

The OSCE in Mid-1996: Stock-Taking and Prospects

Shortly before his death François Mitterrand cast his gaze on the future and described his starting point as a unique moment "when everything is possible in Europe".

What can the OSCE contribute to realizing favorable prospects while forestalling dangerous developments? There is a quick two-part answer: the OSCE must do more to ensure that the extensive commitments undertaken by the participating States - now 55 in number - are really carried out; and it must engage itself further on behalf of mutually reinforcing cooperation with other international organizations. The responsibilities which the OSCE has taken over - or to put it more precisely, had to take over - in Bosnia and Herzegovina demonstrate in concrete fashion the contributions to a new stability which are expected of the OSCE: contributions to the establishment and strengthening of "civil societies"; to cooperative (military) security; to crisis management in the sense of a rational division of labor or of closer cooperation with other international organizations - UN, NATO (IFOR), Council of Europe.

1. The Helsinki Document of 1992 describes the human dimension as the heart of the OSCE. Today, the same basic thought finds expression in a more comprehensive way: the main task of the OSCE and its specific contribution to the creation of new stability lie in strengthening civil societies everywhere in the OSCE area.

Nationalism and xenophobia, the denial of minority rights, growing social inequality, criminality and terrorism are today the most immediate challenges to our security and the potential causes of armed conflicts. Thus it is becoming increasingly clear that whole-hearted support for the (further) development of civil societies is the most urgent task of a comprehensive peace and security policy. This task varies within the OSCE area from one country and one region to another. But there is hardly a country between Vancouver and Vladivostok which does not face new economic and social challenges.

In retrospect it can be said that the CSCE did well to focus the expansion of its operational capabilities on the human dimension, i.e. on human rights, democracy and the rule of law. When the borders were opened in the early nineties, the CSCE made use of the readiness for substantial change that existed then. Especially at the Meetings on the Human Dimension in Copenhagen (1990) and Moscow (1991) the values associated with this area were

defined in such a far-sighted way that they provide a solid foundation for civil societies.

1.1. By way of support for civil societies, the Charter of Paris (1990) provided only for the Office for Free Elections in Warsaw with a staff of two, including the Director. The meeting of the Ministerial Council in Prague (1992) enlarged this narrow mandate and turned the Warsaw office into the Office for Democratic Institutions and Human Rights (ODIHR). Since then, the Office has acquired additional importance. With a small staff and a very limited budget, it has noteworthy accomplishments to its credit. The time has now come to define its main duties more clearly. Over the years the ODIHR has been saddled with more and more individual tasks, some of which bear no relationship to each other. By now the OSCE has enough experience to decide which measures in support of the human dimension, such as those the ODIHR has successfully worked out, can be carried out quickly and where they can best be applied. This will be of assistance to the ever closer cooperative relationship between the OSCE and the Council of Europe by making the division of labor an integral part of that cooperation.

It has often been said that the ODIHR should be included more directly in the OSCE's other activities. Here, too, there is work to be done although it should be noted that it is not a question of where the ODIHR is located. Matters relating to the human dimension and to civil societies have not yet found an appropriate place in the consultation process of the OSCE, in the Permanent Council, the Senior Council and the Ministerial Council.

Fulfillment of the ODIHR's responsibilities calls in particular for close cooperation between its Director and the High Commissioner on National Minorities, the OSCE Missions, the Secretary General and the Chairman-in-Office. This serves to improve the quality of its work and to make clear, both within the organization and to those outside, that the ODIHR is not just a "technical office" with a special mission but rather a part of the OSCE's comprehensive efforts to strengthen civil societies.

1.2. Finding the right reaction to the violation of commitments in the area of the human dimension poses special problems. It is obvious that the numerous mechanisms and structures created for this purpose have not yet proved themselves, with the noteworthy exception of the High Commissioner on National Minorities (HCNM). It is doubtful whether the ODIHR by itself can do much about this. Perhaps the Parliamentary Assembly and the Chairman-in-Office could concern themselves more intensively with these very delicate questions, bearing in mind the special characteristics of each individual case and each country. At stake are issues of central importance for stability and for the OSCE's credibility. In some situations a carefully selected Special

Representative of the Chairman-in-Office might try, through "quiet diplomacy", to find a remedy.

1.3. The concept of a civil society provides parameters and guidelines for the work of the OSCE in the fields of economic, environmental and cultural cooperation. Economic cooperation between the participating States of the OSCE is supported by numerous specialized organizations. The Helsinki Document of 1992 calls upon the OSCE to promote the further development of market economies "as an essential contribution to the building of democracy". The political impulses that the OSCE is expected to provide in this area could be carried out by other international organizations, especially by the ECE which, at the same time, could supply the OSCE with facts and analyses needed for the development of political impulses. Along the same lines, the Cracow Symposium (1991) emphasized how important the development of cultural life is for democratic countries which are undergoing the transition to a market economy. A symposium on these issues in the Caucasus or in Central Asia would also contribute to realizing the concept of comprehensive security.

1.4. This concept of comprehensive security, with an emphasis on the human dimension which is peculiar to the OSCE, also provides guidelines for the OSCE program of coordinated support for "recently admitted participating States". This program is directed primarily at the partner States of the OSCE in Central Asia and took form under the Swedish CSCE Chairmanship (1993). It is an important element of the "European dimension" in the foreign policy of the Central Asian states. The OSCE's contribution to stabilization of the Central Asian region consists of a broad range of programs for strengthening the habit of dialogue, supporting integrative forces in the region itself and building up the position of States from that region within the OSCE. The OSCE's Office for Central Asia in Tashkent, with the active support of OSCE States in that region, has contributed to progress in this area. The extension of the Office's mandate until 1998 and the fact that it has been reinforced by an expert in issues pertaining to the human dimension demonstrate that it was right to invite these countries into the CSCE in 1992 following the collapse of the Soviet Union.

1.5. The new threats to security, including nationalism and intolerance, are mainly the result of domestic problems. For that reason, the principle of "human rights above national sovereignty" is of particular importance for the OSCE's efforts in the area of conflict prevention. Questions of human rights, democracy and the rule of law are of concern to all in the OSCE and their discussion cannot be abridged by objections based on national sovereignty.

This principle makes it possible to have a direct and open conversation between all "concerned" and works against security risks resulting from insufficient democracy. Democratic and pluralistic social structures help to maintain a balance between the interests of minorities in a given country and the overall interest of that state. This principle of a "legitimate concern on the part of all" or of an obligation to intervene is one aspect of the OSCE's concept of comprehensive security; it strengthens and binds together the civil societies. By agreeing to the dispatch of an OSCE Assistance Group to Grozny, Russia strengthened the OSCE's right of intervention. It is of great importance for the future effectiveness of the OSCE that this standard be maintained and expanded by similar and further enlarged mandates in the future.

2. The concept of a civil society also provides a point of orientation for the operational responsibilities of the OSCE in the fields of conflict prevention and crisis management.

2.1. However, a more precise orientation is called for in connection with one important issue, namely, the relationship between the principle of the territorial integrity of states and that of self-determination of peoples. Applying one or the other of these principles in a one-sided way can cause or aggravate the numerous ethnic problems in the OSCE area. We should not attempt to reformulate these principles or to change their content. Nevertheless, it is time to work out some criteria which would make it easier to interpret each one of them in light of the other, as was mandated in the Helsinki Final Act. Such a clarifying interpretation could have two simple and widely accepted elements:

- The right of self-determination is not in itself identical with a right of secession.
- The right of self-determination can often be realized through one of the many forms of autonomy.

I believe that such ideas regarding interpretation could make a significant contribution to the solution of existing conflicts and to the prevention of future ones. They could be supplemented by reinforcing the principle of non-use of force and clarifying the limits on the use of military force for domestic purposes, as well as by emphasizing the whole range of commitments relating to the human dimension, including the rights of national minorities, and by making clear that these issues do not exclusively belong to internal affairs. If these OSCE principles, which were formulated under a completely

different set of conditions, were reinterpreted along these lines, it would improve the chances of finding peaceful solutions for internal conflicts.

2.2. The OSCE's nine Missions (to Moldova, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, Croatia, Latvia, Estonia, Ukraine, Georgia and Tajikistan), along with the Assistance Group in Russia/Chechnya, are its most visible instruments. Even so, a mission is not a diplomatic army that only needs to be made strong enough in order to defeat the enemy or win a victory. Only to a very small degree are missions the masters of their own success. Unless the party or parties involved are willing to cooperate, the mission must fail. In almost every attempt to help solve a conflict there are phases of stagnation and, frequently, set-backs. These must be endured. However, if there is clearly no willingness to cooperate, a mission should be withdrawn.

Three elements are decisive for the success of a mission at the operational level: political leadership from the Chairman-in-Office, the right personnel and a solid financial basis. The broad mandate of the Chairman-in-Office and his option of naming Personal Representatives ease the way for the decisive move from early identification of an incipient conflict to early action. Because Heads of Mission are changed quite often (not infrequently after only six months) and the Chairman-in-Office stays for only a year, the involvement of the Secretariat in all aspects of a mission's work, at both the operational and advisory level, is vital for continuity. This is a part of the Secretary General's mandate as formulated in the decisions of the Stockholm meeting of the Ministerial Council and confirmed at the Budapest Summit.

Their name notwithstanding, the so-called long-term missions of the OSCE are also of limited duration. But the OSCE still has no experience with "withdrawal strategies". When a mission is being disbanded and following its disbandment, the High Commissioner on National Minorities and the ODIHR can provide valuable assistance by ensuring that the OSCE continues to provide support at the place where it is needed.

Experience has shown that missions are often viewed as serious intrusions from outside. For that reason we should also seek to develop "lighter" kinds of missions. They could consist of an OSCE office with one or two members providing information to the Chairman-in-Office, the HCNM and the ODIHR and serving as liaison for them. This office could be housed with other international organizations, as is the OSCE Office in Tashkent. Such an arrangement would stress the "normal" and undramatic character of the office.

Such OSCE offices would be useful not only in the final stages of missions but also in cases when employing a mission or an assistance group would (for the moment) be too much. A permanent presence on the scene, even if

very small, would ensure that the OSCE would continue to take an interest in the matter at hand.

3. I have the impression that the OSCE's work on military aspects of security and its contributions to the development of a cooperative security structure have been insufficiently recognized. Is it not an important question whether the OSCE has done enough to take account of the dramatic changes in strength and strategies of armed forces in almost all OSCE States? The focus of strategies of the armed forces of important OSCE States has been shifting more and more from national defense to the maintenance of international peace and security. Is this trend being adequately exploited to credibly build up cooperative security? In this area, cooperation between the OSCE and the specific undertakings and programs of the "Partnership for Peace" could be substantially improved.

The current mandate of the OSCE Forum for Security Cooperation (FSC) helps to explain a certain neglect of the military aspects of security. Developments of recent years in the OSCE have overtaken the mandate of the FSC. It can no longer do what it was set up for. Its job was to ensure that politico-military aspects of security were dealt with in the discussion process of CSCE/OSCE in a manner consistent with their importance. But the FSC mandate is today one of the main reasons why these issues do not find their appropriate place on the OSCE's agenda. How can the OSCE make its commitment to a comprehensive security system credible when there is an artificial division between the consultations on military aspects of security in the FSC and those on all other subjects under the OSCE aegis in the Permanent Council? Why does valuable time have to be lost when a conflict breaks out simply because the Permanent Council, as the "regular body for political consultation and decision-making", has no authority to make decisions about the mechanisms to be used in the event of unusual military activities? There may be reasons for keeping the FSC as the leading body for negotiations in politico-military matters and arms control. But the "security dialogue" must be a part of the overall political consultations which take place regularly in the Permanent Council.

4. The OSCE's place and significance in the new security structures which are now developing will depend on the OSCE's specific contribution to new stability. Its mission in Bosnia and Herzegovina will be a critical test.

Our main concern, therefore, need not be about the OSCE as an institution but about the fulfillment of its responsibilities. Above all it is important that the OSCE remains flexible so that it can constantly adapt itself to new tasks. In doing this, it can build on its comparative strengths:

- the institution of the Chairman-in-Office as a source of energy and inspiration, renewed each year, with the ability - indispensable for effective action - to mobilize the political will of the participating States in each case as it arises;
- the direct engagement of the participating States both in the continuous process of consultations and in contributing directly to the operational activities of the OSCE, including making personnel available quickly and unbureaucratically for missions and providing needed (short-term) personnel for the Secretariat;
- the lean administration of all OSCE institutions by a highly competent core group which, in case of need, can be quickly and temporarily enlarged (and correspondingly reduced).

OSCE principles and commitments can provide a durable basis for a security model for the 21st century, one which is accepted by all countries and by all organizations active in the OSCE area. In an operational sense, the OSCE would become part of a network of institutions which mutually support and strengthen themselves through cooperation.