

Romania and the OSCE¹

The Importance of the OSCE for Romania

The CSCE/OSCE process has been unique in the history of the European continent. It has paved the way for peaceful change in the lives of tens of millions of people on a continent that had previously experienced change only as a result of armed confrontations and wars. Indeed, the commitments of the participating States in the Helsinki Final Act of 1975 sowed the seeds of the 1989 revolutions in Central and Eastern Europe, which brought freedom and democracy to peoples in these parts of the continent, and hope to others that have experienced totalitarianism.

The Dual Involvement of Romania with the OSCE in the 40 Year History of the Organization

Romania's involvement with the OSCE goes back to the very roots of the Organization. In fact, through its policy goals and initiatives in the first half of the 1960s, Romania can be considered one of the founding fathers and shapers of the CSCE process. Romania was probably the most active of the small and medium-sized European countries, some of which belonged to the two military alliances, while others were non-aligned or neutral.

In those days, Romania regarded the process as one of the instruments it could resort to for protecting its security and promoting its national interests, as defined by the communist regime of the country.

On the other hand, Romania itself has seen the course of its recent history influenced by the Organization, which has become one of the elements of the European security structure.

With a broad mandate regarding security and co-operation on the European continent and equipped with a comprehensive concept of security – incorporating not only the politico-military dimension, but also economic and human matters – the CSCE introduced to the totalitarian systems prevailing in a part of its membership, including Romania, the “virus” of democracy and respect for human rights. This virus directly affected the Achilles' heel of the communist regimes in general and Romania in particular, and was the major factor that led to their collapse, opening the road for democratic evolution.

¹ The opinions expressed in this contribution are those of the authors alone and do not necessarily reflect the positions of the OSCE or the Romanian government.

The Importance of the CSCE for the Communist Regime of Romania

Following Romania's inclusion in the Soviet Union's sphere of influence after the Second World War, the evolution of the country's communist regime during the 1960s and 1970s supported the desire to escape Soviet trusteeship, which was becoming suffocating. Several paths were explored and various foreign policy initiatives were undertaken to that effect.

The emerging CSCE process was an opportunity to use, and it was used.

Romania was in favour of a European security concept consisting of a system of precise commitments, freely consented to by all participating States, accompanied by specific measures and guarantees against the use of force, which would offer all of them the possibility to develop according to their own interests and to establish among themselves relations based on the principles of international law. To a great extent this is in fact what the basic document of this process – the Helsinki Final Act – does.

Romania played a major role in establishing the rules of procedure of the process, which essentially provided for: a) the participation of all countries in all activities of the process in their capacity as independent and sovereign states, regardless of their membership of military alliances; b) the principle of rotation in conducting the work of the Conference and in hosting its meetings; and c) adoption of all decisions by consensus.²

These rules proved to be appropriate and beneficial for the development of the CSCE process, although when Romania proposed them the aim was primarily to enable it to take positions independently of the countries of the Soviet bloc.³ Unfortunately, the relative independence of the country was used by the Ceaușescu regime in its own interest.

This led to a continued focus of Romania on the politico-military dimension and to some extent on the economic and environmental dimension. The human dimension commitments, with regard to which Romania had considerable reservations, were either distorted in the typical style of Communist propaganda, or obstructed when the question of their implementation by Romania arose. The collapse of the totalitarian regime in December 1989 was to radically change this approach towards the human dimension.

The Importance of the CSCE/OSCE for Romania in Its Transition Period

Together with other international organizations, particularly the United Nations, through its Commission on Human Rights, and the Council of Europe, the CSCE/OSCE became one of the external sources of support for internal

2 See the memoirs of the chief Romanian negotiator Valentin Lipatti, *În tranșeele Europei: amintirile unui negociator* [In Europe's Trenches: Memoirs of a Negotiator], Bucharest 1993, p. 206.

3 For more details, see: Anda Filip/Marin Stanescu, Romania and the OSCE, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 1997*, Baden-Baden 1998, pp. 87-95, here: pp. 87-88.

democratization processes and efforts to strengthen the institutions of the rule of law in the country.

In fact, one of Romania's first acts regarding its participation in the CSCE after December 1989 was to withdraw its reservations to the Final Document of the Vienna Follow-up Meeting related to human rights.

Debates and documents adopted within the CSCE/OSCE, visits to Romania by high officials of the CSCE/OSCE, in particular the High Commissioner on National Minorities and the Representative for Freedom of the Media, CSCE/OSCE missions to monitor parliamentary and presidential elections, and their constructive criticism of certain events or developments made significant contributions to shaping and strengthening Romania's emerging democratic institutions and the rule of law.

With a new foreign policy oriented primarily towards integrating it into the Euro-Atlantic organizations and institutions of the European democratic nations – NATO, the Council of Europe, the European Communities, the Western European Union – Romania also developed a new vision of the CSCE process, described in a comprehensive document submitted to the first meeting of the CSCE Ministerial Council in Berlin, in June 1991, entitled "European Architecture and the Strengthening of Security in Europe".

In parallel, Romania endeavoured to contribute to the general effort of participating States to turn the Organization into a key component of the European security architecture. Special attention was given to making use of the CSCE/OSCE's potential in peacekeeping operations and conflict settlement in neighbouring areas, particularly in the Balkans and the Republic of Moldova. Romanian military and civilians have participated in field operations in Bosnia and Herzegovina, Albania, Georgia, and other zones. Romania has brought before the OSCE proposals aimed at strengthening support for transition countries in their efforts to transform their command economies into market economies, and also at focusing on social issues brought about by the transition process and ways of mitigating them.

Today, as a full member of the European Union, Romania is in a new situation at the OSCE; it now makes its contribution to the work of the Organization by means of the EU's Common Foreign and Security Policy (CFSP).

The Romanian Chairmanship of the OSCE in 2001

Challenges and Priorities

The Chairmanship-in-Office of the OSCE represented a peak moment of Romania's participation in the OSCE and in international organizations in general.

When Romania took over the role in 2001, the Organization was at a crossroads. The Ministerial Council in Vienna in 2000 had failed to adopt any important decisions. It was clear that a stage in the post-Cold War period at the OSCE was over and that lessons had to be learned.

The priorities and objectives of the Chairmanship were essentially the following:⁴

- Encouraging observance of OSCE norms, principles, and commitments.
- Strengthening the OSCE as an active instrument for conflict prevention, early warning, crisis management, and post-conflict rehabilitation.
- Promoting the rule of law and human rights.
- Strengthening OSCE activities in the economic and environmental dimension.
- Enabling the OSCE to cope with new security challenges such as international terrorism and extremism, organized crime, and corruption.
- Facilitating institutional consolidation of the OSCE.
- Strengthening co-operation with other international organizations.

A number of initiatives were undertaken with a view to implementing these priorities and objectives.

Strengthening the Role of the OSCE

In response to a widely felt need to reflect collectively on the OSCE's political role, its broad objectives, priorities, and working methods, the Romanian Chairmanship initiated a "revisit" of the whole Organization and its methods of work. An item entitled "Strengthening the role of the Organization and making it more relevant to the participating States"⁵ was placed on the agenda of the Permanent Council. The basic approach was that participating States had better face up to the criticisms levelled at the Organization.

The purpose of this initiative was to gather ideas on streamlining operations and on improving the efficiency of the Organization, without affecting its strengths and flexibility, and particularly its extensive field presence, its professional institutions and Secretariat, which have been developed over the years, and its role in early warning, conflict prevention, crisis management, and post-conflict rehabilitation.

The reform efforts were appreciated by the Ministerial Council:

We welcome the review of the OSCE's structures undertaken at the initiative of the Romanian Chairmanship with the goal of

4 Cf. Mircea Dan Geoană, *The OSCE under the Romanian Chairmanship – A Retrospective View*, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2002*, Baden-Baden 2003, pp. 21-29, here: p. 21.

5 See Discussion Paper, OSCE Document CIO.GAL/22/01, 31 May 2001.

strengthening the OSCE's efficiency, and the adoption today of decisions to foster the role of the OSCE as a forum for political dialogue on issues of security and co-operation in Europe. This reinforces our determination to make more effective use of OSCE means and mechanisms to counter threats and challenges to security and stability in the OSCE region. In particular, we have decided to strengthen our co-operation in the economic and environmental dimension and to enhance the OSCE's role in police-related activities [...] The Ministerial Council tasks the Permanent Council, through a working group on OSCE reform, to continue consideration of issues related to OSCE reform and report to the next meeting of the Ministerial Council.⁶

Those efforts echoed a demand voiced at the earlier EU-Russia Summit "to intensify the dialogue and co-operation on a thoroughgoing reform of the OSCE, in order to determine the Organization's place in the European security architecture and improve its functioning, in accordance with its reference documents (1975 Helsinki Final Act and 1999 European Security Charter)".⁷

The debate on this item initiated a process that continued in the following years in the Working Group on the Reform of the OSCE. Under the chairmanship of the Romanian permanent representative, the Working Group submitted its report in 2004.⁸ The Ministerial Council adopted a Decision on strengthening the role of the Secretary General, proposed by the Working Group.⁹ Based on the report of the Working Group, subsequent steps were made by the adoption of the Decision of the Ministerial Council on strengthening the effectiveness of the OSCE in 2005¹⁰ and the adoption of new Rules of Procedure¹¹ one year later.

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- 6 Organization for Security and Co-operation in Europe, Ninth Meeting of the Ministerial Council, Bucharest, 3 and 4 December 2001, MC.DOC/2/01, 4 December 2001, in: *OSCE Yearbook 2002*, cited above (Note 3), pp. 391-417, Bucharest Ministerial Declaration, pp. 392-393, here: p. 392. Decisions and other documents adopted at the Ministerial Councils are also available on the OSCE website, at: www.osce.org.
 - 7 EU Russia Summit, Joint Statement, 3 October 2001, Annex 4, *Joint Declaration on stepping up dialogue and co-operation on political and security matters*, para 2.
 - 8 OSCE Document CIO.GAL/128/04, 30 December 2004.
 - 9 Organization for Security and Co-operation in Europe, Twelfth Meeting of the Ministerial Council, Sofia, 6 and 7 December 2004, MC.DOC/1/04, 7 December 2004, *Decision No. 15/04, Role of the Secretary General*, MC.DEC/15/04 of 7 December 2004, pp. 54-55.
 - 10 Organization for Security and Co-operation in Europe, Thirteenth Meeting of the Ministerial Council, 5 and 6 December 2005, Ljubljana 2005, MC13EW66, 6 December 2005, *Decision No. 17/05, Strengthening the Effectiveness of the OSCE*, MC.DEC/17/05 of 6 December 2005, pp. 57-60.
 - 11 Organization for Security and Co-operation in Europe, Fourteenth Meeting of the Ministerial Council, 4 and 5 December 2006, Brussels 2006, MC14EW79, 5 December 2006, *Rules of Procedure of the Organization for Security and Co-operation in Europe*, MC.DOC/1/06 of 1 November 2006, pp. 69-87.

Refocusing the Debates of the Permanent Council

Right at the very beginning of its Chairmanship, Romania submitted a discussion paper on strengthening political dialogue within the OSCE.¹² Almost all of its suggestions have been accepted and implemented: focusing on current issues in the Permanent Council, regular briefings about the OSCE field activities, acquaintance by delegations in Vienna with the OSCE field activities, including visits by permanent representatives to field presences.

In 2001, the first item on the agenda of the Permanent Council became “Current Issues”. It proved to be a step in the right direction, making political dialogue the central reason for the ambassadors in Vienna to meet weekly. Indeed, upon the initiative of representatives of the participating States, numerous topical issues were brought before the Council, generating useful exchanges and often new ideas for action.

Prior practice had been to build the agenda of the Permanent Council around the reports of field missions, which unavoidably led to more technical discussions and to unnecessarily detailed examination of various elements or aspects of the activities of field missions at the level of ambassadors.

In order to inform public opinion on the OSCE’s position on major issues, the Romanian Chair initiated the adoption and publication of policy statements on selected “current issues”. The first such statement was on developments in the former Yugoslav Republic of Macedonia.¹³

Among other things, the Romanian Chair of the Permanent Council will probably be remembered for the change in agenda, working methods, and increased discipline: the Council now focuses on current issues; statements by heads of field missions and representatives of participating States are short and to the point; the meetings start at the announced hour and the atmosphere in the Council is more dignified; discussions on reports of heads of missions and institutions are concluded with a statement by the Chair, synthesizing the general direction of the debate and giving further orientation.

Co-operation with Other Organizations

One of the primary concerns of the Romanian Chairmanship was to strengthen co-operation with other international organizations who are also responsible for security and co-operation in the Euro-Atlantic space, particularly the United Nations, NATO, the Council of Europe, and the European Union.

On 29 January 2001, the Chairman-in-Office, Romania’s Foreign Minister, Mircea Dan Geoană, was the first OSCE official ever to address the UN Security Council and discuss co-operation between the two organization at a

12 OSCE Document CIO.GAL/2/01, 8 January 2001.

13 OSCE Permanent Council, 337th Plenary Meeting, PC Journal No. 337, PC.JOUR/337, 11 May 2001, Annex 1, *Statement by the Permanent Council*.

meeting especially convened for this purpose.¹⁴ The Chairman-in-Office put forward some ideas and proposals aimed at improving the OSCE-UN cooperation framework on the basis of the principles of complementarity, comparative advantage, subsidiarity, and synergy. He referred to the establishment of an efficient information exchange mechanism on existing and potential crises and on lessons learned from joint field missions; the promotion of periodical joint assessments on developments in areas of mutual interest; and the appropriate participation of the two organizations in each other's meetings on topics of common concern. Special emphasis was placed on the operational dimension of the co-operation between the OSCE, as a regional organization, and the UN. As a follow-up, at the initiative of Romania, in 2005 the Security Council adopted a special resolution concerning the co-operation between the United Nations and regional organizations in maintaining international peace and security.¹⁵

The meeting in New York was followed by a series of further high-level and working-level meetings of the Chairman-in-Office with officials of NATO, EU, and the Council of Europe that have resulted in better coordination and use of these organizations' resources.

11 September 2001

The events of 11 September 2001 in the United States have changed the world in significant ways. Upon the initiative of the Romanian Chairmanship, the reaction of the OSCE was prompt: a Permanent Council Statement expressing the sorrow and outrage of all participating States at these senseless acts and their determination to "act[...] together with the entire international community, to unite and put an end to terrorism, a scourge of our times which threatens peace and security throughout the world".¹⁶

On 21 September, a special meeting of the Permanent Council was convened, at which the Chairman-in-Office highlighted the area where the OSCE can bring added value in combating terrorism. A Statement by the Permanent Council was adopted,¹⁷ followed by the decision and the plan of action adopted by the Bucharest Ministerial Council on 4 December 2001¹⁸ and by the international conference on "Enhancing Security and Stability in Central

14 Cf. UN Document S/PV.4266, 29 January 2001.

15 UN Document S/RES/1631 (2005), 17 October 2005.

16 OSCE Permanent Council, *Decision No. 438, Decision by the Permanent Council on the Acts of Terrorism in New York City and Washington, D.C.*, PC.DEC/438, 13 September 2001.

17 OSCE Permanent Council, Special Meeting of the Permanent Council (355th Plenary Meeting), PC Journal No. 355, PC.JOUR/355, 21 September 2001, Annex 1, *Statement by the Permanent Council*.

18 Ninth Meeting of the Ministerial Council, cited above (Note 5), *Decision No. 1, Combating Terrorism*, MC(9).DEC/1/Corr.1, and The Bucharest Plan of Action for Combating Terrorism, Annex to MC(9).DEC/1/Corr.1, 4 December 2001, pp. 393-402.

Asia: Strengthening Comprehensive Efforts to Counter Terrorism” held in Bishkek on 13 and 14 December 2001.¹⁹

The Bucharest Plan of Action was a comprehensive document and proved to be a valuable one. It led to the designation by the Portuguese Chairmanship in 2002 of a Personal Representative for Preventing and Combating Terrorism²⁰ and to a highly useful conference in Lisbon, in June 2002, of Secretaries General and Chairpersons of key organizations involved in the fight against terrorism. They agreed on a number of steps to enhance co-operation and co-ordination among their organizations. The Porto Ministerial Council drew up an “OSCE Charter on Preventing and Combating Terrorism”.²¹ The framework for a more effective involvement of the OSCE in the international efforts to combat terrorism was thus established.

Regional Conflicts

Regional issues and conflicts represented a matter of major concern of the Romanian Chairmanship. Its main initiatives aimed at:

- Adjusting the OSCE’s action to the challenges of developments in the Balkans, e.g. by establishing an OSCE mission in Belgrade, appointing a Personal Representative of the Chairman-in-Office for the Stability Pact, stabilizing the situation in the Republic of Macedonia in co-operation with NATO and EU through the successful conclusion of the Ohrid Framework Agreement on 13 August 2001, and organizing elections in Kosovo under the aegis of the OSCE.
- Establishing an OSCE presence in Chechnya.
- Increasing the international focus on Central Asia.
- Encouraging fulfilment of earlier commitments regarding withdrawal of foreign troops, ammunition, and military equipment from Transdnistria and facilitating the negotiation process for a political settlement.

In order to better understand the nature and the essence of the conflicts in the OSCE area, the Romanian Chairmanship organized for the first time visits of groups of ambassadors from participating States to conflict zones – in this

19 See UN Office for Drug Control and Crime Prevention and Organisation for Security and Co-operation in Europe, *Summary Report, Bishkek International Conference on Enhancing Security and Stability in Central Asia: Strengthening Comprehensive Efforts to Counter Terrorism*, 13/14 December 2001, at http://www.osce.org/documents/2001/12/4130_en.pdf.

20 OSCE, *Chairman-in-Office names former Danish Minister as Personal Representative for Terrorism*, OSCE Press Release, 29 January 2002, at: <http://www.osce.org/item/6521.html>.

21 Organization for Security and Co-operation in Europe, Tenth Meeting of the Ministerial Council, Porto, 6 and 7 December 2002, MC.DOC/1/02, 7 December 2002, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2003*, Baden-Baden 2004, pp. 421-455, OSCE Charter on Preventing and Combating Terrorism, pp. 425-428.

case to Moldova and the Caucasus. It was an interesting experiment and enlarged the ambassadors' knowledge and understanding both of the actual issues at stake and of the challenges confronting the OSCE in the field. It led to a significant increase in the perceived relevance of examining the conflicts in the Council. Since then, visits to conflict zones, and to other areas, have become a regular instrument of the Council in dealing with issues on its agenda.

The Economic and Environmental Dimension

The Romanian Chairmanship pointed to the importance of the economic and environmental dimension of the OSCE's activities and made a serious attempt to examine shortcomings and suggest remedies. A discussion paper was submitted early in the Chairmanship, which underlined that:

The experience of countries in transition has shown that while adoption of democratic constitutions, setting democratic institutions and organizing free and fair elections are *sine qua non* requirements of their progress and prosperity, they are not sufficient. Nor are efforts to address peaceful settlement of conflicts sufficient. Democracy and peaceful relations are fragile against a background of poverty and continued economic crises, and without economic take-off and sustained growth.

Therefore, it is time to revisit the Economic and Environmental Dimension of the OSCE, aiming in particular at practical implementation of the goals set in the OSCE documents and at supporting reform processes in countries with economies in transition.²²

The paper suggested a number of procedural, institutional, and operational measures to increase the effectiveness of this dimension. Most of those suggestions remain as valid today as they were six years ago.

Eventually, at the initiative of Romania, a Sub-committee of the Permanent Council on the Economic and Environmental Dimension was established with a view to examining in more depth issues of interest for the participating States in the OSCE context,²³ which was a milestone in the devel-

22 OSCE Document CIO.GAL/8/01, 13 March 2001.

23 Ninth Meeting of the Ministerial Council, cited above (Note 5), *Decision No. 3, Fostering the Role of the OSCE as a Forum for Political Dialogue*, MC(9).DEC/3, 4 December 2001, pp. 408-411, here: p. 410.

opment of this dimension.²⁴ This initiative has given prominence to these issues within the OSCE.²⁵

Roma and Sinti

The human dimension was the object of various initiatives on the part of the Romanian Chairmanship that aimed to make the OSCE pay increased attention to issues of human security and the protection of minorities.

One was a conference on Roma and Sinti issues, which was held in Bucharest from 10-13 September 2001 with the purpose of drawing up recommendations for an OSCE plan of action on the topic. More than 300 people attended the conference, including representatives of Roma communities from all over the continent.²⁶ That was a starting point for the OSCE's more active involvement in protecting these minorities, particularly against discrimination.

Based on the recommendations of the Bucharest Conference, the Permanent Council established a working group, and the permanent representative of Romania was given the chairmanship and tasked with preparing the text of a plan of action. On 27 November 2003, the Council adopted an "Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area",²⁷ which was subsequently endorsed by the Ministerial Council in Maastricht the same year.²⁸ The plan is intended to reinforce the efforts of the participating States and relevant OSCE institutions and structures to ensure that Roma and Sinti people are able to play a full and equal part in society, and to eradicate discrimination against them. It relies on the framework of international and regional human rights law, existing OSCE commitments, and examples of best practices.

The plan of action continues to be a basic guide for the activities of the OSCE and its participating States relating to Roma and Sinti issues, and Romania is one of the most active promoters of its implementation at both national and international levels.

24 Cf. Marc Baltès, *The Economic and Environmental Dimension: Lessons Learned and Possible New Orientations*, in: Daniel Warner (ed.), *Consolidating the OSCE, Program for the Study of International Organizations*, Occasional Paper 4/2006, IUHEI, Geneva, p. 62.

25 For a comprehensive review of the successive instruments that have been put into place to strengthen the economic and environmental dimension, see the above-mentioned study by Marc Baltès, Senior Advisor at the OSCE Office of the Co-ordinator of Economic and Environmental Activities, *ibid.*, pp. 61-83.

26 Cf. OSCE Office for Democratic Institutions and Human Rights, *Annual Report 2001*, p. 48, at http://www.osce.org/documents/odihr/2001/12/1842_en.pdf.

27 OSCE Permanent Council, *Decision No. 566, Action Plan on Improving the Situation of Roma and Sinti Within the OSCE Area*, PC.DEC/566, 27 November 2003.

28 Cf. Eleventh Meeting of the Ministerial Council, 1 and 2 December 2003, Maastricht 2003, MC.DOC/1/03, 2 December 2001, *Decision No. 3/03, Action Plan On Improving The Situation Of Roma And Sinti Within The OSCE Area*, MC.DEC/3/03, pp. 61-77.

Tolerance and Non-Discrimination

The International Seminar on Tolerance held in Bucharest in May 1995 in co-operation with the OSCE and the Council of Europe, under the aegis of UNESCO, and within the context of the International Year of Tolerance, was at the origin of the increased attention that the OSCE today pays to this topical issue. In June 2001, under the Romanian Chairmanship, a special Supplementary Human Dimension Meeting was convened in Vienna with a view to further promoting tolerance and non-discrimination.²⁹

The fight against intolerance and discrimination has become an ever more important issue for Europe and for the world. The most recent event on the topic was the High-Level Conference on Combating Discrimination and Promoting Mutual Respect and Understanding, which took place in Bucharest on 7-8 June 2007.³⁰

Results and Lessons Learned

Perhaps the most important feature of the Romanian Chairmanship was the provision of leadership. All those acting on its behalf were not merely reacting to developments; they maintained the strategy and the course of action the Chairman-in-Office had set out from the very beginning. From that point of view, the Romanian Chairmanship was both consistent and persistent.

The OSCE Chairmanship is entrusted to the country as a whole, not just to an individual or two – and consequently the whole country's ability to run the Organization and to manage the problems in the OSCE area is put to the test. Romania proved its ability to perform these tasks on behalf of the participating States.

Through its initiatives and in the way it conducted its business, the Romanian Chairmanship played a significant role in bringing normality to the Organization and restoring the confidence of some participating States that seemed to have lost interest in the OSCE.

The Romanian OSCE Chairmanship was in keeping with the Romanian tradition of distinguished service to international organizations. Before the Second World War, Nicolae Titulescu, a prominent Romanian diplomat, was twice elected President of the General Assembly of the League of Nations. The first East European ever to be elected President of the United Nations General Assembly, in 1967, was Romanian – Foreign Minister Corneliu Mănescu. Romania's contributions to the work of the United Nations and the Conference on Security and Co-operation in Europe were remarkable. These traditions were continued in 2001 at the OSCE. The Romanian Chairman of

29 OSCE Supplementary Human Dimension Meeting on Promoting Tolerance and Non-Discrimination, Vienna, 18-19 June 2001, *Final Report*, CIO.GAL/34/01, 23 July 2001.

30 For details, cf. <http://www.osce.org/item/23554.html>.

the Permanent Council, Ambassador Liviu Aurelian Bota, was awarded the OSCE Medal *Bene Merenti ad OSCE*.³¹

Two historic events have significantly influenced Romania's OSCE-related policies and activities since it held the Chairmanship in 2001: NATO membership in 2004 and accession to the EU as a full member in 2007. In fact, there is no doubt that the successful way Romania fulfilled the tasks of the Chairmanship in a politically difficult and complex year played a role in the decisions taken by these two organizations, which shoulder major responsibilities for European security and co-operation, to admit Romania.

Within the same tradition, Romanian diplomacy has always been active in promoting the peaceful settlement of international disputes. In fact, Romania was one of the originators of the declaration adopted by the General Assembly of the United Nations in this field³² and Romanian diplomats have acquired expertise in both UN peace-making and peacekeeping operations and OSCE conflict settlement.

Some Thoughts Regarding the Present and the Future

Much criticism of the OSCE has been heard during the last few years, particularly from Russia.³³ To a certain extent, this is an encouraging sign. It indicates that Russia and others who criticize the Organization attach importance to it. At the same time, it indicates a crisis of confidence in the OSCE, at least as far as those participating States are concerned.

Legitimate questions arise: Has the OSCE actually fulfilled its 1975 mandate, as adjusted after 1990 by the Charter of Paris and other documents? Do the European and Euro-Asian States, the USA, and Canada still need this Organization? What is the *raison d'être* of the OSCE today?

After the revolutions in the East that led to the collapse of communism, the CSCE/OSCE certainly had a reason to continue to exist. In the early 1990s, it offered a framework to the emerging democracies for their ongoing participation in the dialogue on security and co-operation. Building upon the CSCE, the OSCE was established as an organization and played a significant role – together with other organizations of the European democracies, par-

31 Cf. OSCE, *Former Chairman of Permanent Council receives OSCE Medal*, OSCE press release, 6 February 2002, at: <http://www.osce.org/item/6533.html>.

32 Cf. United Nations, *Manila Declaration on the Peaceful Settlement of International Disputes*, UN Document A/RES/37/15, 15 November 1982.

33 See remarks regarding imbalances between the three dimensions, the need to reform ODIHR, the promotion of one-sided political approaches in regional conflicts by the Russian Foreign Minister at the Ministerial Meeting in Brussels, in: OSCE Document MC.DEL/21/06, 4 December 2006, and references by the President of the Russian Federation to people "trying to transform the OSCE into a vulgar instrument designed to promote the foreign policy interests of one or a group of countries"; Speech at the Munich Conference on Security Policy, 10 February 2007, at: http://president.kremlin.ru/eng/speeches/2007/02/10/0138_type82912type82914type82917type84779_118135.shtml. See also Mikhail Marghelov, *Why is the OSCE needed?* In: *Nezavisimaya Gazeta*, 19 January 2004.

ticularly the Council of Europe, and with the aid of bilateral support programmes – in democratic state building in the countries in Central and Eastern Europe and the ex-Soviet space.

The Organization Today

The OSCE area has changed. And, in a parallel process, so has the OSCE. Today, the OSCE looks very different from how it did 15 years ago.

The most remarkable element of these changes is the eastward enlargement of NATO and the EU. Very important too was the enlargement of the Council of Europe, which now includes all the states of the geographical continent of Europe, from the Atlantic to the Urals.

What are the respective interests of the participating States in the OSCE, in this new international context?

There are more and more signs that Russia feels that the OSCE as it has evolved after the Cold War is no longer an appropriate instrument for promoting its national interests and aspirations. In fact, Russia would seem to prefer an OSCE – or another organization – where its role and decision-making power were similar to those it enjoys in the UN Security Council. At any rate, its criticism of the OSCE needs to be addressed constructively, with a view to alleviating fears and dissipating mistrust and misunderstanding.

The five countries in Central Asia are the only participating States that did not become members of the Council of Europe. For these states, the OSCE is the only organization other than the UN where they can sit together at the same table with the well-established European and North American democracies and discuss security and co-operation issues of common interest. It will probably take a long time for these countries to become real democracies, but their interest in keeping connected to this “club” at all times is, and should be, there.

The path to follow is, as has rightly been emphasized, to develop the participating States’ sense of ownership of the OSCE, and this can be achieved only through a spirit of co-operation as equals, avoiding the impression that the Organization is divided into “teachers” and “pupils”.³⁴

All these concerns should be dealt with by identifying the OSCE’s place (or “niche”) in the complex system of institutions and organizations established by the European states after the Second World War to deal with their security and co-operation problems, and also by building a common vision of how to shape the Organization so that it will serve all participating States.

34 Cf. Dov Lynch, *The Basic Challenges Facing the OSCE*, in Warner (ed.), cited above (Note 23), p.15.

The OSCE is the regional security organization with the largest membership (56 participating States), the most comprehensive definition of security, and the broadest area of co-operation.

Following its enlargement, the European Union now includes almost half of the OSCE States (27 of 56) and in a few years will probably include even more. The impact of the enlarged EU and of its decision to promote a Common Foreign and Security Policy needs to be assessed and used to benefit the OSCE's effectiveness. Obviously, streamlining and coherence of action are, first of all, the responsibility of the participating States, but they also need to be addressed in the OSCE context.

Particular attention needs to be paid to the OSCE's co-operation with the Council of Europe. The Declaration on Co-operation that the two signed at the Council of Europe Summit in Warsaw on 17 May 2005³⁵ should serve as the basis to fully achieve the potential of this co-operative relationship.

The goal of co-operation and co-ordination is being voiced loud and clear in all the relevant organizations. But although officials on all sides speak highly of the progress made, loopholes remain, and there is much room for improvement.

The OSCE's specific role is determined by its particular attributes.

The OSCE was conceived as a security organization with a broad definition of security encompassing three dimensions, and its structures were designed accordingly. Issues related to all these dimensions are considered by the OSCE structures from the point of view of their implications for the security of the participating States.

It also offers a forum for permanent and free exchange of views between partners acting on an equal footing, enabling them to agree on common action, when necessary, on any matter of mutual interest. Indeed, in the OSCE, participating States can air their differences on the widest range of issues, while staying in contact. What is essential in this regard is that all voices are important and have to be heard. All of the states have to be involved in the informal consultations system, which is the basis of decision making in the OSCE.

It is worth mentioning that the Romanian Chairmanship made a major – and largely successful – to involve all participating States more actively in political consultations. An interesting experiment in this regard was to bring together the Central Asian states, the republics of the South Caucasus and the Black Sea countries in informal consultations on issues of concern to the

35 OSCE Permanent Council, *Decision No. 670, Co-operation Between the Organization for Security and Co-operation in Europe and the Council of Europe*, PC.DEC/670, 28 April 2005, Annex, Declaration on Co-operation Between the Organization for Security and Co-operation in Europe and the council of Europe.

OSCE, through the so called Silk Road Caucus. They have been meeting for some time now at the Romanian Permanent Mission to the OSCE.

The decision of the Brussels Ministerial Council to establish three informal subsidiary bodies of the Permanent Council – one for each dimension of the OSCE’s activities – might augur well for a more intense and specialized political dialogue among participating States.³⁶

Need for a Common Vision of the OSCE’s Raison d’Être

During the last few years, the agenda of the OSCE has changed. Some of the problems it deals with arose from the old division of the continent and the totalitarian past of a number of participating States. These have been joined by new problems arising from the difficulties of transition. In addition, the “frozen conflicts” continue to affect several states. Finally, another category of problems consisting of new threats to international security and stability has also emerged in recent years.

In general, the OSCE and its institutions have managed to adjust to the new realities. Nevertheless the Organization’s overall strategic orientation, relevance, and effectiveness have been questioned by a number of countries, the Russian Federation in particular.

Participating States need a shared vision of the purpose the Organization should serve. They should not be only reactive in the sense of continuously adapting the OSCE to the evolving situation, but also proactive, in the sense of shaping a vision of how the Organization can meet their future needs and expectations.

It is against this background that much hope was placed in the Panel of Eminent Persons on Strengthening the Effectiveness of the OSCE, which was established with the mandate to give new impetus to political dialogue and provide strategic vision for the OSCE in the 21st century, to review the effectiveness of the Organization, its bodies and structures, and to provide recommendations on measures to effectively meet the challenges ahead.³⁷ The Panel succeeded in drawing up an excellent inventory of ideas and initiatives aiming at strengthening the Organization that had been put forward over the years.³⁸ But it achieved no more than that.³⁹

36 Cf. Fourteenth Meeting of the Ministerial Council, cited above (Note 10), *Decision No. 17/06, Improvement of the Consultative Process*, MC.DEC/17/06 of 5 December 2006, pp. 52-54.

37 Cf. Twelfth Meeting of the Ministerial Council, cited above (Note 8), *Decision No. 16/04, Establishment of a Panel of Eminent Persons on Strengthening the Effectiveness of the OSCE*, MC.DEC/16/04 of 7 December 2004, pp. 56-57.

38 *Common Purpose. Towards a More Effective OSCE*, Final Report and Recommendations of the Panel of Eminent Persons on Strengthening the Effectiveness of the OSCE, 27 June 2005, at http://www.osce.org/documents/cio/2005/06/15432_en.pdf.

39 See for an analysis Edwin Bakker/Hinke Pietersma, *The OSCE in Search of a Meaningful Reform Agenda*, in: *Atlantisch Perspectief*, December 2005, p. 23-29, at http://www.clingendael.nl/publications/2005/20051200_cscp_cdsp_art_bakker_pietersma.pdf.

As far as the future of the OSCE is concerned, the “vision thing” is still lacking.

The starting point should be the common values described in the OSCE documents and shared by all participating States. As the OSCE is the only organization covering such a large area – namely almost the whole northern hemisphere – it is and should be an instrument to strengthen security and peace between the states in this area based on these values. While they share these values, the participating States are also eager to maintain their own specific cultures and identities. This strong desire is generally growing even stronger and needs to be respected.

It is encouraging that the EU and the USA have recognized that “differences in history, culture and society mean that the paths taken towards democracy and the rule of law will be different and that the systems of government that result will be varied, reflecting local traditions and preferences” and that “democracy, while it is based on universal values, will not be uniform”.⁴⁰ The OSCE needs to build on that.

The fact that “authoritarian systems or outright dictatorship” prevail in some participating States, as one researcher put it,⁴¹ does not mean that the community of values does not extend there. Sooner or later these values will find their way to implementation in those states, too. It is precisely here that the OSCE has a valuable role: to use its chemistry to make this happen, building on the fact that the participating States not only subscribed to common values but have also undertaken politically binding commitments to implement them.

Regional Approach

The common goal of the participating States is to ensure the security and stability of the OSCE area. At the regional level, the OSCE possesses structures and instruments whose mandates reflect, at least in part, the Organization’s overall mandate.

There are a significant number of regional structures in the Balkans, the Black Sea area, the Danube region, and the Baltic Sea area. However, the OSCE is the only organization with a remit to cover Central Asia. It has the expertise to offer the necessary assistance and support to states in this region, to strengthen their security and to devise measures for conflict prevention.⁴²

40 Joint Statement by the European Union and the United States, *Working Together to Promote Democracy and Support Freedom, the Rule of Law and Human Rights Worldwide*, OSCE Document SEC.DEL/176/05, of 19 July 2005.

41 Pál Dunay, *The OSCE in Unabated Decline*, Real Instituto Elcano, Europe-ARI 1/2007, 12 January 2007, p.4.

42 An interesting report was prepared in 2002 aiming at establishing a long-term strategic concept of what the OSCE is for and what it can accomplish in Central Asia. It contains many recommendations that remain useful today: International Crisis Group, *The OSCE in Central Asia: A New Strategy*, ICG Asia Report No. 38, Osh/Brussels, 11 September 2002.

The OSCE needs to develop a coherent regional approach. In 2006, in a “food-for-thought” paper circulated informally to the participating States, Romania proposed a decision on action at the regional level of just this kind, to the Ministerial Council.

The idea is still valid and worth considering, and is directly related to increasing the relevance of the OSCE for the participating States. On the other hand, there is no doubt room for rationalization of the existing regional structures, institutions, and initiatives.

Continued Adaptation

“Reform” has probably been the most frequently used term in statements, proposals, and initiatives brought by the participating States in recent years. As noted, Romania has been no exception.

Today, there are definite signs of “reform fatigue” in the OSCE. In fact, through constant adjustment – *de jure* and *de facto* – the OSCE has kept adapting to the needs of its participating States. The agenda of the Permanent Council today is different from the one that prevailed during the second half of the 1990s. The Organization has been restructured. New bodies have appeared while others, such as the Senior Council, have been abandoned;⁴³ field missions – temporary or permanent – of the most varied nature have been established or restructured, while others have been closed, having fulfilled their tasks. One cannot accuse the OSCE of becoming set in its ways.

Therefore, with very few exceptions – the most notable being the Russian Federation – the participating States do not want to talk endlessly about the OSCE reform. What needs to be done in the circumstances is to address the specific concerns that lie behind the criticism voiced by Russia and other participating States and try to accommodate them.

Of course, there is a need for the institutions and structures of the OSCE to continue to adapt to meet the evolving needs of the participating States, but this should not occur in the context of large and comprehensive talks about “reform” but rather pragmatically and punctually, as those needs arise.

This can be considered, for instance, in relation to the politico-military dimension. Overall, the strategic security element of this dimension has increasingly lost substance, to the extent that the Forum for Security Cooperation (FSC) can barely justify its existence, and debates in the FSC are becoming inconsequential to the point of irrelevance. However, the dimension has gained substance thanks to the following: The 1999 Vienna Document; the emphasis on policing issues (with special attention to small arms and light weapons and drugs trafficking); border management; involving civil society in security issues; and the fate of the Treaty on Conventional Armed Forces in Europe.

43 Cf. Fourteenth Meeting of the Ministerial Council, cited above (Note 10), *Decision No. 4/06, OSCE Senior Council*, MC.DEC/4/06, 26 July 2006, p. 19.

Another relevant topic concerns places in the OSCE area where the rule of law does not exist. These are the areas of the “frozen conflicts”. The basic concern should be to prevent the deterioration of such conflicts or the resort to the use of force. Patient work and mutual accommodation, with the help of OSCE field presences, are called for to prepare the ground for future peaceful settlement.

A final topic for consideration is the continued need for stronger co-operation and co-ordination among the OSCE institutions and structures. One cannot but agree with the assessment of an experienced diplomat, whose association with the OSCE’s field operations led him to conclude that the Organization “is increasingly performing below its potential”.⁴⁴

Emphasis on the Individual

In the context of its human dimension, the OSCE should put more and more emphasis on the individual and the individual’s rights and needs. It should be a forum where an individual who feels that their rights have been abused or infringed upon is able to air their complaint, either through one of the governments of the participating States, through an OSCE institution, through an NGO, or even directly, as a private person, and seek and find protection.

While agreeing that exchanges in the Permanent Council on national positions relating to human rights are constructive, Romania maintained that it would do even more to increase the effectiveness of the OSCE’s action and would be even more beneficial for the individuals concerned if the Organization were also to examine individual cases of alleged infringements of human rights in participating States and to make appropriate recommendations. In time, this approach has acquired wider acceptance and the Permanent Council now does discuss concrete cases of human rights violations in participating States fairly often under the heading of “Current Issues”, with beneficial effects for individuals in many cases.

The OSCE should persist in pursuing work in this direction and should seek to enlarge the opportunities for individuals in the OSCE area to find support and encouragement when they have exhausted the national possibilities open to them. When it comes to human rights, the cultural or religious specificity of a particular area, which are sometimes invoked in debates, are not acceptable. There are human rights standards, defined in the OSCE’s fundamental documents, towards which all participating States must aim. It would serve no purpose to lower the level of ambition of participating States in any matter related to the promotion and protection of human rights.

44 Ambassador Robert L. Barry, *The OSCE at a Turning Point?*, Basic Publications, Basic Notes, Occasional Papers on International Security Policy, 7 September 2004, at: <http://www.basicint.org/pubs/Notes/2004OSCETurningPoint.htm>.

In this regard, the proposal made by ODIHR to set up a Focal Point for Human Rights Defenders is a most welcome one,⁴⁵ and needs to be further pursued despite the fact that the Ministerial Council in Brussels could reach no consensus on making such a decision.

Adding a Fourth Dimension

Promotion of the OSCE's goals in the new international security environment may benefit by the addition of a fourth dimension to the OSCE – the cultural dimension. This could improve understanding and appreciation of the culture, traditions, and values of the participating States.

The Charter of Paris for a New Europe included a section on culture, recognizing “the essential contribution of our common European culture and our shared values in overcoming the division of the continent” and “the increased importance of the Cracow Symposium” in the context of the recent changes in Europe. However, the Paris conference did not propose to establish any operational structure, confining itself to looking forward to the symposium's consideration of “guidelines for intensified co-operation in the field of culture”.⁴⁶

The Document of the Cracow Symposium (21 May-7 June 1991) includes a number of impressive commitments relating to the preservation of cultural heritage and co-operation on the part of participating States⁴⁷ and calls for further development of these ideas.⁴⁸ However, leaving aside various national initiatives, co-operation on cultural issues has been mentioned only sporadically in debates since, and the Cracow Document has not really been followed up. As late as 2005, the Secretary General of the OSCE could still state that “it is time to consider ways how culture can be a confidence building measure”.⁴⁹

In fact, as far back as 2001, the Romanian Chairmanship introduced a new theme for reflection – a possible role for the OSCE in promoting moral and spiritual values. On 2 April 2001, an informal meeting of the Permanent Council attended by a number of eminent personalities convened to exchange views on ethical and spiritual values as factors for peace and stability. Their aim was to identify a role for the OSCE in this regard. Most panel speakers agreed that there should still be room in the debate on European security for

45 The proposal was made in the context of the ODIHR report entitled *Common Responsibility: Commitments and Implementation*, submitted to the Brussels Ministerial Council, para. 164, at http://www.osce.org/documents/mcs/2006/12/22478_en.pdf.

46 Charter of Paris for a New Europe, in: Arie Bloed (ed.), *The Conference on Security and Co-operation in Europe. Analysis and Basic Documents, 1972-1993*, Dordrecht 1993, pp. 537-566.

47 Cf. Document of the Cracow Symposium on the Cultural Heritage of the CSCE Participating States, in: Arie Bloed (ed.), *ibid.*, pp. 583-592, here: paras 20 to 41.

48 *Ibid.*, para. 43.

49 *Opening Statement by OSCE Secretary General Marc Perrin de Brichambaut at the Human Dimension Implementation Meeting, Warsaw, 19 September 2005*, OSCE Document SEC.GAL/199/05, of 23 September 2005.

inter-religious dialogue and discussion of spiritual and ethical values.⁵⁰ Unfortunately, there was no follow-up to that meeting.

A few years later, the Secretary-General of the United Nations launched the Alliance of Civilizations initiative, which was co-sponsored by the prime ministers of Spain and Turkey, both OSCE participating States.⁵¹ The Report prepared by the High-Level Group of the Alliance of Civilizations, published on 13 November 2006, suggested a series of legal and other measures in the areas of education, the media, youth, and migration policy to build bridges between different communities and promote a culture of respect. It is an excellent report, whose recommendations can serve as a basis for an effective programme of action by the international community.

In June 2007, Romania proposed to the Spanish Chairmanship that consideration be given to the adoption at the Madrid Ministerial Council Meeting of procedures and organizational modalities for the purpose of giving effect to the Paris Charter's provisions on culture.

It would be a most appropriate time for the OSCE to develop a cultural dimension, drawing upon long and rich traditions that some participating States have of harbouring a diversity of minorities – ethnic, cultural, and religious – living in peace and understanding.

Ideas have been already aired suggesting that the OSCE should capitalize on this asset by promoting inter-cultural dialogue in the same way that the Cultural Forum helped to unite Eastern and Western Europe in the late 1980s.⁵²

Diversifying Services to Participating States

The OSCE's field presences are important. Some countries consider them to be a sign of a lack of confidence in the democracy they are building and a criticism of their country by the international community. In their view, an OSCE field mission is a stigma foisted on the host country by the international community.

This is not the reality, but unfortunately it is the way those governments look at the OSCE's monitoring of human rights issues.

A German statesman with a great deal of expertise in OSCE matters observed pertinently that "missions can only work effectively when host States do not perceive their presence as a stigma, but as an offer that has been made to them and an opportunity they may wish to grasp" and that "acceptance

50 Cf. Organization for Security and Co-operation in Europe, Ninth Meeting of the Ministerial Council, Bucharest, 3 and 4 December 2001, MC.DOC/2/01, 4 December 2001, *Chairman-in-Office's Activity Report for 2001*, pp. 43-58, here: p. 54, available at: http://www.osce.org/documents/mcs/2001/12/4173_en.pdf.

51 Recently, the Secretary-General appointed Jorge Sampaio, the former President of Portugal, another OSCE Participating State, as High Representative for the Alliance of Civilizations; cf. United Nations, Secretary-General, SG/A/1060, 26 April 2007.

52 Cf. Walter Kemp, *The Vision Thing: Stimulating the OSCE*, in: Warner (ed.), cited above (Note 23), p. 50.

cannot simply be demanded, but must be gained in a dialogue based on trust”.⁵³

Taking into consideration the historic legacy, cultural differences, and the lack of democratic traditions, one should expect that achieving compliance with OSCE standards will be a long and complex processes, whose success will require patience, diplomacy, and delicacy. Consequently, more thought should be given to diversifying the assistance given by the OSCE, via its field missions, to participating States in transition, to include – in addition to human rights protection – democratic institution building, management of the emerging market economy, good governance in general, and other types of assistance tailored to the needs of each particular state. The idea of thematic missions as a new type of field operation is worth exploring, as it has great potential to enable the OSCE to provide a useful service to the participating States.⁵⁴

Promoting OSCE Values in Neighbouring Areas

The fact that the goal of the Organization is to ensure peace, stability, and security in the whole northern hemisphere explains the OSCE’s co-operation with partners in neighbouring areas: the Mediterranean (Algeria, Egypt, Israel, Jordan, Morocco, and Tunisia) and Asia (Afghanistan, Japan, Korea, Mongolia, and Thailand).

Promoting the OSCE’s values of security, democracy, and human rights in these areas by diversifying and strengthening relations with partner states, involving them in common projects, and seeking new partners – all this helps the Organization to achieve its overriding goal. Special attention should be paid to building bridges with China and developing co-operation with neighbouring regional organizations such as the Shanghai Co-operation Organization.

Stronger engagement with Mediterranean and Asian Partners is also required in order to take into account and manage external factors that influence and affect security in the OSCE area.

Following the good example of the European Union, the OSCE may well agree on, and implement, an “OSCE Neighbourhood Policy”.

53 Gernot Erler, *Germany and OSCE Reform*, Centre for OSCE Research, Institute for Peace Research and Security Policy at the University of Hamburg, Working Paper 15, Hamburg, 2006, p. 9, also available at: <http://www.core-hamburg.de>.

54 For a thorough analysis of this subject, see: Wolfgang Zellner, *The Role of the OSCE in the Conflict-Management Cycle: Possible New Orientations*, Warner (ed.), cited above (Note 23), p. 38-44.