

## Foreword

“Tolerance and non-discrimination” is the special focus topic of the OSCE Yearbook 2007. Political and economic globalization processes, increasing mobility, and worldwide communications are creating growing networks of state and non-state actors even as they bind together cultures, religions, and peoples at an ever faster pace. Economic disasters, endemic poverty, and major environmental change have triggered large-scale migratory movements, while wars and other conflicts have led to the displacement of entire peoples and produced waves of refugees. This creates a potential for intra-societal, international, and transnational conflict and violence. Against this background, as long ago as 1995, the 28th UNESCO general assembly in Paris declared that “it is essential for international harmony that individuals, communities and nations accept and respect the multicultural character of the human family. Without tolerance there can be no peace, and without peace there can be no development or democracy.”<sup>1</sup> The OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century from 2003 includes “discrimination and intolerance [...] among the factors that can provoke conflicts, which undermine security and stability”.<sup>2</sup> Discrimination and intolerance are not limited to individual countries or regions – they are a global danger.

In the contemporary world, tolerance is more important than ever. What, though, is tolerance? The UNESCO declaration includes a definition:

Tolerance is respect, acceptance and appreciation of the rich diversity of our world’s cultures, our forms of expression and ways of being human. [...] It is not only a moral duty, it is also a political and legal requirement. [...] Tolerance is [...] an active attitude prompted by recognition of the universal human rights and fundamental freedoms of others. [...] Tolerance is to be exercised by individuals, groups and States. Tolerance is the responsibility that upholds human rights, pluralism (including cultural pluralism), democracy and the rule of law. [...] It means accepting the fact that human beings, naturally diverse in their appearance, situation,

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1 *Declaration of Principles on Tolerance. Proclaimed and signed by the Member States of UNESCO on 16 November 1995*, at: <http://www.unesco.org/cpp/uk/declarations/tolerance.pdf>.

2 OSCE Strategy to Address Threats to Security and Stability in the Twenty-first Century, in: *Organization for Security and Co-operation in Europe, Eleventh Meeting of the Ministerial Council 1 and 2 December 2003*, Maastricht 2003, pp. 1-10, here: p. 6.

speech, behaviour and values, have the right to live in peace and to be as they are.<sup>3</sup>

However, the ambivalence inherent in the concept of tolerance is something I should like to discuss later.

On account of the connection it draws between the politico-military and human dimensions of security, the OSCE is especially suited to the management of intra-state, inter-state, and transnational conflicts and conflict potentials, as well as mixtures of the above; the Organization has always acknowledged that an intra-state component plays a role in external and international security. At the same time, it has significantly expanded its role in the area of “tolerance and non-discrimination” in recent years. Since 2001, no Ministerial Council has failed to adopt a decision specifically on this topic. A series of conferences attended by high-ranking representatives and observed attentively around the world have been held since 2003 in Vienna, Berlin, Paris, Brussels, Cordoba, and elsewhere on topics such as anti-Semitism, racism and xenophobia, hate crime, and discrimination against Muslims. They have set in motion a process of promoting tolerance and non-discrimination and activating state mechanisms for the protection of minorities that appears to be irreversible. In 2004, the Warsaw-based Office for Democratic Institutions and Human Rights (ODIHR) initiated its Programme on Tolerance and Non-Discrimination; in the same year, the three Personal Representatives of the OSCE Chairman-in-Office were appointed to combat racism, xenophobia, and discrimination; anti-Semitism; and intolerance and discrimination against Muslims. In the High Commissioner on National Minorities and the Representative on Freedom of the Media, the OSCE possesses further important mechanisms for combating and preventing intolerance and discrimination.

Within the special focus section of this year’s OSCE Yearbook, Dieter Boden begins by describing how tolerance and non-discrimination became a key area of the OSCE’s activity. Wolfgang Benz then addresses the various forms that anti-Semitism takes within the states of the OSCE. Örmür Orhun describes his work and experiences as the Personal Representative on Combating Intolerance and Discrimination against Muslims. Ulrich Kinitz’s contribution concerns hate crime and the practical work undertaken by the police to combat this phenomenon. Jo-Anne Bishop outlines ODIHR’s key role in promoting tolerance and non-discrimination and addresses the controversy over holistic versus religious-based approaches to combating the phenomena.

Globalization processes lead not only to greater interdependence, but also to a growing inequality between rich and poor countries, which is considered to be a key cause of radicalism, extremism, and terrorism. “Our world is alarmingly out of balance”<sup>4</sup> – thus begins the report of the high-level group

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3 *Declaration of Principles on Tolerance*, cited above (Note 1).

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

of the UN “Alliance of Civilization” initiative. In the current volume, the Secretary General of the OSCE, Marc Perrin de Brichambaut, describes not only what contribution the OSCE has made to this alliance, but also how the Organization can itself act as an alliance of civilizations. Markus A. Weingardt takes as his topic the potential role of religion in the “dialogue of cultures”. As a classic dialogue forum, the OSCE is also able to function as a framework for intercultural and inter-religious dialogue – not least because the Organization’s Central Asian participating States could play a key bridging role between Western and Muslim-dominated states.

Two potentially explosive issues kept the OSCE holding its breath throughout 2007: The Kosovo status question, and Russia’s suspension of the CFE Treaty.

Long before the official end of the mediation process in the negotiations over the future status of Kosovo on 10 December, it was clear that efforts to reach a settlement were going to fail. It immediately became necessary to consider the anxious question of what the consequences would be if the province were to make a unilateral declaration of independence. In a fascinating contribution, Marietta König looks into this question, paying particular attention to Russia’s strange, even contradictory behaviour with regard to secession conflicts.

Russia’s stance on the CFE Treaty is more clear cut. The suspension of the treaty by a decree of President Putin’s in July 2007, which took effect in December, is a major setback for European disarmament and arms control efforts. Nonetheless, it is no surprise: Russia must have considered unilateral military measures taken in recent years, starting with NATO enlargement – which was originally meant to be limited to Eastern Europe, but later included former Soviet republics, and is now casting an eye towards Georgia and Ukraine – via the stationing of US troops in Bulgaria and Romania, to the plans to base missile defence equipment in Poland and the Czech Republic, as a provocation and the revival of a policy of military containment. At the same time, the NATO states refused to ratify the Adapted CFE Treaty, pointing to the so-called Istanbul Commitments, which they say Moscow should fulfil first – a linkage that comes with no shortage of controversy. The suspension of the CFE Treaty could mark the beginning of the end of the entire treaty regime and could ultimately bring co-operative security in Europe as a whole crashing down. Nevertheless, Russia’s reaction is far from being the expression of a coherent foreign and security policy strategy. In his expert contribution, Wolfgang Zellner notes in closing that: “After all, it is Russia that has to expect the most severe disadvantages from the collapse of the CFE regime.” In the meantime, it is possible – with the appropriate caution – to speak of the emergence of compromise solutions.

Pál Dunay’s contribution also deals with European arms control: If it is not already “doomed”, it will nonetheless be necessary to give up the concept of comprehensive arms control and be satisfied with smaller agreements.

These would then have the advantage of being tailor-made to meet what are perhaps the more acute security needs of the people in many parts of Europe: the restriction of small arms and light weapons, landmine bans and landmine clearance, and the disposal of excess stockpiles of ammunition and highly dangerous rocket fuel, to name just a few. Also in the area of co-operative security, Andrew Cottey builds upon his previous contribution on the state of civilian democratic control of the armed forces in Europe, while Kevin Carty considers the strategic role of the police, particularly with regard to rule of law and the struggle against organized crime, including trafficking in human beings, drugs, and arms. Further aspects are police training and community policing.

In the field of environmental security, the Environmental and Security Initiative ENVSEC provides an excellent example of how organizations can develop synergies through partnerships. ENVSEC is a collaboration between the OSCE, the United Nations Environment Programme, the United Nations Development Programme, the United Nations Economic Commission for Europe, and the Regional Environment Centre, and NATO is an associated partner. In their contribution, Bernard Snoy and Marc Baltes describe, among other things, the ENVSEC initiative's potential for cross-border co-operation and the promotion of peace and stability through environmental co-operation. Ina Jurasin, Nina Lindroos-Kopolo, and Philip Reuchlin also examine an aspect of the OSCE's economic and environmental dimension, with a contribution on problems, consequences, and economic aspects of environmentally induced migration. In connection with emerging risks and challenges, Christopher Michaelsen discusses the – not uncontroversial – role of civil society in preventing and combating terrorism.

These days, even the OSCE's long-term field missions, those well-nigh classical instruments of conflict prevention, conflict management, and peace-building, are coming under scrutiny. Since 2000/2001, the human and financial resources that have been dedicated to these missions with great success since the 1990s have been cut by some 50 per cent. This trend will continue in the months to come. More and more missions have also been transformed into new forms of co-operation in the field, smaller "offices", "centres", or "project co-ordinators". The Mission to Croatia, once one of the OSCE's largest field presences, which employed 286 international members and 500 local staff at its greatest extent in 1999, now appears to be under imminent threat of closure. Today, the mission consists of twelve international and 27 local members, together with 127 local support staff. In the OSCE Yearbook 2007, Manja Nickel and Danijela Cenan take stock of the current situation. Ibrahim Djikic presents the work of the OSCE Centre in Ashgabad, while Miroslav Jenca describes the activities of the OSCE Project Co-ordinator in Uzbekistan. In their contribution, Herbert Salber and Alice Ackermann consider the OSCE's overall concept in South-eastern Europe, and the future of its presence there. Arne C. Seifert takes a highly critical look at 15 years of

transformation in Central Asia, paying particularly close attention to Western concepts, aims, and errors in relation to democratization.

In the section on the interests and commitment of the OSCE States, Liviu Aurelian Bota and Traian Chebeleu discuss what the OSCE means for Romania and what Romania means for the OSCE, while Vesko Garčević looks at relations between the Organization and Montenegro, since becoming independent in 2006, the OSCE's newest participating State.

In 2010, Kazakhstan will become the first successor state of the former Soviet Union to assume the Chairmanship-in-Office of the OSCE. The fact that a Central Asian country is to do this brings opportunities to enhance integration and co-operation with this key region, but also to involve Russia more closely in the Organization's work once again. Central Asia's position as a bridge between Europe, the Islamic world, and China should also prove beneficial. In his contribution, Marat A. Sarsembayev presents the recent constitutional reforms with which Kazakhstan hopes to increase plurality and the role of parliament in the political process.

The OSCE has not held a conference that was attended by the Heads of State or Government of the participating States since the 1999 Istanbul Summit. Kurt P. Tudyka considers what this can tell us about the state of the Organization and, above all, about the role of the Ministerial Council. Alyson Bailes, Jean-Yves Haine, and Zdzislaw Lachowski take an analytical look back at the history of – always slightly ambivalent – relations between the OSCE and the EU and find that while synergies have sometimes been produced – as with regard to Cold War détente policy – the OSCE has at the same time been considerably weakened, particularly in its economic dimension.

The publishers and the editors would like to warmly thank the Chairman-in-Office of the OSCE, Spanish Foreign Minister Miguel Àngel Moratinos, for his preface.

I would also like to thank all our authors for their commitment and comprehensive knowledge, without which the OSCE Yearbook 2007 would not exist.

The concept of tolerance was defined above as “respect, acceptance and appreciation of the rich diversity of our world's cultures”. It is, however, an essentially ambivalent idea. Tolerance refers first of all to “that general accepting or respecting of convictions, actions, or practices that are, on the one hand, seen as false and deviant, but, on the other, are not entirely rejected and restricted”.<sup>5</sup> It is an attitude that “puts up with” forms of otherness, of deviation from one's own beliefs and opinions or from relevant social norms, neither combating nor promoting them. Tolerance can even take on negative connotations when it is associated with indifference or condescension. Rainer

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5 Rainer Forst, Tolerance, in: Hans Jörg Sandkühler (ed.), *Enzyklopädie Philosophie* [Encyclopaedia of Philosophy], Vol. 2, Hamburg 1999, pp. 1627-1632 (author's translation).

Forst distinguishes between four concepts of tolerance, each one containing slightly more positive content than the last: the “permission conception”, in which an authority or a majority allows a minority to live according to its beliefs; although only “suffered to exist”, the minority nonetheless already enjoys a certain degree of protection; the “coexistence conception” in which societal groups roughly equal in power agree to compromise in their behaviour towards one another in order to avoid conflict; the “respect conception”, according to which citizens respect each other as political and legal equals though differing on moral and religious questions; and finally, the “esteem conception”, in which “the other” is not only respected as possessing equal rights, but different beliefs and ways of life are recognized as possessing value of their own.<sup>6</sup> To consider mere tolerance as a panacea for conflicts between cultures, religions, and peoples would be naïve; it would be wholly counter-productive to demand that one tolerate everyone and everything, for then we would have to tolerate hate, violence, and the infringement of human rights in the name of a religion or culture. Leaving that aside, “tolerating” other attitudes and beliefs is a positive first step towards prejudice-free, conscious acceptance of difference, towards greater understanding of other beliefs, attitudes, and modes of behaviour – and towards co-existence without violence: “Tolerance, the virtue that makes peace possible, contributes to the replacement of the culture of war by a culture of peace.”<sup>7</sup>

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6 Cf. Rainer Forst, *Toleration and Democracy*, and Pierre Bayle’s *Reflexive Theory of Toleration*, both papers presented within the New York University School of Law Fall 2007 Colloquium in Legal, Political and Social Philosophy, at: <http://www.law.nyu.edu/clppt/program2007/readings>.

7 UNESCO, *Declaration of Principles*, cited above (Note 1).