaction within the organization: between political and media departments, as well as between media departments only. Additionally, bureaucracy can have as negative an effect on results as hesitance and lack of coordinated conviction.

Most importantly, the Organization should decide whether it will tap the full potential of its press work. Strategically handled, PR work can manage public and state perception of internal evolving political dynamics, while keeping the organization's reputation intact. A well-managed healthy public debate can also influence the decision making. But for the PR professionals to work in this way, they need support from the Organization, both in terms of political substance and privilege to operate. Clearly, the appointment of experienced and pro-active professionals with a sensitivity and instinct for political subtleties is as important as an internally-respected policy.

The Parliamentary Assembly's Input

Since the PA offers more scope for open debate, it seems appropriate for it to play an important part in management of the discussion the Organization's future.

This can only be done in careful co-ordination with other media and political focal points throughout the Organization. Careful change management and communications internally and externally are paramount if this transition period is to be evolved constructively.

As part of the reform process, the PA could be instrumental in encouraging capitals to support a more pro-active OSCE press approach for public accountability.

Concluding Thoughts

Field Missions – “the jewels in the OSCE crown” – are at the bottom of the feeding chain when it comes to issues raised in the concept paper, in particular consensus. It is necessary for us to adjust our programmes and priorities in the light of decisions reached among the Participating States on mandate renewal, resources and staff levels. Although we have channels of communication with the main Vienna players, our influence is limited because of the “big picture”. Even the support of our host government sometimes counts for little in the debating chambers of Vienna. All field missions are different – in size and in mandate. Attempts to put into us all into the same increasingly restrictive administrative framework impose additional constraints on our abilities to get on with the tasks in hand. A new balance needs to be struck.

But we do it because it is a job worth doing. The opportunity to work with all levels of a society in transformation, to achieve joint goals with a multinational team of committed people is both rewarding and stimulating. It really is an honour to serve.

**WRITTEN CONTRIBUTION TO THE WORK OF THE EMINENT
PERSONS GROUP ON THE FUTURE OF THE OSCE**

1. Conclusions concerning the future of the OSCE require a few thoughts on the factors determining the role of the Organization in the past and at present.
 - a) The OSCE is a **transatlantic organization** contributing to stabilization of the whole region, from Vancouver to Vladivostok; the Organization has provided a framework for partnership relations and dialogue on security issues among 55 states of Europe, Central Asia and North America; in a foreseeable future, a number of states or regions (for instance Belarus, Caucasus, Central Asia) will remain outside existing security structures - therefore the OSCE will continue to integrate those outside NATO and EU;
 - b) The OSCE has lead some **states through a peaceful transition from a totalitarian to a democratic system**; the Organization has been instrumental in assisting those countries in their efforts to join NATO and EU; this function of the OSCE retains its validity for countries of Western Balkans, Ukraine, and Moldova;
 - c)The OSCE has a unique experience in settling domestic issues; most of the **standards and decisions adopted by the OSCE are addressed to domestic situations of participating States**; it strengthens the Organization's role in conflict prevention and crisis management, since most conflicts in the OSCE area have intra-state character;
 - d) **The OSCE field missions**; their main focus is on democratisation, promotion of rule of law; development of free media, respect for human rights, economic and environmental consulting; the OSCE missions proved to be particularly useful in countries where institutions of democratic state have not been sufficiently developed to ensure effective conflict prevention and settlement;
 - e) Many, if not most, of the contemporary security problems are of a multidimensional character - **the OSCE comprehensive approach to security** allows the Organization to work out adequate response to the challenges faced by the international community; the recent increase of the OSCE activities in such areas as migration, combating terrorism, trafficking of human beings, corruption and discrimination can serve as an example of the Organization's ability to deal with multifaceted security problems;

- f) Due to broad membership and comprehensive approach to security, based on a set of principles, values and commitments embodying responsibilities of States towards each other and of governments towards their people, **the OSCE can give legitimacy** both to the internal policies and actions of participating States and to the international involvement in the conflict resolution (including intra-state conflicts);
 - g) The OSCE is often seen as a **relatively weak Organization**; but this weakness, which can be attributed, *i.a.*, to the relatively small "international bureaucracy" and "fuzzy" procedures, including those related to decision making, may also be seen as the Organization's strength; it is in significant extent due to this "weakness" that the OSCE has been more capable than other organizations to promptly react to crisis situations and **adapt to changing international environment**;
 - h) **Effectiveness of the OSCE is strongly dependent on both political** (security situation in the region, political will of the states to cooperate) **and institutional factors** (strong/weak Chairmanship, leadership of the Institutions and the field missions);
2. A Russian attitude towards the OSCE is a separate element that requires consideration. In the past Mr. Andrei Kozyrev, Foreign Minister of the Russian Federation, highlighted the possibility to develop the CSCE/OSCE into the main security structure in Europe, which would play a coordinating role in relation to other institutions. Assuming by the Organization of such a role could challenge the *raison d'etre* of the further NATO existence or, at least, be a tool to prevent, counteract or delay its extension to the East. Such Russian expectations towards the OSCE have not materialized – nevertheless they contributed to relatively constructive Russian approach to the cooperation with and within the OSCE in the 90's. It may be argued that since the year 2000 the Russian criticism over the OSCE activities has gradually increased, reaching its peak in the beginning of 2005, after the ODIHR assessment of the Ukrainian presidential elections. Russia complains that the activities of the Organization are not balanced, both thematically and geographically. This may lead, in Russian opinion, to gradual erosion and division of the OSCE activities and its tasks between other institutions (Russia-EU Permanent Partnership Council, Russia-NATO Council and the Council of Europe). The authority of the OSCE depends directly – to use Russian phraseology – “on return to its initial role as a forum for equal political dialogue and collective decision-making on the most pressing problems in European cooperation and stability, as well as nonselective application of the OSCE standards and instruments in all its space.”¹
3. The nature of the present crisis within the OSCE is profoundly **political**. The Organization became to a large extent, a victim of its own success. The EU, U.S. and like-minded countries would be interested in keeping a present profile in the Organization, focusing on the broadly understood democratisation agenda and maintaining relatively high

¹ Article of Russian MFA Spokesman A. Yakovenko, “Has the OSCE a Future”, published in *Rosiiskaya Gazette* on April 13, 2005.

freedom of action of its Institutions and missions. The Russian Federation does to want to accept the existing *status quo*, aiming at diminishing the OSCE role in the human dimension area and exercising stronger control over its activities. In addition, Russia has a lot of other possibilities for safeguarding its interests, starting from privileged bilateral relations with a number of important OSCE countries, through well developed mechanisms of cooperation with NATO and the EU. But despite the Russian frustration over the role that the OSCE has recently played in Georgia, Ukraine and Kyrgyzstan, it may be argued that the Organization remains equally important both for the EU and the U.S., and for Russia.

4. It has to be noted in that context that since 2000 many of the Russian concerns have been already addressed. For instance, in the economic dimension, the Bucharest Ministerial Council decided in December 2001 on the establishment of the Economic and Environmental Sub-Committee of the Permanent Council and the OSCE Strategy Document for the Economic and Environmental Dimension was adopted by the Maastricht Ministerial Council in 2003. Similarly, in the political-military dimension, the Porto Ministerial Council decided in 2002 to establish Annual Security Review Conference and the Maastricht Ministerial Council adopted in 2003 the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century. It is symptomatic that despite those and other decisions reflecting Russian proposals, the criticism and arguments of the Russian Federation concerning the OSCE have remained largely unchanged. It is also an indication that **further bureaucratic and institutional reform of the OSCE would have only limited effect on the improvement of the situation**. Nevertheless, a number of measures are still worth considering.
5. There is a **need for more transparency and accountability** in the OSCE activities and decision making. However, any decision to this effect should not lead to limiting the flexibility of the Organization. The Institutions and missions have to be well/better managed, but their freedom of action/autonomy should not be compromised by administrative measures. A centralization of the Organization in Vienna, which may lead to attempts to micro-manage the work of its Institutions and missions, should be strongly discouraged.
6. The meetings of the OSCE bodies, including the Permanent and Ministerial Councils, are often focused more on ritual than on substance. The decisions are prepared in a small circle of countries that are “more equal than others”. It may be argued that such way of acting is natural and allows for more effectiveness. It may be so in certain cases, but it also results in a growing sense of alienation of those who are rarely consulted. There is often a lack of real political discussion about important security problems in the region, as well as real review of performance of the OSCE Institutions and missions. Such a discussion and review would contribute significantly to transparency and accountability of the Organization. Also in this way the sense of the “ownership” of the OSCE and participation in its work on the part of smaller states could be increased.
7. There seems to be a considerable potential in improving **the cooperation with partner organizations, in particular with the Council of Europe**. The cooperation between the two organizations has been among

the priorities of the Polish Chairmanship of the Council of Europe. This resulted i.a. in signing by Ministers Rotfeld and Rupel – on the margins of the Third Council of Europe Summit – of the Joint Statement announcing the adoption of the Declaration on Co-operation between the CoE and the OSCE. The work of the Co-ordination Group acting under the supervision of the decision-making bodies of the OSCE and the CoE, if properly shaped, may lead to substantial improvement of cooperation. Its focus should be put on complementarity and the joint identification and implementation of projects. Possible ways to improve cooperation of parliamentary bodies of both organizations can also be considered – for instance the countries that are members of both the OSCE and the CoE may consider nominating the same deputies to both Parliamentary Assemblies.

8. Finally, the question of the future of the OSCE needs to be seen in a wider context of international efforts to respond to current threats and challenges in the most adequate and timely manner. More attention should be paid, to improve the functioning of the existing international system. Some of the key questions and recommendations related to effective multilateralism are addressed in that Report of the Warsaw Reflection Group "Towards Complementarity of European Security Institutions Achieving Complementarity between NATO, EU, OSCE and the Council of Europe" <http://msz.gov.pl/docs/163/WPR.pdf>. A number of them are most relevant for our discussion, as the following example indicates.
9. The present crisis within the OSCE is to a large extent about the Organization's role in the human dimension. The EU and the CoE are also very active in this area. It would be desirable to form a "triangle" of cooperation between the EU, CoE and OSCE on this issue. More intensive cooperation of states, not only within the organizations, but also across the Structures, is needed for that. The responsibility for organizing this cooperation should not only rest with the group of delegates designated by states to particular institutions. More open-mindedness in the ministries at capitals is required to unlock/boost the Organizations' potential.
10. Solving a crisis of a political nature requires the decisions to be taken on a high political level. This leads to a question of **summit meetings**. The present situation in institutions involved with matters of security justify the organization of "Europe Summit", understood not as another summit of organizations, but as a meeting of Heads of States or Governments possessing the authority to discuss and decide on agendas, activities, and ways of interaction between different organizations leading to genuine complementarity. A preparation of such summit would require a profound leadership, as well as intensive interaction and good will among the most senior decision makers (nb. such an interaction could become a value *per se*).

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ON THE OSCE: HOW TO IMAGINE THE FUTURE

For any observer of international events, the OSCE may be compared to a double-sided coin. One side shows an almost invisible organization. The other projects the image of an institution submerged in a deep crisis. Probably neither of the two quite responds to reality. Many arguments could be made either to deny the terminal nature of the crisis or to emphasize the past and present usefulness of the OSCE. But a crisis does exist, as shown in the past few months and years when the members have been unwilling and therefore unable to approve a certain number of decisions vital to the life of the Organization. Serious disagreements pertaining not only to the budget, but also to policy matters, have already paralysed the normal decision-making process of the OSCE on several occasions. The budget was merely one of the symptoms. Has anyone cared to examine the causes?

Many things could be said about the structural deficiencies of the OSCE and the ways to correct them. It would be wrong, however, to assume that these deficiencies lie at the heart of the present difficulties. The problems we contemplate are of a political nature and they relate directly to the very essence of the Organization. Is there a role for the OSCE in the post-Soviet environment of the XXI century? Could there be agreement about that role, based on the consensus of all the member states? And conversely, why is the OSCE in such an obvious and ultimately dangerous crisis?

The OSCE was born at the urging of the USSR to achieve territorial and political recognition in the times of Cold War confrontation. It was also used by the West to achieve changes in the field of human rights and democratization. In the last thirty years, the OSCE has expanded and deepened both its reach and its organizational clout, becoming a rather unique regional body with qualifications and abilities covering a wide variety of fields over a vast geographical area. The presence of two actors from outside Europe – the USA and Canada – adds to the peculiarities and strengths of this formation. Yet the national political agendas of the main participants have somehow frozen the present reality of the OSCE into what it was before 1991: a territory for confrontation and paralysis. The concepts of “East” and “West” have even reappeared in the diplomatic parlance of the member countries. Each side has a legitimate point of view and much truth can be found in opposing complaints. This is not the time, however, to settle old scores or to analyze the solidity of competing arguments. This is what the OSCE has been doing for the past few years with woefully inadequate results and to such an extreme that some members now clearly doubt the usefulness of the Organization for the future. In fact, in the present circumstances the OSCE is suffering from what could be called a “crisis of usefulness.”

It would be a rare phenomenon to see the disappearance of an international Organization. The well-known global laws of inertia are far stronger than any other consideration and certainly no one would dare take any open action to kill it, even those who most ardently wish to do away with a structure they deem superfluous and even harmful. While disappearance may be improbable, irrelevance is not. The members of the OSCE should ponder the convenience of breathing new life into the Organization, or alternatively, to be prepared to organize a decent funeral after its demise. There is no lack of European organizations eager to take over piecemeal the tasks carried out until now by the OSCE. Timely death is always better, and cheaper, than the anonymity of a body that has ceased to be useful.

It certainly would be a shame to consider that gloomy future when the case to be argued in favour of the OSCE is so strong. No other European organization can claim such a large and diverse membership. In spite of the competition by other powerful and well known bodies – NATO, the European Union, the Council of Europe – none is better prepared than the OSCE to deal with early warning, conflict prevention, crisis management and post-conflict rehabilitation. None encompasses the global approach to security better than the OSCE. None has been better conceived to represent a long cherished idea of an enlarged, democratic and united Europe. These principles and objectives are worth taking into account and fighting for.

It would be wrong to assume that what the OSCE needs in its present predicament are changes of style, management or structure. It is in urgent need, rather, of a new and strong commitment by all its members, and in particular, by its most relevant actors. Beyond any technicality and on the basis of their own certified political will, they would have to come to an agreement on three major questions:

- the need to ratify, adhere and comply to each and every one of the commitments adopted by the CSCE/OSCE since its inception;
- the need to define and build the OSCE as a field of cooperation and not of confrontation;
- the need to conclude on the basis of the above, if there is the ground and the will for the continuation of a strong and useful OSCE.

This would entail a major political operation where three actors should be called to take the lead: the Russian Federation, the United States of America and the European Union. In the format these three consider most appropriate, they should meet and discuss their hopes, misgivings, frustrations and interests concerning the future of the OSCE. Such a format would most likely awaken fears and contrary reactions in those not included. It would be up to the three to fairly and reasonably deal with the concerns of the others and to keep the body of the OSCE well informed. But the others should also know that unless there is solid understanding among the three, there is nothing much to be done to save the OSCE from extinction. If a decision is reached to keep the OSCE going, then other questions must be discussed: whether the Secretary General should be more or less political, what sort of relationship he or she should maintain with the Chairman in Office, the contributions to the budget or the possible alterations to the consensus rule.

Right now, however, the problem lies elsewhere and it can be summed up in one simple question: do all the members agree that the OSCE is still useful in their international relations? We could add another: under what conditions? Or rather, are some of the member countries so terminally afraid of the OSCE that they would prefer to do without it? Let's at least try to find out.

**Colloquium organized by the OSCE Parliamentary Assembly and the
Swiss foundation for World Affairs, 5-6 June, Washington**

GROUP OF EXPERTS ON THE FUTURE OF THE OSCE

This short paper will not dwell on the changing security environment or on geopolitical considerations but will rather focus on the most pressing problems that the OSCE faces and how to address them. Its prime objective is to offer concrete and forward-looking recommendations with the aim to build a more effective, more responsive and more professional OSCE.

However, one precondition exists for the following thoughts and recommendations to be implemented: strong and real political commitment. Reform of the OSCE is presently very fashionable but unfortunately participating States oftentimes only pay lip service to the issue. One should never lose sight of the fact that the OSCE's capacity of reform is nothing more and nothing less than the reflection of the political will of its key members. In the mind of many, a revived OSCE is perceived as competing with the EU or NATO while it could be argued that these three organizations, if coordinated well, would play a complementary, if not equal, role to a more secure Euro-Atlantic community.

WHERE IS THE PROBLEM?

At issue is primarily the political credibility of the Organization and its capacity to perform and deliver. The OSCE suffers from political marginalization as its role has been taken over by more important and more effective actors (EU, NATO). Obviously it risks today to sink into irrelevance. This is not necessarily the result of conscious decisions by its Members, but more often the result of convenience, reflecting a subconscious attitude in many capitals more favorable to other organizations, that are perceived as more relevant politically, more effective – in particular in the decision making process -, and with more resources.

Secondly, Central and Eastern Europe, the Balkans and the Caucasus have or are redirecting their attention towards the EU and NATO either as they became members in 2004 or as they develop special relationship with both organizations. The EU and NATO have and will continue to offer new benefits to their new Members, thus decreasing the interest in the OSCE. NATO can deliver hard security while the EU can provide substantial economic and financial aid. None of this can be provided by the OSCE.

Thirdly, the political role of the OSCE has been eroded by the EU and NATO enlargement, by the development of the European Security and Defense Policy and by the strengthening of the EU crisis management capabilities. The EU has become a global player interested in the OSCE area, with greater financial means

and political weight than the OSCE. Almost half of the OSCE participating States are currently members of the EU and vote “*en bloc*”, marginalizing countries that have different positions than the EU or the United States. The consequences of such developments are the loss, to a large extent, of the OSCE “*sui generis*” character – a forum for dialogue beyond the institutional structures – and therefore its shrinking importance as a political platform.

Despite these negative trends, the OSCE could still make a contribution to European security and to the modernization and transition processes, provided it rebuilds some political credibility and improves its institutional and administrative functioning, both at headquarters and in the field. Below are some ideas that would address most of the problems. Their credible implementation of course is entirely dependent on serious political will.

1- REBUILDING POLITICAL CREDIBILITY

To regain political credibility, the OSCE must show that it can act as an effective crisis management tool and conflict resolution body. The OSCE urgently needs a political success! This implies flexible and rapid reaction to events (Georgia, Ukraine, Kyrgyzstan, Uzbekistan, for instance). Such reaction must be based on:

- i) Effective early warning and swift follow-up action.
- ii) Genuine partnership with the Russian Federation that feels that it has been marginalized in the last years. This perception should be remedied without compromising the human dimension and its principles. This is undoubtedly a difficult challenge, as the Russians often perceive that they are “taken for granted” and that the OSCE activities are increasingly detrimental to their political and strategic interests in the CIS region. Their complaint about double standards and unbalanced action is a consequence of this perception.
- iii) Coordination of priorities and “who does what” at the strategic level with other international organizations (UN, NATO, EU). Liaison offices in Brussels and New York could serve as facilitator and allow the Organization to be close to the decision shaping process and to strategic thinking. The OSCE needs to know what is being prepared in Brussels or New York in order to take initiatives or react quickly to new measures. These offices could be tasked with reinforcing multilateral cooperation and coordination.
- iv) Good personal network at working level between OSCE senior staff, OSCE governmental officials and civil society that can be activated when needed.
- v) Credible resources (both financial and human): on the financial side which determines the capacity of action, the OSCE cannot afford to be confronted to protracted budget crisis every two years. These are detrimental to the image of the OSCE, undermine its capacity of action and erode its credibility. The budget must be adopted in a timely fashion and financial means should be commensurated to the political objectives of the Organization. A financial plan should be prepared and

adopted. Without being a “straight jacket”, it would indicate where priorities lie and contribute to the continuity of political action. On the human side, see below paragraphs 3 and 4.

- vi) Flexible reaction to events may also mean to be ready to go “out of area”. The OSCE should export its model of comprehensive and cooperative security, expertise and know-how to partner countries and beyond (Middle East, Africa, etc). Interest in the Organization exists outside the OSCE and it should not hesitate to share its experience with other parts of the world. Notably its specific expertise, such as election observation and assistance, can be used “out of area” directly or indirectly and on short notice.
- vii) Providing assistance in a cooperative and collaborative manner. This means that the Organization’s “body language” should avoid arrogant “teacher to pupils” attitudes that are too often prevailing among Western international staff. Double standards will antagonize further the situation and undermine confidence in the Organization and its credibility.

2- REBALANCING THE INSTITUTIONAL SETTINGS TO ENSURE CONTINUITY OF ACTION

Is the whole concept of Chairmanships – rotating, omnipresent, time and resources limited, micromanaging – adequate and adapted to the OSCE in the XXI Century? The role of the Chairman-in-Office (CiO) should be strategic: limited to deciding on the main political orientations, giving the main impulsions, embodying the OSCE political power, chairing the Permanent Council, and hosting Ministerial councils and summits. It should disengage from the daily business of the Organization, thus leaving the way for a more politically engaged Secretary General (SG).

Would giving a more political role to the SG trigger conflicts with the CiO and “overshadow” him/her? I believe, on the contrary, that it would ensure more successful Chairmanships, who will be able to concentrate on political leadership. The SG would support more efficiently the CiO in its missions, notably in its conflict resolution efforts, and would ensure unity of action between Chairmanships and therefore political continuity. In addition, s/he would be the guarantor of the institutional memory and of longer term policies.

The troika mechanism has in fact showed that it is not sufficiently effective to ensure political continuity between Chairmanships’ priorities. A new CiO often means new priorities, new strategies, new interests, new working methods which may weaken the perception that the OSCE has a unity of action and purposes. Continuity of efforts, coherent priorities and coordinated strategies are indispensable when addressing *inter alia* protracted conflicts. A more committed SG could play this essential role.

3- IMPROVING EARLY WARNING, CONFLICT PREVENTION AND CRISIS MANAGEMENT FUNCTIONS OF THE SECRETARIAT

The Secretariat should be re-organized and adapted to new realities. It should be able to perform its functions in a more efficient manner. The re-organization should focus on the crisis cycle (pre, during and after) in order to improve the effectiveness of the Secretariat as an operational tool. In particular, two new means could be established so that the Secretariat could anticipate crisis or react promptly to an unfolding crisis and be on the ground within a few days:

- i) **Civilian Rapid Deployment Team:** it would give the OSCE the possibility to react swiftly to an unfolding crisis by deploying senior experts. Georgia, Ukraine, Kyrgyzstan and Uzbekistan are recent examples of situations where such teams would have been useful. Such teams would report to Vienna, interact at the local level, present options, and formulate recommendations for future action (depending on relevant decisions). It would generally reinforce OSCE follow-up mechanisms. The experts would not necessarily be employed permanently by the OSCE but could be recruited on an ad-hoc basis as it is the case in the UN.
- ii) **Analysis and Prospective Centre:** greater analytical capabilities are required in order to process and analyze the wealth of information that the OSCE collects in the field and through its network of institutions and missions. This instrument would be essential to set up credible early warning and conflict prevention mechanisms. A small number of highly qualified “senior political advisers” should be recruited to this end.

Beyond these “special units” under the SG, the structure of the Secretariat should reflect the operational activities on the one hand, and the political one on the other, each with a specific department (as already proposed in a non-paper by the outgoing SG).

The OSCE Parliamentary Assembly (PA) capacities have been underused. The intra-OSCE competition between the Parliamentary Assembly, the Secretariat, the CiO and the institutions should stop and give way to more innovative thinking. The PA should be considered as a useful and complementary political tool that could take initiative in close coordination with the OSCE leadership. Thanks to the relative freedom of action of Members of Parliament, the PA can take political risks that States, Governments, and OSCE institutions cannot afford. They could probe and sound a situation or a solution in order to prepare the ground for future OSCE actions. This would be more useful than to compete for limited political influence.

4- INCREASE PERFORMANCE OF FIELD MISSIONS

OSCE Field Missions are considered as the jewel of the Organization. However, they have been performing unevenly and because of a lack of institutional memory and personnel continuity the wheel has to be reinvented when a new employee or a new Head of Mission (HoM) arrives. Adjustments are therefore required to increase performance of field missions so that they offer “better value for money” in the future.

First, a Best Practices Unit should be created within the Secretariat that will provide the OSCE with a permanent lessons learned capability. This unit will *inter alia* formulate recommendations aiming at improving the functioning, effectiveness and work of field missions. It will identify what works and what does not work (and what can be used elsewhere!) in the way Missions function. It will also analyze working methods of other organizations and will seek to adapt and apply them to the OSCE, when and where appropriate.

Second, as the prevalence and importance of the OSCE decreased, HoMs have too often been left on their own carrying out what they thought was best, while confronted to changing priorities and strategies decided by successive Chairmanships. Clear political guidance should be provided to HoMs about what is expected from their mission, thus facilitating long-term planning and programme implementation, both within missions and in the Secretariat.

Third, certain field presences presently “manpower heavy” could be downsized to reflect new political realities on the ground (i.e. the Balkans), while improving qualitatively by concentrating on a reduced, but highly professional team of experts.

Fourth, the recruitment policy at all levels should be reconsidered urgently with a view of implementing more stringent criteria of expertise. Another inherent problem of the OSCE missions are the great number of secondees who at times have no knowledge of or experience in the country they are supposed to assist. A policy favouring national and regional experts, if conducted seriously and consistently, would not only benefit the OSCE but also foster national capacities. Simultaneously, training should be improved in order to increase professional standards. The reduction of the number of seconded posts will assist in building institutional capacity and memory as well as to ensure continuity of action.

Finally, the OSCE should pursue to re-focus and redirect resources towards South Caucasus and Central Asia where other organizations are less active (though less and less true for the Caucasus).

In conclusion, the problems can be solved by addressing two aspects: 1) the lack of personnel continuity and 2) the lack of sense of purpose (institutional continuity).

5- NEW HUMAN RESOURCE POLICY: FOSTERING PROFESSIONALISM

The obsession of not turning the OSCE into a UN-type career organization has had counter-productive effects. After over 10 years of existence, the Organization has trained many professionals who possess a good knowledge of the OSCE institutional mechanism and of the region. Yet, it has to unwillingly separate from performing staff because of limitative staff rules.

The current employment rules, even when flexibly applied, are not adapted to retain professional, qualified and trained personnel who have accumulated experience and knowledge of the Organization. The seven-year rule should be revised beyond the possible, but cumbersome, procedures that permit the extension of this limit to 10 years under exceptional circumstances. The even stricter rule for senior level management discourages highly experienced personnel to apply for OSCE positions. There should be a possibility to thoroughly

evaluate the performance of a given OSCE employee after the first seven years and decide whether his/her evaluation justifies the prolongation of the contract. The OSCE's strict employment rules and the secondment system entail that other organizations will *in fine* benefit from the OSCE's investment in training qualified, professional and competent staff members. In sum, the challenge is to establish procedures that allow to easily separate from poor performers while having the possibility to keep experienced, well trained and professional staff for the benefit of the OSCE as a whole!

The system of secondment has financial advantages but has equally demonstrated its limits. The quality and professionalism of seconded staff is uneven. In addition, the turnover is very high (6 months contract renewable), which hampers efforts to maintain institutional memory. Secondment as it is should be terminated and replaced by a system comparable to the one in the UN, thus ensuring stricter recruitment rules and improved professionalism.

RECOMMENDED DECISIONS

A- Restructuring of the Secretariat

- 1) Set up operational and political departments within the Secretariat;
- 2) Create a Civilian Rapid Deployment Team;
- 3) Establish an Analysis and Prospective Centre;
- 4) Create a Best Practices Unit to analyze and implement lessons learned;
- 5) Abolish the secondment system and establish identical recruitment rules and procedures for all OSCE staff; and
- 6) Revise fixed term contract policy to retain performing professionals.

B- Improving Political effectiveness and credibility

- 1) Improve the coordination of priorities at the strategic level with other international organizations through opening liaison offices in Brussels and New York to reinforce effective multilateralism and coordination;
- 2) Encourage networking as a strategic tool;
- 3) Adopt a financial plan (2 to 4 years) in order to support continuity of political action and the establishment of priorities;
- 4) Foster a “go-out-of-area” policy (readiness to assist during “out of area” emergencies);
- 5) Increase the political role of the Parliamentary Assembly;
- 6) Better control of Missions’ activities, in particular provide clear political guidance and set coherent priorities to Heads of Missions;
- 7) Downsize certain OSCE missions while improving professional standards through stricter recruitment procedures; and
- 8) Refocus resources towards South Caucasus and Central Asia.

COMMENTS TO THE LIST OF QUESTIONS FROM APRIL 13, 2005
AMENDMENT TO MY SUBMITTED POSITION PAPER

1. 30 years after the founding of the CSCE, the OSCE is in a deep crisis. This concerns both the self-conception as well as the tasks of the OSCE. A fundamental dissent among the participating states has emerged. Currently, an agreement on common political principles (Ministerial Council, Sofia 2004) is not possible. The last Summit took place in 1999. The rhythm of gathering every second year has been interrupted. Summits without political consensus do not make any sense. The OSCE member states need to resume to finding common denominators.

The principles and commitments as set up in the Charter of Paris (1991) are no longer shared by all parties, the common Acquis is challenged, the capacity to act is strongly limited, even when it comes to budgetary decisions. What is missing is mutual confidence.

The most important task is to resolve the dissent and, as I presented in the longer paper, to conduct crisis management and to find constructive solutions.

2. The reform of the OSCE cannot and should not concern the Acquis. This means, the extensive understanding of security, the union of all three dimensions – the security, the economic and ecological as well as the human dimension – must be maintained.

The common commitment to the principles of the Charter of Paris made the OSCE an essential paneuropean organization with an extensive understanding of security issues. In the '90s, it contributed essentially to crisis prevention, crisis management and post-conflict activity in different regions of the OSCE. Its contribution to security and stability, to the democratization and respect of human rights is closely linked to measures for the improvement of the environment and economic development. Important operative instruments include missions in more than 18 member states, election observations on the basis of the Copenhagen criteria, the implementation of measures and accompanying monitoring, the different fora (Economic Forum, Security Forum), the special representatives for minorities, the media, against trafficking, intolerance and discrimination, against anti-Semitism, etc.

There is no lack of cross national problems. Crucial is the will to cooperation and political agreement. The latter is a tedious process, however, it is positively associated with high legitimacy in which all actors codetermine outcomes.

3. Reform needs to take the OSCE's weaknesses as a starting point. The weaknesses include the little political capacity to act, the duration of the

agreement and decision-making process, lacking efficiency and transparency, the absence of cooperation and coordination with other international organizations, the deficient implementation of decisions, too little funding and, finally, too little attention given to and implementation of decisions taken by the parliamentary assemblies on national and OSCE-level.

4. Formal and informal procedures are necessary for the creation of confidence:
 - Return to consensus and readiness to, in the next step, test the approximative consensus procedure (90%) for a limited period of time for certain areas such as human resources or budgetary questions.
 - The agreement between the European Council and the OSCE is a step in the right direction. It is about the avoidance of overlaps, increase in the synergy effects through task sharing, and respectively thorough coordination. The task sharing between the OSCE/the European Council/the EU/NATO may considerably be improved.
 - Revision of the decision-making competencies of the different committees and single persons. Which decisions have to be discussed in the Permanent Council and which in the Ministerial Council? What extent of decision-making power could and should the Secretary General have?
5. The reform also includes the criteria and procedures for the selection of personnel (secretariat, missions and election observers).
6. The much discussed role of the Permanent Assembly and the relations between OSCE Vienna and the PA are determined in many resolutions but have not been implemented. Here is a need for action.

OSCE – LOOKING FOR REFORMS

I. Situation assessment

1. OSCE and its Parliamentary Assembly

The OSCE Parliamentary Assembly is unique in comparison with many other international parliamentary bodies in that it was created by the organization's governing structures. At the NATO summit held in July 1990 the then President of the United States, George Bush, expressly called for the creation of a Parliamentary Assembly as part of the "institutionalization" of the CSCE. This proposal was based on the idea of creating close ties between the CSCE Parliamentary Assembly and the already existing Council of Europe Parliamentary Assembly. However, it was decided during the preparatory meetings for the CSCE summit, held in Paris in 1990 that the CSCE Parliamentary Assembly should be an independent parliamentary body.

The OSCE Parliamentary Assembly is now made up of 317 parliamentarians from 55 OSCE-participating states and pursues the objective of promoting parliamentary involvement in the activities of the OSCE and facilitating parliamentary dialogue and cooperation. The OSCE Parliamentary Assembly has its own separate budget and is not directly dependent on approval by the participating national governments with regard to the definition of membership contributions.

2. Role of the CSCE During the East-West Conflict

During the East-West conflict the responsibilities and functions of international organizations were clearly delineated from one another, NATO, as the counterweight to the Warsaw Pact, was responsible for collective defense and deterrence. Given the preponderant role played by the military factor the Atlantic Alliance was undisputedly the core security policy organization. The CSCE, for its part, created an overarching cooperative structure in the form of a series of conferences aimed at limiting risk, but whose basic documents also helped to undermine the legitimacy of the communist regimes. In a process extending over decades the EC developed the beginnings of supranational integration and in doing so made the use of force in connection with the resolution of conflicts an impossibility in Western Europe. Its enlargement to the south contributed significantly towards the democratization of Greece, Spain, and Portugal. Foreign policy in the era of East-West confrontation was primarily Alliance policy under the leadership of the United States of America. Clear demarcation lines corresponded to a clear separation of functions between the international organizations concerned.

3. *CSCE/OSCE after the Collapse of Communism in 1990*

The end of the East-West conflict did not lead to a hoped-for era of peace but rather to a fundamental change in the structure of conflicts in Europe: Conflicts between nations have been replaced by intranational and intraregional conflicts. This fundamental change in the types of conflicts being seen in Europe has had far-reaching consequences for the role of international organizations. Parallel and layered processes of EU integration and enlargement, courses of transformation with varying degrees of success, as well as complex conflict situations and cooperation have led to overlapping and, in part, competing responsibilities and functions of international organizations.

The transformation towards democracy, the rule of law, and market economics has been successful only in parts of Europe thus far. In the countries of Eastern and Southeastern Europe, the Caucasus, and Central Asia the threefold challenge of a fundamental economic, political, and social reform has led to more or less strong contradictions that in some cases have produced violent conflicts. It took a decade to stabilize the process of disintegration that took place in the Yugoslav federation and this was achieved for the most part with foreign assistance. The conflicts in Moldova as well as within and between the countries of the Transcaucasian region were “frozen” but have not been resolved. The OSCE participating states in Central Asia are faced with a large number of economic, social, and political problems that pose considerable risks to stability.

4. *Challenges for the Organization*

With the admission of the Transcaucasian and Central Asian states that emerged after the demise of the Soviet Union the CSCE undertook the first enlargement in the European area, not in a regional but in a political sense. At the same time it was the international organization that adjusted most rapidly to the new threats posed primarily by intranational conflicts. With the Charter of Paris and subsequent documents the CSCE created a comprehensive legal base for itself. Its legislative competence is undisputed. The inclusive nature of the organization ensures the involvement of all the states in its jurisdiction. Its comprehensive conception of security integrates the areas of security, democracy, human rights, the environment as well as economic affairs and, as such, constitutes a modern understanding of security. The combination of the three “baskets” with their cooperative approach gave the CSCE/OSCE a large measure of legitimacy and enabled it to intervene in the internal affairs of its participating states in a limited way and with political instruments in the interest of stability and security in cases of severe, continued, and uncorrected violations of OSCE obligations.

With the Office for Democratic Institutions and Human Rights (ODIHR), the High Commissioner on National Minorities (HCNM), the OSCE Representative on Freedom of the Media, their field missions, the Secretariat in Vienna, and the Chairman-in-Office the CSCE/OSCE has created a comprehensive set of instruments for itself, reflecting the process of transformation from a conference framework to an operationally active, efficient, and cost-effective international organization for early warning, conflict prevention, crisis management, and post-conflict rehabilitation.

With this focus on the regulation of intraregional and intranational conflicts desired by the participating states the CSCE/OSCE has, on the one hand, remained true to its traditional core task of resolving conflicts on the basis of a

cooperative approach. On the other hand, the fundamentally new quality of these conflicts and the corresponding adjustment of instruments and work methods have changed the character of the organization significantly. While the “old” CSCE of Paris in 1990 had been based on a continuation of the traditional thinking of the East-West conflict and conceived of as a security policy framework for the prevention of international conflicts in Europe, the “new” OSCE developed into an international organization specialized in the prevention and management of intranational and intraregional conflicts. While the political demand for the old CSCE is steadily declining the potentials of the new OSCE are far from exhausted.

II. North Atlantic Treaty Organization (NATO)

1. Role of NATO after enlargement

NATO not only admitted ten Central European countries as members in 2002, it also significantly altered and expanded its range of tasks.

Firstly NATO assumed a number of functions in the area of comprehensive security that had been covered by the CSCE at the beginning of the 1990s, in large part through its Partnership for Peace program. The functions include military contacts and military cooperation. Through the enlargement of NATO and its extensive cooperation with non-members, including close cooperation with the Russian Federation, the importance of the Confidence- and Security-Building Measures (CSBMs) contained in the OSCE Vienna Documents has been relativized.

Secondly NATO has assumed the leadership role in providing military security for the stabilization process in the Balkans.

Thirdly NATO has taken on a number of tasks outside the original alliance area. This includes the fight against terrorism in particular, but not exclusively.

2. Challenges and Problems

Despite this impressive expansion of its range of tasks NATO is also faced with a number of problems and challenges:

Firstly defense of the alliance, for decades a key factor for NATO adhesion, has deteriorated to a residual function due to the general disappearance of threats in classical forms.

Secondly NATO invoked Article 5 of the Washington Treaty for the first time in its history after September 11, 2001 but played only a limited role with regard to military responses.

Thirdly, and most importantly, the role of NATO as a core security organization in Europe has been relativized. Today European and transatlantic security policy issues are discussed primarily between the United States, the EU and the Russian Federation and no longer only in Alliance bodies. The EU is demanding to an increasing extent its own Common Foreign and Security Policy (CFSP), including a military component in cooperation with NATO.

In view of the conflicts inside and outside of Europe there is a need for close cooperation between the EU, NATO, the United States and Canada.

The core problem for NATO today is a clear delineation of responsibility between itself and the military component of CSFP in matters of concrete military security and crisis interventions. In other words, the problem consists in a readjustment of the transatlantic relationship against the backdrop of the growing role being played by Europe and the debate regarding appropriate responses to new global threats. What is needed are efficient systems of cooperation — including with the OSCE — not more separation and competition between them. Cooperation and increased efficiency through better coordination will be of decisive importance.

III. European Union (EU)

1. Situation Assessment Prior to Enlargement

The EU is undergoing enlargement both in regional terms as well as with regard to the areas it works in. At the Copenhagen summit held in December 2002 it invited ten countries from Central and Southern Europe to become members and, as such, is on its way to becoming a supranational organization made up of 25 countries in 2004. Bulgaria and Romania will probably follow in 2007. The prospect of membership will be open over the longer term to those countries of South Eastern Europe who are involved in the Eli Stabilization and Association Process (SAP). The same applies with regard to Turkey, although the prospects of success are not yet clear in this case. Ukraine, Belarus and Moldova do not have a specific prospect of future membership at the present time, but such a prospect could develop over the long term if the transformation processes in these countries take a positive turn.

In the framework of its Common Foreign and Security Policy and in the course of formulating a European Security and Defense Policy (ESDP) the EU began to develop civilian and military instruments for crisis management and to define target regions. In the civilian sector it has taken comprehensive measures to create capabilities based on civilian mission personnel and international police forces. An initial example is its assumption of responsibility for the International Police Task Force follow-up mission in Bosnia-Herzegovina. In the military sector it wants to develop the capability to carry out missions on its own with the support of NATO structures. Initial missions being contemplated are follow-ups to Operation Amber Fox in Macedonia as well as to SFOR in Bosnia-Herzegovina. Over the medium term the EU will also be assuming the leading military role in the Balkans. The European Union has significantly strengthened its cooperative efforts in Transcaucasia and Central Asia. Proportional to the expansion of its political and economic core competence areas by adding civilian and military crisis management capabilities it has developed the potential to become a key security policy organization in Europe. This also applies with regard to the role of the EU in the OSCE. In just a few years time 25 of the 55 OSCE participating states will be members of the EU. They will be followed by the SAP countries and other candidates for accession. Today the EU member states provide around two-thirds of the OSCE budget as well as its personnel. This requires close cooperation between the EU and the OSCE — as is the case already in the successor states to the former Yugoslavia.

2. Challenges and problems

The core problem of the European Union is the lack of ability shown thus far by its member states to develop a CFSP that they all support. This problem is aggravated by the circumstance that both the member states and the European Commission are players on the foreign policy stage. As long as the EU is unable to pursue a consistent and jointly supported foreign and security policy it will not be able to realize its potential as a key security policy organization in Europe or only insufficiently so. An important aspect of this challenge for the OSCE is that the EU needs to define more clearly than in the past what external crisis management tasks it wants to fulfill on its own in the future and in what areas and regions it wants to work together with other European and international organizations.

IV. Organization for Security and Cooperation in Europe (OSCE)

1. OSCE Potentials

The Organization for Security and Cooperation in Europe (OSCE) has unique operative capabilities for the tasks of crisis prevention, civilian crisis management and post-conflict rehabilitation within its area. This concerns the fields it works in, its instruments and its ability to build up capabilities. Nearly 4000 persons work in the OSCE's 20 field missions which almost entirely cover the crisis regions of Europe and Central Asia. The OSCE, under the direction of its Office for Democratic Institutions and Human Rights (ODIHR), has acquired top status in the preparation and monitoring of elections. The OSCE High Commissioner on National Minorities (HCNM) can be considered the most innovative and effective instrument for the management of ethnopolitical conflicts below the violence threshold. The OSCE Representative on Freedom of the Media has publicized attacks directed against freedom of the media in numerous countries of Eastern and Western Europe. The decision-making bodies of the OSCE — its Permanent Council as well as its Ministerial Council and Summit meetings — guarantee an uninterrupted process of discussion and consultation between the OSCE participating states. The OSCE Parliamentary Assembly has promoted the work of the organization with numerous independent initiatives and has fulfilled the parliamentary functions bestowed on it through its election monitoring activities and its numerous missions.

The OSCE deals with a range of subject areas relevant to crisis prevention, civilian conflict management and post-conflict rehabilitation. They include monitoring the respect of human and minority rights, democratization, institution building, the preparation and monitoring of elections, the economic dimension, border surveillance, multiethnic police training, as well as regional and subregional arms control. After September 11, 2001 the fight against terrorism became an overarching focus. With the introduction of the REACT system and an Operations centre as well as the formulation of a training strategy the OSCE has increased its capability to rapidly recruit suitable personnel, to set up missions in the field, and to train their members. In numerous countries it has been shown that the OSCE is faster, more flexible, more efficient, and more cost-effective in the execution of field activities than most other international organizations.

The OSCE combines a number of fundamental political advantages. *Firstly* since the Charter of Paris in 1990 the CSCE/OSCE has had a comprehensive legal foundation. In a number of areas such as the rights of national minorities, OSCE

rules, even though only politically binding, are the most highly developed international standards. Indisputably, the OSCE is the only organization with legitimate responsibility for creating legal standards for all of Europe. *Secondly* the principle of inclusiveness provides a large measure of legitimacy. All the countries in the OSCE area are participating states with the same rights and obligations, which they agreed on themselves and are trying to implement themselves in the framework of a cooperative security strategy. *Thirdly*, with its three “baskets” the OSCE covers all areas of importance for a modern understanding of security. *Fourthly* at its meeting of foreign ministers in Prague in 1991 the CSCE granted itself the right in cases of clear, severe, and repeated violations of OSCE obligations, to intervene in the internal affairs of the country in question by political means and outside the territory of that country. Here the OSCE countries recognized the legitimacy of interference in their internal affairs in the OSCE framework and only in this framework *Fifthly* at the Istanbul Summit in 1999 the participating states created a forward-looking basis for cooperation with other international organizations in the form of a platform for cooperative security. The sum of its political qualities make the OSCE highly qualified to assume a leading role in crisis prevention, civilian conflict management, and post-conflict rehabilitation in the Euro -Asiatic region.

2. OSCE Weaknesses

The still ongoing process of change in the OSCE has revealed a number of contradictions and problems that exert an influence on the activities and perception of the organization:

Firstly the orientation towards primarily intranational conflicts has led to a considerable depoliticization of the OSCE as well as to its perception as a service-providing and implementing agency. This is essentially the result of an outdated view of international relations in which international conflicts are for the most part seen as major political events while it is forgotten that the internal strength and stability of countries are factors that will also determine the quality of international security relations over the longer term.

Secondly a primary focus on transformational conflicts in “eastern” countries has drawn criticism for being “one-sided” and applying “double standards”.

Thirdly the OSCE’s strong focus on the human dimension has caused it to be criticized for being “unbalanced” and neglecting the other two “baskets”.

Fourthly a number of participating states perceive the presence of OSCE missions on their territories as a “stigmatization” and in some cases have successfully applied to have these missions terminated or reduced

Fifthly NATO, the EU and the Council of Europe have admitted, a number of countries in which the OSCE was or still is active and deals with matters also dealt with by the OSCE. For NATO this applies first and foremost to “soft” military functions such as personal contacts and cooperation; for the EU it applies to police functions and to its leadership role in the Balkans; whereas for the Council of Europe it applies to election monitoring and general human rights questions.

Sixthly the participating states have still not been able to reach an agreement on granting the OSCE the political responsibility as well as the organizational and personnel strength that would be needed to fulfill its tasks.

The core problem of the OSCE and/or its participating states is in recognizing that the organization is not an ad hoc committee for the solution of temporary problems that can simply be dissolved when the problem is gone but rather an international organization specialized in dealing with intraregional and intranational conflict situations, an organization we are going to need on a long-term basis. The current task is to develop the OSCE further as a modern, cooperative; and active service-providing organization that covers those areas of activity which other international organizations don't want to or are unable to cover adequately. This will require the establishment of a range of areas of activity consistent with the needs to be served.

V. Recommendations for the Future Role of the OSCE

- 1) The discussion and decision of "major European security issues" will no longer take place in the OSCE framework. The last OSCE summit was held in 1999. A number of participating states sent only civil servants to the Ministerial Council meeting held in Porto in December 2002. However major European security issues are ultimately the consequence of the success or failure of intranational transformation processes. And this is where the "new" OSCE needs to be. It will be able to continue to make a name for itself as an organization specialized in providing international support for intranational and intraregional conflict management as well as for the institutionalization and consolidation of democracy and the rule of law.
- 2) The OSCE should once again focus more strongly on its cooperative approach to security policy, an approach that constitutes the basis of its strength and its past successes. The following factors should be taken into account here:

Firstly the organization should devote itself more strongly to issues of common interest to eastern and western countries such as the fight against trafficking in human beings, the smuggling of weapons and drugs, as well as the fight against terrorism, all of which directly affect the equal and indivisible security of all participating states.

Secondly the OSCE should expand its activities in certain problem areas that have been devoted exclusively to countries in transformation to include "western" participating states as well. The activities in question relate to minority conflicts or the monitoring of elections and media.

Thirdly the organization should take the demands being voiced by a number of participating states for support in matters of economic and internal security more seriously, develop assistance services that are in keeping with their needs, and make an effort to achieve a balance between satisfying the demands of individual participating states and ensuring compliance with general OSCE obligations. More intensive cooperation with other international organizations, especially donor organizations, will be required; this cooperation should take place both on-site in the receiving states as well as at OSCE headquarters.

Fourthly the OSCE should try to regain political substance. A repoliticization of the organization should be focused on those areas of activity that constitute the core of the “new” OSCE, i.e. coverage of intraregional and intranational conflict situations with the aim of institutionalizing solutions and processes that are democratic and based on the rule of law.

- 3) In selecting its future areas of activity the organization should combine its current focuses, which are not listed in the following, with gradual additions and reorientations. The human dimension is and will continue to be an indispensable basis for the OSCE. For this reason the activities in this area should not be limited. On the contrary, they should be strengthened. However, they should be combined better than in the past with activities in the other two dimensions (neglected to a certain extent) of the OSCE, with priority being given to economic and environmental issues. The following six closely interrelated areas of activity can be defined:

The *first area of activity* concerns the long-term fight against transnational terrorism and, more importantly, against its causes. This problem area covers a great deal of what the OSCE has done in the past, what needs to be redirected, as well as new activities. To fight terrorism effectively we need to address its economic, social, political, cultural and ideological causes as to build institutions based on the rule of law, particularly in the areas of justice and law enforcement. This constitutes a complex and long-term challenge that cannot be addressed merely by making periodical declarations. As such, the participating states are called upon to decide whether the OSCE should actually contribute towards the fight against terrorism, something that would require corresponding capabilities, or whether we want to content ourselves with political declarations.

A *second area of activity* closely related to the first concerns the fight against trafficking in human beings as well as the smuggling of weapons and drugs. The dimension of this task becomes clear when one realizes that tens of thousands of persons are affected in Europe each year by some form of these crimes and that well organized transnational organizations make billions of dollars from these criminal acts. The fight against the smuggling of human beings, weapons, and drugs combines in exemplary manner all three OSCE dimensions as well as the sending and receiving countries in the eastern and western parts of Europe. In recent years it has become increasingly clear that a close relationship exists between ethnic conflicts, organized crime, and the smuggling of human being, weapons and drugs. These three elements constitute an almost ideal environment for terrorist activities.

A *third area of activity* concerns the support of comprehensive reforms in the security sector. Law enforcement, courts, public prosecutors, prison systems, relevant legislation, administrative authorities, and personnel training facilities are all so closely interrelated that they can only be placed on a stable legal foundation in the framework of integrated security sector reforms. The OSCE is active in numerous individual fields within this area of activity and has accumulated considerable expertise here. These fields include, just to give a few examples, the training of multiethnic police forces in Kosovo, Southern Serbia, and Macedonia, extensive training of justice and administrative personnel in Kosovo and in Yugoslavia, the training of

prison staff in several CIS countries, as well as the organization of border regimes in Tajikistan. The OSCE should combine these activities and experience to offer its participating states assistance with comprehensive security sector reforms which could then be implemented with the financial assistance and cooperation of other international organizations. Security sector reforms also provide opportunities for strategies aimed at the positive conditioning of broadly based development cooperation efforts.

A fourth area of activity concerns the search for political solutions to the so-called “frozen” conflicts in Transdnistria, Abkhazia, South Ossetia, and Nagorno-Karabach. A solution of these conflicts would greatly increase subregional stability, particularly in the Caucasus, and, as such, improve conditions for curtailing terrorist and criminal activities in the region. Since the resolution of these conflicts will require the constructive cooperation of the Russian Federation in all four cases and Russia’s relationship with western countries has improved noticeably despite differences of opinion on Chechnya the chances have increased for a political initiative in this direction. Given that the OSCE has a leading role as international mediator in three of these four conflicts the Chairman-in-Office should take the initiative in attempting to bring about the resolution of the “frozen” conflicts. This would include the preparation of a new type of peacekeeping mission (see below).

A fifth area of activity concerns minority conflicts in an enlarged European Union. The OSCE High Commissioner on National Minorities, Rolf Ekeus, noted the following in November 2002: “We cannot assume that EU Enlargement will magically solve all inter-ethnic issues. The EU must address this fact internally, both through its own means and through cooperation with relevant international Organizations such as the Council of Europe and the OSCE.”¹ This is of particular concern to countries such as Estonia, Latvia and Romania, where the homeland of the minorities in question or their “patronage state” are (for the time being) outside the borders of the EU and, as such, relations between the majority, minority, and the “patronage state” will span the external borders of the EU. It would make good political sense as well as be an expression of the OSCE’s cooperative security strategy if the HCNM were to continue to act as a mediator in these cases. A special case of transnational minority conflict that will gain considerable significance as a result of EU enlargement concerns the Sinti and Roma. The OSCE has a very small capacity in this area --only one Sinti and Roma adviser works at the Office for Democratic Institutions and Human Rights (ODIHR). As such, it should consider whether it wants to address this problem with more adequate means.

A sixth area of activity concerns a dialogue with various branches of Islam with regard to an understanding of human rights, the rule of law, democracy, and nation building that will do justice to OSCE principles and obligations based on both Christian and secular beliefs as well as to moderate Islamic values. The importance of this task is reflected by the fact that in the five Central Asian OSCE states as well as in parts of Russia and

¹ Address by Rolf Ekeus to the Conference on “National Minorities in the Enlarged European Union”, “From the Copenhagen Criteria to the Copenhagen Summit: The Protection of National Minorities in an Enlarged Europe”, Copenhagen, 5 November 2002, in: <http://www.osce.org/hcnm/speeches>

the Caucasus the majority of the population is Islamic. Very few branches of Islam share the secular concept of a separation between private, societal and government spheres. The renaissance of the Islamic faith that has occurred since the end of forced secularization under Soviet rule results almost automatically in crossing the line with regard to separation of church and state, thus exerting a direct influence on the character of government and nation building. As such, an important integrative function attaches to political dialogue between secular and Islamic forces within the OSCE area. Given its historical, experience the OSCE is better prepared for this task than other international organizations.

These six areas of activity should not be viewed as definitive. Instead, they constitute (partial) reorientations and new focuses that could enhance the importance of the present range of OSCE activities.

- 4) In order to be better able to carry out its activities in the future the OSCE should further develop its time-tested instruments. The following three points are of key importance in this context:

- Firstly, as agreed at the meeting of the Ministerial Council in Porto in December 2002, the OSCE should continue to develop its key instrument, *the field missions, and at same to differentiate them*. What is involved, on the one hand, is an attempt to reduce the “stigmatization” effect of missions by having them address the governments of the host countries as providers of qualified support for the demand side. On the other hand, after the “frozen” conflicts have been resolved it will be necessary to rapidly setup large-scale missions of a new type that needs to be developed now. Peacekeeping missions of this kind, deployed on the basis of a stable political solution, would have to contain, in addition to a relatively weak military component, a strong police component and comprehensive capabilities for building a wide variety of institutions. Since 1994 the OSCE *High Level Planning Group* has been formulating options for a mission of this kind in case a resolution of the Nagorno-Karabakh conflict is achieved.

- Secondly the OSCE should intensify the *subregional cooperation* of its field missions and develop *regional strategies* on this basis. Regional strategies of this kind should be formulated on the basis of guidelines provided by the Permanent Council or the Chairman-in-Office together with the Parliamentary Assembly, ODIHR, HCNM, and the Secretariat. This would strengthen cooperation between the different OSCE Institutions and produce new synergies.

- *Thirdly* the OSCE should setup a *Central Analysis and Planning Unit* in the Secretariat. Without a political planning unit of this kind it will not be possible to carry out the activities indicated in (8) nor to formulate longer-term strategies. It will be needed to improve cooperation between OSCE institutions and European as well as international organizations.

- 5) The OSCE is dependent on division of labor and cooperation with other international organizations. NATO, the UN member states, the Council of Europe, and subregional organizations will be important partners in this context. The strategically most important partner will be the European Union. This applies more than ever since its enlargement. As a result of their parallel efforts during the Cold War to prevent violent conflicts

through integration in the West and cooperation with the East, the EC and the CSCE were “natural-born partners”, as the EU High Representative for the Common Foreign and Security Policy (CFSP), Javier Solana, put it in a speech to the OSCE Permanent Council.² This applies today more than ever. Both organizations possess a large measure of competence in creating governability in a globalized world, the EU more for the integration of a core region, the OSCE more on the basis of cooperation in an enlarged Europe. Between the objectives and the Capabilities of the two organizations, who are closely linked through their member and participating states, there is considerable potential for synergies that has not yet been exploited. For this reason the two organizations should consider,

- Concluding a *framework agreement* that would regulate division of labor and cooperation between them. An agreement of this kind should not contain a rigid separation of responsibilities but rather create mechanisms at the management and working levels that would regulate information exchange, coordination, and cooperation between the two organizations.

- An agreement of this kind could also regulate the *financing of joint or coordinated activities* by the EU and/or international financial organizations. A specific synergy potential exists here between OSCE *know-how* relating to countries and regions and the financial strength of the EU and other donor organizations that could be used for the development of country-specific positive conditioning strategies.

- Continue to develop and establish new *working or contact groups for certain regions* together with important partner organizations (UN, NATO, Council of Europe). The task of such working groups would be to coordinate the activities of the international organizations in relation to a specific region and to coordinate the objectives of a common framework strategy. A working group on Central Asia with the involvement of the UN, the OSCE and the EU would be an important first step and one that is long overdue.

- Organize regular information exchanges (including confidential information) at the headquarters and field levels. A secure exchange of this kind could be carried out by liaison personnel in the respective situation rooms. The OSCE should consider establishing a liaison office in Brussels for contacts with the EU and NATO as a first step.

The OSCE could play an important role in future EU enlargement rounds. Over the long term the debate on EU enlargement and defining Europe’s external borders will extend beyond the SAP states and Turkey to include countries such as Ukraine, Belarus, Moldova, and possibly countries in the Caucasus region. In this connection precise monitoring of compliance with the EU’s Copenhagen criteria on democracy and human rights will be of key importance. These criteria differ very little from the OSCE commitments in the context of the human dimension. With its unique flexibility in mandating and setting up missions the OSCE would

² Address by Mr. Javier Solana, High Representative for the Common Foreign and Security Policy (CFSP) of the European Union to the Permanent Council of the Organization for Security and Cooperation in Europe (OSCE), “The European Union and the Organization for Security and Cooperation in Europe: The Shape of Future Cooperation”

be ideally suited for this *monitoring* task. In the past the EU has recurrently drawn on OSCE reports to monitor the progress being made towards fulfillment of the Copenhagen criteria, such as in the case of Estonia, Latvia and Croatia. This function could be formalized in the framework of a second or third enlargement round. For the countries being monitored there would be clarity and transparency as to the reasons why the OSCE is carrying out its monitoring missions and what the European Commission bases its assessment of compliance with the Copenhagen criteria on. A permanent dialogue on the information obtained could be connected with specific assistance aimed at improving the situation in the countries in question.

VI. Future prospects for the OSCE Parliamentary Assembly

The OSCE is the only comprehensive European security organization. No other organization has a comparable membership and cooperation among the various participating states. It connects the democracies of North America with all the countries of Europe and Central Asia. The OSCE covers almost the entire area from Vancouver to Vladivostok and constitutes an indispensable organization for civilian crisis prevention. The OSCE security concept is by no means static; it develops dynamically in accordance with the given environment and situation. It seeks close cooperation with the EU, NATO, and the Council of Europe. What distinguishes it in comparison to these organizations is its flexibility, rapid decision-making procedures, as well as the inclusion, of all member states in the decision-making process. It can conduct activities in areas where other security organizations cannot. Nonetheless it suffers from a lack political status, power, resources, and effectiveness; it has democratic deficits and weaknesses with regard to the coordination of measures and to clear-cut criteria for cooperation and activities.

Since it was founded in 1991 the Parliamentary Assembly has contributed significantly towards implementing the OSCE mission by developing political principles and engaging in crisis prevention activities in all three baskets;

For much too long now there have been recurrent disputes in the Ministerial Council as to whether or not the PA is an OSCE institution. The PA was codified in the Charter of Paris and was politically willed as an independent OSCE Institution. This dispute needs to be relegated to the past.

The following was declared by the heads of state and government at the Istanbul Summit in 1999:

“The Parliamentary Assembly has developed into one of the most important OSCE institutions continuously providing new ideas and proposals. We welcome this increasing role, particularly in the field of democratic development and election monitoring. We call on the Parliamentary Assembly to develop its activities further as a key component in our efforts to promote democracy, prosperity and increased confidence within and between participating States”.

Over the past decade a number of recommendations put forward by the OSCE PA have been implemented by the OSCE governmental structures. Examples are:

- the renewal of the Representative on Freedom of the Media;
- the creation of a Coordinator for economic and environmental activities;

- the creation of a contact point for Roma and Sinti at ODIHR;
- the creation of a Gender Adviser at the OSCE Secretariat in Vienna;
- the economic and environmental factors of security were placed on the Ministerial Council agenda at the request of the PA.

The PA has carried out more than 60 election-monitoring missions alone or in cooperation with the EU and the Council of Europe; it is carrying out parliamentary field missions in eight countries; it appoints ad hoc working groups and holds conferences on key security issues in Central and Eastern Europe, Central Asia, and the Mediterranean countries.

It seeks direct contact with the parliaments and parliamentarians of the participating states, works with them to help resolve imminent conflicts, and has direct contact with the elected representatives of the people.

It has established close cooperative relationships with the parliaments of the EU, the Council of Europe, and NATO.

Weaknesses that need to be overcome are:

- implementation of parliamentary recommendations and decisions at the level of national parliaments and executive governments;
- feedback and implementation of decisions and recommendations of the PA at the OSCE Ministerial Council level;
- cooperation with the OSCE Ministerial Council on planning and coordination of OSCE activities; i.e. cooperation and coordination as well as necessary exchanges of information, including on financial matters;

The objective is not more separation, more competition, or more claims to sole responsibility, the objective is more effective civilian crisis prevention for the purpose of avoiding war and violence. This can succeed only through more cooperation, coordination and division of labor.

THE OSCE AND THE CHALLENGE OF ADAPTATION

This distress in which the OSCE has found itself has many aspects.

First, it is the political one. Several states have recently questioned the OSCE's hierarchy of priorities and, in particular, its emphasis on the human dimension. In a sense, the OSCE has become a victim of its own success, since it is exactly in the human dimension where the OSCE activities have been most successful. It would be quite detrimental to the OSCE profile if the cost of overcoming the current political crisis would imply curtailing the human dimension activities. The OSCE is an important source of legitimacy for the democratic processes and although in a way its role can be taken over by other institutions (in particular, the Council of Europe where by the way important decisions, including on budgetary matters, are made by majority voting) but the added value of the OSCE of bringing in the trans-Atlantic factor would be lost. It seems, however, that the assault on the human dimension is rather tactical. After all, the OSCE is only an instrument helpful in identifying problems. The OSCE is not masterminding the change, it is simply diagnosing the problem. You cannot cure the fever by breaking down the thermometer.

What seems to be the real source of the present political crisis over the OSCE is the attempt to redress the balance of political influence inside it. It is of course a mere coincidence that the difficulties inside the OSCE started at a time when a non-paper surfaced in some European capitals indicating that a new European security architecture should be based on the triangle: EU-NATO (USA)-Russia. All of these bring back more than a decade old ideas for a steering group within the OSCE. These ideas were dead upon arrival thirteen years ago and it seems that there will be no willingness to accept them at present, all the more if they are coupled with any restrictions on the consensus rule. So probably the OSCE has to wait until some of its members will realise that resisting the democratic change in some part of the OSCE area is a dead-end policy and that the OSCE can be quite useful as an elegant way of getting rid of these liabilities. But for the time being compromises will have to be made even if for face-saving purposes. These compromises (budgetary cuts, post-restitution, etc.) will hardly strengthen the OSCE.

The second aspect of the distress is clearly functional. The OSCE for many years has been in the centre of political and public attention. It has had a clear strategic purpose. From 1975 till 1990 it was the management of East-West relations. From 1991 – till present it has been the management of the transformation in Eastern Europe. The present role is being slowly exhausted (like in the Balkans) and becomes purely technical. However the recent developments in Georgia, Ukraine and Kyrgyzstan testify to the fact that there is a new wave of change happening in the OSCE area which could reaffirm the OSCE strategic purposes. But what next? There is no such clear eye-catching purpose on the horizon. Some might think it could be the management of the relations between the West and Russia, but Russia clearly prefers other formats (EU-Russia or NATO-Russia). Maybe there is no need for having such clear strategic purpose

altogether. Although, it seems that OSCE can have in future a real added value in managing the relations between Europe at large and the neighboring areas. But it would require thorough restructuring of how the OSCE is doing business with its partners (switching from attempts to project European experience to joint action in addressing common trans-regional challenges).

Apart from the blurred strategic purpose, what is more frustrating is that many traditional functions of the OSCE are not performing effectively nowadays (for many reasons – both subjective and objective). The normative function of the OSCE (setting new commitments) is practically non-existent. And it is happening at the time where other organizations, including the Council of Europe, are producing new norms (or even conventions or treaties). Arms control is restricted to technical and secondary business (if you compare it to the glory of arms control during Cold War times). Conflict prevention activities, although successful in the past, are now as frozen as the frozen conflicts the OSCE is confronted with. The economic dimension continues to enjoy very little visibility especially outside the walls of the respective foreign ministries (the idea for a Bonn II Code of Conduct which in theory might be useful to prevent corruption, wild privatisation or voluntary treatment of the business community in some countries has been buried for good but perhaps too easily). Is it possible to revive these functions? In theory such a possibility exists even if on a limited scale but it must be founded on a real political interest on the part of key OSCE players. This seems to be lacking at present. Without it, drafting new agendas for the OSCE security activities, economic dimension or conflict prevention will be artificial. One should look probably for a systematic change (linking closely EAPC/PfP with the OSCE, establishing a new format for the Economic Dimension, etc.).

Third, the institutional aspect. One cannot but agree that the consensus rule has degenerated from one of the most important OSCE assets into its weak points. Consensus rule has become a victim of the constant tug of war of the egos of the negotiators. Without doing something about it the OSCE will hardly be able to spread its wings again. The solution could be to replace the consensus rule on some issues (procedural, technical or even budgetary) with qualitative majority voting. OSCE's long timers are also struck how formal the dialogue in the OSCE bodies has become. Deformalising the debates in the Permanent Council might be difficult, therefore, one should think about introducing a new format of informal consultations at the ambassadorial level. In theory the tandem Chairman in Office – Secretary General is a good formula for leadership, even if one of the elements is weak. A serious challenge is when there are weaknesses on both sides of the tandem. What should be, however, done is to strengthen the link between CiO and SG. Another weak spot of the OSCE is the waning interface between Vienna and the capitals. Reinforced meetings of the Permanent Council will not help alone. The duality FSC/PC is another relic of the past. The OSCE's public image also suffers from the existence of inactive bodies like the Court of Conciliation and Arbitration. It goes without saying that the OSCE needs serious institutional review. One aspect which should be probably more present in the functions and even names of the OSCE bodies is the assistance in democratic state building to be provided in particular to some countries in Central Asia or South Caucasus. It seems that like the European Union has taken the lead in the state building in the Balkans, the OSCE is the best format for such a role in Central Asia. A good example can be set now in Kyrgyzstan.

Finally some short remarks on some of the particular questions raised in the List of Concerns and Questions Related to the Current Situation in the OSCE:

- Summits should be held on the basis of the political need. They should be preferably thematic and combined with gatherings of other relevant organizations (back-to-back format);
- C i O should have more authority on operational issues (like the management of field operations) which was the case only a couple of years ago but he/she should be better supported by the Secretariat (both in Vienna and in the capital);
- FSC should be transformed into one of the Permanent Council subsidiary bodies;
- There is no alternative to maintaining large expensive diplomatic corps in Vienna. Equally, the geographic dispersion of the OSCE bodies is unavoidable. Sometimes it is even helpful in generating more support to the OSCE in given places. Some adjustments can be made but in reality they are not easy (try to get the consent of a host State to relocate an OSCE office);
- Limiting the terms of staff is sensible and should be maintained;
- The role of the OSCE Parliamentary Assembly should be strengthened and, in particular, through ad hoc statements and actions addressed to the OSCE operational bodies; it seems also that the role of the Parliamentary Assembly as the body for institutional reflection (a think tank) is not fully used (the PA should be encouraged to undertake in-depth analysis of the functioning of selected areas of the OSCE activity and submit comprehensive solutions).

On a general note, one should approach the challenge of adaptation as a constant and ongoing task for the OSCE. The environment in the OSCE area will be changing and it will produce inevitable distress for the OSCE. By logic the OSCE has a sound place in the European security architecture. It embodies the notion of a larger Europe (US and Canada as European powers plus Central Asia). As long as the notion of a larger Europe or Euro-Atlantic area is viable, the OSCE will have a role. The viability of the notion of a larger Europe will always depend on the combination of three political processes: the US interest in Europe, the strength of the European integration (the EU) and the policies of Russia towards the West. The condition of the OSCE will only reflect the impact of the three processes.

APPENDIX