

## Reflecting on the "Circle of 55"<sup>1</sup>

The "Cold War" that emerged in the aftermath of World War II and placed two different concepts of the perception of human values and the role of individuals and institutions in societies (and/or in states) opposite one another created the profound division of Europe, best (and worst) portrayed by the Berlin Wall.

The CSCE process emerged from the need to build bridges and - despite the different strategies behind this approach - to reach a certain measure of common understanding between the two blocs in order to ensure stability and a basic minimum of normality until history would engender a change. The 1975 Helsinki Final Act contained the best possible result in the search for a common denominator. Simultaneously the Final Act created a basis and reference point for further developments, which in fact the communist bloc did not foresee and did not desire.

A great deal earlier than any of the Helsinki signatories would have dreamed of, the Wall, which the Act was intended to make more permeable, fell altogether. And what had been understood as a possible common denominator for the decades to come - the Helsinki Final Act - in fact turned out to be a first benchmark of a much speedier process. It proved to be much more than a "consolidating" factor: It became a political banner contributing decisively to the implosion of the Soviet system and a "charter of fundamentals" for a new set of stable and open relations in the post-Cold War Europe. The Final Act initiated a process that not only embraced the countries that had signed the Act, but ultimately all those that emerged from the disintegration of the Soviet Union and the dissolution of socialist Yugoslavia and who then appeared in the international arena.

The Charter of Paris signed in 1990 asserted the full logic of the development of the principles and commitments formulated and agreed in Helsinki, recognizing the indivisible nature of stability. A process of institutionalizing the *Conference on Security and Co-operation in Europe* led to the creation of the *Organization for Security and Co-operation in Europe*, the OSCE, in 1994 in Budapest, *nota bene*, as a *political* institution and not (yet?) a full subject of international law with legal capacity. However, the explicit references in various OSCE documents to its role in connection with Chapter VIII of the Charter of the United Nations undoubtedly point to the real role the OSCE assumes within the area covered by the territories of its 55 participating States - that of a regional organization. The 1999 Istanbul Summit made this understanding more concrete by identifying the specific role and value of the

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1 This article reflects the personal opinion of the author.

OSCE in the complex framework of international organizations and institutions that act in the same geopolitical context. Through the Platform for Co-operative Security, participating States have pledged to further strengthen and develop co-operation with other organizations on the basis of equality and in a spirit of partnership.

One can easily identify the four major organizations and/or institutions which are currently seeking their "position" in the European, Asian and American geopolitical context of the "55": the European Union, the Council of Europe, NATO (and the EAPC linked to it) and the OSCE. In promoting this process, individual states, who take action within as well as outside of organizations, will continue to play a key role. Surely, the evolution of the trilateral set of relations between the US, the EU and Russia will represent a very important factor in future. The EU members, also those who are more significant, would be well advised when trying to exert their influence, to do so increasingly from within the Union's framework - if they do not wish to put a good part of their influence potential at risk! The same applies *mutatis mutandis* to future EU members.

The European Union represents a very special and new model of a regional organization. In fact, it goes beyond the classic concept of an international organization and is in an unprecedented stage of integration and of making use of commonly shared competences of states acting at the international level. If we consider these facts as well as the possible evolution towards an even more highly integrated institutional framework, the fact that the EU will in foreseeable future cover almost the whole of Western and Central Europe (and possibly extend into the Balkans) and the open question of its future eastern borders - if we consider all these elements jointly, it will allow us to make the following forecast: Whatever the EU may decide to become institutionally and whoever it is prepared to offer membership to, it will ultimately become one of the strongest determining factors in setting up the future regional organizations network in the Euro-Asian-American "circle of 55" extending throughout the northern hemisphere.

There is no question about the fact that the further evolution of the "classic core" of Euro-Atlantic (Euro-American), Euro-Russian and American-Russian relations will have an important impact on the development of the EU itself, which will be considerably different than the effects of its internal influences. There are no singular one-dimensional influences in this game. However, probably the effects of the common actions by the Union on the whole area will prove to be as strong as the contributions of all other actors put together. The capacity to influence decision-making within the Union from the outside has strongly diminished since the end of the Soviet menace. The EU member states will ultimately decide freely - but of course not free from the contradictions of their own visions and interests - on the Union's future and thus, inevitably, make decisions and/or influence decisions on the region as a whole.

In the specific context of the OSCE (and the Council of Europe) the already well developed close co-operation between the EU and EFTA countries as well as Canada globally reinforces the capabilities to take action of this like-minded group. Perhaps the Ukraine, on its way "towards Europe", may in the future join this informal club.

As a second major factor shaping the future international institutional net covering our region we can easily identify NATO and/or its further development - both through its process of reform and enlargement as well as due to the kind of links it will ultimately develop to Russia and the Ukraine, and to a lesser but not at all negligible extent, to the Caucasus and Central Asia. Again, the United States of America and the European Union will play a central role here.

Russia is another important actor in this context, equally influencing and being influenced by the factors mentioned so far. There is very little reason to doubt that ultimately Russia will integrate itself fully into the pan-European model of society, whilst preserving specific characteristics related to its own roots and cultural inheritance. And that is no bad thing!

The question is rather how long it will take for Russia to stabilize internally and then assert its new role in the Euro-Asian and Euro-American context as well as globally. Ultimately, Russia alone will be able to decide on its path and pace.

Finally, the states of the Caucasus and Central Asia complete the circle of actors. While they are still under the influence of Russian development and its pace, they are increasingly gaining importance in themselves and are taking action according to their own interests. Thus their future place in and contribution to Euro-Asian-American relations within the "circle of 55" must be given special consideration.

Both the OSCE and the Council of Europe are called upon to play a very unique role each at a different level. While individual states, the European Union and NATO - each within the framework of their specific capacity to take action - will prove decisive and be the decision-makers in shaping the pan-regional institutional network, the OSCE and the Council of Europe should concentrate on ensuring what they can do best to contributing to this process as the only "all-encompassing" organizations (the Council of Europe comprising the wider European area, the OSCE comprising the pan-regional "circle").

The two organizations were born out of different strategies, at different times and in order to pursue different political goals. But history has brought them closer together. The circumstances are well known. The circle of participating States and/or the circle of member states overlap to a large extent and at the centre of their activities one recognizes a common effort in contributing to establishing inner- and inter-societal relations based on the principles of human rights and fundamental freedoms, the rule of law and the recent developments in international law. These are precisely the areas where both in-

stitutions are undoubtedly acting as leading institutions in codifying new standards and procedures within the international community.

In the desired further development of co-ordinated action and of a possibly clearer definition of rules and competence - where, at the end of the day, the European Union again will be decisive - the Council of Europe and the OSCE should keep an inter-active, co-ordinated and mutually reinforcing role in the spirit of the Platform for Co-operative Security: the OSCE acting as the comprehensive regional, inter-state political level; the Council of Europe promoting the international harmonization of law systems and institutions dealing primarily with the issues covered by the system of conventions agreed upon under its auspices.

Under the current "state of affairs" and in view of the different possibilities for developing an overall institutional net of the Euro-Asian and Euro-American "circle", the OSCE and its participating States should in a common approach concentrate on developing the OSCE's role as a regional organization in the sense of Chapter VIII of the Charter of the United Nations. Other explanations of a fundamental nature are unnecessary. This role belongs to the OSCE and to the OSCE alone.

In this respect one should consider as natural and thoroughly positive that the OSCE will go on acting as an "evolving" organization for quite a time. Its role as "the" pan-regional organization logically leads to the conclusion that with a high probability, it will be the last relevant institution which will take on its definitive form in a region where determining factors of political, security and economical nature have yet to be clarified.

While the consolidation of a conclusive pan-regional arrangement (in the sense of Chapter VIII of the UN Charter) is awaited with great expectation, the further development of the concrete tasks of the OSCE - conflict prevention, crisis management and post-conflict rehabilitation - will provide the timetable and the development parameters of the OSCE's institutional architecture.

The development of the operational role of the OSCE has been one of the main features of its adaptation to the new challenges. The consistent creation of institutional bases, the strengthening of operational capabilities and the development of field activities have left a decisive mark on the evolution of the Organization in recent years.

It should be noted that the introduction of the last OSCE institution - the OSCE Representative on Freedom of the Media - was created less than four years ago.

Today, field operations are one of the OSCE's major strengths. This new "dimension", the field organization, has shown the potential of the OSCE to evolve and adjust itself in a flexible, cost-effective manner.

The identification of new risks and challenges is a permanent task of the Organization. For example, the general understanding that security and prosperity go hand in hand has induced the OSCE to engage in a process of review-

ing its own economic and environmental dimension in order to streamline its own capabilities in addressing these issues, focussing on areas in which it has particular competence such as identifying threats and acting as a catalyst for international co-operation. A new instrument with institutional character may result from this process.

The OSCE has also been capable of responding to the diverse and complex threats to security and stability in the OSCE area through increased and closer co-operation and co-ordination with its international partners.

The OSCE has a Forum for Security Co-operation (FSC) at its disposal. This institution was established in 1992 and is the OSCE body which negotiates and consults on measures aimed at strengthening security and stability throughout Europe.

In general, this institution has been very successful at fulfilling its tasks. The proof of this is the negotiation and approval of different documents dealing with politico-military aspects of security, including the different versions of the Vienna Document on Confidence- and Security-Building Measures, the OSCE Code of Conduct on Politico-Military Aspects of Security as well as Stabilizing Measures for Localized Crisis Situations. During 2000, the FSC also negotiated and adopted the unprecedented Document on Small Arms and Light Weapons.

Nevertheless, the Forum for Security Co-operation will have to adapt to the new security conditions in Europe and to the subsequent developments within the OSCE, *inter alia* the steady development of OSCE operational activities, that is, its missions, as I have already stressed. Its contribution to and major role in negotiating measures pertaining to arms control, disarmament, confidence and security building as well as monitoring and implementing the agreed measures should be maintained.

The already initiated exchange of views on FSC's future role may result in a further important contribution to clarifying the OSCE's future institutional structure.

Ultimately, the original basic model comprising the three baskets that structured the CSCE process from the beginning may still reveal that it is the best "matrix" for a politically mature OSCE, an OSCE which has developed into a more advanced stage of institutionalization, reflecting the change from a "conference" into a regional organization and implementing the concept of comprehensive co-operative security more effectively. The floor is open...

To assist and advise the Permanent Council in the fulfilment of its decision-making capacities and steering functions, a system of committees could be created, each one dealing with questions related to one of the original baskets as well as financial and administrative issues. The Parliamentary Assembly is emerging more and more as a very useful promoter of OSCE activities as well as a relevant political factor in the involvement of national parliamentary components in the organizational framework. This can only benefit the OSCE.

One final remark: The OSCE and its participating States have raised the interest of states outside its area in studying and possibly emulating - *mutatis mutandis* - at least certain aspects of our model. The world outside the "55" has not only been influenced by events and policy-setting within our geopolitical context, but it also has a - sometimes intense - effect on the security-related problems in OSCE space. Co-operation between the OSCE and countries "out-of-area" (i.e. the Mediterranean and Asia) should be pursued and developed also with the perspective of a better definition for the status of "partners for co-operation" or "observers".