

## East Asian Security: Can the OSCE's Experience Be Helpful?<sup>1</sup>

Many of today's security threats have, over a short time, become globalized. Whichever region of the world we look at, threats such as terrorism, organized crime, trafficking in weapons, drugs and human beings and ecological degradation look similar or even identical. Closer regional and inter-regional co-operation and the sharing of knowledge and expertise are necessary to ensure effective responses to counter these threats.

There is also growing worldwide acknowledgement of the interrelationship between domestic and external state security. Domestic conflicts are having a growing impact on bilateral, regional and economic security, as well as on the security of the individual human being.

The OSCE's composition, focus and external relations demonstrate the importance of many Asian issues to this broad security organization. Some parts of Asian territory have been within the OSCE region since the Organization's inception in 1975. The OSCE has been developing and implementing ideas on and activities in Central Asia since 1999 – much longer than other international institutions. Moreover, it has done so *together* with the Central Asian OSCE participating States.

In the early nineties, Japan and the Republic of Korea were granted special status within the OSCE. As “partners for co-operation”, they are much more than just observers – a status that exists at many other international institutions. Thailand acceded to this status in the year 2000, Afghanistan on 3 April 2003.<sup>2</sup> In 2000, during the Austrian OSCE Chairmanship, the Organization started holding joint conferences with its Asian partners for co-operation in East Asia itself on topics of joint interest.<sup>3</sup> In 2003, an Asian contact group was established in Vienna for the exchange of information and views between the OSCE, representatives of OSCE participating States and Asian partners for co-operation.<sup>4</sup> In view of all these Asia-related activities on the part of the OSCE, it has been suggested that the OSCE itself has a

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- 1 This article covers developments up to June 2003. The opinions expressed reflect the author's personal views.
  - 2 Cf. Permanent Council, Decision No. 537, Granting of the Status of Partner for Co-operation to Afghanistan, PC.DEC/537, 3 April 2003.
  - 3 “Comprehensive Security in Central Asia – Sharing OSCE and Asian Experiences” (Tokyo, 11-12 December 2000), “Applicability of OSCE CSBMs in Northeast Asia” (Seoul, 19-21 March 2001), and “Human Dimension of Security” (Bangkok, 20-21 June 2002), as well as the Thai workshop on “Thailand and the OSCE: the Way Towards a Future Co-operation” (Bangkok, 28 September 2000).
  - 4 Until that year, Asian partners for co-operation had been included in the Mediterranean contact group.

clearly defined and distinct “Asian dimension”.<sup>5</sup> The OSCE increasingly sees itself as a “pan-European, trans-Atlantic and *Euro-Asian institution*”.<sup>6</sup>

This article will *not* deal with Asian arguments – right or wrong – about why Europe’s multilateral experiences are *not* relevant to the Asia-Pacific.<sup>7</sup> On the contrary: It will try to demonstrate possible attractions of the OSCE for Asian regionalism and will propose areas where studying the OSCE may prove fruitful for Asian countries or organizations.

### *The OSCE Is not a “Model”*

It has always been tempting, on account of the OSCE’s various success stories, to discuss the transfer of the Organization’s concepts and structures to other regions of the world. This has led to a number of proposals for CSCs or OSCs, e.g. in the Mediterranean, Africa, the Caucasus – in the form of a “Stability Pact for the [Southern] Caucasus”<sup>8</sup> – Central Asia, or Asia<sup>9</sup> in general. In the case of Central Asia, this has gone beyond speculation: The Conference on Interaction and Confidence-Building Measures in Asia (CICA) came into existence in October 1992, albeit requiring a lower level of commitment than the early CSCE. Two Asian organizations, the names and concepts of which deliberately distance them from the OSCE, are the South Asian Association for Regional Co-operation (SAARC) – which excludes security issues – and the Shanghai Co-operation Organization (SCO).<sup>10</sup> The ASEAN Regional Forum (ARF), while not emulating the OSCE, shares features in common with the early CSCE. In connection with the launch of the African Union in July 2002, the Conference on Security, Stability, Development and Co-operation in Africa (CSSDCA) – based upon the Document of the Kampala Forum on the CSSDCA (18-22 May 1991) and the African Ministerial Conference on Security, Stability, Development and Co-operation

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5 On the Asian dimension of the OSCE, see Thomas M. Buchsbaum, *The Asian Dimension of the OSCE*, in: Institute for Peace Research and Security Policy/IFSH (ed.), *OSCE Yearbook 2001, Baden-Baden 2002*, pp. 451-465.

6 Foreseen by the Draft Porto Ministerial Declaration of 29 November 2002 but not carried in the final version of 7 December 2002 (emphasis added).

7 For two of the more comprehensive negative lists, see *A New Agenda for the ASEAN Regional Forum, A Report on the IDSS Project on the Future of the ASEAN Regional Forum*, IDSS Monograph No. 4, Institute of Defence and Strategic Studies, Singapore, 2002, pp. 56f, and Nikolas Busse/Hanns W. Maull, *Enhancing Security in the Asia-Pacific. European Lessons for the ASEAN Regional Forum*, in: *Politik und Gesellschaft Online, International Politics and Society* 3/1999, at: [www.fes.de/ipg/ipg3\\_99/artbusse.html](http://www.fes.de/ipg/ipg3_99/artbusse.html).

8 CEPS Task Force for the Caucasus (Chairmen: Sergiu Celac, Michael Emerson), *A Stability Pact for the Caucasus*, Working Document No. 145, May 2000, Centre for European Policy Studies, Brussels, Rev. 7 (8 May 2000).

9 See Australian (and Canadian) proposals for an OSCA.

10 The SCO is due to start functioning as a fully fledged international organization in 2004 following the adoption, at a summit in Moscow on 29 May 2003, of statutory documents and symbols as well as the reaching of agreement upon the location of headquarters (Beijing) and the first Executive Secretary.

of 8 to 9 May 2000 in Abuja – was provided with more support, structure and greater operational powers.<sup>11</sup>

It is, however, never possible to simply take the concepts or structures of a regional institution and transfer them to other regions, which are bound to differ in significant ways from Europe during the period when the CSCE was devised, developed in practice and transformed into the OSCE. Recognizing this, however, does not exclude the possibility that Asian countries, regions and forums may draw benefits from studying, discussing and possibly learning from OSCE experience.

### *The OSCE's Trailblazing History*

In nearly 30 years of operative history, the OSCE has existed in some very different security environments (from a bipolar world to a multi-polar world with a single superpower), has seen various transformations to its membership, and has known some disparate structures and working methods. Nevertheless, the OSCE has some features that have remained constant, some of which may look “Asian” and thus present special attractions to Asian thinking.

The OSCE has, furthermore, been very innovative, and has seen its original ideas copied by other international forums. This applies above all to the CBM/CSBM concept, which today is also reflected in regional arrangements in and around Bosnia and Herzegovina and serves as the basis for action by the ARF. The underlying aim of CSM/CSBM is to create confidence among members of the armed forces and defence ministries by carrying out inspections of military sites and equipment, exchanging information on numbers and types of military equipment, defence thinking (military doctrine) and defence planning.

The OSCE defines CBMs and CSBMs as military measures, although there is no formal definition of precisely what a CSBM entails. In general, they are provisions for the exchange and verification of information regarding participating States' armed forces and military activities, as well as certain mechanisms to promote co-operation among participating States in regard to military matters. CSBMs can be divided into those aimed at increasing openness and transparency in military matters and those aimed at improving contacts and co-operation among military personnel. The aim of these measures is – by increasing transparency and reducing secrecy – to promote mutual trust and dispel concern about military activities. By providing a more solid basis for states to evaluate the significance of each

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11 Cf. Decision on the Conference on Security, Stability, Development and Cooperation (CSSDCA), 38th Ordinary Session of the Assembly of Heads of State and Government of the OAU, 8 July 2002, Durban, at: [http://www.au2002.gov.za/docs/summit\\_council/oaudec1.htm](http://www.au2002.gov.za/docs/summit_council/oaudec1.htm).

other's military activities, such measures make worst-case assumptions less necessary.

The consensus principle can be regarded as the OSCE's trademark. It is the foundation for all the Organization's decision making. The OSCE defines consensus in a way that differs from its ordinary meaning: "Consensus shall be understood to mean the absence of any objection expressed by a Representative [of an OSCE participant State, T.B.] and submitted by him as constituting an obstacle to the taking of the decision in question."<sup>12</sup> Consensus is established within the OSCE only with respect to an entire document at the end of a meeting. The consensus rule is one of the few founding principles which have never been changed and which kept the CSCE afloat during very difficult times. A major consequence of this rule is the lack of any voting in the OSCE, and the consequence of *this* is that there are no majority/minority situations, no winners or losers, and no outcasts.

The OSCE conforms to the "soft law" principle: It agrees, in general, upon binding political commitments, not on legal obligations and instruments.

Notwithstanding the comprehensive range of tasks performed by the OSCE in the area of post-conflict rehabilitation, the Organization gives priority to conflict prevention over conflict management through the development of early-warning and early-action mechanisms.

From its very inception, the OSCE has been synonymous with inclusiveness: both in geographical terms and with regard to the issues it addresses. This inclusiveness can be captured by the formula "from Vancouver to Vladivostok" and by a consideration of the range of topics – from military confidence- and security-building measures to human rights – the OSCE deals with. This thematic inclusiveness was never understood as a list of *separate* issues but, by the Helsinki Final Act, was already seen in terms of interrelated topics: "The *complementary nature* of the political and military aspects of security" was declared to be the first "essential consideration [...] when engaged in [...] joint efforts aimed at promoting détente and disarmament".<sup>13</sup>

The OSCE devised the concept of comprehensive security; one that is as comprehensive as its territory, goals and range of tasks. The concept of comprehensive security is a central, integral and original<sup>14</sup> element of the

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12 Final Recommendations of the Helsinki Consultations, Helsinki, 8 June, 1973, para. 69 (Chapter 6), in: Arie Bloed (ed.), *The Conference on Security and Co-operation in Europe. Analysis and Basic Documents, 1972-1993*, Dordrecht/Boston/London 1993, pp. 121-140, here: p. 133.

13 Final Act of Helsinki, Final Act of the Conference on Security and Co-operation in Europe, Helsinki, 1 August 1975, in Bloed (ed.), cited above (Note 12), pp. 141-217, here: p. 155 (emphasis added).

14 Opinions vary as to when and by whom the concept of comprehensive security was first developed, as well as on its contents. Cf. Heinrich Schneider, "Umfassende Sicherheit": Europäische Erfahrungen mit einem gutgemeinten Konzept ["Comprehensive Security"; European Experiences with a Well-intentioned Concept], in: Österreichisches Studienzentrum für Frieden und Konfliktlösung (ed.), *Wie sicher ist Europa?, Perspektiven einer*

OSCE's philosophy and way of working. The complementary character of the Helsinki Final Act's ten principles as well as of the three baskets was given a new name in January 1992: "the CSCE's comprehensive concept of security and stability, which includes human rights, political, military, economic and environmental components".<sup>15</sup>

One aspect of the comprehensiveness of the OSCE's security concept is the idea that the security of a country does not only depend on military and internal-security forces, but also on sound and well-functioning democratic institutions, respect for the rule of law, fundamental freedoms and human rights, including minority rights, and economic well-being and stability (including environmental protection and sustainability). The OSCE's approach also contains the idea that a restriction of one aspect of comprehensive security carries negative consequences for other parts, and thus for the overall security of the country in question. Yet another aspect of the OSCE's comprehensive security concept is its role "as a method to reach the root causes of conflict".<sup>16</sup> This makes the concept of comprehensive security one of the Organization's unquestionable comparative advantages.

The OSCE has integrated human rights into overall political and security considerations rather than addressing them as a separate issue.

The key means used by the OSCE to address minority issues is "quiet diplomacy" performed by a high-ranking, high-profile, personality: the OSCE High Commissioner on National Minorities. The success of this institution, established in 1992, is shown by the fact that it was copied by the Council of Europe in 1999.

The OSCE was the source of and the power behind the international implementation of the idea that human-dimension commitments are not a state's internal affairs, but matters of concern to all participating States and that no state has the right to stop such matters being raised within the Organization.

Finally, the OSCE agreed on the principles of submitting armed forces to civilian democratic control, and of imposing rules on domestic police forces.

### *Asian Security*

To this day, Asia remains a continent without a continent-wide charter or an inclusive international political, economic, security or human rights institu-

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zukunftsfähigen Sicherheitspolitik nach der Jahrtausendwende [How safe is Europe? Prospects for a Sustainable Security Policy after the Millennium], agenda Frieden 38, 2001, pp. 24-44, and Peter Steyrer, *Umfassende Sicherheit in Europa* [Comprehensive Security in Europe], in: *ibid.*, pp. 9-23.

15 Prague Meeting of the CSCE Council, 30-31 January 1993, Summary of Conclusions, in: Blood (ed.), cited above (Note 12), pp. 821-829, here: p. 822.

16 Wilhelm Höynck, *From CSCE to OSCE, Statements and Speeches of Dr. Wilhelm Höynck, Secretary General of the OSCE (1993-1996)*, p. 38.

tion. The post Cold War period has not brought similar drastic changes to existing and emerging Asian regional structures as happened to similar international institutions in Europe. Some argue that, in parts of East Asia, the Cold War is not even fully over, or at least that it did not end as abruptly and clearly as it did in Europe. In addition, developments in nuclear and missile technology and policy that have occurred in Asia since the late 1990s have increased security concerns both within and outside the region.

The reasons for the lack of a continent-wide security institution in Asia are manifold. They include the continent's sheer size, its specific geostrategic position, differences in the history, culture and religion of Asian countries, differences in political systems and levels of development and the virtually total lack of common denominators with respect to relationships with outside powers. In many instances, individual countries have shared closer common interests with outside powers than with neighbouring countries or those of the same subregion. (On the other hand, some subregional institutions are already in existence and may, in general, be more effective than continent-wide institutions.)

However, this overall state of affairs was once also true for other continents that have nevertheless gone on to create and expand continent-wide institutions. Such institutions can also come into being through the expansion of subregional organizations. This was how the Council of Europe reached its current shape, and is also the way the European Union is expanding. On the other hand, multiple and partly overlapping institutions can gradually integrate more closely, and may eventually merge to create a single structure. Europe provides examples for this process, too.

In Asia, the ASEAN Regional Forum (ARF) has witnessed a considerable expansion during recent years. It remains, however, still very much a subregional, i.e. Southeast Asian organization, especially in terms of its basic documents and its structure. This is the case, despite the fact that its "geographical footprint" is broader and encompasses "all of East Asia, both Northeast and Southeast Asia, as well as Oceania",<sup>17</sup> and that it regards itself "as the main cooperative security forum in the Asia Pacific Region".<sup>18</sup> On the political level, the ASEAN+3 summits – with China, Japan and the Republic of Korea – and the recently held first bilateral summit with India<sup>19</sup> are adding a supplementary dimension to ASEAN's regional co-operation framework by linking Southeast Asia with India and Northeast Asia.

Even if regionalism has materialized later in Asia than on other continents, a number of subregional institutions and processes do exist there.

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17 But not – despite US and Canadian membership – North America; Guiding Principles, Chairman's Statement, 3rd ARF, Jakarta, 23 July 1996.

18 Chairman's Statement, 9th Meeting of the ARF, Bandar Seri Begawan, 21 July 2002, para. 4.

19 The sixth ASEAN+3 Summit was held on 4 November 2002 in Phnom Penh, the first ASEAN-India Summit likewise in Phnom Penh on 5 November 2002; in addition to the ASEAN+3 Summits, bilateral ASEAN summits are now being held also with each of the "3".

Some are limited to a clearly defined region, others less so. Some include non-Asian participants, too.

Basic institutional questions remain with respect to Asia's Western borders and the corresponding inclusion of South and West Asian conflicts in Asian regional arrangements. Likewise, there is no subregional organization in (North) East Asia, despite a number of ideas, proposals and embryonic quasi-institutions,<sup>20</sup> initiated by both governments and NGOs.<sup>21</sup> There is also no clear consensus on which Pacific states may (have to) be included in an Asian security institution.

### *The ASEAN Regional Forum (ARF)*

This paper focuses on the ASEAN Regional Forum (ARF), as it is the only broad-based security process in the region which has functioned well and expanded over the years. The ARF was established in 1993/94 on the initiative of ASEAN's Post Ministerial Conferences but – in contrast to ASEAN – is not an international organization. Despite its clear initial philosophy – based upon the “ASEAN way” – of deliberately refusing to emulate stringent European institutional features, the ARF greatly resembles the OSCE in its pre-1989 CSCE phase.<sup>22</sup> It is a forum – the CSCE was a “conference”, a series of conferences and meetings, a process – not an international organization, it has no legal personality, no organs and no permanent structures. Today, it also shares with OSCE an “outward-looking, non-exclusive and multidimensional”<sup>23</sup> character.

With the expansion of ASEAN membership and the addition of ASEAN's “dialogue partners”, the ARF increased its number of participants to 23, and now covers all of Southeast Asia and Northeast Asia, Oceania, South Asia (India only) as well as Russia, North America and the EU – equivalent to more than half the world's population.<sup>24</sup> The ARF holds an annual meeting of foreign ministers in the ASEAN country currently occupying the alphabetically rotating ARF chair (also the holder of the ASEAN chair). These are prepared by Senior Officials Meetings (SOMs). Between these

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20 For instance, ASEAN+3, and the Japan-USA-Republic of Korea Trilateral Co-ordination and Oversight Group (TCOG).

21 Including the East Asian Vision Group (EAVG).

22 If one ignores the two-bloc structure underlying the CSCE, which contrasts sharply with Asia's current multipolarism.

23 A New Agenda for the ASEAN Regional Forum, cited above (Note 7), p. 50.

24 Today, ARF members are the current ASEAN “ten” (Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam), plus Australia, Canada, China, the EU (represented by the Presidency), India, Japan, Mongolia, Russia, the Republic of Korea, the Democratic People's Republic of Korea, New Zealand, Papua New Guinea, and the USA. East Timor's, Pakistan's and Bangladesh's interest in joining were met with a formal moratorium on new participants. For criteria for new participants see Chairman's Statement, 3rd ARF, Jakarta, 23 July 1996, at: <http://www.aseansec.org/1836.htm>.

meetings, Intersessional Support Groups (ISGs) hold meetings and Intersessional Meetings (ISMs) are organized on specific areas or topics. The ISG on confidence-building measures plays a central role both in the discussions at the meetings and as a framework for additional meetings.

The ARF's main activities today are centred around voluntary confidence-building measures (CBMs). It has engaged its diverse member countries in a meaningful security dialogue on sensitive regional issues. The ARF has developed an original two-track approach that gives priority to the activities on the non-governmental level (Track Two). Track Two consists of meetings and seminars for state officials and military personnel acting in a non-official capacity as well as academic experts. The ARF has already produced its third ARF Annual Security Outlook (ASO), containing unedited governmental texts submitted voluntarily by participant states. The ARF now also organizes a meeting of defence officials over lunch at the annual ministerial meeting. A further concern of the ARF is counter-terrorism and transnational crime. It contributed to the negotiation of a "Declaration on the Conduct of Parties in the South China Sea" between ASEAN and China, and is following the work on a "Declaration on Principles Guiding Mutual Relations in the Asia Pacific/The Pacific Concord" between ASEAN and Russia. According to one source, the "ARF is Now a Big Dog Barking", and not, as a Chinese diplomat put it well over ten years ago, "the sound of a small dog yapping".<sup>25</sup>

The ARF has adopted documents which elaborate its basic form and purpose and envisage steps of development (1995),<sup>26</sup> as well as the concept and principles of preventive diplomacy and the enhanced role of the ARF chair (2001).<sup>27</sup> To this list was added, in 2002, a paper on "Stocktaking of the ARF Process".<sup>28</sup>

It also started to put together an ARF Register of Experts and Eminent Persons. These may, upon request by an ARF country and in the absence of any objection from concerned ARF countries, provide non-binding expert opinions or recommendations, undertake in-depth studies and research, or place their expertise at the disposal of ARF meetings dealing with matters relevant to their professional skills.

With the loose structure it possesses by virtue of its status as an extension of ASEAN, the ARF is still at a very early stage in the development of an international security institution. On the other hand, it has certainly grown over the relatively few years of its existence and has made some steps from stage I of its planned organizational evolution (promotion of confidence-

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25 Brad Glosserman, ARF is Now a Big Dog Barking, Global Beat Syndicate, 26 August 2002, at: <http://www.nyu.edu/globalbeat/syndicate/glosserman082602.html>.

26 The ASEAN Regional Forum; A Concept Paper, 18 March 1995, endorsed by the 2nd ARF, Brunei Darussalam, 1 August 1995.

27 Adopted by the 8th meeting of the ARF, Hanoi, 25 July 2001.

28 Stocktaking of the ARF Process by Brunei Darussalam; endorsed by the 9th meeting of the ARF, Bandar Seri Begawan, 31 July 2002.

building measures), to stage II (development of preventive-diplomacy mechanisms). The point reached today is known as “exploring the overlap” between stages I and II, a term which has been used since 1999.<sup>29</sup> One should also not forget that many of the “soft” Annex A CBMs envisaged in 1995 have already been put into practice and that progress has been made in articulating the principles of preventive diplomacy.<sup>30</sup>

The ARF has not yet travelled much along the way devised by the Concept Paper of 18 March 1995. This should not be attributed, as it sometimes is, to the effects of the 1997-99 financial crises. No consensus has been reached for fully achieving the targets of stage II of the ARF (mechanisms of preventive diplomacy), and stage III – (conflict-resolution mechanisms) is completely out of reach for the present. There are many reasons for this state of affairs, but all are linked both to the fact that many ARF states are already quite satisfied with the ARF’s development, and to the fact that a few countries oppose substantial progress.<sup>31</sup>

The ARF follows the principle of non-interference in a state’s internal affairs.<sup>32</sup> The ARF was thus able to ignore events such as the East Timor crisis. CBMs are not obligatory, are of only marginal relevance to security, and consist only of seminars and conferences – but the simple fact that such meetings are held is itself a successful confidence-building measure for which the ARF can be thanked. Despite significant differences in membership between the two bodies, the ARF is retaining its close links to ASEAN, “as the primary driving force of the ARF”.<sup>33</sup> Some observers regard these links as increasingly something that exists on paper only while, in reality, the ARF is developing in quite a different direction from ASEAN. They also point to the widening gap between the reality of the ARF and Track Two ideas as they are implemented by international NGOs domiciled outside Southeast Asia.<sup>34</sup> Some security issues, including the Treaty on the Southeast Asian Nuclear Weapons-Free Zone (SEANWFZ) of 15 December 1995 and the contribution to conflict management in East Timor made by Southeast Asian countries, have been dealt with by ASEAN rather than the ARF.

Turning to the question of structure, the first thing to note is that the ARF lacks institutions (organs) including, in particular, a permanent secretariat. To ensure its effectiveness, the ARF may well need not only a technical secretariat, but also an institution like the OSCE Conflict Prevention

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29 Cf. Overview of the ARF Process, Chairman’s Statement, 6th meeting of the ARF, Singapore, 26 July 1999; Chairman’s Statement, 7th meeting of the ARF, Bangkok, 27 July 2000, paras. 4 and 36; Chairman’s Statement, 8th meeting of the ARF, Hanoi, 25 July 2001, paras. 4 and 37; Chairman’s Statement, 9th meeting of the ARF, Bandar Seri Begawan, 31 July 2002, para. 47.

30 A New Agenda for the ASEAN Regional Forum, cited above (Note 7), p. 10.

31 Cf. *ibid.*, p. 41.

32 Cf. Chairman’s Statement, 9th meeting of the ARF, cited above (Note 29), para. 5.

33 *Ibid.*

34 The author is grateful for this and other ideas contributed by his colleague and good friend, Mr. Arnold Obermayr, who is currently preparing a PhD dissertation on ARF issues, at the American Graduate School of International Relations and Diplomacy, Paris.

Centre (CPC) or the Centre on Early Warning and Conflict Prevention (CEWCP) in Amman, Jordan, which deals with the Mediterranean area.<sup>35</sup> In addition, the ARF's relations and joint activities with other international institutions are not yet very well developed. With respect to the OSCE, an academic workshop was held in Singapore in the summer of 2000 by the Council for Security Co-operation in the Asia Pacific (CSCAP) on "Co-operative Security in Europe and Its Relevance for Asia-Pacific: The OSCE Experience".<sup>36</sup> At an ARF seminar on "Approaches to Confidence Building", held in Helsinki in the autumn of 2000, the OSCE presented its CSBM in theory and practice.<sup>37</sup> In terms of political and inter-institutional activities with other regional organisations, initial contacts were made in the year 2000 between the ARF Chairman, Thai Foreign Minister Surin Pitsuwan, and the then OSCE Chairperson-in-Office, Austrian Foreign Minister Benita Ferrero-Waldner.<sup>38</sup> The subsequent ARF chair, Vietnam, had contacts with the Organization of American States (OAS) and the non-Aligned Movement.<sup>39</sup> In 2002, a meeting was held between the OSCE Secretary General Ján Kubiš and the ARF Chairman, Cambodian Foreign Minister Hor Namhong.<sup>40</sup> The political and practical results of these contacts remain limited.

The ARF still holds true to the formula that, while progress should be undertaken, it should occur "at a pace comfortable to all".<sup>41</sup> This lowest common denominator approach – clearly linked to ARF's basic philosophy of geographical inclusiveness – prevents the ARF from imposing binding commitments on its members, and from undertaking activities in the areas of CSBMs and conflict prevention and management.

The ARF, like other nascent and expanding institutions, is often being criticised for developing too slowly. For some outsiders – and for ambitious insiders – this criticism may very well be true. Compared to the OSCE, especially during the 1990s, development has been slow. In comparison with the SAARC, however, it has been relatively rapid.<sup>42</sup> The ARF's expansion during recent years to include countries with little or no experience in any kind of regional co-operation, let alone security co-operation, has certainly slowed the process of substantive development. At the same time, however, expansion has markedly enhanced the broader regional legitimacy of the ARF. It has brought new players in and they have already started to play the

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35 Cf. <http://www.id.gov.jo/programs.html>.

36 For more details, see <http://osce-arf.de> and Joachim Krause, *The OSCE and Co-operative Security In Europe: Lessons For Asia*, IDSS Monograph No. 6, Institute of Defence and Strategic Studies, Singapore 2003.

37 The presentation was entitled "C(S)BMs in the OSCE security concept, and its application: successes and failures, lessons learnt, future trends – from a political perspective".

38 For more details see Buchsbaum, cited above (Note 5), pp. 456-457.

39 See Chairman's Statement, 8th meeting of the ARF cited above (Note 29), para. 6.

40 Cf. *Partnerships for Security and Co-operation, Annual Report on OSCE Activities 2002*, at: [http://www.osce.org/publications/annual\\_report](http://www.osce.org/publications/annual_report).

41 Cf. Chairman's Statement, 9th meeting of the ARF, cited above (Note 29), para. 5.

42 Cf. Mohamed Jawhar, *The ASEAN Regional Forum: A Critical Appraisal*, at: <http://www.ndu.edu/inss/symposia/pacific2001/jawharpaper.htm>.

game. Depending on point of view, the glass can be seen as either half full or half empty, the ARF as either immature or grown up – or neither. During the current transitional phase, the path of development the ARF chooses – or fails to choose – will be crucial to its future.

The ARF, or rather its participating states, has to ask itself (and find an answer to) the question of whether recent ARF development is commensurate with the security challenges of the region and with the wishes of its constituent countries. Asia may not have “the luxury of time to slowly evolve its institutions”<sup>43</sup> and will have to search for shortcuts in its institutional development. The way of the lowest common denominator, as *not* followed by the CSCE for many years, may be comfortable, but it is not necessarily appropriate for meeting either the security challenges of and in the region or the needs of the institution itself.

Suggestions may arise for creating one or more additional institutions, possibly restricted in membership but with more clout, which may then leave the ARF a toothless overarching body straddling several more effective subregional institutions for Southeast Asia, Northeast Asia and the Pacific Islands.<sup>44</sup> Such possible “coalitions of the willing” – whether they remain loosely structured or are fully institutionalized – consist of like-minded states attempting higher levels of co-operation with regard to single issues or broad themes. They usually start out with a membership restricted to “the willing” but open to others after they too adopt the principles and programme of the “coalition”.<sup>45</sup> In pondering the future development of the ARF, it may also be important to take a closer look at the ARF’s own concept papers as well as analyses and suggestions by academics.<sup>46</sup>

#### *The Attractions of the OSCE for (the) Asia (Pacific)*

Reiterating the hypothesis and the conviction that there are no such things as ready-made models for an international organisation – what works in one country or region does not apply to another – the most one can do is to offer

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43 Kwa Chong Guan, The relevance of OSCE experience to the Asia Pacific, a paper given at the CSCAP workshop “Co-operative Security in Europe and in the Asia Pacific: The OSCE Experience”, Singapore, 31 May-2 June 2000, <http://www.osce-arf.de/Pub/Conference/Kwa-paper.pdf>.

44 Cf. Jawhar, cited above (Note 42).

45 Consider, for example, ASEAN+3 – possibly developing into ASEAN+5 (including Australia and New Zealand), the SCO and various (US-initiated) bilateral and multilateral frameworks for security co-operation; see Ken Jimbo, ARF and Asia-Pacific Multilateral Security, in *EurAsia Bulletin* 2/2003, pp. 20-22, at: <http://www.eias.org/publications/bulletin/2003/feb03/ebfeb03.pdf>.

46 Including, e.g. the CSCAP co-chairs' statement of 13 May 2002 entitled “The ARF into the 21st Century”, and A New Agenda for the ASEAN Regional Forum, cited above (Note 7), Jawhar, cited above (Note 42), and Barry Desker, The Future of the ASEAN Regional Forum, October 2001, at: [http://www.ntu.edu.sg/idss/Perspective/research\\_050105.htm](http://www.ntu.edu.sg/idss/Perspective/research_050105.htm).

descriptions, explanations and *ex post facto* analyses which may be studied, applied in part or in modified forms, or rejected outright.

The CSCE/OSCE does have several attractions for Asia. Some are general in nature: The OSCE has worked well (effectiveness criteria); it continued to exist even during very difficult periods of inter-bloc rivalry; membership and co-operation do not require that participating States enjoy diplomatic relations with each other.<sup>47</sup> Today, the OSCE is successfully addressing a wide variety of potential conflict situations in the post-Cold War world – including questions related to national minorities and water resources – and, with some success, actual post-Cold War conflicts. The Organization has always proved able to adapt itself, its structures and working methods to changing situations – despite the fact that (or perhaps because) it has had to constantly react to the necessities of the hour. Finally, there has always been a high degree of co-operation between large and small states, which has respected the sovereign equality of each and every member.

In addition, there are attractions that apply specifically to Asia, or are seen as attractive from an Asian cultural perspective. Here, we can list the consensus principle; the lack of elaborate or overly strict rules of procedure; the avoidance of legalistic implications in drafting documents in the name of precision (the OSCE's "constructive ambiguity"); the fact that the institution was founded by arch-enemies who continued to support and use it to pursue their respective aims; the OSCE's dedication to putting people first – respecting and fostering the dignity of the human person – for example, through its growing espousal of the concept of human security;<sup>48</sup> the lack of legal instruments, legal procedures and independent judicial control (there is no formal complaints body and no obligatory independent decision-making court competent for cases related to OSCE commitments and internal rules); the use of codes of conduct for addressing and agreeing upon issues of common interest; the fact that norm setting proceeds step-by-step, without a pre-given road-map, and that commitments are agreed on as and when needed and when the time is ripe for consensus; the OSCE's co-operative means of implementation review; the Organization's lean administration; the relatively weak role given the Secretariats and the leading, consultation-based role of the Chair; flexible working methods; and the fact that the OSCE covers a vast region that includes parts of Asia.

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47 Consider, for example, the FRG-GDR issue in the early days of the CSCE as well as the ongoing refusal of the Czech and Slovak Republics on the one side, and Liechtenstein on the other to recognize each other because of property restitution questions dating from the end of World War II.

48 For more on human security and its relevance within the OSCE cf. Thomas Buchsbaum, OSCE's Comprehensive Security: Integrating the Three Dimensions, in: Daniel Warner/Valérie Clerc (eds.), *Challenges Faced by The OSCE During 2001*, PSIO Occasional Paper 2/2002, Institut universitaire de hautes études internationales, Geneva 2002, pp. 71-150, also at: [http://www.isn.ethz.ch/osce/about/navig\\_about/am01/chapter4\\_buchsbaum.pdf](http://www.isn.ethz.ch/osce/about/navig_about/am01/chapter4_buchsbaum.pdf).

On the other hand, there are also a number of factors that make the OSCE less attractive to some Asian countries. These features include, for example, the Organization's – in the meantime – highly developed mechanisms; the high priority given to fundamental freedoms, human rights and democratic institutions – which also is a major and essential part of OSCE's common, co-operative and comprehensive security concept; the existence of *obligatory military* CSBMs; the relatively minor importance attached to economic issues (because of other – more powerful and richer – international institutions which exist and can be used in the OSCE region to deal with such issues); the OSCE's consensus-minus-one and consensus-minus-x procedures (rarely if ever used in practice); the fact that the OSCE clearly represents regionalism (and does not include, for example, all five Permanent Members of the UN Security Council); the fact that the OSCE puts multilateralism ahead of bilateralism – in practice at least true of the medium-sized and smaller countries; the view that the OSCE covers societies with rather similar ethnic, religious and cultural backgrounds (a – false – Asian interpretation of the OSCE region contradicted by the vast religious and ethnic diversity that the region does in fact contain); and the fact that the OSCE sanctioned a high level of intrusiveness into the territory and domestic affairs of members, which today is mainly on paper, given the fact that the formal mechanisms devised between 1989 and 1992 have rarely if ever been used and have generally turned out to be ineffective in practice (especially during recent years).<sup>49</sup>

#### *Where to Look First ?*

The list of characteristics that make the OSCE attractive as a model for subregional security arrangements in East Asia would be incomplete without a suggestion of where interested (Asian) policy makers, specialists in institutional frameworks and academics ought to look first when studying the experiences of the CSCE/OSCE during its complex, constantly changing history.

Here we will submit a shortlist, starting with one of OSCE's main characteristics: that it is an institution of co-operative security where a variety of issues (whether regional, inter-state or intra-state) can be addressed by *all* concerned countries according to the principle of sovereign equality and not against the will of *any* of them, and where the consensus rule equates to the possession of a veto by *every* member.

On the practical side, Asia may be drawn to features deriving from the *early* CSCE – its C(S)BM and human dimension commitments in their early stages – including the mechanism for consultation and co-operation as re-

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<sup>49</sup> An extremely rare exception is the use of the human dimension "Moscow" mechanism with respect to Turkmenistan in 2002/03.

gards unusual military activities (referred to as the Vienna mechanism), the mechanism for consultation and co-operation with regard to emergency situations (known as the Berlin mechanism), and their further developments. This is, however, not to suggest that “Europe’s past could be Asia’s future” and that the Asia Pacific is doomed to live in Europe’s past.<sup>50</sup>

Asian governmental and academic experts may take an interest in the OSCE’s very gradual institutionalization process, in particular with respect to the Conflict Prevention Centre (CPC), and the development of its mandate and activities, when considering setting up an ARF Risk Reduction Centre (RRC) as suggested in the 1995 Concept Paper.

It is easy to overlook OSCE subregional activities: commitments not applicable to the whole OSCE region, agreements within the OSCE framework originally not open to all its participating States, the *Vienna Agreement on Confidence- and Security-Building Measures in Bosnia and Herzegovina*<sup>51</sup> and the *Florence Agreement on Sub-Regional Arms Control*,<sup>52</sup> regional measures under the *Vienna (CSBM) Document 1999*, and the *Stability Pact for South-Eastern Europe* under the auspices of the OSCE.<sup>53</sup>

Despite some reticence by certain ARF countries towards human-dimension and human-security issues, no study on the OSCE can be valid and complete without taking into account the milestones the CSCE/OSCE gradually set in these fields, including the provision of the *Helsinki Summit Declaration* that “the commitments undertaken in the field of the human dimension [...] are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the States concerned”,<sup>54</sup> the commitment to protect human rights and fundamental freedoms during a state of public emergency, a state of war or when under threat of war or in-

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50 Cf. Kwa Chong Guan, cited above (Note 43).

51 For details see Heinz Vetschera, *Military Stabilization and Arms Control in Bosnia and Herzegovina Five Years after the Dayton Agreement, Part I: The Agreement on Confidence- and Security-Building Measures in Bosnia and Herzegovina*; in: *Österreichische Militärische Zeitschrift* 3/2001, pp. 311-318; see also: Heinz Vetschera, *The Role of the OSCE in the Military Stabilization of Bosnia and Herzegovina*, in: *Institute for Peace Research and Security Studies at the University of Hamburg/IFSH* (ed.), *OSCE Yearbook 1998, Baden-Baden 1999*, pp. 305-327.

52 For details see Heinz Vetschera, *Military Stabilization and Arms Control in Bosnia and Herzegovina Five Years after the Dayton Agreement, Part II: The Agreement on Sub-Regional Arms Control (“Art. IV/Florence Agreement”) and Implementation and Verification*; in: *Österreichische Militärische Zeitschrift* 4/2001, pp. 465-472; see also: Vetschera, *The Role of the OSCE in the Military Stabilization of Bosnia and Herzegovina*, cited above (Note 51).

53 For details cf. Thomas Buchsbaum, *The OSCE and the Stability Pact for South Eastern Europe: A mother-daughter, brother-sister relationship?*, in: *Helsinki Monitor* 4/2000, pp. 62-79; cf. also Hans-Georg Ehrhart, *The Stability Pact for South Eastern Europe – Strategic Success or Botched-up Bungle?*, in: *Institute for Peace Research and Security Studies at the University of Hamburg/IFSH* (ed.), *OSCE Yearbook 2000, Baden-Baden 2001*, pp. 163-178.

54 Cf. CSCE Helsinki Document 1992: *The Challenges of Change*, Helsinki, 10 July 1992, in: Bloed (ed.), cited above (Note 12), pp. 701-777, herein: Helsinki Summit Declaration, pp. 701-710, para. 8, p. 702.

ternal political instability and to limit derogations from those obligations,<sup>55</sup> the *Code of Conduct on Politico-Military Aspects of Security*,<sup>56</sup> human dimension institution building including of the *Office for Democratic Institutions and Human Rights* (ODIHR), the *High Commissioner on National Minorities* and the *Representative on Freedom of the Media*, and finally the mainstreaming of the human dimension into all areas of OSCE activities.

The shortlist proposed to Asians interested in the OSCE should also draw their attention to the OSCE's own "lessons learned" in order not only to enable the emulation of positive and valuable activities and developments but also to ensure that negative and unsuccessful steps are not repeated.

Before closing, we would once more invite Asian scholars of the OSCE to remember that, in the beginning, and for a good many years, the CSCE included arch-enemies within its fold, and that, during most of its history, it worked reasonably well. We would also like to highlight the different religions, ethnic groups and levels of political, economic and social development the participating States represent, facts that invalidate an oft-heard Asian point of view that the OSCE region is much less diverse and complex than those of the ARF or Asia as a whole. Considering, in particular, developments in the Balkans and not a few parts of former Soviet territory over more than a decade now, the OSCE region is much less conflict-free and much more conflict-prone than Asian perspectives often allow. That is why OSCE experience is significantly relevant to inter-state conflicts, too.

The ARF is an institution whose situation and structure in many instances mirror those of the early CSCE. It, and by extension, East Asia and the Asia Pacific in general, can indeed profit from studying the OSCE and its development in more detail to draw their own conclusions for the sake of the region's security and that of its inhabitants.

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55 As agreed in the Copenhagen and Moscow Documents of the Conference on the Human Dimension of 1990 and 1991.

56 Agreed at the Budapest Summit of 1994 and entered into force on 1 January 1995.