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## Identifying the Cutting Edge: The Future Impact of the OSCE

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## Contents

Executive Summary	4
1. Introduction	8
2. The Impact of Change on the OSCE	10
2.1 Global Change: The Challenge of Inter-Cultural and Inter-Religious Dialogue	10
2.2 Change within the OSCE Area: The Re-emergence of a Political East and West	11
2.3 Change in Adjacent Areas: Violent Conflicts and New Chances for Co-operation	15
2.4 Change within the OSCE as an Organization	15
2.5 Consequences for a Strategy of Revitalizing the OSCE	17
3. Concrete Undertakings for Strengthening the Future Impact of the OSCE	20
3.1 Addressing New Politico-Military Tensions in Europe	20
3.2 Initiating a Dialogue on the Common Substance and Different Forms of Democracy	22
3.3 Developing the OSCE's Contribution to the Alliance of Civilizations Initiative	25
3.4 Assisting States in Security Sector Reform: Border Security and Policing	27
3.4.1 Starting Border Security and Management Projects in Central Asia	27
3.4.2 Strengthening the Capacities of the Strategic Police Matters Unit in Providing Guidance, Lessons-Learned, Training, and Co-operation	29
3.5 Securing the Future of the OSCE's Presence in the Field	30
3.6 Intensifying Co-operation with the OSCE's Asian Partners for Co-operation	32
4. Conclusions and Recommendations	34
List of Abbreviations	38

## Executive Summary

Under current conditions, identifying the cutting edge of the future impact of the Organization for Security and Co-operation in Europe (OSCE) means nothing less than effective protection of its core principles: Common and co-operative security, shared norms and commitments including those in the human dimension, and inclusive dialogue. These principles are now in acute danger.

The gravity of the OSCE's present situation lies in the fact that its two key dimensions have come under serious pressure simultaneously. Although not explicitly revoked, the OSCE's normative *acquis*, particularly in the human dimension, is increasingly being challenged by a number of participating States. States are no longer able to agree on the meaning of key norms such as democracy and human rights.

At the same time, the Organization's co-operative security policy is being undermined by a renaissance of unilateral military thinking in a number of participating States, particularly the Russian Federation and the USA. The very existence of the OSCE's politico-military dimension is threatened by the impending collapse of the Conventional Armed Forces in Europe (CFE) Treaty.

The situation of the OSCE can no longer be called an adaptation crisis arising from a changed political environment and a new set of tasks. Rather it is a crisis of both political substance and moral legitimacy. At stake are the very foundations of the Organization.

The main strategic consequence of this aggravated state of the OSCE is that there is no viable option for a gradual, intermediate strategy. Over the last few years, the participating States have followed a business-as-usual approach because they could not agree on key political issues. If they continue this approach, it will inevitably lead to the further stagnation and marginalization of the Organization.

The only viable alternative is to make a serious attempt to create a new basic consensus among the participating States on the future substance of the OSCE's politico-military and human dimensions, including trade-offs between these two dimensions, comparable to the package-deals of the Conference on Security and Co-operation in Europe (CSCE) period before 1990.

Consequently, the principal recommendation of this report is that the participating States should engage in serious open-ended consultations leading to negotiations on the OSCE's politico-military and human dimension agendas. Although the two consultation processes could be conducted in different formats, they would be politically interlinked. All other recommendations presented in this report serve the purpose of supporting this principal policy line and keeping the Organization active until a new basic consensus has been reached.

In more detail, the report recommends the following:

**1. The participating States should address the new politico-military tensions in Europe.**

- Participating States should start broad consultations to be followed by negotiations on their general and specific security concerns and how these can be addressed by a new generation of Confidence- and Security-Building Measures (CSBMs) and other arms control measures.

*ACFE Treaty:*

- High-ranking representatives of the participating States should use the Permanent Council (PC), the OSCE Forum for Security Co-operation (FSC) and the Annual Security Review Conference as forums for discussions on the Adapted CFE Treaty (ACFE) and make every effort to bring it into force as soon as possible.
- Participating States should request special CFE-related briefings by CFE States Parties including an exchange of information.
- Participating States that are not yet States Parties of the CFE Treaty but wish to accede to the ACFE Treaty after its entry into force, such as Estonia, Latvia, Lithuania, and Slovenia, should inform the other participating States of their intentions.
- The OSCE should dispatch a mission to verify whether the Russian armed forces have left the (former) Russian military base in Gudauta in Abkhazia/Georgia.
- Despite the suspension of the CFE Treaty by the Russian Federation in December 2007, CFE States Parties should submit their notifications on a voluntary basis, in the context of the annual information exchange, due on 15 December of each year.

*CSBMs and Other Arms Control Issues:*

- The FSC should consider lowering the thresholds for notifiable and observable exercises under the Vienna Document (VD) 99.
- The FSC should start discussions on the Russian draft decisions on prior notification of large-scale military transits, deployment of foreign military forces, and multinational rapid reaction forces.
- The PC and the FSC should initiate seminars on CSBMs in regions where States are less familiar with the idea of CSBMs, and should include the Asian Partner States of the OSCE in these efforts.
- The FSC should discuss other politico-military issues of concern, such as the deployment of missile defences and military bases on the territory of participating States.

**2. States should start a high-level discourse on the common core elements and different forms and traditions of democracy.**

- States should launch a Panel of Elder Statespersons at the level of former heads of state or government to discuss common core elements and different forms and traditions of democracy.
- States should continue to discuss the implementation of OSCE election observation missions without in any way undermining their ability to perform their work professionally.
- States should conclude the discussion on additional election-related commitments with respect to new technologies including electronic voting.

**3. States should develop the OSCE's contribution to the Alliance of Civilizations initiative.**

- The OSCE should focus its debate on tolerance and non-discrimination (TND) on inter-religious dialogue and discrimination against migrants.
- The OSCE should initiate a thorough needs assessment of TND issues.
- The OSCE should start a series of inter-religious and inter-cultural dialogues on security-related subjects.
- The OSCE should link its TND activities more effectively with its early warning and crisis prevention functions.
- The OSCE should strengthen its legal work on inter-religious and migrants issues.

**4. The OSCE should assist States in security sector reform, particularly in border security and policing.**

**4.1 The OSCE should start border security and management projects in Central Asia.**

- The Tajikistan border security project should strengthen the OSCE's visibility in the region and represent a sustainable, long-term, and more than symbolic effort.
- The project should include Turkmenistan and Uzbekistan, and should later be enlarged to constitute a true regional effort.
- Training projects for Afghan border guards and anti-drug officers on the territory of Russia, Tajikistan, and other participating States should be continued and enlarged.
- These projects should be open for co-operation with all international partners willing and able to contribute.

**4.2 The OSCE should strengthen the capacities of the Strategic Police Matters Unit (SPMU) in providing guidance, lessons learned, training, and co-operation.**

- The SPMU should extend its work on providing police-related guidance.
- The SPMU should start lessons-learned exercises in specific police-related areas.
- The SPMU should facilitate twinning relationships in police-related co-operation.
- The Borders Team should be merged with the SPMU.

**5. States should secure the future of the OSCE's presence in the field.**

- The OSCE should optimize the work of its existing field operations, streamlining overloaded and fragmented agendas.
- The OSCE should again consider establishing thematic missions.
- The OSCE should promote the creation of new institutions modelled on the OSCE Academy in Bishkek.
- The OSCE should establish an OSCE Academic Network.

**6. The OSCE should intensify co-operation with its Asian Partners for Co-operation.**

- The OSCE should intensify co-operation with its current Asian Partners for Co-operation (APC).
- The OSCE should explore the possibility of inviting China to be an APC.
- The OSCE should invite China as the only member of the Shanghai Co-operation Organization not participating in the OSCE to join specific projects implemented in co-operation with Central Asian participating States.

## 1. Introduction

Under current conditions, identifying the cutting edge of the future impact of the OSCE means nothing else than effectively defending the only principles upon which a “new era of democracy, peace and unity in Europe” (1990 Charter of Paris) can be based: Common and co-operative security, shared norms and commitments including those in the human dimension, and inclusive dialogue. These principles are now in acute danger.

The gravity of the OSCE’s present situation lies in the fact that its two key dimensions have come under serious pressure simultaneously. Although not explicitly revoked, the OSCE’s normative *acquis*, particularly in the human dimension, is increasingly being challenged by a number of participating States. States are no longer able to agree on the meaning of key norms such as democracy and human rights. The OSCE’s Office for Democratic Institutions and Human Rights (ODIHR) and its most prominent activity, election observation, have come under strong criticism from Russia and other CIS States. These States want to limit and control the OSCE’s human dimension activities, the very area that, for almost all Western states, represents the OSCE’s most important field of endeavour.

At the same time, the Organization’s co-operative security policy is being undermined by a renaissance of unilateral military thinking in a number of participating States, particularly the Russian Federation and the USA. The very existence of the OSCE’s politico-military dimension is threatened by the impending collapse of the Conventional Armed Forces in Europe (CFE) Treaty, which “establishes a core of military stability and predictability, which is fundamental for the security of all participating States”<sup>1</sup>. While Russia is calling for a revitalization of the politico-military dimension, a number of Western States no longer have great expectations for European arms control.

As the participating States are no longer able to reach consensus on key political questions and frequently do not even discuss them properly, they have largely limited themselves to addressing operational issues. Consequently, the OSCE reform discussion has been narrowed down to an effectiveness agenda. The result is business as usual, mainly related to niche areas. The participating States are now faced with a crucial choice that will have a decisive impact on the future of the OSCE:

If they want to continue their current approach, this will inevitably increase the Organization’s marginalization, reflecting the marginalization of norm-based and co-operative policy approaches in Europe in general.

The alternative is to start an open-ended process of serious consultations and later negotiations on key issues of security and co-operation in Europe to find out what common ground exists beyond current disputes, and what compromises States might be ready to make. In particular, it should be explored whether enhancing arms control would be incentive enough for the Russian Federation to refrain from attacking ODIHR, and *vice versa*, whether supporting the OSCE’s human dimension is important enough to the Western States to seriously engage in arms control. The purpose of such consultations would be to formulate a new basic consensus based on cross-dimensional trade-offs on which the OSCE’s future work can build.

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<sup>1</sup> OSCE, Lisbon Document 1996, A Framework for Arms Control (FSC.DEC/8/96), p. 17 (OSCE documents are available at the OSCE website: <http://www.osce.org>).

Such an effort cannot be successfully concluded in 2008. It might not even be possible to start it in that year. It must be expected that 2008 will be a year of increased tensions on a number of issues relevant for the OSCE – the fate of the Adapted CFE Treaty, the status of Kosovo, Bosnia and Herzegovina, and Georgia, and mounting challenges to election observation by the OSCE/ODIHR, to name only a few prominent examples. In addition, election campaigns in both Russia and the USA will see governments reacting more strongly to domestic than to international challenges. Under these conditions, the best that can be hoped for the OSCE in 2008 is that the damage resulting from current and forthcoming disputes will be minimized, while, at the same time, conditions for a more ambitious effort to reframe the basic consensus among the participating States are fostered. 2008 is not the year for the road *to* a new Helsinki accord. Rather, it is hoped that the road *from* the 2008 Helsinki Ministerial Council meeting will lead into a brighter future for the OSCE.

This report differs from the 2005 CORE report “Managing Change in Europe”. It is less focussed on analysis and more on proposals for concrete undertakings. The two key proposals under the titles of “Addressing new politico-military tensions in Europe” and “Initiating a dialogue on the common substance and different forms of democracy” are closely related to the two main axes of consultations suggested in this report. All other proposals are pitched at a substantially less strategic level. They aim at producing added value on the basis of the OSCE’s comparative advantages and at keeping the Organization active until a new consensus has been found. This is all the more important as the overloaded and fragmented OSCE agenda must, in any case, be streamlined under the pressure of increasing budget cuts.

## 2. The Impact of Change on the OSCE

Political change is occurring at an unprecedented speed. The greater part of the change that has an impact on the OSCE originates from beyond the reach of the Organization, at the global level, in relations between Western States and Russia, and from areas adjacent to the OSCE region. While it is the task of the OSCE as an organization to contribute to managing this change, the question of which issues will be dealt with within the OSCE, which in other forums, and which not at all always depends only on the political will of the participating States.

### *2.1 Global Change: The Challenge of Inter-Cultural and Inter-Religious Dialogue*

Strategic change is driven by complex processes of globalization that affect relations between rich and poor states; relations among states, international organizations, and transnational actors; as well as relations between individuals, societies, and states. While power relations between states remain crucial, one key feature of globalization is that soft factors such as culture and religion can take on hard security implications.

Another significant feature of globalization has been to increase both the inequality of its winners and losers and the interdependence between them. While the Western States have achieved an unparalleled level of wealth and prosperity, the greater part of humanity is still unable to cover its basic needs. “Our world is alarmingly out of balance” – this is the first sentence of the 2006 report of the High-level Group of the “Alliance of Civilizations”.<sup>2</sup> This basic inequality between the rich and the poor represents the most important root cause of radicalism and extremism.

The mutual penetration and (partial) fusion of hitherto widely separated ethnicities, cultures, religions, and ways of life is one salient aspect of global interdependence. These processes offer huge opportunities, but also carry the potential for conflict of a new type. The danger is that negotiable questions of economic inequality and social exclusion will be translated into non-negotiable issues of cultural or religious identity. Consequently, avoiding clashes between different types of identities has become a prominent task of conflict prevention.

The shaping of differences in identity into factors of peace or conflict is primarily driven by non-state transnational actors that have achieved a certain autonomy *vis-à-vis* states and international organizations. Transnational actors have become key agents of global interdependence representing an extremely broad spectrum of forces from benign to malign. From commercial companies through Amnesty International to Al Qaeda, they stand for opportunities as well as challenges, risks, and threats. Consequently, the success of any effort by states and international organizations to maintain inter-cultural and inter-religious harmony depends on their ability to involve transnational civil society actors.

In this emerging field of security-building, the OSCE has gathered an extremely rich range of experiences: from the quiet diplomacy of its High Commissioner on National Minorities to its public discourse on tolerance and non-discrimination. With its inclusive and co-operative policy approach, its comprehensive concept of security, and its close links with civil society actors, the Organization is well placed to contribute to the aim of the “Alliance of

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<sup>2</sup> Alliance of Civilizations, Report of the High-level Group, 13 November 2006, p. 3, at: [http://www.unaoc.org/repository/HLG\\_Report.pdf](http://www.unaoc.org/repository/HLG_Report.pdf).

Civilizations” of “reaffirming a paradigm of mutual respect among peoples of different cultural and religious traditions”<sup>3</sup> (cf. 3.3).

## ***2.2 Change within the OSCE Area: The Re-emergence of a Political East and West***

At the beginning of the 1990s, conflicts between states in the OSCE area seemed to have been finished once and for all with relationships reframed on the firm basis of shared values. In the Charter of Paris, the participating States declared: “Friendly relations among us will benefit from the consolidation of democracy and improved security.” That proved to be an overly optimistic assessment. Shortly thereafter, a number of violent ethno-political conflicts swept over South Eastern Europe and parts of the former Soviet Union.

Today, these trends have been reversed again to a certain extent. While ethno-political conflicts have abated significantly, the common bond of joint values has become more fragile, and a number of inter-state tensions have re-emerged. The latter two developments have led to the gradual resumption of the notion of a political East and West, with the scope of the East having been reduced by EU and NATO enlargements. However, in contrast to the Cold War situation, inter-state relations are now characterized by a complex mix of co-operation and conflict, and there is a broad range of bilateral and multilateral contacts among states. All these changes raise the question of the OSCE’s role in this new political environment.

### *Decreasing Intensity of Ethno-Political Conflicts in Europe*

The number and intensity of violent ethno-political conflicts in Europe is clearly decreasing. Since the 1999 Kosovo war and the 2001 Macedonia crisis, there have been no new outbreaks. This is very welcome and cannot be dismissed simply by pointing to the unfinished business in Nagorno-Karabakh, Abkhazia, South Ossetia, and Transdniestria. These cases look marginal compared to the Middle East, Iraq, Afghanistan, or the tragedies in Africa. Consequently, they receive much less attention from political leaders, including those of the participating States. However, a number of unresolved and half resolved cases remain.

The most prominent example is *Kosovo*, which is likely to achieve (controlled) independence through a unilateral declaration of independence. If Western States recognize Kosovo’s independence, this will lead to another stress test among the participating States, particularly in relations with Serbia and Russia. Sub-regional consequences might include the secession of northern Kosovo from the new Kosovar state. Should this happen, ethnic Albanian leaders from South Serbia have threatened to separate from Serbia and join Kosovo. While possible repercussions on the ethnic Albanian population in Montenegro, Macedonia and on the ethnic Serbian population in the Republica Srpska are difficult to assess, it seems that it might be even more difficult to reach a sustainable solution for *Bosnia and Herzegovina* than for Kosovo. The full separation of Kosovo from Serbia could have consequences for the complex political arrangement in Bosnia and Herzegovina as well as for the renewal of secessionist claims elsewhere in the region.

As far as the international presence in Kosovo is concerned, most experts expect the withdrawal of UNMIK to follow a unilateral declaration of independence. Likewise, it might be very difficult to extend the mandate of the OSCE Mission in Kosovo (OMIK) beyond the moment of a unilateral declaration of independence. A draft decision on the extension of OMIK’s mandate was not approved at the 2007 Madrid Ministerial Council meeting. OMIK’s withdrawal would be all the more deplorable as OMIK’s work in Kosovo is also appreciated

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<sup>3</sup> Ibid., p. 4. Cf. OSCE, The Secretary General, OSCE Contribution to the Alliance of Civilizations initiative, Vienna, 26 June 2006.

by Serbia, particularly its contribution to protecting the Serbian population there. On the other hand, KFOR can be expected to remain, on the basis of the 1999 Kumanovo agreement with Serbia and/or another agreement with Kosovo. The EU, or if there is disagreement within the EU, some EU States, will establish a mission to Kosovo to oversee the “controlled” independence of Kosovo foreseen by the Ahtisaari plan.

The *OSCE Mission to Croatia* will probably be closed and replaced by a smaller presence. As for *Albania* and *Macedonia*, both countries could ask for a downsizing and/or transformation of their missions in view of a possible invitation by the 2008 NATO Summit meeting to resume accession talks.

For many months, the governments of *Moldova* and the Russian Federation have been negotiating on a resolution for the Transdnistria conflict. There is nearly no public information available on these negotiations, in which the OSCE and its Mission to Moldova have been sidelined. The case of Transdnistria is also closely linked to the current dispute on the fate of the ACFE Treaty.

Statements made by the de-facto authorities of *Abkhazia* and *South Ossetia*, and by the Russian Federation indicate that a unilateral declaration of independence by Kosovo might also trigger some escalation of the unresolved conflicts in Georgia. The dynamics of these conflicts and their resolution are further complicated by the dispute over the Georgian authorities’ wish to join NATO. The conflict over *Nagorno-Karabakh* appears to be less affected by the developments in Kosovo. However, a declaration of independence on the part of Kosovo and its recognition by at least a group of participating States may further boost separatism in the region.

There is, all in all, considerable uncertainty about the way in which a unilateral declaration of independence by Kosovo might influence other unresolved or half resolved ethno-political conflicts in Europe. Although there are grounds for hope that Kosovan independence might not reverse the general trend of a decreasing intensity of ethno-political conflicts in Europe, escalation cannot be ruled out. However, even in this case, the OSCE might be substantially less involved than it would have been a decade ago. In the Balkans, the EU is taking over the remaining tasks of conflict regulation and post-conflict rehabilitation. In most of the other cases, the capacity of the OSCE to effectively facilitate conflict resolution has been decreasing.

#### *The Establishment of (Semi-) Authoritarian Regimes*

The frequent observation that the period of democratic transformation is over is true and false at the same time. It is true in a political sense, as far as the self-perception of a number of governments of participating States is concerned. It is also true in the sense that the process of democratization has been stopped halfway or even reversed in a number of countries. It is time to admit that the expectation of a fast process of democratic transformation to include all participating States has been a short-lived illusion.

The post-1989/1990 transformation process has led to uneven results. Where democratic experiences existed, elites were in favour of democracy, and effective external support happened, as in Central Europe and parts of South Eastern Europe, democracy took root. However, in a number of participating States, including most CIS States, which lack democratic traditions, the transformation process has been much more contradictory and has led first to the emergence and consolidation of (semi-) authoritarian regimes. The so-called coloured revolutions in Georgia, Ukraine, and Kyrgyzstan have not substantially changed this picture. While, apart from limited progress, the status of democratic governance in these

countries has not significantly improved, developments since the coloured revolutions have shown the strength of traditional structures and other legacies of the past.

However, to say that transformation has come to an end is wrong if we consider transformation in the more fundamental sense of social change. All transformation States are under pressure to modernize their economies and societies. The key condition for progress is good governance, which responds to the needs of the whole population and not only of specific groups. Good governance, in turn, is unthinkable without the rule of law, which, if it is to prevail in a lasting manner, must be protected by a democratic regime that offers all citizens equal representation and access to power. Thus, in an ideal world there is an inseparable functional relationship between good governance, the rule of law, and democracy. In the real world, however, there is no single path of transformation, but a range of options from fully fledged democracy to different types of hybrid regimes, to restoration of traditional authoritarianism, to failing states. History is a contingent event, and transformation is a process from an authoritarian state towards something else that is not necessarily democracy. Against this background, the OSCE has a historical mission: to keep the democratic option open for all its participating States.

Within the OSCE area, we are confronted with substantial inequality in the development of democracy. This has inevitably led to a certain degree of normative division undermining, in particular, the acceptance of the OSCE's human dimension *acquis*. The key issue of democracy has not been properly discussed within the OSCE since the 1990s. What has been addressed are operational questions such as the activities of ODIHR and the implementation of election observation missions. Both have been severely and repeatedly criticized by the Russian Federation and other participating States. Although the OSCE's election observation activities have already been substantially improved in many ways as shown by ODIHR's 2006 report "Common Responsibility",<sup>4</sup> Russia is continually seeking to limit their scope and to put them under the control of the Permanent Council.

These discussions are important, because their results will be decisive for whether the OSCE will remain able to continue with effective election observation. However, they cannot be expected to cover the key issue of the unequal development of democracy in the OSCE area. If the OSCE is to perform its task of keeping the democratic option open, its participating States will need to directly address the question of the meaning of democracy in a proper format after careful preparation (cf. 3.2).

#### *New Politico-Military Tension between the US/NATO and Russia*

The most important OSCE and OSCE-related documents in the politico-military dimension were adopted in the early 1990s. These are, in particular, the Vienna Document, which provides for a unique level of military transparency, and the CFE Treaty, which limits the major weapon systems of 30 participating States and is frequently called a "cornerstone of European security" in OSCE documents. Together, they create the most developed arms control regime in the world. However, while these achievements have been taken for granted, European arms control has been neglected by a number of Western States and largely rejected

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<sup>4</sup> Cf. OSCE/ODIHR, Common Responsibility. Commitments and Implementation, Report submitted to the Ministerial Council in response to MC Decision No. 17/05 on Strengthening the Effectiveness of the OSCE, Warsaw, 10 November 2006. On election-related issues cf. pp. 33-55. It should also be noted that ODIHR is a co-author of the "Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers" that was elaborated in the UN framework by 20 intergovernmental and international nongovernmental organizations (New York, 27 October 2005). The Declaration has not been signed by the CIS.

by the current US administration, with the result that the CFE Treaty, the key element of the whole regime, is now near to collapse.

The US/NATO and Russia disagree significantly on a number of politico-military issues related to Europe, such as US plans for a Global Missile Defence (GMD), the ratification and further modification of the Adapted CFE Treaty (ACFE), the establishment of US bases in Bulgaria and Romania, and possible future rounds of NATO enlargement including countries such as Georgia or Ukraine. What is portrayed by the US as a legitimate need to conduct training exercises and prepare for defence against states of concern seeking to acquire weapons of mass destruction is perceived by Russia as a strategy of military containment.

The question of the ratification and further modification of the ACFE Treaty is only one element in this larger context, but one that has taken on key relevance for the future of co-operative security in Europe. The ACFE Treaty, which was signed at the 1999 OSCE Istanbul Summit, has, until now, only been ratified by Belarus, Kazakhstan, Russia, and Ukraine. NATO States have made their ratification dependent on the full implementation of the Istanbul commitments, that is, the withdrawal of the Russian armed forces from Georgia and Moldova. Russia, however, rejects any linkage between the implementation of the Istanbul commitments and the ratification of the ACFE Treaty. On 13 July 2007, the Russian President Vladimir Putin issued a decree announcing the “suspension” of the CFE Treaty by 12 December 2007, if the NATO States do not ratify the ACFE and accept a number of additional requests, most importantly the abolition of the flank limits on the territory of the Russian Federation.<sup>5</sup> Two informal working conferences of the CFE States Parties plus the newly admitted NATO member States of Estonia, Latvia, Lithuania, and Slovenia, convened in October and November 2007 at the initiative of France and Germany, have achieved no breakthrough, and nor did the discussions at the 2007 Madrid Ministerial Council meeting. Parallel to the MC meeting, President Putin actually suspended the Treaty. This means that the 1990 CFE Treaty is definitely obsolete. What is at stake now is the ratification of ACFE, including the possible renegotiation of important aspects of the Treaty.

The Russian move has not come as a surprise. For a long while, the Russian Federation has felt betrayed by NATO States not only, but particularly, with regard to military security and arms control issues. NATO enlargement, originally limited to Central Europe, is now encompassing post-Soviet States. While the US is implementing a number of military measures in Europe that are seen in Moscow as directed against Russia, the European arms control agenda has, in the Russian view, been placed on ice by NATO. Thus, Putin’s CFE decree can be seen as an attempt to revive the European arms control agenda, although its immediate effect could be to remove the cornerstone of that regime.

The suspension of CFE might be the beginning of the end of the whole Treaty regime. The direct military consequences of such a development mainly involve the destruction of sub-regional force balances in the northern and southern flank areas, e.g. between Armenia and Azerbaijan. More important than the Treaty’s military dimension, in the narrower sense of limiting capacities, is the landslide loss of confidence, the loss of a unique regime of co-operative transparency, and the open breakdown of the most visible symbol of common security in Europe.

If CFE fails, the Vienna Document as the most important remaining OSCE arms control document would come under heavy pressure, because many of its stipulations are outdated,

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<sup>5</sup> Cf. President of Russia, Information on the decree “On Suspending the Russian Federation’s Participation in the Treaty on Conventional Armed Forces in Europe and Related International Agreements”, July 14, 2007, at: <http://kremlin.ru/eng/text/docs/2007/07/137851.shtml>.

and most NATO States are reluctant to discuss Russian proposals for expanding the exchange of information.<sup>6</sup> If the Vienna Document were also to be perceived as a failure, the military part of the OSCE's first dimension would have lost most of its substance. What is at stake now is nothing less than the further pursuit of co-operative security policy in Europe. Because of these potentially fatal consequences, the participating States have every reason to address their disputes related to the politico-military dimension, including the ACFE Treaty's ratification, much more actively than hitherto (cf. 3.1).

### **2.3 *Change in Adjacent Areas: Violent Conflicts and New Chances for Co-operation***

The world's most dangerous violent conflicts are happening outside of Europe, but they affect security and stability within the OSCE region. Some of them, such as the conflicts in the Middle East, Iraq, and Afghanistan as well as the tragedies in Africa are taking place in regions adjacent to the OSCE area. Refugees from Africa and the Near East represent a particular challenge for the participating States in the Mediterranean. The situation in Afghanistan, an OSCE Partner State, represents an imminent threat, particularly for the Central Asian States, but also for Russia. Tajikistan has requested OSCE assistance in strengthening its border regime. And Turkey has already become directly involved in the conflict in Iraq, driven by its interest in avoiding the emergence of a Kurdish state.

While it is clear that the OSCE does not have a role in resolving conflicts outside the territory of its participating States, the Organization has the capacity to make at least modest contributions: *First*, it should enter into more active and coherent co-operation with the OSCE Partner States, particularly those in Asia (cf. 3.6). One visible step would be to provide Afghanistan with assistance in fighting drug trafficking and improving border management that was more than merely symbolic (cf. 3.4.1). *Second*, it should focus much more on Central Asia, which has developed into a key region for maintaining security and stability in the whole OSCE area. If present efforts in Afghanistan fail, Central Asia will become the first front line in the struggles against terrorism and drug trafficking.

China's rising global influence has started to affect the OSCE area, particularly Russia and Central Asia. China, which borders three Central Asian States, has become a sub-regional security actor there, especially through its participation in the Shanghai Co-operation Organization (SCO). The OSCE should explore options for engaging with China (cf. 3.6).

### **2.4 *Change within the OSCE as an Organization***

The OSCE has been through a protracted reform discussion, which, however, has focussed exclusively on the issue of strengthening the Organization's effectiveness. Although the mandate of the Panel of Eminent Persons, adopted by the 2004 Sofia Ministerial Council meeting, had included the tasks of "giv[ing] new impetus to political dialogue and provid[ing]

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<sup>6</sup> Cf. OSCE/FSC Delegation of the Russian Federation, Draft Decision on Prior Notification of a Large-Scale Military Transit in the Zone of Application of Confidence- and Security-Building Measures, 27 October 2006, FSC.DEL/475/06; OSCE/FSC Delegation of the Russian Federation, Draft Decision on Prior Notification of Deployment of Foreign Military Forces on the Territory of an OSCE Participating State in the Zone of Application of Confidence- and Security-Building Measures, 27 October 2006, FSC.DEL/476/06; Delegation of Belarus/Delegation of the Russian Federation, Food-for-Thought Paper Presented by the Delegation of the Republic of Belarus and the Delegation of the Russian Federation at the OSCE Forum for Security Co-operation, 20 December 2006, FSC.DEL/545/06.

strategic vision for the OSCE in the twenty-first century”,<sup>7</sup> the participating States were not ready to address the more sensitive political questions of what areas the OSCE should focus upon in the future and how relations among States might be improved.

#### *Implementation of the Effectiveness Agenda*

With the decisions of the 2006 Brussels Ministerial Council meeting, the effectiveness agenda was largely implemented. The key elements of this are the improvement of the consultation process through the introduction of three committees of the Permanent Council, the further strengthening of the role of the Secretary General, the adoption of Rules of Procedure, and various improvements in staff and budget management. However, the 2007 Madrid Ministerial Council meeting failed to adopt the Convention on international legal personality, legal capacity and privileges and immunities because of further-reaching Russian aspirations for a legally binding OSCE Charter.

Two specific developments should encourage the participating States to thoroughly rethink the OSCE’s future working areas: First, the reduction of the volume of the OSCE’s field operations, which may accelerate even further, and second, the decrease in the OSCE’s Unified Budget.

#### *Decreasing Volume of OSCE Field Operations in Terms of Budget and Staff*

A fundamental paradox runs through the development of the OSCE’s conflict-related field operations: On the one hand, their ultimate goal is to complete their mandates and thus make themselves unnecessary.<sup>8</sup> On the other, together with the OSCE’s election observation missions, they represent one of the most important comparative advantages of the Organization.

Many participating States have come to see running field operations as a natural thing for the OSCE to do. However, change on the ground is occurring faster than in perception. Since their peak in 2000/2001, the quantitative volume of OSCE field operations in terms of budgets and international staff involved has already been cut by almost half.<sup>9</sup> If the OSCE Missions to Croatia and in Kosovo close, and other OSCE missions in South Eastern Europe are scaled down, as seems probable, the scale of the OSCE’s field operations will again be cut roughly by half. Although the OSCE will still be operating some 15 field operations in 2008/2009, quantitatively, this will probably only amount to a quarter of the Organization’s field presence in 2000/2001. This is nothing short of a qualitative change: One of the most decisive strengths of the Organization will have been substantially reduced. Against this background, it is urgent that the participating States discuss in what way, if at all, this loss can be compensated for and how the OSCE can continue to ensure its presence in the field (cf. 3.5).

#### *Zero Nominal Budget Growth – Decrease in Real Terms*

Between 2000 and 2006, the OSCE Unified Budget nominally decreased by about 25 per cent from 211.5 million to 162.7 million euros.<sup>10</sup> In addition, the participating States have, since

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<sup>7</sup> OSCE, Twelfth Meeting of the Ministerial Council, Sofia, 6 and 7 December 2004, Decision No. 16/04, Establishment of a Panel of Eminent Persons on Strengthening the Effectiveness of the OSCE, p. 56.

<sup>8</sup> This does not apply to the OSCE’s Centres, Offices, and Project Co-ordinators in Eastern Europe, the South Caucasus, and Central Asia, the mandates of which are related to long-term transformation processes.

<sup>9</sup> For details see: Wolfgang Zellner, Review of OSCE Field Operations, in: Daniel Warner (ed.), *The OSCE at a Turning Point: OSCE Chairmanship and Other Challenges*, Geneva 2007 (PSIO Occasional Paper 4/2007), pp. 35-53.

<sup>10</sup> For the development of the OSCE Unified Budget cf. OSCE, Secretary General, Annual Report 2000 on OSCE Activities (OSCE Annual Report 2000), p. 135; OSCE Annual Report 2001, p. 209; OSCE Annual

2005, followed a budget policy of zero nominal growth, which has kept the budget at about 160 million euros. In real terms, this means that the budget will decrease within five years, on the basis of an annual inflation rate of 2.5 per cent, by some 20 million euros. A move towards a further decrease has become evident in the negotiations on the 2008 Unified Budget, with the US, in particular, pressing for further cuts. In addition, major budget cuts cannot be ruled out if missions are indeed closed. Roughly a quarter of the 2006 Unified Budget, some 41.3 million euros, was spent on the OSCE Missions in Kosovo and Croatia. If these Missions close, the EU States will probably be interested in redirecting part of their OSCE contributions to fund the new EU mission to Kosovo.

Up to now, it has been possible to maintain the Organization's activities by mobilizing reserves through better financial and project management. In the face of real budget cuts, however, this will soon come to an end. The participating States will then have to decide which working areas of the overloaded and fragmented OSCE agenda will be maintained or strengthened and which will have to be reduced or shut down. The OSCE will have to establish its core activities and fund those accordingly. In a world of tight budgets, it will then be necessary to explicitly retire some activities outside this core.

## **2.5 Consequences for a Strategy of Revitalizing the OSCE**

Its current crisis touches upon the substance of the OSCE, because it concerns both the moral legitimacy and the political relevance of its two key dimensions: In the politico-military dimension, the concept of common and co-operative security is at stake; in the human dimension there is no longer a consensus on the meaning of democracy and human rights for the practical behaviour of States. The economic and environmental dimension has ceased to be of strategic relevance and has become one of the OSCE's various working areas. In addition, the shrinking of the Organization's field operations and its budget are rapidly narrowing the OSCE's room for manoeuvre.

Against this background, we can no longer call the OSCE's crisis an "adaptation crisis".<sup>11</sup> Today, the crisis of the OSCE is one of political substance and moral legitimacy. The latter aspect is all the more important as the OSCE is a value-based organization, which would be unthinkable without the recourse to its basic norms and commitments. When key norms such as co-operative security and democracy and human rights are ignored or challenged, the OSCE's legitimacy is in danger. Beyond that, the political substance of the Organization is endangered, because its two most important comparative advantages, its field operations and election observation missions, are losing relevance or have come under political attack.

The severity of the OSCE's crisis is reflected in the fact that the participating States have not been able to address the key contentious issues in a direct manner. Instead, debates have focussed on operational questions. Thus, discussions of OSCE reform have focussed narrowly on questions of effectiveness in spite of further-reaching recommendations by the Panel of Eminent Persons.<sup>12</sup> And while there is a debate on the instrument of election observation, there is none on democracy as such. The disagreement within the OSCE is also reflected by

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Report 2002, p. 89; OSCE Annual Report 2003, p. 183; OSCE Annual Report 2004, p. 147; OSCE Annual Report 2005, p. 147; OSCE Annual Report 2006, p. 110.

<sup>11</sup> Wolfgang Zellner, in consultation with Alyson Bailes, Victor-Yves Ghebali, Terrence Hopmann, Andrei Zagorski, *Managing Change in Europe. Evaluating the OSCE and Its Future Role: Competencies, Capabilities, and Missions*, Hamburg 2005 (CORE Working Paper 13), p. 9.

<sup>12</sup> Cf. Final Report and Recommendations of the Panel of Eminent Persons on Strengthening the Effectiveness of the OSCE, Common Purpose. Towards a More Effective OSCE, Vienna, 27 June 2005.

the fact that the Ministerial Council has only rarely been able to agree on ministerial or relevant regional statements over the last few years, but has instead contributed to the proliferation of decisions on additional tasks, mainly in niche areas.

These developments reflect the ongoing marginalization of the OSCE, which will inevitably increase if the current business-as-usual approach continues to be followed. If the OSCE is to be revitalized, there is no alternative to attempting to create a new basic consensus among the participating States based on a package-deal involving the OSCE's politico-military and human dimensions. If this is successful, it would amount to nothing short of a transformation of the OSCE from its current semi-peripheral status to something else that is hard to even define in concrete terms today.

A new basic consensus would be a compromise reflecting the different interests of the participating States. Where no compromise is possible, of course, is in relation to the basic norms and commitments of the OSCE, particularly democracy and human rights as well as common and co-operative security. Consequently, even the attempt to achieve a new consensus represents a test of the degree to which the entirety of these basic norms and commitments is still relevant for the participating States.

Beyond this general statement, the attempt to create a new consensus will test the interests and the political will of key participating States in a more specific way. Russia has been successful in placing arms control back on the OSCE agenda. Nevertheless, it remains unclear to what extent Russia is really interested in arms control: Does Russia's renewed interest in this field reflect genuine concerns? Or does it rather represent an effort to introduce a political currency more to Russia's liking than the human dimension? Or is it even an effort to divert attention from attempts to weaken ODIHR? The test will be whether Russia has a greater interest in developing and expanding arms control than in weakening and controlling the functioning of the OSCE's human dimension. The answer to this question can only be discovered in the course of serious consultations.

For a number of Western States, the OSCE is primarily a human dimension organization that is expected to be active primarily South and East of Vienna, whereas arms control is seen as peripheral at best and dangerous at worst. It is well known that such an approach is not acceptable to the Russian Federation. Therefore, the test for Western States, particularly for the USA, will be whether their interest in the human dimension and ODIHR is greater than their current distaste for multilateral arms control. The answer to this question can also only be discovered by engaging in serious consultations.

In view of this, the participating States should engage in open-ended, serious, and high-level consultations on a possible new consensus in the OSCE's politico-military and human dimensions. Although these consultations could be conducted separately and in different formats, they would represent one and the same political context and would be framed to explicitly take into account possible trade-offs between the dimensions. At a later stage, these consultations should lead to negotiations on the OSCE's future agenda.

The first two of the following proposals for concrete undertakings under the titles of "Addressing new politico-military tensions in Europe" (cf. 3.1) and "Initiating a dialogue on the common substance and different forms of democracy" (cf. 3.2) provide details of the lines along which future consultations on a new basic consensus of the OSCE might be conducted, and what could be done in the daily work of the OSCE to prepare the political environment for such consultations.

All other proposals for undertakings are related to specific working fields of the OSCE. However, none of them is of strategic relevance in the sense of substantially contributing to a new basic consensus. This is even true of proposal 3.3 on the OSCE's contribution to the Alliance of Civilizations initiative, which would add a more consensual element to the human dimension, but does not touch upon the disputed areas. All these proposals (3.3 to 3.6) serve the objective of keeping the OSCE active until a new basic compromise has been reached. Although they occupy niches and add value, their own strategic relevance would not be sufficient to prevent let alone reverse the OSCE's further marginalization.

Against this background, there is no political space for a sustainable OSCE strategy at an intermediate level between marginalization and trying to achieve a new basic consensus. The reason for this lies less in the Organization's limited budgetary and organizational means, although this is a factor in its own right, than in the character of the OSCE as a value-based organization. An organization that owes its existence to the great moral imperative of representing the option of democracy, human rights, and common and co-operative security to all its participating States, cannot compromise on these basic values and end up as some kind of project-implementation agency. Therefore, there is no alternative to the attempt to renew the consensus on these basic values, principles, and norms.

### 3. Concrete Undertakings for Strengthening the Future Impact of the OSCE

The following concrete undertakings represent a strategy mix of defensive and offensive elements at different levels of relevance, as well as of political and operational elements that seem to be appropriate given the current circumstances.

The two most important undertakings by far – addressing new politico-military tensions in Europe (3.1) and initiating a dialogue on the common substance and different forms of democracy (3.2) – are both of a defensive nature. At the same time, however, they are conceived as preparing the ground for a new basic consensus on the OSCE. The proposal to develop the OSCE's contribution to the Alliance of Civilizations initiative (3.3) can be seen as an offensive added-value strategy element. This is also true, at a lower level of relevance, of the proposals to assist States in security sector reform (3.4), and to intensify co-operation with the OSCE's Asian Partners for Co-operation (APC, 3.6). Undertaking 3.5, securing the future of the OSCE's presence in the field, is clearly of a defensive character.

The four proposals on the politico-military dimension, democracy, the Alliance of Civilizations, and the APC and China represent political efforts. The others are more operational in nature. All in all, defensive elements clearly predominate, particularly in the key areas. However, the purpose of this is to open up a way ahead. They are supported by more offensive proposals in areas where this seems to be possible. Proposals of a political nature prevail over operational proposals.

#### *3.1 Addressing New Politico-Military Tensions in Europe*

Throughout its history, the CSCE/OSCE has always included a politico-military dimension that was relevant in itself as well as for balancing the other dimensions. The entire existence of the OSCE has been based on this balance among its dimensions and, at the same time, between its inter- and intra-state functions. Removing one element would endanger the whole construction. This balance is now at risk as it is not certain whether the CFE Treaty, the key element of co-operative security in Europe, can be saved. This reflects the fact that, in a number of States, a re-emergence of unilateral military thinking has arisen to the detriment of co-operative multilateral solutions. The crisis of the CFE is a crisis of co-operative security policy, one of the OSCE's key missions. Therefore, the future of the CFE has a direct impact on the further development of the OSCE.

The potential collapse of the CFE represents a direct challenge to the politico-military dimension of the OSCE because the Vienna Document 1999 (VD 99) would then be the sole remaining document of major importance. Other OSCE arms control documents are merely declaratory (e.g. the 1994 OSCE Principles Governing Non-Proliferation), have less operational importance (Code of Conduct on Politico-Military Aspects of Security), are primarily related to anti-terrorism (e.g. the 2004 OSCE Principles for Export Controls of Man-Portable Air Defence Systems), or are simply too peripheral or insufficiently operational at present (Open Skies, Small Arms and Light Weapons). Because the VD 99 is outdated in many respects, it is more than doubtful whether it could bear the burden of representing almost the entire substance of the OSCE's politico-military dimension. It is therefore essential that the participating States start broad and open-ended consultations on how to adapt the politico-military dimension to the needs of the 21st century.

*Renegotiating, ratifying and bringing into force the ACFE Treaty* is a prerogative of its 30 States Parties. However, all participating States have the right to discuss the Treaty regime. This is already stipulated by the CFE Treaty's preamble, which states that it was negotiated within the framework of the CSCE. The purpose of such discussions would be to contribute to a general atmosphere conducive to an agreement on the ACFE Treaty's future. In particular, participating States should initiate the following steps:

- High-ranking representatives of the participating States should use the PC, the FSC and the Annual Security Review Conference as forums for discussions on the ACFE Treaty following the example of the US Secretary of State Rice and Russian Foreign Minister Lavrov, and make every effort to bring the ACFE Treaty into force as soon as possible.
- Participating States should request special CFE-related briefings by the CFE States Parties including an exchange of information building on the mandate of the CFE negotiations from 10 January 1989, which stipulates: "The participants [of the CFE negotiations] decided to take part in meetings of the States signatories of the Helsinki Final Act [...] in order to exchange views and substantive information concerning the course of the Negotiations on Conventional Armed Forces in Europe."<sup>13</sup>
- Participating States that are not yet States Parties of the CFE Treaty but wish to accede to the ACFE Treaty after its entry into force, such as Estonia, Latvia, Lithuania, and Slovenia, should inform the other participating States of their intentions using the PC or the FSC as a forum to discuss their potential role in an adapted CFE regime.
- Participating States should discuss, within the framework of reviewing the work of the OSCE Missions to Georgia and Moldova, the status of the implementation of the Istanbul commitments, including the question of whether Russian/CIS peacekeeping forces deployed there fall under the Istanbul commitments.
- In the case of the (former) Russian military base in Gudauta in Abkhazia, Georgia, the OSCE should dispatch, as a confidence-building measure, a mission to verify whether the Russian armed forces have left the base.
- Despite the suspension of the CFE Treaty by the Russian Federation in December 2007, CFE States Parties should submit their currently mandatory notifications on a voluntary basis in the context of the annual information exchange, due on 15 December of each year. EU States could take the initiative.

The situation with respect to CSBMs in general and the *Vienna Document 99* in particular is characterized by a basic contradiction: On the one hand, it is argued that the CSBM agenda is exhausted because of the improved security situation in Europe. On the other, the growing tensions between the US and NATO and the Russian Federation point to a lack, not a surplus of confidence-building measures. In particular, participating States should initiate the following steps:

- Participating States should start broad consultations on their general and specific security concerns and how these can be addressed by a new generation of CSBMs and other arms control measures.

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<sup>13</sup> Mandate for Negotiation on Conventional Armed Forces in Europe, in: *The Arms Control Reporter*, 3-89, p. 407.D.21.

- The FSC should consider lowering the thresholds for notifiable and observable exercises under the VD 99. Even now, a number of participating States are providing information on exercises below the current thresholds on a voluntary basis.
- The FSC should start discussions on the Russian draft decisions on prior notification of large-scale military transits, deployment of foreign military forces, and multinational rapid reaction forces.
- The PC and the FSC should initiate seminars on CSBMs, drawing on the experience gained with the VD 99 and sub-regional agreements on CSBMs, in regions where States are less familiar with the idea of CSBMs, e.g. in the South Caucasus and Central Asia. The Asian Partner States of the OSCE, which raised the “idea of a joint workshop with CICA”<sup>14</sup> at the OSCE-Mongolia conference in June 2007, should be included in such efforts.

*Other contentious politico-military issues* such as US missile defence deployments in Europe, US bases in Bulgaria and Romania, and further rounds of NATO enlargement should be included in these discussions.

### ***3.2 Initiating a Dialogue on the Common Substance and Different Forms of Democracy***

The discussion on democracy and related commitments within the OSCE has been conducted at two quite different levels: At the more instrumental level of election-related commitments, there has been a twofold debate: On the one hand, for years, the Russian Federation and other CIS States have been sharply critical of the way OSCE/ODIHR election observation is conducted. On the other, a discussion of additional commitments on elections has been taking place since 2003 under the banner of “Copenhagen Plus”. However, at a more substantial level, there has been little discussion of the meaning of democracy, its essential common elements, and the different forms and traditions it can take. This asymmetry is counter-productive, because any discussion of practical measures rests upon concepts and interpretations of democracy as such, which are not explicitly articulated. The participating States should therefore follow both lines of discussion, although in different formats.

#### *High-Level Discourse on the Common Core Elements and Different Forms and Traditions of Democracy*

It must be stressed that no participating State has ever openly challenged the OSCE’s democracy-related commitments. However, it is equally evident that diverging developments in the area of democracy among the participating States are gradually undermining the unity of the OSCE as a community of shared values, norms, and commitments. If these deeper divergences are not discussed, they will take on a life of their own and develop into dividing lines. For that reason, the existing differing views on basic aspects of democracy must be openly addressed. A discussion of this kind would have a relevance that would go far beyond the OSCE. The starting point for such a discussion could be the following statement in ODIHR’s 2006 “Common Responsibility” report: “While the OSCE community has unequivocally committed itself to representative and pluralist democracy, it has not specified in detail which components must be in place to allow for genuine democratic government. It is in these areas where the OSCE community could benefit from finding a common language

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<sup>14</sup> OSCE-Mongolia conference on “Strengthening the Co-operative Security between the OSCE and the Asian Partners for Co-operation” (12-13 June [2007], Ulan Bator), Chairman’s recommendations and suggestions, PC.DEL/589/07, 18 June 2007. CICA is the Conference on Interaction and Confidence Building Measures in Asia.

that acknowledges both the diversity of traditions and systems across the region and the need to be sufficiently clear on central aspects for effective implementation of the general commitments.”<sup>15</sup>

However, such a debate is extremely difficult to conduct in a productive way. As always in politics, questions of norms and commitments are closely linked with questions of interest and power. Consequently, there is concern in some States that the issue of democracy and democratization might be used by Western States as a Trojan horse to achieve completely different objectives. By the same token, Western States might be concerned that others would use the very fact that they were engaging on a debate on democracy to hide more or less authoritarian realities. Thus, a discussion on principled questions of democracy cannot simply be started on a Thursday morning in the PC, but needs careful consideration and preparation of its objectives, substance, level, form, and desired result.

*Objectives and substance of a dialogue on democracy* The prime objective of a substantive discussion of democracy should be to elaborate the common core elements that any democratic system of governance must provide irrespective of its specific form and traditions. One basic precondition for achieving this goal is the development of a deeper understanding of the conditions for democracy and democratization in different States. One of the key difficulties regarding democracy in the OSCE area is the lack of simultaneity in democratic development that has arisen due to the entirely different starting conditions in various States and regions. Developing a better understanding of the timescales involved in democratization and of the relationship between democracy and stability during protracted periods of transformation are important issues. Another relevant topic is the different traditions shaping specific forms of democracy. Differentiating between the essential common core of democracy-related commitments and aspects of democratic regimes that are changeable and adaptable would be the key task.

*Level, form, and results of a dialogue on democracy* The proposed dialogue on democracy should be conducted by an OSCE Panel of Elder Statespersons at a very high level, i.e. former heads of state and government. It would also be possible to include one or two representatives from other world regions. On questions of international law, the panel could consult the authoritative Venice Commission of the Council of Europe. The panel could be mandated by the 2008 Helsinki MC meeting and would be tasked with elaborating a first report and recommendations. It would hold confidential meetings and would be free to organize hearings with experts of its choice. The Panel’s report could serve as a basis for the participating States’ consultations, which would aim at achieving a new consensus on human dimension issues.

An undertaking of this kind involves considerable political risks, particularly if the panel cannot agree on a relevant report. However, not addressing key normative disputes within an Organization of shared values and commitments might involve even greater risks. This concerns not only the long-term development of the OSCE, but also two current and, to some degree, highly contentious issues, namely Russian and CIS criticism of the way OSCE/ODIHR election observation missions are implemented, and the question of additional election-related commitments. It is hoped that these two lines of debate could profit from a more principled discussion of democracy.

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<sup>15</sup> Cf. OSCE/ODIHR 2006, Common Responsibility. Commitments and Implementation, cited above (note 4), pt. 82, p. 29. The idea for such a discourse on democracy was probably first formulated by Wilhelm Höynck (cf.: Wolfgang Zellner, Interview with Ambassador Wilhelm Höynck, Former Secretary General of the OSCE, in: Helsinki Monitor: Security and Human Rights, vol. 16 (2007), no. 4, pp. 271-274).

### *Implementation of OSCE Election Observation Missions*

For years, Russia and several other CIS States have criticized the way in which OSCE/ODIHR election observation missions are implemented. The fact that ODIHR has introduced and is considering further improvements,<sup>16</sup> has not softened this criticism. In September 2007, seven CIS States presented “Basic Principles for the Organization of ODIHR Observation of National Elections”.<sup>17</sup> According to these principles, the size of election observation missions should be restricted to 50 persons, the heads of mission should be appointed by the Permanent Council, and all key decisions including those on publishing election reports should be taken by the Permanent Council. With its decision to admit only 70 ODIHR observers to the Russian parliamentary elections in December 2007, the Russian Federation has underlined its position. Subsequent visa problems made it impossible for ODIHR to dispatch an election observation mission in a professional and timely manner.

For the OSCE, this amounts to an imminent crisis in its election observation activities in CIS States. While Western States all insist on the autonomy of OSCE/ODIHR election observation missions, Russia and some other CIS States aim at tight control of them through the Permanent Council, where any single State can prevent consensus at any time. There is thus an urgent need to address this issue more clearly and openly than has been the case up to now. This discussion will probably be more successful if it is embedded in the larger context of a more general discussion of democracy.

### *Concluding the Discussion of Additional Election-Related Commitments*

Participating States should conclude their half-finished work on additional commitments on elections that they started four years ago. The 2003 Maastricht Ministerial Council tasked the Permanent Council with “drawing on expertise from ODIHR, to consider the need for additional commitments on elections, supplementing existing ones.”<sup>18</sup> At the suggestion of the 2005 Slovenian Chairmanship, the Supplementary Human Dimension Meeting (SHDM) in April 2005 was devoted to the issue of “Challenges of Election Technologies and Procedures”. On the basis of this SHDM and an additional expert meeting in September 2005, an “OSCE/ODIHR Explanatory Note on Possible Additional Commitments for Democratic Elections”<sup>19</sup> containing a number of additional election-related commitments was presented in October 2005. Finally, in its decision on Strengthening the Effectiveness of the OSCE, the 2006 Brussels Ministerial Council meeting took “note of the suggestions in the report on new commitments and request[ed] the Permanent Council to advise on them, in time for the Ministerial Council meeting in Madrid in 2007”.<sup>20</sup> Unfortunately, neither the PC nor the 2007 Madrid Ministerial Council meeting were able to take related decisions.

Since the 1990 Charter of Paris, democracy has been a key value of the OSCE. Keeping the option of democracy open for all its participating States remains one of the Organization’s key tasks. Consequently, the participating States should make every possible effort to find common language on what this means in detail, at the level of principle as well as in more technical terms.

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<sup>16</sup> Cf. *ibid.*, pp. 33-55.

<sup>17</sup> Republic of Armenia, Republic of Belarus, Republic of Kazakhstan, Kyrgyz Republic, Russian Federation, Republic of Tajikistan, Republic of Uzbekistan, Draft Decision on OSCE/ODIHR Observation of National Elections, PC.DEL/898/07, 18 September 2007.

<sup>18</sup> OSCE, Eleventh Meeting of the Ministerial Council, Maastricht, 1 and 2 December 2003, Decision No. 5/03, Elections.

<sup>19</sup> Annex 1, OSCE/ODIHR Explanatory Note on Possible Additional Commitments for Democratic Elections, 11 October 2005, in: OSCE/ODIHR, Common Responsibility. Commitments and Implementation, quoted above (note 4), pp. 83-90.

<sup>20</sup> OSCE, Fourteenth Meeting of the Ministerial Council, Brussels, 4 and 5 December 2006, Decision No. 19/06, Strengthening the Effectiveness of the OSCE.

### 3.3 Developing the OSCE's Contribution to the Alliance of Civilizations Initiative

Large-scale mobility and the information revolution brought about by television and the internet have connected different cultures and religions, bringing to the forefront incompatibilities that can be and are exploited by political entrepreneurs. While conflicts between cultural and religious identities are by no means unavoidable, they do pose a real danger. Powerful processes of globalization and trans-nationalization have made it possible, for instance, for a caricature in a remote Danish daily to stir up the whole Muslim world. Such collisions between different normative systems can lead to violent conflict.

What is needed to address this new type of conflict is knowledge of each other's values and norms, and institutions that can prevent and regulate conflicts that may occur when different cultures and religions meet one another. With its comprehensive and inclusive policy approach and its specialized institutions, the OSCE is well equipped to assume this task.

#### *The OSCE Debate on Tolerance and Non-Discrimination (TND)*

In the 2003 "OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century", the participating States recognized that "[d]iscrimination and intolerance are among the factors that can provoke conflicts, which undermine security and stability"<sup>21</sup>. To prevent and combat the root causes of extremism and terrorism, the OSCE has intensified its efforts to define and disseminate principles and norms on tolerance and non-discrimination. Since Bucharest 2001, specific decisions in this area have been taken at all Ministerial Council meetings without exception. Prominent conferences have been held in Berlin, Paris, Brussels, Toledo, and most recently Bucharest and Cordoba. In 2004, the Organization set up its own Tolerance and Non-Discrimination Programme at ODIHR. Also in 2004, the then CiO appointed three Personal Representatives.<sup>22</sup> They have been re-appointed by all subsequent Chairpersons. The HCNM, the FOM, the Gender Issues Section, and other OSCE structures including its field operations are also mandated to elaborate on TND issues. The 2007 Madrid Ministerial Council meeting "decide[d] to consider an appropriate OSCE contribution to the implementation phase of the Alliance of Civilizations' High-Level Group recommendations".<sup>23</sup>

Currently, the OSCE is experiencing a fairly emotional debate on holistic versus religion-focussed perceptions of TND issues. The holistic approach starts from the assumption that all forms of discrimination and intolerance including "aggressive nationalism, racism, chauvinism, xenophobia, anti-Semitism and violent extremism in all participating States, as well as discrimination based, *inter alia*, on race, colour, sex, language, religion or belief, political or other opinion, national or social origin, property, birth or other status"<sup>24</sup> must be addressed, whereas the religion-focussed approach concentrates on combating anti-Semitism and intolerance against Muslims and Christians. While the holistic approach is certainly superior in terms of comprehensiveness, the religion-focussed approach has the advantage of concentrating on the politically most relevant dimension: "Nowhere have exclusivist

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<sup>21</sup> Eleventh Meeting of the Ministerial Council, Maastricht, 1 and 2 December 2003, OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century, pt. 36.

<sup>22</sup> Anastasia Crickley is Personal Representative of the OSCE CiO on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions; Ambassador Ömur Orhun is Personal Representative of the OSCE CiO on Combating Intolerance and Discrimination against Muslims; Prof. Gert Weisskirchen (Member of the German Bundestag) is Personal Representative of the OSCE CiO on Combating anti-Semitism.

<sup>23</sup> Fifteenth Meeting of the Ministerial Council, Madrid, 29 and 30 November 2007, Decision on Tolerance and Non-Discrimination: Promoting Mutual Respect and Understanding, pt. 11.

<sup>24</sup> Eleventh Meeting of the Ministerial Council, Maastricht, 1 and 2 December 2003, Decision No. 4/03, Tolerance and Non-Discrimination.

ideologies, adversarial perceptions, cultural arrogance, and media stereotypes combined more dangerously with conflicts bred of perceived and real injustices than in relations between Western and Muslim societies.”<sup>25</sup>

#### *Focus on Inter-Religious Dialogue and Discrimination against Migrants*

The entire debate on a holistic versus a religion-focussed approach is somewhat artificial in view of the specific security-related tasks of the OSCE. If only because of its limited capacities, the OSCE will hardly be in a position to achieve “[h]armonious relations between ethnic, religious, linguistic and other groups”<sup>26</sup> in all participating States. Therefore, the Organization would be well-advised to concentrate its efforts on the two most important security-relevant issues that are frequently interlinked:

- Individuals and groups distinguished by religion or belief. The OSCE should put a clear emphasis on relations between Christians/Secularists and Muslims while not limiting its activities on this question.
- Individuals and groups distinguished by periods of settlement in a given country or territory, such as members of so-called new minorities, migrant workers, and asylum seekers.

On a more concrete level, the OSCE should concentrate its TND efforts on the following tasks:

- *The OSCE should initiate a thorough needs assessment of TND issues* aimed at the identification of both deficits and best practices in the OSCE area, focusing on inter-religious relations and discrimination against migrants.
- *The OSCE should start a series of inter-religious and inter-cultural dialogues on security-related subjects.* The format of such dialogues would be quite different from the usual OSCE conferences: They would be organized on regional or sub-regional levels; participants would not necessarily include representatives of the participating States, but rather representatives of religious communities, societal organizations, governmental offices, departments of regional administration, and bodies of local self-government. Such dialogues could, in part, be kept confidential. In general they should be planned as multi-year initiatives.
- *The OSCE should better link its TND activities with its early warning and crisis prevention function.* In cases like the Mohammed cartoon crisis in Denmark and the protests against the Pope’s Regensburg statement on Islamic issues, neither the CiO, nor the three Representatives, nor all of them together were able to intervene effectively, with the result that the OSCE missed a major opportunity to enhance its profile in cases attracting global attention. Traditionally, the OSCE’s early warning and crisis prevention activities have been directed primarily at ethno-political conflicts. Today, it is also necessary to focus on the intersection of different cultures and religions. As a consequence, the OSCE’s TND activities should be more closely linked to those OSCE institutions that have the most experience in crisis prevention, namely the Conflict Prevention Centre and the HCNM.
- *The OSCE should strengthen its legal work on inter-religious and migrant issues.* The OSCE should concentrate on exchange and capacity-building in co-operation with

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<sup>25</sup> Alliance of Civilizations, Report of the High-level Group, 13 November 2006, quoted above (note 2), p. 10.

<sup>26</sup> OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century, quoted above (note 21), pt. 38.

governmental officials, departments of regional administration, bodies of local self-government, representatives of religious communities, and experts from societal organizations in areas such as “ratifying the international instruments, which address the problem of discrimination”,<sup>27</sup> “enacting or strengthening, where appropriate, legislation that prohibits discrimination”,<sup>28</sup> implementing “transparent and non-discriminatory laws, regulations, practices and policies”,<sup>29</sup> and ensuring effective law enforcement. It should also be taken into account “the fact that several OSCE participating States still have legislation that discriminates against religious communities”<sup>30</sup> and other social groups. Work in this area should be performed in close co-operation with the Council of Europe and the EU.

There is an increasing need to address the soft causes of hard security phenomena such as extremism and terrorism in a more focussed way. The OSCE has a rich tradition in this respect and is better placed than many other organizations to fulfil this task. Last, but by no means least, TND represents an issue area where the participating States have been able to reach consensus.

### **3.4 Assisting States in Security Sector Reform: Border Security and Policing**

Security sector reform is a vital element of democratic governance within States and for stability and security between them. In addition, it represents a cross-dimensional working field linking security issues to economic questions such as trafficking and key human dimension commitments. While the term security sector reform includes the whole law enforcement system as well as the armed forces and their parliamentary control, we shall concentrate on just two key elements: border security and management, and policing. The objectives of border security and management are, among other things, to “promote free and secure movement of persons, goods, services and investments across borders”, “to reduce the threat of terrorism”, and to “prevent and repress transnational organized crime, illegal migration, corruption, smuggling and trafficking in weapons, drugs and human beings”.<sup>31</sup> The objectives of democratic policing are “to maintain public tranquillity and law and order; protect and respect the individual’s fundamental rights and freedoms; prevent and combat crime; and to provide assistance and services to the public.”<sup>32</sup> The OSCE has been implementing a range of activities in both areas.

#### **3.4.1 Starting Border Security and Management Projects in Central Asia**

The OSCE has been engaged in a number of border security projects, particularly in South Eastern Europe and Georgia. Although other regional focal points should not be ruled out for the future, currently the most urgent need is in Central Asia, especially with respect to States bordering Afghanistan. Border security and management is and will remain for the foreseeable future a key issue for Central Asia for two reasons: Tajikistan, Turkmenistan, and Uzbekistan share 2,087 kilometres of borders with Afghanistan, much of it passing through

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<sup>27</sup> Tenth Meeting of the Ministerial Council, Porto, 6 and 7 December 2002, Decision 6/02, Tolerance and Non-Discrimination, pt. 3.

<sup>28</sup> Twelfth Meeting of the Ministerial Council, Sofia, 6 and 7 December 2004, Decision No. 12/04, Tolerance and Non-Discrimination, pt. 1.

<sup>29</sup> MC.DEC/4/03 on Tolerance and Non-Discrimination, Maastricht 2003, quoted above (note 24), pt. 9.

<sup>30</sup> OSCE Parliamentary Assembly, Brussels Declaration, Brussels, 3 to 7 July 2006, pt. 106.

<sup>31</sup> OSCE, Thirteenth Meeting of the Ministerial Council, Ljubljana, 5 and 6 December 2005, Decision No. 2/05, Border Security and Management Concept, p. 10.

<sup>32</sup> OSCE, Senior Police Adviser to the OSCE Secretary General, Guidebook on Democratic Policing, Vienna 2006, p. 10.

difficult terrain. The border regimes between Central Asian States are, in part, associated with breaches of human rights, and pose a threat to peoples' lives. Finally, they are to a degree counterproductive, impeding regional co-operation, particularly in the Ferghana valley.

As the Central Asian governments are reluctant to address border issues among themselves, any short-term efforts should be focussed on the borders with Afghanistan. In the long-term, however, border regimes within Central Asia should also be addressed.

With its 2005 Border Security and Management Concept, the OSCE provides a workable basic document for addressing this issue. Among other things, this document foresees the OSCE acting "upon the request of participating States and in a spirit of solidarity and partnership, based on mutual interest and respect."<sup>33</sup>

*Tajikistan border security project* Tajikistan has addressed just such a request to the OSCE. It is an encouraging sign that the OSCE, after a field assessment mission in July and August 2006, is now starting a large border security project in Tajikistan, financed by voluntary contributions. The following aspects can be seen as crucial for further developing these activities:

- The project should strengthen the OSCE's visibility in the region and represent a sustainable, long-term, and more than symbolic effort. Limited short-term activities only increase disappointment.
- In view of its long border with Afghanistan (744 km), every effort should be made to include Turkmenistan. This also applies to Uzbekistan.
- The project should be enlarged, at least in later stages, to establish a truly regional effort. An OSCE regional border security and management centre in Dushanbe focussing on training, lessons learned, and conceptual work, modelled along the lines of the OSCE Academy in Bishkek, would be an option.
- The project should be open for co-operation with all international partners that are willing and able to contribute. These should include the Russian Federation, which has already fulfilled border security functions in Tajikistan. There should also be close consultations with the EU on sharing work and on co-operation between OSCE efforts and the EU's Border Management Programme for Central Asia (BOMCA). As suggested at the OSCE-Mongolia conference in June 2007, experts from the OSCE's Asian Partners for Co-operation should also be included.<sup>34</sup> The same applies to voluntary contributions.

*Training of Afghan anti-drugs police officers* It is also encouraging that the OSCE, at the request of Afghanistan, has launched a project on training Afghan anti-drug police officers in Domodedovo, in the Russian Federation. Training projects for Afghan border guards and anti-drug police officers on the territory of Russia, Tajikistan, or other participating States should be continued and enlarged in accordance with the decision of the 2008 Madrid Ministerial Council meeting on "OSCE engagement with Afghanistan".<sup>35</sup>

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<sup>33</sup> OSCE Border Security and Management Concept, quoted above (note 31), p. 11.

<sup>34</sup> OSCE-Mongolia conference, 12-13 June 2007, quoted above (footnote 14).

<sup>35</sup> Fifteenth Meeting of the Ministerial Council, Madrid, 29 and 30 November 2007, Decision on OSCE Engagement with Afghanistan, pts 4 and 6.

### **3.4.2 Strengthening the Capacities of the Strategic Police Matters Unit in Providing Guidance, Lessons-Learned, Training, and Co-operation**

The OSCE has been active in a number of areas of police-related activities that have mainly been implemented by its field operations supported by the Secretariat's Strategic Police Matters Unit (SPMU). The following activities are among the most prominent ones:<sup>36</sup> Major police reform projects have been implemented in Croatia, Georgia, Kosovo, and Kyrgyzstan. Major police training projects have been implemented in Albania, Kosovo, Kyrgyzstan, Macedonia, and South Serbia. In Kosovo, Macedonia, and South Serbia, a major focus was on multi-ethnic policing.<sup>37</sup> The HCNM has issued recommendations on policing in multi-ethnic societies<sup>38</sup> and has implemented projects on minorities-related policing in Georgia and Kyrgyzstan.<sup>39</sup> Projects on community policing have been implemented in Armenia, Azerbaijan, Croatia, Georgia, Kyrgyzstan, Kosovo, Macedonia, Montenegro, and Serbia. Projects on organized crime have been implemented in Georgia, Kyrgyzstan, Montenegro, and Serbia. A twinning relationship on police reform co-operation was established between Azerbaijan and the Czech Republic. Police reform in Kyrgyzstan was supported by Lithuania in particular.

This list of police-related activities is by no means complete. However, it shows how broad the OSCE's work in this area is, both in substance and in geographical scope. Many of these projects have been implemented by OSCE field operations with strong police departments, e.g. the Department for Police Education and Development of the OSCE Mission in Kosovo, or the 37 member Law Enforcement Department of the OSCE Mission to Serbia.<sup>40</sup> As the general trend in the development of OSCE field operations moves to smaller units, and most of the large missions in South Eastern Europe are no longer likely to exist in a couple of years, the SPMU's capacities for giving guidance, providing training and lessons learned, and for facilitating co-operation must be strengthened if the OSCE wants to maintain the current level and quality of its police-related work.

#### *Providing Police-Related Guidance*

The Guidebook on Democratic Policing, written by the Senior Police Adviser, was published in 2006. Work on a comparable Guidebook on Community Policing is underway. In addition, preparatory work for a survey on methods and curricula used by the participating States for basic police training has been started.<sup>41</sup> Further guidebooks on specialized issues would be desirable, e.g. on fighting organized crime and on border security and management.

#### *Starting Lessons-Learned Exercises on Specific Police-Related Areas*

In several police-related areas, most prominently (multi-ethnic) police training and community policing, but also organized crime and border security and management, the OSCE has already implemented a number of projects and acquired considerable experience. However, up to now no systematic lessons-learned efforts have been started in these fields. This is all the more deplorable as staff members implementing these projects change quickly, and in a few years most of the police departments in the field operations – together with the SPMU, the key collecting points of expertise – will probably no longer exist. It is therefore

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<sup>36</sup> The following information is based on: OSCE, Secretary General, Annual Report of the Secretary General on Police-Related Activities in 2006, Vienna 2007.

<sup>37</sup> Cf. Thorsten Stodiek, The OSCE and the Creation of Multi-Ethnic Police Forces in the Balkans, Hamburg 2005 (CORE Working Paper 14), at: [http://core-hamburg.de/documents/CORE\\_Working\\_Paper\\_14.pdf](http://core-hamburg.de/documents/CORE_Working_Paper_14.pdf).

<sup>38</sup> OSCE, HCNM, Recommendations on Policing in Multi-Ethnic Societies, February 2006.

<sup>39</sup> Cf. Annual Report of the Secretary General on Police-Related Activities in 2006, quoted above (note 36), pp. 32-33.

<sup>40</sup> Cf. *ibid.*, p. 10.

<sup>41</sup> Cf. *ibid.*, p. 24.

vital to start now with comparative lessons-learned studies in the main areas of the OSCE's police-related activities. The results of these studies will also provide a firm foundation for specialized guidelines and other training materials.

#### *Facilitating Twinning Relationships in Police-Related Co-operation*

Further twinning relationships on police co-operation should be facilitated in accordance with the models of Azerbaijan and the Czech Republic, and Kyrgyzstan and Lithuania. Apart from their practical advantages, they exemplify the basic OSCE idea of co-operative security in an ideal way.

#### *Merging the Borders Team with the SPMU*

A sustainable OSCE effort on border security and management in Central Asia would necessarily result in an upgrade of the Borders Team within the Secretariat, which currently has a staff of just three. As their areas of responsibility overlap to a large degree, the Borders Team should be merged with the SPMU.

### **3.5 Securing the Future of the OSCE's Presence in the Field**

The OSCE's field operations have always been one of its decisive comparative advantages. For this reason, the Organization should maintain this advantage under changing circumstances. However, it is highly unlikely that the current profile of the OSCE's field operations can be maintained in the medium-term. The decrease in the number and volume of OSCE field operations, the changing composition of the remaining field presences, and increasing budgetary pressure make it necessary to rethink current and future forms of the OSCE's presence in the field.

The scale of OSCE field operations in terms of budgets and international staff has been cut roughly in half since 2000/2001 and will decrease further with the closure and downsizing of some of the large missions in South Eastern Europe. This means not only that field operations are becoming less relevant in terms of their budget share and by comparison to other OSCE activities, but also that the composition of the remaining field activities has changed and will continue to change substantially. Even today, more than half of the 19 OSCE field operations work in evolving transition situations not related to a concrete conflict constellation. Many of them, such as the OSCE Offices in Baku, Yerevan, and Minsk, the OSCE Centres in Ashgabad, Astana, Bishkek, and Dushanbe, and the OSCE Project Co-ordinators in Ukraine and Uzbekistan are poorly staffed, particularly with respect to international staff. The idea of shifting funds from South Eastern Europe to the Caucasus and Central Asia has not been successful, if only because the governments of host states have opposed any increase in international staff in the Centres and Offices there.

Against this background, the OSCE should think about improvements in the work of its current field operations, about new forms of field operations and new institutions modelled on the OSCE Academy in Bishkek, and about an OSCE Academic Network.

#### *Rationalizing the Work of Existing OSCE Field Operations*<sup>42</sup>

As is true of the OSCE in general, the small OSCE field operations suffer from an overloaded and fragmented agenda. Consequently, in line with the general development within the Organization, their working areas should be more clearly defined and, if necessary, reduced. Instead of hundreds of small projects, they should concentrate on a much smaller number of

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<sup>42</sup> This paragraph is primarily related to OSCE field operations without a conflict-related mandate.

larger projects. One key condition for achieving this is more co-ordination by the Secretary General. In addition, the small OSCE field operations need more support from the Secretariat's thematic units as well as from the Conflict Prevention Centre's country desks.

#### *Establishing Thematic Missions*

With the decision of the 2006 Brussels Ministerial Council meeting "that further examination is needed as to whether thematic missions could prove a useful and effective tool to address newly emerging security threats, responding particularly to needs encompassing the whole OSCE area",<sup>43</sup> the idea of thematic missions was shelved for the moment. One important reason was that a number of Western States were concerned that the idea of thematic missions might be used to destroy the current formats of OSCE field operations.

However, the need to organize thematic issues either in the whole OSCE area or in certain regions will remain, and hence the need exists for an organizational framework for such activities, whatever their designation may be. The idea of thematic missions should therefore be considered again in a proper concrete context, not at the level of an abstract conceptual discussion. Recently, the delegations of Armenia, Belarus, Kazakhstan, Kyrgyzstan, the Russian Federation, Tajikistan, and Uzbekistan have mentioned the need to "begin work on the development of a concept of thematic missions (task forces), taking into account the whole spectrum of new threats and challenges and their cross-dimensional and broad geographical nature."<sup>44</sup> Although this proposal might still have been motivated by opposition to the current formats of the OSCE's field operations, this argument loses power in the face of the shrinking volume of the OSCE's classic field operations. The question is no longer whether the OSCE can maintain its current field operations, but rather whether it will be able to provide relevant field operations at all in a couple of years. Thematic missions represent an option for achieving this goal.

#### *Creating New Institutions Modelled on the OSCE Academy in Bishkek*

The OSCE Academy in Bishkek has developed into a highly successful and extremely cost-effective institution for spreading the basic OSCE values, providing academic and professional training, and fostering regional co-operation. This type of institution is not firmly integrated into OSCE structures, but works under the Organization's general auspices. OSCE officials are represented in the Academy's governing body, and a (rather modest) part of its costs is covered by the OSCE Unified Budget. An additional advantage of the Academy consists in the fact that the OSCE can co-operate from this platform with States as well as with civil society actors. Consequently, the OSCE Academy in Bishkek could serve as a model for comparable institutions, particularly in the area of training. An OSCE Academy for Border Security and Management in Dushanbe would be a good possibility.

#### *Establishing an OSCE Academic Network*

While it is extremely difficult for the OSCE to reach out to the public at large, the Organization could be more successful in targeting specific civil society sectors that, in themselves, can contribute certain multiplier effects and other added value. An open OSCE Academic Network, started with the help of, among others, the Schlaining Institute, the Program for the Study of International Organizations at the Graduate Institute of International Studies (Geneva), the Helsinki Monitor: Security and Human Rights, some of the more active Helsinki Commissions, the OSCE Academy in Bishkek, and the Centre for OSCE Research

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<sup>43</sup> OSCE, Fourteenth Meeting of the Ministerial Council, Brussels 2006, Decision No. 19/06 Strengthening the Effectiveness of the OSCE, MC.DEC/19/06, 5 December 2006.

<sup>44</sup> Joint letter by the Delegations of Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russian Federation, Tajikistan and Uzbekistan, concerning the analysis of the state of implementation of decisions and recommendations on strengthening the effectiveness of the OSCE, 18 May 2007, CIO.GAL/78/07.

could contribute in areas such as CSCE/OSCE history, lessons learned and training. Such a network could be co-ordinated by the OSCE Office in Prague. Its costs could be covered primarily by third-party sources.

### **3.6 Intensifying Co-operation with the OSCE's Asian Partners for Co-operation**

The potential of the OSCE for co-operation with partners in Asia is by no means exhausted. This could involve the intensification of co-operation with the current Asian Partners for Co-operation (APC), and exploring China's interest in partnering the OSCE in a number of areas.

#### *Intensifying Co-operation with the OSCE's Current Asian Partners for Co-operation*

One of the OSCE's most underused external resources is the potential for co-operation with its APC. This statement cannot be equally applied to the Mediterranean Partners due to the antagonism between Israel and the Arab States, which effectively blocks co-operation. Beyond sharing the OSCE's basic values and commitments, the APC have shown concrete interest in a number of the OSCE's working fields. Japan and Korea are particularly interested in CSBMs, Thailand in human security including anti-trafficking, and Afghanistan in border security and management. In addition, Japan is making substantial voluntary contributions to OSCE projects and is actively engaged in development co-operation in Central Asia.

So far, co-operation with the APC has been mostly limited to symbolic action such as seminars. However, the considerable number of shared concrete interests would make it possible to advance to practical co-operation. There is no lack of suggestions: As proposed at the 2007 OSCE-Mongolia conference, the APC could second experts to OSCE executive structures and participate in OSCE border security and management projects in Central Asia.<sup>45</sup> In addition, other kinds of projects could also be opened for the participation of the APC, and the APC could second staff to OSCE election observation missions and dispatch interns to OSCE institutions as South Korea has recently done.

#### *Considering China as a Possible APC*

China is a permanent factor for Central Asia in every respect. It shares borders with three Central Asian states (Kazakhstan, Kyrgyzstan, and Tajikistan) as well as with Russia. Economic relations with China are booming, with China being particularly interested in Russian and Central Asian energy resources. As a result of bilateral ties, and through its participation in the SCO, China has become a security actor in Central Asia with a special focus on anti-terrorism activities.

The question of issuing an invitation to China to become an OSCE Partner for Co-operation has a strong Central Asian aspect, but its relevance goes far beyond that. There were consultations on this issue during the 2005 Slovenian Chairmanship, but without any conclusive results. There are reasons for resuming this initiative. However, there are also counter-arguments. The following speak in favour of including China as an APC:

- China's inclusion as an APC would involve a country that has been developing into a key security actor in one of the OSCE's most important areas, Central Asia.
- China might be interested in some of the OSCE's experiences, e.g. in the field of CSBMs or the preventive management of ethno-political conflicts, particularly through the HCNM. More generally, the involvement of China would open a new

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<sup>45</sup> OSCE-Mongolia conference, 12-13 June 2007, quoted above (footnote 14).

channel for making the CSCE/OSCE's experiences fruitful for Asia, and, at the same time, give the participating States the chance to gain a better understanding of the forces and interests that forge security and co-operation in Asia.

- In the long term, China might profit from the OSCE's experiences with transformation processes towards democratic governance.

However, there are also a number of reasons that suggest caution:

- China is still a non-democratic regime that might have difficulties in identifying itself with the OSCE *acquis*, particularly in the human dimension. If China enters the APC without accepting the OSCE human dimension *acquis*, its inclusion could be seen as a dilution of the OSCE's human dimension commitments. It is uncertain to what degree China would be ready to expose itself to a dialogue on the OSCE's human dimension commitments.
- China's anti-terrorism approach, also within the SCO, is much more focused on military means than the OSCE approach, which stresses the importance of addressing root causes and urges the observance of human rights in anti-terrorist activities.
- The inclusion of China would also substantially change the balance between the APCs. This step should therefore be thoroughly explored with the current APCs.

Striking a balance between these arguments *pro* and *contra* inclusion of China as an APC is not easy. However, in view of the strategic relevance of China in general and for Central Asia in particular, a careful consultation process on this issue should be started.

#### *Starting Co-operation with the Shanghai Co-operation Organization on Specific Projects*

The SCO<sup>46</sup> is a strictly inter-governmental instrument focussed on security issues, particularly anti-terrorism, and does without a common normative basis, particularly with respect to the human dimension. More recently, economic issues have also been included on the SCO agenda. The SCO serves to balance Russian and Chinese interests and includes all Central Asian States except Turkmenistan, thus creating a win win situation for all six participants.

Up to now, the OSCE has had contacts but no co-operation with the SCO. As China is the only non-participating State in the SCO, it is not surprising that the same reasons that speak in favour of or against China's inclusion as an APC are relevant for the OSCE's co-operation with the SCO. However, in view of the growing relevance of the SCO for security policy in Central Asia, but also the low level of institutionalization of this Organization, which could make institutional partnership difficult, the OSCE should explore the possibilities of initiating common workshops with the SCO and of inviting China to join specific projects of common interest implemented together with the Central Asian participating States.

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<sup>46</sup> The SCO goes back to discussions among Russia, China, Kazakhstan, Kyrgyzstan, and Tajikistan on border disputes that led to the signing of the Shanghai Agreement on Confidence Building in the Military Field in the Border Area (1996) and the Agreement on Mutual Reductions of Armed Forces in Border Areas (1997) that laid the groundwork for resolving these issues. The SCO was founded in 2001, and now also includes Uzbekistan. Cf. Alyson J.K. Bailes/Pál Dunay/Pan Guang/Mikhail Troitskiy, The Shanghai Cooperation Organization, Stockholm 2007 (SIPRI Policy Paper no. 17), at: <http://www.sipri.org>.

## 4. Conclusions and Recommendations

The OSCE is in a paradoxical situation: On the one hand, its principles and policy approaches are more timely and necessary than ever. This is particularly so for its co-operative security policy and its human dimension commitments. On the other, the substance of these two key dimensions is simultaneously threatened by unilateral military thinking and disagreement on the meaning of key norms and commitments. This specific OSCE paradox only reflects the current general weakness of principled approaches to common security. And it is reminiscent in a worrying way of the CSCE era, when sharply different interests could barely be bridged by joint documents on the principles of security and co-operation in Europe.

The situation of the OSCE can no longer be referred to as an adaptation crisis. Rather it is a crisis of both political substance and normative legitimacy. What is at stake are the very foundations of the Organization. This political weakness is augmented by the decreasing organizational strength of the OSCE, particularly its shrinking budget and field operations.

The main strategic consequence of this aggravated state in which the OSCE finds itself today is that there is no viable option for a gradual intermediate strategy. During the last few years, the participating States have followed a business-as-usual approach because they could not agree on substantial political issues. If States continue this approach, this will inevitably lead to the further stagnation and marginalization of the Organization.

The only viable alternative is to make a serious attempt to create a new basic consensus among the participating States on the substance of the OSCE's politico-military and human dimensions including trade-offs between these two dimensions, comparable to the package-deals of the CSCE period before 1990. In strategic terms, this approach has both defensive and offensive aspects: It tries to defend the relevance of the principles on which the OSCE is built. At the same time, it strives to forge a new platform on which the OSCE can build its future work.

Consequently, the principal recommendation of this report is that the participating States should engage in serious, open-ended and high-level consultations on the OSCE's politico-military and human dimension agenda. Although the two lines of consultations might be conducted in different formats, they would be politically interlinked. All other recommendations presented in this report serve the purpose of supporting this principal policy goal and keeping the Organization active until a new basic consensus of the OSCE has been achieved. However, the political weight of these recommendations is not sufficient to achieve the prime objective of a new basic consensus among the participating States.

In more detail, the present report recommends the following:

### **1. The participating States should address the new politico-military tensions in Europe.**

- Participating States should start broad consultations to be followed by negotiations on their general and specific security concerns and how these can be addressed by a new generation of Confidence- and Security-Building Measures (CSBM) and other arms control measures.

*ACFE Treaty:*

- High-ranking representatives of the participating States should use the Permanent Council (PC), the OSCE Forum for Security Co-operation (FSC) and the Annual Security Review Conference as forums for discussions on the Adapted CFE Treaty (ACFE) and make every effort to bring it into force as soon as possible.
- Participating States should request special CFE-related briefings by CFE States Parties including an exchange of information.
- Participating States that are not yet States Parties of the CFE Treaty but wish to accede to the ACFE Treaty after its entry into force, such as Estonia, Latvia, Lithuania, and Slovenia, should inform the other participating States of their intentions.
- The OSCE should dispatch a mission to verify whether the Russian armed forces have left the (former) Russian military base in Gudauta in Abkhazia/Georgia.
- Despite the suspension of the CFE Treaty by the Russian Federation in December 2007, CFE States Parties should submit their notifications on a voluntary basis, in the context of the annual information exchange, due on 15 December of each year.

*CSBMs and Other Arms Control Issues:*

- The FSC should consider lowering the thresholds for notifiable and observable exercises under the Vienna Document (VD) 99.
- The FSC should start discussions on the Russian draft decisions on prior notification of large-scale military transits, deployment of foreign military forces, and multinational rapid reaction forces.
- The PC and the FSC should initiate seminars on CSBMs in regions where States are less familiar with the idea of CSBMs and should include the Asian Partner States of the OSCE in these efforts.
- The FSC should discuss other politico-military issues of concern such as the deployment of missile defences and military bases on the territory of participating States.

**2. States should start a high-level discourse on the common core elements and different forms and traditions of democracy.**

- States should launch a Panel of Elder Statespersons at the level of former heads of state or government to discuss common core elements and different forms and traditions of democracy.
- States should continue to discuss the implementation of OSCE election observation missions without in any way undermining their ability to perform their work professionally.
- States should conclude the discussion on additional election-related commitments with respect to new technologies including electronic voting.

### **3. States should develop the OSCE's contribution to the Alliance of Civilizations initiative.**

- The OSCE should focus its debate on tolerance and non-discrimination (TND) on inter-religious dialogue and discrimination against migrants.
- The OSCE should initiate a thorough needs assessment of TND issues.
- The OSCE should start a series of inter-religious and inter-cultural dialogues on security-related subjects.
- The OSCE should link its TND activities more effectively with its early warning and crisis prevention functions.
- The OSCE should strengthen its legal work on inter-religious and migrants issues.

### **4. The OSCE should assist States in security sector reform, particularly in border security and policing.**

#### **4.1 The OSCE should start border security and management projects in Central Asia.**

- The Tajikistan border security project should strengthen the OSCE's visibility in the region and represent a sustainable, long-term, and more than symbolic effort.
- The project should include Turkmenistan and Uzbekistan, and should later be enlarged to constitute a true regional effort.
- Training projects for Afghan border guards and anti-drug officers on the territory of Russia, Tajikistan, and other participating States should be continued and enlarged.
- These projects should be open for co-operation with all international partners willing and able to contribute.

#### **4.2 The OSCE should strengthen the capacities of the Strategic Police Matters Unit (SPMU) in providing guidance, lessons learned, training, and co-operation.**

- The SPMU should extend its work on providing police-related guidance.
- The SPMU should start lessons-learned exercises in specific police-related areas.
- The SPMU should facilitate twinning relationships in police-related co-operation.
- The Borders Team should be merged with the SPMU.

### **5. States should secure the future of the OSCE's presence in the field.**

- The OSCE should optimize the work of its existing field operations, streamlining overloaded and fragmented agendas.

- The OSCE should again consider establishing thematic missions.
- The OSCE should promote the creation of new institutions modelled on the OSCE Academy in Bishkek.
- The OSCE should establish an OSCE Academic Network.

**6. The OSCE should intensify co-operation with its Asian Partners for Co-operation.**

- The OSCE should intensify co-operation with its current Asian Partners for Co-operation (APC).
- The OSCE should explore the possibility of inviting China to be an APC.
- The OSCE should invite China as the only member of the Shanghai Co-operation Organization not participating in the OSCE to join specific projects implemented in co-operation with Central Asian participating States.

## List of Abbreviations

ACFE	Adapted Treaty on Conventional Armed Forces in Europe
APC	Asian Partners for Co-operation (OSCE)
BOMCA	Border Management Programme for Central Asia (EU)
CEEA	Co-ordinator of OSCE Economic and Environmental Activities
CFE	Treaty on Conventional Armed Forces in Europe
CICA	Conference on Interaction and Confidence Building Measures in Asia
CiO	Chairman-in-Office (OSCE)
CORE	Centre for OSCE Research
CIS	Commonwealth of Independent States
CSBM	Confidence- and Security-Building Measures
CSCE	Conference on Security and Co-operation in Europe
EED	Economic and Environmental Dimension (OSCE)
EU	European Union
FOM	Representative on Freedom of the Media (OSCE)
FSC	Forum for Security Co-operation (OSCE)
GMD	Global Missile Defence
HCNM	High Commissioner on National Minorities (OSCE)
MANPADS	Man-Portable Air Defence Systems
MC	Ministerial Council (OSCE)
NATO	North Atlantic Treaty Organisation
NGO	Non-Governmental Organization
ODIHR	Office for Democratic Institutions and Human Rights (OSCE)
OMIK	OSCE Mission in Kosovo
OSCE	Organization for Security and Co-operation in Europe
PA	Parliamentary Assembly (OSCE)
PC	Permanent Council (OSCE)
SALW	Small Arms and Light Weapons
SCO	Shanghai Co-operation Organization
SHDM	Supplementary Human Dimension Meeting (OSCE)
SPMU	Strategic Police Matters Unit (OSCE)
TND	Tolerance and Non-Discrimination (OSCE)
UK	United Kingdom
UN	United Nations
USA	United States of America
US	United States
VD	Vienna Document (OSCE)