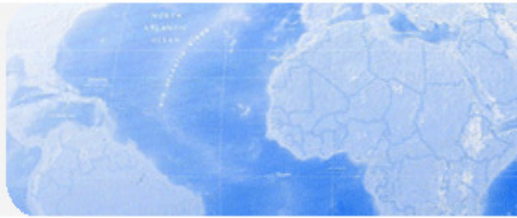




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## The Organisation for Security and Cooperation in Europe (OSCE) in Interorganisational Cooperation:

Conceptual and Historical Aspect of Cooperation in Peace and Security

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## Abstract

This paper will explore the Organisation for Security and Cooperation in Europe's (OSCE's)<sup>1</sup> understanding of the security concept and its application to the Organisation's activities. It also evaluates the effectiveness and limitations of the OSCE within the framework of cooperation with other international organisations, namely the UN and other European regional organisations. Like many other international organisations in the world, the OSCE is currently facing a two-fold challenge. The first element stems from the Organisation's challenge adapting to an increasingly complex security environment. It now includes not only the management and prevention of intra- and inter-state conflicts but also trans-national threats. The second element is related to the OSCE's need to respond to the changing political constellation in Europe, namely the enlargement of the EU and NATO. This has influenced relations among the participating states and the place they give to the OSCE in the broader European security architecture. It is, in this context, that the OSCE's approach to security has developed, ultimately based on a broad understanding of the concepts, visible in the Organisation's mandate. The OSCE's reasoning has been inventive, rather than remaining attached to the traditional conceptions of security in the Cold War world and instead revealing the innovative character of its new insight to better addressing the security issue.

Because of its unique characteristics, broad membership and wider links with other international organisations, including the UN, the OSCE is relatively well-adapted to a more cooperative and mutually supportive inter-state and inter-organisational security structure for the region. Particular attention will be focused on the OSCE's role in drawing a model for common and comprehensive security.

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<sup>1</sup> This paper will refer to the organisation as the OSCE when making specific reference to its activities since 1995 when the Conference became the Organisation. It will refer to the CSCE when making reference to specific events and activities before 1995. The OSCE will be used when discussing about the organisation in general.

## Introduction: post-Cold War security and inter-organisational cooperation

The concept of security has developed according to changes in the international environment in parallel with the development of the meaning and scope of peace operations by international organisations. During Cold War period, the notion of security which was based on realist thinking was overwhelmingly concerned with the nation-state and the protection of its sovereignty. Since the beginning of the 1990s, however, the focus of security studies has been both ‘broadened’ and ‘deepened’<sup>2</sup>, from military concerns to include economic, societal, and environmental sectors and from the state towards notions of global and human security. Moreover, military threats from non-state actors such as terrorism are also becoming far more widespread and persistent over the last decade. Likewise, the meaning of peace operations has changed significantly. Its role has been widened and its responsibility has been broadened extensively. The prospect of growing UN involvement at various levels in regional conflicts and the new possibilities which opened up for regional organisations at the end of the Cold War called for the rationalisation of the division of labour in maintaining international peace and security. Its aim was for the Security Council and the Secretary General to be able to rely on a number of strengthened and cooperative regional organisations acting within the framework of Chapter VIII of the UN Charter, while preserving the primacy of the UN.

Significantly, the OSCE (previously the CSCE)<sup>3</sup> introduced a comprehensive concept of security as early as 1975, when it adopted the Helsinki Final Act. Indeed, the OSCE has been the only organisation which has both normative and operational capacities in non-violent resolution of conflicts. The Organisation has thus been working with both broad and narrow concepts of security, and continuously enriched the concept in reaction to the changing security environment. The countries agreed to make *détente* ‘a continuing and an increasingly viable and comprehensive process, universal in scope’ and to recognise the ‘indivisibility of European security’<sup>4</sup>. Geopolitical diversity has been another feature throughout the OSCE’s history which has given the Organisation relevance as a forum for its participating states, cooperating

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<sup>2</sup> While Barry Buzan and the Copenhagen School pioneered the ‘broadening’ aspect, Ken Booth, Rychard Wyn Jones and others explored the ‘deepening’ aspect. See Barry Buzan, *People, States, and Fear* (Boulder: Lynne Rienner, 1991); Barry Buzan and Ole Waever (eds.), *Regions and Powers* (Cambridge: Cambridge University Press, 2003); Ken Booth, ‘Security and Self: Reflections of Fallen Realist’ in Keith Krause and Michael C. Williams (eds.), *Critical Security Studies* (Minneapolis: University of Minnesota Press, 1997), pp.83-119.

<sup>3</sup> The Conference on Security and Cooperation in Europe (CSCE) was officially launched by the signing of the Final Act on 1 August 1975 at Helsinki Summit of 35 heads of state or government, including the Soviet Union and the United States. The idea for a Conference came out of a Soviet proposal following the Cuban missile crisis, when countries on both Eastern and Western blocs were increasingly concerned at the escalating arms race, and the potential for a nuclear catastrophe. After the 1994 Budapest Summit, the CSCE became the Organisation for Security and Cooperation in Europe (OSCE) with effect from 1 January 1995. The OSCE has no legal status under international law but is a security institution and forum for consultation and negotiation for its participating states.

<sup>4</sup> CSCE, *Final Act of the Conference on Security and Cooperation in Europe* (1 July 1975), p.3.

organisations, and partner states to discuss the transnational security threats faced to date. At the same time, the CSCE chose to take a flexible approach, and as such, the Act was a political declaration of intent to continue a mutual dialogue for the benefit of all, rather than legally binding one.

The OSCE placed itself at the cross-roads of this development in July 1992 when its members declared their understanding that the OSCE was ‘a regional arrangement in the sense of Chapter VIII of the Charter of the United Nations’, and that the Organisation ‘will work together closely with the United Nations especially in preventing and settling conflicts’.<sup>5</sup> It was the first time that a regional organisation had made such a bold policy statement. The Helsinki Summit defined CSCE peace operations as an ‘important operational element of the overall capability of the CSCE for conflict prevention and crisis management intended to complement the political process of dispute resolution’<sup>6</sup>. It declared an intention to boost the operational capabilities of the CSCE by providing for the possibility of peace operations independently or in cooperation with other European and transatlantic organisations, as well as the UN.

This paper will explore the OSCE’s<sup>7</sup> understanding of the security concept and its application to the Organisation’s activities. Further, it will attempt to evaluate the effectiveness and limitations of the OSCE within the framework of cooperation with other international organisations, namely the UN and other European regional organisations. It will firstly review the Organisation’s novel concept of security concept and its effort to adapt to the new security environment. It will then touch upon the Organisation’s relationship with other international organisations, including the UN, EU, Council of Europe, and NATO in the context of the changing political constellation in Europe. This has influenced the relations among the participating states and the place they give to the OSCE in the European security architecture. Concluding remarks will present the analysis of the Organisation’s achievement in developing its approach to security and its future prospect in the context of the changing global and regional environment it is inevitably facing.

## **The OSCE and the conflict cycle: from conflict prevention to peace-building**

It was a deliberate choice by the OSCE community to place conflict prevention, a tool for both the prevention and management of crises, at the heart of the OSCE’s activities. At the Copenhagen Council meeting in December 1997, the OSCE was designated by its 54

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<sup>5</sup> The CSCE Heads of State signed the Helsinki Document for their Summit on 9-10 July 1992, *CSCE Helsinki Document 1992*, ‘Helsinki Summit Declaration’, para.25.

<sup>6</sup> *Ibid.*, Helsinki Decisions. Early Warning, Conflict Prevention and Crisis Management, Peaceful Settlement of Disputes, para.17.

<sup>7</sup> This paper will refer to the organisation as the OSCE when making specific reference to its activities since 1995 when the Conference became the Organisation. It will refer to the CSCE when making reference to specific events and activities before 1995. The OSCE will be used when discussing about the organisation in general.

participating states as the ‘primary instrument for conflict prevention’ in the region ‘building on its status as a regional arrangement of the United Nations’.<sup>8</sup> This designation reflected in large part an emerging OSCE tradition for involvement in this vital area of activity as well as the confidence of the participating states in the OSCE’s efforts to prevent conflict in post-Cold War Europe. For the OSCE, the causes of conflict are many, but one root cause has become central to many instances of the OSCE’s application of conflict prevention: the violation of national minority rights related to aggressive nationalism and xenophobia. Major international organisations in Europe, such as NATO and the EU, have agreed that the OSCE should play a central role in conflict prevention and peace-building in the post-Cold War era. The creation of the institution of a High Commissioner on National Minorities (HCNM) and the enhanced competencies of the Office for Democratic Institutions and Human Rights (ODIHR) both illustrate this emphasis.

The OSCE has developed a range of procedures and institutions for the purpose of conflict prevention. Among them, field missions and the HCNM contribute most directly to conflict prevention. The HCNM was established in 1992 at the Helsinki Summit as ‘an instrument of conflict prevention at the earliest possible stage’ to address minority tensions and as a result of awareness that in the post Cold War era most of the conflicts within the OSCE area involved or could arise from ethnic tensions.<sup>9</sup> The HCNM’s task is to provide ‘early warning’ and, when appropriate, ‘early action’ (at the earliest possible stage) ‘with regard to tensions involving national minority issues which have not yet developed beyond an early warning stage, but, in the judgement of the HCNM, have the potential to develop into a conflict within the OSCE area.’<sup>10</sup> This was a reflection of the experiences faced, since 1990, whereby ethnic conflicts, frequently rooted in perceptions of minority rights and their maintenance or violation, carry the danger of violent conflict and international escalation.<sup>11</sup>

The OSCE field missions are a further important conflict prevention tool. Although several field missions have been closed in the recent period (Georgia, Belarus, and Croatia), two thirds of the resources of the Organisation continue to be dedicated to field activities and half of them go to the south east Europe area. The missions are supported and coordinated by the Conflict Prevention Centre (CPC) which serves as a link between the OSCE negotiation bodies and the field missions. They provide the OSCE with information and report on the developments in potential conflict situations. The purpose of the short-term fact-finding missions is to collect

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<sup>8</sup> OSCE, *Copenhagen Ministerial Council Document* (Sixth Meeting of the Ministerial Council, 18-19 December 1997), p.1.

<sup>9</sup> ‘Helsinki Decisions’, chapter II, para.3, *CSCE Helsinki Document 1992*.

<sup>10</sup> *Ibid.*

<sup>11</sup> On the origin of the HCNM mandate, see Rob Zaagmann and Hannie Zaal, ‘The CSCE High Commissioner on National Minorities: Prehistory and Negotiations’ in Alie Bloed (ed.), *The Challenges of Change* (Dordrecht, The Netherlands: Martinus Nijhoff Publishers, 1994), pp.95-112.

information and to localise early signs of conflict.<sup>12</sup> Steering groups such as personal representatives of the Chairman-in-Office (CiO) visit critical areas and subsequently report to the OSCE bodies, which then ultimately decide on the launch of any long-term mission; subject to the endorsement by the CSO/Senior Council. Long-term missions observe critical situations and provide instruments and mechanisms to remove obstacles to progress, for instance conciliation support. In addition to the task of preventing the emergence of violent conflicts, field activities enable the monitoring of compliance with the OSCE's principles and commitments.<sup>13</sup> The OSCE has contributed to the handling of potentially violent conflicts in several regions. One of the most notable examples is the instrumental role played by the OSCE Spillover Mission to Skopje played in preventing Macedonia from falling into major violence<sup>14</sup>.

Although conflict prevention is at the core of the Organisation's goals, the OSCE can be active in all of the phases in a conflict cycle; from early warning and conflict prevention to conflict management and post-conflict rehabilitation. These activities are in fact all part of the responsibility of the CPC, reflecting the organisation's understanding of conflict prevention. It is thus part of the mechanism which translates political decisions into activities in the field, whether they are conflict prevention, conflict management or post-conflict rehabilitation. Moreover, field missions are also mandated to intervene at all phases of the conflict cycle and tackle conflicts of any nature. It is an exercise of comprehensive conflict management accompanied by the creation of conditions for lasting peace.

Once violence actually breaks out, the OSCE's role is generally limited (as was the case in Chechnya), but its monitoring role alone has proven valuable in establishing a record against which participating states can later be judged. Post-conflict rehabilitation is also envisaged by the OSCE as a fundamental area of intervention, aiming to consolidate the OSCE principles of democracy and the development of civil societies, with the ultimate goal of preventing the re-escalation of hostilities. Re-building society is often a difficult task and requires long-term commitment. This has been the major focus of some of the OSCE's largest missions, including those in Croatia, Bosnia-Herzegovina and Kosovo. It has also been the primary task of OSCE presence in Georgia and Moldova. In efforts to rebuild volatile societies, the OSCE alone would not be able to act effectively. Close cooperation with other organisations such as the UN, NATO and the EU are particularly important in this area.

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<sup>12</sup> The first short-term mission was a rapporteur mission to Albania in September 1991 to ascertain Albania's readiness to accept and honour agreed CSCE standards. Wilhelm Hoynck, *From CSCE to OSCE: statements and speeches of Dr. Wilhelm Hoynck, Secretary General of the OSCE (1993-1996)* (Vienna: Secretariat of the OSCE, Department for Chairman-in-Office Support, 1996), p.117.

<sup>13</sup> Allan Rosas and Timos Lahelma, 'OSCE Long-term Missions' in Michael Bothe, Natalino Ronzitti and Allan Rosas (eds.), *The OSCE in the Maintenance of Peace and Security* (Hague: Kluwer Law International, 1997), pp.167-180.

<sup>14</sup> Alice Ackermann, *Making Peace Prevail: Preventing Violent Conflict in Macedonia* (New York: Syracuse University Press, 2000).

## Comprehensive approach to security: the three dimensions

The OSCE works with both broad and narrow concepts of security. This comprehensive approach dates from the Helsinki Final Act of 1975, which framed the normative approach of the CSCE and has, since, been continuously enriched in reaction to the changing environment. Recently, for example, in response to the common threat of terrorism, every ministerial council has adopted a text of some kind on terrorism.

The narrow concept of security has been called the ‘security basket’ or ‘basket I’ since the beginning of the CSCE. Further, the CSCE continued working on military issues in the post-Cold War era.<sup>15</sup> Moreover, economic and environmental (basket II), and social, humanitarian and cultural aspects (basket III) have been on the agenda since the earliest phase of the CSCE as part of the broader concept of security.<sup>16</sup> This broadened understanding of security was emphasised again in the Helsinki Document of 1992 as the ‘comprehensive concept of security,’<sup>17</sup> alongside the visible new attitude of the organisation in the post-Cold War era. As such, the concept of security as envisaged by the OSCE, is comprehensive, including military confidence-building and arms control; economic, scientific, technological and environmental cooperation; and both individual human rights and fundamental freedom. It has also established a link between domestic and international security.<sup>18</sup> Thus, respect for human rights and fundamental freedom, democracy and the rule of law are all at the core of the OSCE’s comprehensive concept of security. Strong democratic institutions and the rule of law all play an important role in preventing further threats from arising. Likewise, systematic violations of human rights and fundamental freedom can give rise to a wide range of potential threats. This comprehensive concept thus puts different dimensions together under the heading of security.

In the OSCE documents, the various aspects of security are seen as inter-connected and interdependent. These documents oblige the OSCE participating states to make a continuous effort to enhance the complementary nature of the three dimensions of security: the politico-military dimension, the economic and environmental dimension, and the human dimension. While the concept of comprehensive security has now gained renewed relevance in many other international organisations as well, it was the OSCE which developed and implemented the concept<sup>19</sup>. Recently, the so-called ‘Corfu Process’ became the central forum for a dialogue on European security rooted within existing OSCE commitments and its comprehensive concept of security. The Corfu Process has proceeded on the basis of a four-fold understanding of its

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<sup>15</sup> See, for example, *Budapest Document 1994*, Budapest Decisions, section IV, ‘Code of Conduct on Politico-Military Aspects of Security’.

<sup>16</sup> The Helsinki Final Act in 1975 featured these three main sets of principles, often known as ‘baskets’. See *Conference on Security and Co-operation in Europe Final Act* (Helsinki 1975).

<sup>17</sup> ‘Helsinki Summit Declaration’, para.21, in *CSCE Helsinki Document 1992*.

<sup>18</sup> See the ‘Code of Conduct’, para.35.

<sup>19</sup> Antonio Ortiz, ‘Neither fox nor hedgehog: NATO’s Comprehensive approach and the OSCE’s concept of security’, *Security and Human Rights*, no.4 (2008), p.266.



purpose and suggested form. First, the dialogue should be open-ended and not prejudge an outcome. Second, the discussions should encompass all aspects of security, not simply the politico-military questions. Third, the renewed dialogue should be tied to concrete progress on security problems on the ground, in the protracted conflicts and the pan-European arms control regime. Finally, the OSCE is seen as a natural home for the new security dialogue, however equally not-exclusive to other formats.<sup>20</sup>

The main responsible body with regard to the broad concept of security is the High Commissioner on National Minorities (HCNM). While the HCNM had been expressly designated as a ‘security instrument,’ as an instrument of conflict prevention,<sup>21</sup> the relationship between the HCNM and the human dimension is certainly very close, especially in those areas relevant to national minorities. The work of the HCNM is one of the best illustrations of OSCE activities in which security and human dimension concerns are combined in practice in the manner envisaged in the concept of comprehensive security adopted by the OSCE. Another cross-dimensional tool the OSCE disposes of is its’ field missions, which are mandated to intervene in all of the phases of the conflict cycle. However, a number of non-conflict management missions operate as well, assisting states in matters pertaining to the three dimensions and sustain democratic institution-building.<sup>22</sup>

### Politico-military Dimension

The OSCE takes a comprehensive approach to the politico-military dimension of security, which includes a number of commitments by participating states and mechanisms for conflict prevention and resolution. The politico-military dimension of security is undergoing a transformation, based primarily on a reassessment of the value and the general conceptual framework of arms control and Confidence and Security Building Measures (CSBMs) in the post-Cold War world. This involves: negotiations on arms control, disarmament, both confidence and security building; regular consultations and intensive cooperation on matters related to security; and the implementation of agreed measures.

The development of the idea of CSBMs has coincided with the founding of the CSCE . In the Helsinki Final Act of 1975, participating states agreed to develop confidence building measures

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<sup>20</sup> Alice Ackermann and Herbert Salber, ‘The OSCE “Corfu Process” – A Preliminary View of the Security Dialogue on Early Warning, Conflict Prevention and Resolution, Crisis Management, and Post-Conflict Rehabilitation’, in Institute for Peace Research and Security Policy at the University of Hamburg/IFSH(ed.), *OSCE Yearbook 2010* (Baden-Baden: Nomos Verlagsgesellschaft, 2011), pp.197-202.

<sup>21</sup> See ‘Helsinki Decisions’, chapter II, para.1, *CSCE Helsinki Document 1992*. For a thorough discussion about the HCNM’s approach to conflict prevention, see Walter A. Kemp (ed.), *Quiet Diplomacy in Action* (The Hague: Kluwer Law International, 2001), pp.21-46.

<sup>22</sup> Victor-Yves Ghebari, ‘Where is the OSCE going?: Present role and challenges of a stealth security organisation’, in Thierry Tardy, *European Security in a Global Context: Internal and external dynamics* (Routledge, 2009), p.60.

(CBMs) that would ‘contribute to reducing the dangers of armed conflict and misunderstanding or miscalculation of military activities which could give rise to apprehension, particularly in a situation where States lack clear and timely information.’<sup>23</sup> They implied the complementary nature of the political and military aspects of security, the relationship between the security of each of the participating states and the levels of security in Europe as a whole, as well as respect for the security interests of all of the CSCE states. The Vienna Document, which requires participating States to share information on their military forces, equipment and defence planning, is one of the main CSBMs developed by the OSCE participating States.<sup>24</sup> The Document also contains mechanisms to prevent, or decrease, any tensions and additionally reduce the risk of any unusual military situations that could cause tensions. The Document was updated in 2011 for the first time in 12 years, consequently establishing a procedure for the regular update of this document every five years.

With its expertise in conflict prevention, crisis management and early warning, the OSCE also contributes to the world-wide effort of combating global terrorism. Immediately after the 11 September 2001 terrorist attacks in the United States, the OSCE adopted the Bucharest Plan of Action for Combating Terrorism. This identified terrorism as ‘a threat to international peace and security, in the OSCE area and elsewhere’ and reaffirmed the commitment of the participating states to act collectively and to cooperate with regional and global international organisations.<sup>25</sup> The participating states agreed under the Plan that the respective UN Conventions and protocols, as well as the UN Security Council Resolutions, should constitute the global legal framework for the fight against terrorism. The Bucharest Plan also provided the mandate for establishing the Action against Terrorism Unit (ATU) within the OSCE Secretariat, and the post of co-ordinator of Anti-Terrorism Issues, which was created (within the ODIHR) with the task of coordinating with the Secretariat all of the projects and joint activities which aimed to counter terrorism. On the basis of the Action Plan, many counter-terrorism measures have been taken, such as police training and border monitoring.

Building on the Bucharest Plan, the OSCE sought to strengthen its anti-terrorist regime by adopting two documents: the OSCE Charter on Preventing and Combating Terrorism<sup>26</sup> and the Decision on Implementing the OSCE Commitments and Activities on Combating Terrorism<sup>27</sup>. The Decision calls on all OSCE participating states, bodies, and institutions, to continue the implementation of the Bucharest commitments, and in addition, recognises the danger posed when weapons of mass destruction are in the hands of terrorists. Moreover, the Decision named four strategic areas for preventing and combating terrorism: policing, border security, anti-trafficking, and suppressing terrorism financing. The OSCE’s comprehensive approach to

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<sup>23</sup> *Conference on Security and Cooperation in Europe Final Act* (Helsinki 1975), p.10.

<sup>24</sup> Vienna Document on CSBMs was adopted in 1990 and successively updated in 1992, 1994, 1999, and 2011.

<sup>25</sup> OSCE, Ninth Meeting of the Ministerial Council, MC(9).DEC/1, *The Bucharest Plan of Action for Combating Terrorism* (4 December 2001)

<sup>26</sup> OSCE, Ministerial Council, MC(10).JOUR/2 (7 December 2002).

<sup>27</sup> OSCE, Ministerial Council, MC(10).DEC/1 (7 December 2002).

security provides comparative advantages in combating terrorism by identifying and addressing these factors through all relevant OSCE instruments and structures. In particular, the notion involved in the OSCE discourse maintains that, through its actions, the OSCE can help address conditions that might engender terrorism.<sup>28</sup>

The development of the politico-military dimension is currently facing difficulties caused by Russia's policy shift towards the OSCE in recent years, which presents a more pragmatic and selective attitude.<sup>29</sup> Differences in interpretation in the outcome of the discussions in Istanbul made it impossible to have the adapted CFE Treaty ratified with the effect of weakening the arms control framework. Growing Russian resentment towards its present status in European security institutions and policymaking concretely manifested itself in the interruption of active cooperation in the CFE Treaty in December of 2007.<sup>30</sup> Since 2003, the OSCE has convened an Annual Security Review Conference to enhance the dialogue on the work of politico-military security. Moreover, the OSCE has successfully secured the active involvement of Russia in the 'Corfu Process', where Russia has continued to keep its options open with regards to protecting a separate track that would address their proposed legally-binding European Security Treaty.<sup>31</sup>

## Economic and Environmental Dimensions

As part of its comprehensive approach to security the OSCE is concerned with economic and environmental issues, recognising that cooperation in these areas can contribute to overall peace and stability. The OSCE's economic and environmental dimension involves the monitoring of economic and environmental developments among participating states through the various economic and environmental policies that promote security in the OSCE area, particularly in states which are involved in a process of economic transition. Although the OSCE itself is not an economic organisation it addresses economic issues as part of its comprehensive approach to security, based on the understanding that the majority of today's wars are among the poor.<sup>32</sup> Together, with economic development, the OSCE also attempts to contribute to addressing the environmental sources of conflict, such as safe-guarding scarce natural resources, providing clean drinking water, preserving biodiversity, and maintaining the quality of the soil.<sup>33</sup>

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<sup>28</sup> OSCE Action against Terrorism Unit, 'Overview of OSCE Counter-Terrorism Related Commitments', April 2011 update.

<sup>29</sup> Elena Kropatcheva, 'Russia and the role of the OSCE in European security: a 'Forum' for dialog or a 'Battlefield' of interests?', *European Security*, Vol. 21, No. 3 (September 2012), pp. 370-394.

<sup>30</sup> Victor-Yves Ghebali, 'Where is the OSCE going?', in Thierry Tardy, *European Security in a Global Context* (Routledge, 2009), p.58.

<sup>31</sup> EU-Russia Centre, 'Russia, the OSCE and European Security', *The EU-Russia Centre Review*, Issue 12 (November 2009), p.12.

<sup>32</sup> This idea is also emphasised in the UN Secretary-General's Millennium Report. See UN Doc. A/54/2000 (27 March 2000).

<sup>33</sup> 'Helsinki Decisions', chapter VIII, *CSCE Helsinki Document 1992*.

The main instruments used in the economic and environmental dimensions are the Coordinator of OSCE Economic and Environmental Activities<sup>34</sup> and the Economic Forum.<sup>35</sup> High-level representatives of OSCE participating states meet annually at the Economic Forum to: give political stimulus to the dialogue on the transition to free-market economies; suggest practical means of developing free-market systems and economic co-operation; provide an annual focus for activities by targeting major issues of economic or environmental concern; contribute to the elaboration of specific recommendation and follow-up activities; and review the implementation of the participating states' commitments described in key documents.<sup>36</sup>

The vagueness in the wording of documents, along with its low profile within the organisation's activities, make the economic dimension the least developed within the OSCE. This is not only because of the importance attached to other dimensions in the OSCE agenda, but also due to the existence of more specialised organisations in the economic, scientific, technological and environmental areas which are considered better suited to dealing with those issues in an operational manner.<sup>37</sup> Nevertheless, the growing concern over environmental degradation, transportation, pollution and sustainable development, and the increase in the sharing of scientific and technological findings, have conferred more relevance to the principles agreed by the OSCE participating states in this domain.

The OSCE has organised conferences and seminars on economic and environmental matters, promoted adherence to shared standards and norms for economic and environmental behaviour, and maintained contacts with other relevant international organisations including the UN agencies. For example, in 2002, the OSCE joined forces with the UN Environment Programme (UNEP), the UN Development Programme (UNDP) and other UN agencies and NGOs to promote environmental management as a strategy for reducing insecurity in South-Eastern Europe and Central Asia.

## Human Dimension

The 1975 Helsinki Final Act carried an unprecedented human rights provision, never before included in an international agreement, whereby Principle VII of its Declaration on Principles

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<sup>34</sup> The OSCE created the post of Coordinator of OSCE Economic and Environmental Activities in 1997 and organised meetings and seminars to discuss the issues. See Permanent Council Decision 194, 'Mandate for a Coordinator of OSCE Economic and Environmental Activities' (5 November 1997), the decision that established the mandate of the Coordinator.

<sup>35</sup> The Economic Forum meetings are annual Senior Council meetings convened to discuss the transition to free market economies, enhancement of economic cooperation, and encouragement of the activities with relevant international organisations. See 'Helsinki Decisions', chapters VII, paras.21-32.

<sup>36</sup> For the themes of past Economic Forums, see [<http://www.osce.org/eea/13052.html>], accessed 28 September 2012.

<sup>37</sup> Hildegard Bedarff, 'The Future of Pan-European Economic and Environmental Cooperation' in Michael R. Licas, *The CSCE in the 1990s* (Baden-Baden: Nomos Verlagsgesellschaft, 1993), pp.256-260.

requires the signatories to the Act to recognise respect for human rights and fundamental freedoms. The incorporation of human rights principles into the Helsinki Final Act was historical because this was the first time in an international agreement that the human rights principle had been elevated to the same status as traditional fundamental principles regulating inter-state relations such as respect for territorial integrity. In addition, it has been argued that the provisions on human rights, as well as those of a humanitarian character, that were agreed and laid down in the CSCE documents, were among some of the decisive factors that led to the undermining of the entire existing international order. This was determined by the strict division of states into two blocs and they thereby played a central role in the process that eventually led to the peaceful end of the Cold War.

The human rights issues considered within the OSCE belong to the so-called human dimension of the OSCE. The notion was originally introduced at the CSCE Vienna Follow-Up Meeting in 1989 to establish a conference on the human dimension of the Helsinki Accords and became one of the central areas of the CSCE.<sup>38</sup> It refers to the commitments made by OSCE participating states to ensure a full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote the principles of democracy, and in this regard, to build, strengthen, and protect democratic institutions, as well as to promote overall tolerance throughout the OSCE area. Most of the work in the human dimension could therefore be categorised as conflict prevention activities. Initially conceived as a general political framework to guide the relations of states with citizens, the human dimension evolved to include specific politically binding, rather than legally binding, commitments and mechanisms designed to ensure their implementation.<sup>39</sup>

The OSCE approach to the human dimension is unique in that its cooperative approach to security aims at assisting, rather than isolating, states that fail to live up to their commitments. The OSCE's commitment to the human dimension can be regarded as extending to include areas not covered by the traditional field of human rights which are laid down in other international human rights conventions or declarations, touching upon matters at the very core of state administration that had been traditionally viewed as belonging solely to the internal affairs of states. The Copenhagen Document meant that humanitarian issues ceased to be irrevocably domestic issues and established a mechanism to observe them and guarantee human rights.<sup>40</sup> This was further illustrated in the Moscow Document that declared 'the commitments undertaken in the field of the human dimension of the OSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the States

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<sup>38</sup> See the section entitled 'Human Dimension of the CSCE' in *Concluding Document of the Vienna Meeting 1986* (Vienna, 1989).

<sup>39</sup> The Helsinki Decision states that the Human Dimension Implementation Meetings (HDIM) is charged with 'a thorough exchange of views on the implementation of Human Dimension commitments' and 'an evaluation of the procedures for monitoring compliance with commitments'. See Helsinki Decision, Chapter VI para.9, 9a and 9b.

<sup>40</sup> *Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE* (29 June 1990).

concerned'.<sup>41</sup> In addition, the OSCE's approach in the human dimension is rather detailed compared to other international provisions regulating the same matter. The examples that show the degree of detail include the OSCE's commitments on freedom of expression, freedom of movement and religion, and the national minorities' rights. Among them, the OSCE commitments on national minorities, which are found in the 1990 Copenhagen Document on the human dimension of the CSCE, have been vanguards in regulating the protection of national minorities, and set examples for other international organisations.

The OSCE has developed institutions and mechanisms to promote respect for these commitments in the human dimension. The main institution of the human dimension is the ODIHR, which serves as good-offices investigating a human dimensional concern and making recommendations when appropriate. Its activities include election monitoring operations, democratisation assistance services and promotion of the rights of minorities. Among them, election monitoring is one of the primary tasks of the ODIHR. In addition to the ODIHR, a number of other OSCE institutions and actors, especially the HCNM and the OSCE long-term missions, also have a very close connection to the human dimension. Certain activities of the OSCE Parliamentary Assembly (PA), such as its fact-finding activities, serve a monitoring function. Moreover, the OSCE's efforts in the human dimension also involve supporting NGOs. For example, the OSCE organised NGO events prior to its Summit meetings, where they are given an opportunity to voice their concerns in front of the OSCE participating states and discuss with government representatives and other international organisations.<sup>42</sup>

## OSCE in inter-organisational cooperation

The fact that the OSCE is based on a political agreement rather than a formal treaty and also that it does not have military forces at its disposal to implement its decisions necessitates the cooperation with other organisations 'drawing as appropriate on their respective competencies'.<sup>43</sup> Recognising the complex nature of security issues in Europe, the OSCE has therefore repeatedly emphasised its commitment to maintaining close relations with other organisations at various levels, such as the UN and European regional organisations, as well as the NGOs. The OSCE has

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<sup>41</sup> CSCE Document, *Document of Moscow Meeting of the Conference on the Human Dimension of the CSCE* (Moscow, October 1991), p.29. For a discussion about the development of the so-called 'Moscow Mechanism' in the contemporary security environment, see Emmanuel Decaux, 'The Moscow Mechanism revised', *Helsinki Monitor*, Vol.14, no.4 (2003), pp.355-370.

<sup>42</sup> OSCE 'Summits/Ministerial Councils, On the sidelines' [<http://www.osce.org/mc/87179>], (accessed 27 September 2012).

<sup>43</sup> CSCE Doc. CSCE/2-C/Dec.3 (Prague: 31 January 1992), p.6. See also *Charter of Paris for a New Europe*, 'A new era of democracy, peace and unity', 1990; *Helsinki Document 1992*, Helsinki Declaration, paras.10, 24-25; *Helsinki Document 1992*, Helsinki Decisions, chapter IV; 5<sup>th</sup> Ministerial Council Meeting (Budapest, 7-8 December 1995), Decision 2, MC (5). DEC/2. paras.2-3

a 'Section for External Co-operation' at its headquarters to coordinate its action with other European organisations as well as the UN, reflecting the Organisation's emphasis on the matter.<sup>44</sup> The goal of strengthening the mutually reinforcing nature of cooperation between international organisations along with the promotion of comprehensive security within the OSCE area is reflected in the 'Platform for Co-operative Security' adopted at the 1999 Istanbul Summit.<sup>45</sup> The underlining concept of the Platform is based on the belief that no single organisation can effectively address the multi-faceted challenges to security, which instead require a pragmatic interaction among several organisations. The OSCE has therefore established the Annual Security Review Conference (ASRC) at its Ministerial Council in 2002, where OSCE's partner organisations such as the UN, EU, CoE and NATO have participated alongside partner countries. Moreover, the OSCE has cultivated ties with a number of important regional organisations (alongside existing cooperation with European organisations), including the Shanghai Cooperation Organisation, the Conference for Interaction and Confidence-Building Measures in Asia, the Organisation of the Islamic Conference, the Arab League, the Association of Southeast Asian Nations (ASEAN), the Organisation of American States (OAS) and the African Union (AU).<sup>46</sup> These partnerships are a further validation of the OSCE's value in strengthening key dialogues and informal consultations. Although the contacts with new partner organisations have not gone beyond a dialogue into structured cooperation for instance, they nonetheless suggest the potential development of pan-regional cooperation and a nascent process of socialisation into European values over and above real or imagined geopolitical fault lines.<sup>47</sup>

## OSCE-UN cooperation

Amongst other international organisations, the UN is one of the closest partners of the OSCE. With shared priorities in actions such as conflict prevention, disarmament, economic and social development, human rights and democracy, it is logical and imperative for the two organisations to cooperate. Although concrete UN-OSCE cooperation started only after the Cold War, the possibility of the OSCE becoming a Chapter VIII regional organisation of the UN existed since the UN Charter was first drafted, well before the OSCE and the majority of other international organisations existed. Chapter VIII stipulates that members of the UN entering into regional security arrangements shall make every effort to resolve disputes peacefully by using regional arrangements before referring a dispute to the UN.

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<sup>44</sup> The Section for External Co-operation is also responsible for liaising with the OSCE's Mediterranean Partners (Algeria, Egypt, Israel, Jordan, Morocco, Tunisia) and the Asian Partners (Afghanistan, Australia, Japan, Mongolia, Republic of Korea, Thailand), regional organisations outside the OSCE area, academic institutions, think-tanks, and NGOs dealing with non-human dimension topics.

<sup>45</sup> Annex to Charter for European Security: Operations Document Platform for Co-operative Security' in *Istanbul Documents 1999* (Istanbul 1999), pp.19-20.

<sup>46</sup> OSCE, *Strategy to Address Threats to Security and Stability* (2 December 2003, Maastricht), paras. 52-57.

<sup>47</sup> Georgeta Pourchot, 'The OSCE: A Pan-European Society in Making?', *Journal of European Integration*, vol.33, no.2 (March 2011), p.186.

Suggestions were made to improve cooperation between the UN and regional organisations in the then UN Secretary General Boutros Boutros-Ghali's *An Agenda for Peace* where he wrote: 'regional actions as a matter of decentralization, delegation and co-operation with the United Nations efforts could not only lighten the burden of the Security Council but also contribute to a deeper sense of participation, consensus and democratization in international affairs'.<sup>48</sup> One area where closer cooperation could occur is in conflict prevention and peace-building. In order to further enhance the interaction between the UN and regional organisations, the Secretary-General convened biennial high-level meetings between UN representatives and the representatives of regional organisations since 1994. Importantly, the OSCE has been invited to all of the seven meetings that have been held so far. The OSCE was invited to a High-Level Retreat as well which was convened by the Secretary General Ban Ki-moon in January 2010.<sup>49</sup> As a follow-up to the Retreat, the OSCE organised the Workshop held with the UN under the theme of 'Preventive and Quiet Diplomacy, Dialogue Facilitation and Mediation: Best Practices from Regional Organizations' in December of the same year, the report of which was published two months after that.<sup>50</sup>

The CSCE declared at the Helsinki Summit in July 1992 its commitment to be a regional arrangement in the sense of Chapter VIII of the UN Charter.<sup>51</sup> Building on this decision, the UN General Assembly adopted a resolution that stressed the need for enhanced coordination between the UN and the OSCE.<sup>52</sup> At the CSCE Stockholm Council Meeting in December 1992, the Ministers agreed to improve cooperation with other organisations with the object of promoting regular exchanges of information and appropriate division of labour, particularly affirming the importance of regular contact between the CSCE Chairman-in-Office and the UN. Moreover, the Ministers decided to invite a representative of the UN Secretary General to meetings of its Council and Committee of Senior Officials, and the Permanent Mission to the UN of the participating state holding the Office of Chairman was designated as a 'focal point of the CSCE at the United Nations'.<sup>53</sup> On 26 May 1993, the UN and the CSCE agreed to 'The Framework for Cooperation and Coordination between the UN and the CSCE'.<sup>54</sup> The agreement noted the willingness, on both sides, to hold regular staff-level meetings that served as an important venue for the exchange of information and coordination of activities. Equally important was that the UN granted the CSCE observer status in the General Assembly in the same year.<sup>55</sup> At the Budapest Summit in 1994, efforts were made to shape a model for UN-OSCE cooperation.

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<sup>48</sup> Boutros Boutros-Ghali, *An Agenda for Peace*, para.64

<sup>49</sup> UN Docs. S/PV.6257 and S/PRST/2010/1 (13 January 2010).

<sup>50</sup> OSCE, *Perspectives of the UN & Regional Organizations on Preventive and Quiet Diplomacy, Dialogue Facilitation and Mediation: Common Challenges & Good Practice* (February 2011).

<sup>51</sup> *Helsinki Document 1992* (Helsinki, 8 July 1992), Chapter IV, para.2.

<sup>52</sup> UN Doc. A/RES/47/10, *Cooperation between the United Nations and the Conference on Security and Cooperation in Europe* (28 October 1992).

<sup>53</sup> CSCE Ministerial Council, *Third Meeting of the CSCE Council of Ministers, Summary of Conclusions: Decisions on Peaceful Settlement of Disputes* (Stockholm, 14 December 1992), pp.18-19.

<sup>54</sup> UN Doc. A/48/185 (1 June 1993), annexes I and II.

<sup>55</sup> UN Doc. A/RES/48/5 (13 October 1993).



Under a joint Dutch-German proposal ‘Joint Agenda for Budapest’, it was suggested that the OSCE’s status as a regional arrangement under the Chapter VIII of the UN Charter be developed to make the OSCE the ‘instrument of first resort’ in Europe.<sup>56</sup>

The OSCE has been considering how it can include more of these aspects in its mandate and how this can be done in cooperation with the UN. The UN has emphasised its ‘importance and successful work’<sup>57</sup> and offered full support to OSCE’s activities in places such as Georgia, Nagorno-Karabakh and Moldova.<sup>58</sup> Moreover, both organisations are cooperating in the implementation of the Dayton Agreement which settled the conflict in Bosnia and Herzegovina. In the field, the OSCE cooperates, inter alia, with the UN High Commissioner for Refugees (UNHCR), the UN Development Programme (UNDP), the UN Office on Drugs and Crime (UNODC) as well as more region-specific UN programmes. Since 1993 onwards, tripartite high-level meetings have taken place between the OSCE, the Council of Europe, and Geneva-based UN institutions and agencies. The composition was later expanded to include the UNHCR and several other UN agencies.<sup>59</sup>

One of the best examples of close and innovative cooperation between the UN and the OSCE is the work of the OSCE Mission in Kosovo (OMIK). The OSCE Mission has participated in joint institutions created by the UN Mission in Kosovo (UNMIK) to administer the province in preparation for self-governance, especially in the areas of human resources capacity-building, democratisation, as well as in the area of election organisation and supervision. The head of OMIK attends UNMIK daily Executive Committee meetings and was a member of the Interim Administrative Council and Kosovo Transitional Councils. The OSCE has also been a part of the UNMIK Joint Planning Group.<sup>60</sup> Another example of UN-OSCE collaboration is the Return Facilitation Group, co-chaired by the OSCE and the UNHCR in Croatia, which has been a useful mechanism for coordinating the return of refugees and internally displaced persons in Croatia and Bosnia and Herzegovina, avoiding duplication of efforts.

Since the terrorist attacks of 11 September 2001 in the US, UN-OSCE cooperation has been further enhanced to include active OSCE support for the work of the UN and its specialised bodies in the global efforts against terrorism. As a regional organisation under Chapter VIII of the UN Charter, the OSCE recognises that UN Security Council resolutions constitute the legal

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<sup>56</sup> The EU-sponsored idea, the ‘Joint Agenda for Budapest’ presented by Foreign Ministers Peter Koojimans and Klaus Kinkel, presented to the 1994 Budapest review meeting, was not meant to change the competencies of the UN or the OSCE but generate operative cooperation in conflict management. For ‘Koojimans-Kinkel proposal’, see Walter A. Kemp, ‘The OSCE and the UN: A Closer Relationship’, *Helsinki Monitor*, Vol.6, No.1 (1995), pp.27-30.

<sup>57</sup> UN Docs. A/RES/51/57 (12 December 1996), para.11; A/RES/49/13 (15 December 1994), para.6

<sup>58</sup> For a detailed discussion of UN-CSCE cooperation in these areas, see Felice D. Gaer, ‘The United Nations and the CSCE: Cooperation, Competition, or Confusion?’ in Michael R. Lucas, *The CSCE in the 1990s* (Baden-Baden: Nomos Verlagsgesellschaft, 1993), pp.176-196.

<sup>59</sup> *OSCE Handbook, Third edition* (2002), p.153.

<sup>60</sup> UN Doc. A/56/125, *Report of the Secretary-General on Cooperation Between the UN and the OSCE* (29 June 2001)

framework for the fight against terrorism, and has pledged to fully implement UN Security Council Resolution 1373.<sup>61</sup> These commitments constitute the legal and political framework for the OSCE's Action against Terrorism Unit's activities. ATU of the OSCE, established in 2002, has cooperated closely with the UN Counter-Terrorism Committee and the UNODC ever since, organising regional workshops on terrorism-related topics. The shared UN-OSCE agenda now includes ratification and implementation of the 12 Universal Anti-terrorism Instruments and other initiatives to combat terrorism. In October 2011, the OSCE Secretariat and the UN signed a Memorandum of Understanding (MoU) agreeing to work together on preventing proliferation of weapons of mass destruction and increase technical collaboration in implementing UN Security Council Resolution 1540, which called on all states to refrain from supporting non-state actors who attempt to acquire, use, or transfer chemical, biological or nuclear weapons or their delivery systems.<sup>62</sup> The OSCE Secretariat's Conflict Prevention Centre and the UN Office for Disarmament Affairs would together insure the fulfilment of the terms of the Memorandum.

Many of the OSCE functions created since 1990 overlap with the functions that are also fulfilled by various UN agencies. This naturally gives rise to the question of which organisation would be more effective in a certain situation. According to the principle of Chapter VIII of the UN Charter, efforts to deal with threats to peace should first be dealt with at a regional level, but enforcement action could only be launched with the authorisation of the UN Security Council. The OSCE however has occasionally entered into a potential conflict situation without the explicit authorisation of the UN. For example, when the extension of UNPREDEP in Macedonia was blocked by China's veto at the Security Council in February 1999, the OSCE was able to enlarge its mission on the ground in partial compensation. In general, however, the OSCE has sought to obtain UN authorisation for all of its major activities. At the same time, the OSCE has often found that it can play a useful role by relieving an overburdened UN from having assumed too many responsibilities for peace maintenance, allowing it to concentrate more on other regions which lack such effective regional organisations. In addition, there have been tensions in the field when both the UN and the OSCE have assumed their role in ongoing conflicts. These problems have been reduced over the years as both organisations have attempted to negotiate a mutually complementary division of labour.

### **OSCE-Council of Europe cooperation**

Alongside cooperation with the UN, coordination with other European regional organisations and actors is also important to the OSCE.<sup>63</sup> The OSCE has well-developed links with the Council of

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<sup>61</sup> UN Doc. S/RES/1373 (28 September 2001)

<sup>62</sup> UN Doc. S/RES/1540 (28 April 2004). The resolution also called for a Committee to report on the progress of the resolution, asking states to submit reports on steps taken towards conforming to the resolution. In April 2011, the Security Council voted to extend the mandate of the 1540 Committee for an additional 10 years.

<sup>63</sup> For the comparison of European regional organisations' relationship with the OSCE, see table 1.

Europe (CoE), especially with regard to the human dimension. In fact, the CoE's focus on democracy and human rights complements the OSCE's human dimension. A number of decisions and meetings have contributed to granting the process of OSCE-CoE cooperation a prominent spot on the political agenda. The interaction between the OSCE and the CoE became more formal in 2000 when the two organisations signed a "Common Catalogue of Co-operation Modalities", which established the general structures of institutional contacts. The contacts are maintained by liaison officers, mutual participation in meetings and correspondence. The CoE has established a Rapporteur Group on Relations with the OSCE. Other institutions within the OSCE have also established formal cooperation with the CoE. For instance, ODIHR often cooperates with the Parliamentary Assembly of the CoE, while HCNM has had a close relationship with the CoE from its beginning which has continued to grow, particularly between the HCNM and the CoE Secretariat of the Framework Convention. HCNM often relies on both the OSCE and CoE treaties and agreements to make a case.

The CoE has wide range of experience in the areas of parliamentary democracy and the rule of law and therefore is able to provide valuable assistance to countries in the transition period to becoming democratic societies. In addition, because it includes the right of the individual to bring his/her complaint before an international body, the convention goes far beyond the mechanisms of the OSCE and therefore could complement the latter in the matter.<sup>64</sup> The CoE has been involved in the drafting of legislation in many of the countries with an OSCE presence in coordination with the OSCE missions. A good example of pragmatic cooperation can be found in Kosovo where the CoE observed the OSCE-organised municipal elections and cooperated with the OSCE in the 2001 Assembly elections.<sup>65</sup> The efforts to create synergies have been reflected in the 'Declaration on Co-operation between the OSCE and the Council of Europe' at the Third CoE Summit of Heads of State and Government in Warsaw, May 2005.<sup>66</sup> The EU also participated in this Summit where the three organisations agreed to enhance cooperation in areas of common concern on the basis of their specific tasks and comparative advantages.<sup>67</sup>

Based on these frameworks, consultations have frequently taken place at the highest level. By defining its primary mission as encouraging good governance as a long-term mechanism for conflict prevention, the CoE has created a role for itself that overlaps with the OSCE in many important areas. This functional overlap requires close cooperation to ensure that any redundancy does not become excessively counter-productive in the mutual efforts of both

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<sup>64</sup> Stefan Lehne, *The CSCE in the 1990s: Common European house or Potemkin village?* (Laxenburg, Austria: Austrian Institute for International Affairs (AIIA), 1991), p.37.

<sup>65</sup> Daan W. Everts, 'The OSCE Mission in Kosovo', *Helsinki Monitor*, vol.12, no.4 (2001), p.248.

<sup>66</sup> OSCE PC Journal 553, agenda item 4, PC.DEC/670 *Decision No. 670, Co-operation between the Organization for Security and Co-operation in Europe and the Council of Europe* (28 April 2005), Annex. 'Declaration on Cooperation between the Council of Europe and the Organization for Security and Co-operation in Europe'. See also Council of Europe Document, CM(2005)80, final *Third Summit of Heads of State and Government of the Council of Europe Action Plan* (Warsaw, 16-17 May 2005).

<sup>67</sup> OSCE Press Release, 'OSCE Chairman hopes closer co-operation with Council of Europe will boost effectiveness of both bodies' (17 May 2005, Warsaw).

organisations in promoting long-term peace and security. While the CoE has become involved in the promotion of minority rights through the monitoring of the implementation of Framework Convention on the Protection of National Minority<sup>68</sup>, its approach is different from that of the OSCE in that the CoE's aim is the promotion of legal rights, whereas the HCNM looks at minority issues from the perspective of conflict prevention. These different emphases in approach point to the advantages of a division of labour between the two organisations. The HCNM certainly benefits from an increased protection of minority rights on the legal basis, whereas the CoE's implementation efforts gain from OSCE conflict prevention measures. Close cooperation between the OSCE and CoE missions is therefore essential in those states where the two operate side by side, but the OSCE has several comparative advantages in the context of conflict resolution. First, the OSCE has a broader mandate in the area of conflict management, including a more specific role in conflict prevention and resolution. On the other hand, the approach of the CoE would not always be applicable to conflict situations where political compromises are required. Likewise, while the CoE uses its recommendations to member states as a pressure tool, this is in sharp contrast to the HCNM's non-confrontational diplomatic approach. Second, the OSCE has a broader base than CoE, since the participating states are defined on a geographical basis rather than more specific political criteria. Third, the OSCE provides a continuous long-term presence through its missions of long duration where democratic practices are not yet fully consolidated or where threats of violent conflict remain.

### OSCE-EU cooperation

The OSCE's cooperation with the EU has been ongoing since the Italian European Council Presidency signed the Final Act on behalf of the European Community in 1975. The scope of cooperation between the two organisations has both broadened and deepened, particularly following the development of the EU's Common Foreign and Security Policy (CFSP). Increased cooperation has led to the appointment of a Liaison Officer and informal high-level meetings between the EU and the OSCE. The post-Lisbon EU delegation does not yet have the capabilities to be present on all fronts, but it helps the EU member states to shape common positions on many topics. In the context of the EU, the cooperation with the OSCE in areas such as police operations and civil and military exercises is particularly emphasised in order to provide support to the UN- and OSCE-led operations.<sup>69</sup> One such example is their joint mission in Yugoslavia, which was composed of unarmed monitors, although charged with functions additional to mere verifications. The European Commission is one of the main sources of funding for a variety of OSCE projects.

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<sup>68</sup> Council of Europe, H(1995)010, *Framework Convention for the Protection of National Minorities by the member states of the Council of Europe* (1 February 1995).

<sup>69</sup> Examples include the OSCE Spillover Mission to Skopje's cooperation with the EU Special Representative (EUSR), the EU Police Mission (Proxima) and the EU Monitoring Mission. See *OSCE Annual Report 2005* (25 April 2006), p.137.

At the EU Summit in Goteborg, June 2001, the European Council endorsed the 'EU Programme for the Prevention of Violent Conflicts' which established goals and measures to strengthen its capability for conflict prevention.<sup>70</sup> This document sets out principles and areas for intensified cooperation with other organisations including the UN and the OSCE in military and civilian crisis management and conflict prevention in order to avoid rivalry and overlap. In response, the Council of the EU approved conclusions on 'EU-OSCE cooperation in conflict prevention, crisis management and post-conflict rehabilitation'.<sup>71</sup> The conclusions noted the 'possible contribution by the EU to the OSCE's operational efforts in crisis management', and the possibility of 'EU crisis management operations following a request from the OSCE.' The conclusions also set out modalities for contacts between the two organisations, including twice-yearly meetings of the EU and the OSCE Troikas at ministerial and ambassadorial levels, twice yearly presentations of priorities by the EU Presidency to the OSCE Permanent Council, briefings between the officials of the two organisations and mutual visits, as well as regular staff-level consultations. The idea of appointing a Council Secretariat liaison officer to Vienna was floated (the proposal was acted upon in April 2009). These modalities set the foundations for the close interaction between the two organisations. Regular contacts have developed also between high-level OSCE officials and the Political and Security Committee, as well as with relevant Working Groups in the EU Council.

In December 2004, the Committee of Permanent Representatives (COREPER) endorsed the Assessment Report on the EU's policy towards the OSCE.<sup>72</sup> The report developed suggestions for enhanced EU activity in the OSCE's work, covering its three dimensions. While the report called for mainstreaming OSCE issues throughout EU foreign policy and called on the EU to support OSCE crisis management, the idea of operating under the OSCE mandate vanished. The EU also developed appropriate common standards and modules for training personnel for rule of law and other civilian personnel in civilian crisis management in cooperation with relevant international organisations, in particular the UN, the OSCE, and the CoE, to ensure complementarity and inter-operability. For example, at the third summit of Heads of State and Government in May 2005, the EU, the OSCE, and the CoE agreed to enhance cooperation in areas of common concern on the basis of their specific tasks and comparative advantages, while avoiding duplication of effort.<sup>73</sup> On the other hand, the political support the EU provides to the

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<sup>70</sup> Presidency Conclusion, Goteborg European Council (15 and 16 June 2001).

<sup>71</sup> Conclusions of the 2540<sup>th</sup> meeting of the General Affairs and External Relations Council, Brussels (17 November 2003), 14486/03 (Presse 319).

<sup>72</sup> European Council, 'Draft Assessment Report on the EU's Role vis-à-vis the OSCE' doc. 15387/1/04 REV1, Brussels (10 December 2004).

<sup>73</sup> OSCE Press Release, 'OSCE Chairman hopes closer co-operation with Council of Europe will boost effectiveness of both bodies' (Warsaw, 17 May 2005).

OSCE in a variety of activities, including counter-terrorism, is also a crucial component of their cooperation.<sup>74</sup>

The interaction between EU and OSCE operations has not always occurred in easy circumstances and has often begun with significant ambiguity. Relative to relations between headquarters, interaction on the ground have tended to be ad hoc and informal. The interaction between the OSCE Mission in Kosovo and EULEX is a case in point. With the downsizing of the UNMIK, the OSCE has worked alongside the EU mission in Kosovo. Areas of potential overlap in mandate between EULEX and the OSCE Mission in Kosovo (OMIK) have been resolved informally on the ground, for example concerning the monitoring of courts and aspects of police training. The OSCE has been a crucial actor to which the EU has turned in situations where other venues for engagement are blocked. This was the case in Georgia in August 2008, when the OSCE deployed additional military monitoring officers in areas adjacent to the conflict zone almost immediately after the outbreak of hostilities.<sup>75</sup> These measures helped underpin the initiatives of the French EU Presidency. It also set the ground for strong, if again informal, coordination between the OSCE Mission to Georgia and the EU Monitoring Mission deployed in October 2008. Since then, the EU and the OSCE, along with the UN, have worked together as Co-Chairs of the Geneva Discussion on security and stability in Georgia. In addition, a senior OSCE official and the head of the EUMM have co-chaired the meetings of the Incident Prevention and Response Mechanism that were held on the administrative border with South Ossetia. By 2009, therefore, EU-OSCE interaction was regular between headquarters and the political leaderships. Cooperation was strong also in the field. Nevertheless, the EU's influence within the OSCE is relatively low, leaving much of the political initiative within the Organisation to the US and Russia. This is partly due to the EU's complex internal procedures that do not always successfully serve its purpose of unity.

The competition between the OSCE and the EU has come about due to the latter becoming involved in some of the activities that are most commonly associated with the OSCE. Spurred by the lessons of 9/11, as well as by the challenges arising for human security discourse in Europe, for instance climate change, natural disasters, epidemic disease, and the energy security agenda, both the OSCE and the EU are now calling for a more comprehensive approach that combines military, police, political, economic, and other functional instruments for the purposes of both crisis management and general security building. This has caused an overlap between the OSCE and the EU; the primary cause of frictions. For instance, in the Ukrainian elections at the end of 2004, there were election observers from the OSCE, the EU, and the Council of Europe.

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<sup>74</sup> Edwin Bakker, 'A culture of conflict prevention: OSCE experiences and cooperation with the EU' in Vincent Kronenberger and Jan Wouters (eds.), *The European Union and Conflict Prevention* (The Hague: T.M.C. Asser Press, 2004), pp.410-412.

<sup>75</sup> OSCE, 'Permanent Council Decision 861 Increasing the Number of Military Monitoring Offices to the OSCE Mission to Georgia', PC.DEC/861 (19 August 2008).

Moreover, in several instances such as in Macedonia, the OSCE missions have worked closely with European Union Monitoring Missions (EUMM) with a very similar mandate.<sup>76</sup>

However, it could also be argued that the changing EU also means that the Union has become an ever more appropriate partner for the OSCE, not only in terms of shared values and interests, but also in its willingness to take the partner institution more seriously. Cooperation with the EU would bring about types of political leverage, material resources and military deployments to preserve order, all are outside the OSCE's capacity. Moreover, the dynamism of EU's economic integration serves as an attractive magnet to all of the former communist countries of Central and Eastern Europe. It would be critical therefore for both organisations to strive for better coordination, or for the OSCE specifically to focus further on the areas of its core competencies. However, it should also be noted that the latter option might risk the Organisation with the marginalisation over the time.<sup>77</sup>

### *OSCE-NATO cooperation*

NATO is another international organisation that maintains close relations with the OSCE in security building. In June 1992, NATO for the first time declared its readiness to participate in crisis management and peaceful dispute settlement, offering to support peacekeeping activities under the CSCE. Since then, the NATO member states have repeatedly stated that only the cooperative and mutually reinforcing approach of relevant multi-lateral security institutions can effectively cope with conflicts and crisis in post-Cold War Europe.<sup>78</sup> This change of direction has occasioned a substantial effort to develop a peace operations doctrine and to exercise it, in the contexts of both NATO and its Partnership for Peace (PfP). The OSCE and NATO have been engaged in an expanding process of interaction and cooperation. The OSCE CiO addresses the North Atlantic Council on a regular basis and the NATO Secretary General addresses the OSCE PC. These meetings facilitate an exchange of information and experience between the two organisations. In 2004, at the NATO Istanbul Summit, the OSCE Ministerial Council met with NATO member states and confirmed that the two organisations had overlapping goals of 'conflict prevention, crisis management and post-conflict rehabilitation'.<sup>79</sup>

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<sup>76</sup> Ursula C. Schroeder, 'Between Conflict and Cooperation: International Police Reform Efforts in South Eastern Europe', in D. M. Law (ed.), *Intergovernmental Organizations and Security Sector Reform* (Geneva Centre for the Democratic Control of Armed Forces (DCAF), Muenster: Lit, 2007), p.207.

<sup>77</sup> Malte Brosig, 'Governance between International Institutions: Analysing Interaction Modes between the EU, the Council of Europe, and the OSCE', in D. Galbreath and C. Gebhard (eds.), *Cooperation or Conflict?* (Ashgate, 2010), p.52.

<sup>78</sup> 'Final Communiqué of the Ministerial Meeting of the North Atlantic Council (including the Oslo Decision on NATO Support for Peacekeeping Activities under the Responsibility of the CSCE)' (Oslo, 4 June 1992).

<sup>79</sup> NATO, Istanbul Summit Communiqué (28 June 2004) [<http://www.nato.int/docu/pr/2004/p04-096e.htm>] (accessed 27 September).

The NATO allies have always supported the human dimension of the OSCE. In January 1994, for example, the NATO declared that '[o]ur own security is inseparably linked to that of all other states in Europe. The consolidation and preservation throughout the continent of democratic societies and their freedom from any form of coercion or intimidation are therefore of direct and material concern to us .... We remain deeply committed to further strengthening the CSCE, which is the only organisation comprising all European and North American countries, as an instrument of preventive diplomacy, conflict prevention, cooperative security, and the advancement of democracy and human rights.'<sup>80</sup> As a military alliance by nature, NATO has not directly supported OSCE's activities in economic and human dimensions, but instead provided security, logistics, planning, information, and communications support for OSCE activities in territories in which NATO forces have been deployed. This is based on NATO's understanding of the OSCE that it possesses special assets and institutional expertise (e.g. concerning the organising and monitoring of the elections, protection of national minorities, rebuilding civil society), that NATO itself lacks.

The first notable example of such cooperation between NATO and OSCE took place in Bosnia-Herzegovina during the implementation of the Dayton Peace Accords.<sup>81</sup> NATO-OSCE consultations led the North Atlantic Council to authorise IFOR to provide priority support to the OSCE in preparing the elections in September 1996, particularly in such areas as planning, logistics and communications. Moreover, NATO provided concrete support to the OSCE in the area of arms control by providing its expertise gained from its experience through the coordination in verification and implementation of the Conventional Forces in Europe (CFE) Treaty.<sup>82</sup> Likewise, NATO's Stabilisation Force (SFOR) in Bosnia-Herzegovina, and the Kosovo Force (KFOR) have provided vital support to OSCE missions during elections. Ad hoc OSCE-NATO cooperation in conjunction with the EU has also been effective. In January 2001, the OSCE established a mission to the Federal Republic of Yugoslavia which focused on the problematic area of Southern Serbia, where there had been an ethnic Albanian insurgency. This mission coordinated its work with that of international partners, including NATO and specific NATO nations, such as in the UK and the US, to stabilise the situation and implement confidence-building measures. The cooperation between the OSCE and NATO in the Balkans could serve as a model for similar peace-building activities elsewhere, in which the OSCE has assumed a leading role in long-term institution-building and in ensuring sufficient arms control measures, whereas NATO has taken the lead in peace keeping. While association with OSCE was beneficial for NATO in that it attached more credibility to its activities, NATO presence was essential for the OSCE to be able to fulfil its mandate in the region. NATO has also cooperated

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<sup>80</sup> NATO, *Declaration of the Heads of State and Government*, (11 January 1994), para.10.

<sup>81</sup> For the OSCE role in the implementation of the Dayton Peace Accords, see Mario Sica, 'The Role of the OSCE in the Former Yugoslavia after the Dayton Peace Agreements' in Bothe, Ronzitti, and Rosas (eds.), pp.479-493.

<sup>82</sup> Lamberto Zannier, 'Relations Between the OSCE and NATO with Particular Regard to Crisis Management and Peacekeeping,' in Bothe, Ronzitti, and Rosas (eds.), pp. 262-263.



closely with the OSCE and the EU in FYROM.<sup>83</sup> In addition to this preventive diplomacy, the OSCE and NATO have cooperated in the Ohrid border management process that was initiated in May 2003 and involves what are officially termed as the Four Partner Organisations: NATO, the OSCE, the EU, and the Stability Pact for South Eastern Europe. Further, more recently, NATO forces also provided security for the OSCE election support team in Afghanistan.

Aside from coordination in the field, the specific areas of NATO-OSCE interaction in recent years have included border security and management-related issues; the security and disposal of small arms, light weapons, ammunition, and rocket fuel; counter-terrorism activities; combating human trafficking; and regional cooperation, notably in the south Caucasus, in southeastern Europe, and in Central Asia. There are practically little or no grounds for competition and duplication between NATO and the OSCE given their respective profiles in peace operations. As such, terms of the OSCE-NATO relationship have not been formalised and there seems to be no pressing need for such formalisation.<sup>84</sup>

## Conclusion

The OSCE's aim of enhancing the security dialogue and commitment to avoid competition among the various international organisations will strengthen the effectiveness of its action. Indeed, the OSCE has been the only organisation which has both normative and had operational capacities in the non-violent resolution of conflicts. At the same time, we should be aware that the OSCE is limited in its capacity and coordination within the Organisations. The fact that the OSCE's decisions are political, and not legally binding, may not encourage quick action when needed. Moreover, it should be noted that an organisation based on a cooperative principle and on politically binding decisions might not have much influence in terms of the necessary carrots and sticks to have a direct impact on the behaviour of some of the participating states.

Nevertheless, there is significant evidence that since its creation the OSCE has played an important role in promoting regional and international stability. By promoting East-West dialogue and establishing the foundations of a common normative structure for the OSCE region; the OSCE contributed to the diffusion of tensions and consequently to the end of the Cold War. Moreover, the OSCE did play a significant role in several instances of conflict prevention and post-conflict rehabilitation over the past few decades. The OSCE has also made a significant contribution to pan-European security by standing as a pioneering model of inter-state behaviour. This derives from its continuous development of norm-setting which can be witnessed in many

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<sup>83</sup> Alice Ackermann, 'On the Razor's Edge: Macedonia Ten Years after Independence', in *OSCE Yearbook 2001* (Baden-Baden: Nomos Verlagsgesellschaft, 2002), pp. 117-135.

<sup>84</sup> David S. Yost, 'NATO and International Organizations', *Forum Paper no. 3* (Rome: NATO Defense College, September 2007), pp.122-124.

of the Organisation's documents, such as the 1999 Charter for European Security and the 2010 Astana Document.<sup>85</sup> While the CoE, NATO and the EU stem from similar values, it has been the OSCE which has most authoritatively set the principles of inter-state behaviour and intra-state conduct. OSCE participating states have thus managed to impact the societies in the former Eastern bloc through political dialogues and a liberal normative structure.

The OSCE has a unique ability to provide essential functions for effective conflict prevention via its commitment throughout the conflict cycle. Its functions however cannot be satisfactorily fulfilled by the OSCE acting alone in isolation from other actors, as the security problems facing the Organisation are far too complex, inter-linked, and diverse, they therefore require a holistic approach. The OSCE's activities have been therefore paralleled, informally and pragmatically, by the action of other organisations, particularly in crisis situations. In making its cooperative security efforts in the region, the OSCE should avoid duplicating the roles of other organisations and aim for a better coordination within them. This could be done for example by establishing a working group comprising of representatives from the UN, OSCE, NATO, EU, CoE and NGOs. The OSCE should also aim to serve as a forum for dialogue among its diverse member states, this includes Russia, its neighbouring countries, the EU and North America. The Corfu Process has shown the role the OSCE can play as a reference point and platform for pan-European dialogue, in ways that are useful for both Russia and overall pan-European security. It is thus especially important to maintain Russia's involvement in the OSCE activities in a constructive manner.

While the OSCE's effectiveness can at times be limited by the absence of consensus, its ability to establish constructive relationships with other organisations seems to hold promise for its future role in the regional security architecture. Moreover, the OSCE's innovative cross-dimensional security approach, combined with its potential to serve as a platform for variable geometry cooperation, has not lost its relevance in dealing with new threats and challenges. The challenge for the Organisation is to improve the communication and coordination both internally within the organisation and externally, so that it can function better in future and develop along multiple tracks in the most pragmatic manner possible.

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<sup>85</sup> OSCE, *Astana Commemorative Declaration: Towards a Security Community* (3 December 2010).



