

## Foreword

Two topics have determined OSCE events since 2001. The most important of these were the attacks on New York and Washington, which also placed demands on OSCE bodies and repressed or subordinated other problems. Indeed, terrorism had already been addressed in the 1975 Helsinki Final Act and thereafter was also always cited as a threat to security in CSCE follow-up conferences. However, since the autumn of 2001, it has become the dominating topic of discussion.<sup>1</sup>

The Permanent Council, the Warsaw Human Dimension Implementation Meeting, the Bucharest Ministerial Council, the Prague Economic Forum and the Annual Session of the OSCE Parliamentary Assembly in Berlin have dealt resolutely with combating terrorism. The Bucharest Plan of Action for Combating Terrorism has been adopted. There have been a series of special meetings like the Bishkek "International Conference on Enhancing Security and Stability in Central Asia", where participants adopted a separate Programme of Action. Upon the initiative of the OSCE Chairman-in-Office, a meeting of the Secretaries General of the most important international organizations took place in Lisbon to co-ordinate the strategies of anti-terrorism programmes. The OSCE created the post of the Personal Representative of the OSCE Chairman-in-Office for Preventing and Combating Terrorism as well as an Anti-Terrorism Unit in the Secretariat.

In particular, it was the representatives of the United States who demanded vehemently that the OSCE participating States take measures against suspected terrorists or suspicious groups and structures. Now and again, e.g. in the Economic Forum, these demands and the expectations linked with them assumed such magnitude that those responsible have felt obliged on other occasions to recall that the OSCE unites security indivisibly with the protection of human rights, democracy and the rule law.<sup>2</sup> The Director of ODIHR, Gérard Stoudmann, and the UN High Commissioner for Human Rights, Mary Robinson, stated before OSCE bodies that they had already observed tendencies and phenomena to neglect or even abrogate acknowledged human rights principles under reference to anti-terrorist campaigns.<sup>3</sup>

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1 Cf. also the articles of Kirsten Biering and Ekaterina Stepanova in this volume, pp. 31-38 and pp. 59-71.

2 Cf. Stepanova, cited above (Note 1), pp. 60.

3 Cf. Gérard Stoudmann, Striking a fair balance: protecting human rights in the fight against terrorism, in: OSCE Newsletter 4/2002, pp. 1-2; Update from the Office of Democratic Institutions and Human Rights, Annual OSCE human rights conference held in Warsaw, in: OSCE Newsletter 9/2001, pp. 16-17; Mary Robinson: "War on terror is rolling back human rights", in: OSCE Newsletter 7-8/2002, pp. 5-6.

Whether, and should the occasion arise, how, the new US security policy strategy will affect the OSCE, is even less foreseeable than its repercussions on NATO. The declared subordination of multilateralism to American national interests could further relativize a United States OSCE policy which has already been reduced to the human dimension anyway. This would be the case, for example, if participating States - and not only the Central Asian ones - were repaid for accommodating US geostrategic requirements with a generous evaluation of the way they combat terrorism or of casual compliance with OSCE principles.

The desire for a strong anti-terrorism policy has - and this is the second outstanding development of the past twelve months - newly revived the latent, up to now slumbering or occasionally one-sided debate on OSCE reform and has already had visible effects. It is ascertained that the topic of terrorism has initially "proven an integrating factor for the OSCE as an organization".<sup>4</sup> Apparently, the Organization then endeavoured successfully, a fact that OSCE officials confirm, to engage in the by then dramatic problematic of terrorism as its own area of expertise. In addition, this was again a matter of maintaining and developing a comparative advantage in relation to other European institutions. Such an aspiration has its limits, however, in particular in view of the specific difficulties and needs of some OSCE participating States and the competence and legitimation of certain organizations.<sup>5</sup>

The traditional understanding of the OSCE has become questionable, as is true of the other large European organizations, especially NATO and the European Union. The latter, due ostensibly to their future enlargement, is being faced with identity problems, which the OSCE, in its own way, is also being confronted with. In Brussels, the denouncing phrase that NATO is being "OSCE-ized" is making the rounds. In Vienna, it is no less than a matter of "revitalizing the OSCE", of a new "political foundation" or the "OSCE of the 21st century", which are examined explicitly in another article in this volume.<sup>6</sup> Its author, *Reinhard Bettzuege*, who was the German Ambassador to the OSCE until mid-2002, already sees the mandate issued by the Bucharest Ministerial to develop a "strategy (...) to counter these (terrorist, K.T.) threats (...) as a new road map, a new positioning", yes, as "a course (that) has been set which could change the face and the future of the OSCE fundamentally". He bases his interpretation on the assumption of previous agreement between the Russian and the American Presidents on this mandate. With this, the author doubtlessly does not want to conjure up a distant echo of the CSCE when Eastern European dissidents also saw the CSCE as American-Russian double hegemony over the continent. On the contrary, he sees the convergence of interests as a chance for the creation of a "European Security Forum", which under the auspices of the OSCE and including NATO and the EU would meet yearly in Brussels.

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4 Biering, cited above (Note 1), p. 37.

5 Cf. *ibid.*

6 See the article by Reinhard Bettzuege in this volume, pp. 39-45, here: pp. 41.

Such macro-political plans could bring movement to the entire European institutional framework as well as to the multiple interests rooted there. However, alone any micro-political and internal organizational reform could shift the weight in the formation of political intentions and decision-making between the “cornerstones” of further strengthening the Permanent Council, which requires a consensus, at the cost of the Chairman-in-Office, on the one hand, and the flexibility of leading functionaries to react, on the other, in such a way that some participating States already see their concept of the OSCE as being violated. *Victor-Yves Ghebali* and *Jutta Stefan-Bastl* point out such effects in their articles on newly emerged and neglected changes in the structures and policies of OSCE bodies,<sup>7</sup> among others of the Permanent Council, the Ministerial Council, the Chairman-in-Office, the Secretariat and the missions.

All in all, anti-terrorism measures and OSCE reform were very high on the agenda and influenced the treatment of other issues, which nevertheless could not be suppressed completely and in and of themselves demanded attention, as is documented in this volume of the OSCE Yearbook. Some of the situations considered are marked by the dilemma between brutal or blunt challenge, on the one hand, and neglecting OSCE principles for tactical or interest-led reasons on the other. This can be recognized in the articles by *Anara Tabishalieva*, *Irina Zviagelskaya*, *Ravshan M. Alimov* and *Hans-Georg Wieck*, which deal with the impact of the “Islamic factor” in Russia, political Islam and the problematic of transition in Central Asia and/or the deficits in democracy and the rule of law in Belarus.

South-eastern Europe was repeatedly brought to the attention of the general public, primarily through new crises and efforts to achieve political and economic stability by means of various elections and the large-scale Stability Pact. A series of articles are devoted to the specific issues related to this, *inter alia* in Kosovo, Macedonia and Bosnia and Herzegovina, as well as to the results and prospects to date of the Stability Pact for the Balkans.

Reform efforts either emerge due to outside impetus, as is presently apparent in the case of the OSCE, or they materialize internally as a result of impatient uneasiness about inactivity, which cannot be satisfied by simply managing what has been achieved. It can thus be interpreted as an echo to a lamented inactivity in politico-military co-operative security policy that the Yearbook editing staff invited two authors to assess the developments and the results of the “first dimension”, OSCE security policy. *Ernst-Otto Czempiel* and *Pál Dunay* reach different assessments for the fields of verification of the CFE Treaty and the confidence- and security-building measures and/or the Open Skies Treaty.

The OSCE sphere of activity is most often emphatically paraphrased as the West-East stretch from Vancouver to Vladivostok. What is not mentioned is that its southern area also borders on Iraq, which the most powerful OSCE participating State has in recent days threatened with war. It is never superfluous to

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7 See the articles by *Jutta Stefan-Bastl* and *Victor-Yves Ghebali* in this volume, pp. 337-346 and pp. 329-336.

recall the “Decalogue” of the 1975 Helsinki Final Act. In the second principle, “refraining from the threat or use of force”, the participating States even declared that “no consideration may be invoked” which serves to justify a violation of this principle. That was the day before yesterday, in the days of the “old CSCE”; yesterday, i.e. in the past decade, the “new OSCE” emerged, equipped with many tools for conflict prevention and crisis management. What the “future OSCE” could become is reflected in the observations of authors well-informed about the processes in Vienna and at the seats of government. Indisputably, the relevance of that newest OSCE will also depend on the events and their after-effects occurring on the above-mentioned southern border of the OSCE region. On behalf of the editorial staff, I would like to give many thanks to all authors for their contributions to this Yearbook.