Module 1

Introduction to the OSCE

This document is designed to introduce you to the Organization for Security Co-operation in Europe (OSCE). The document will help answer the following questions:

- What is the OSCE?
- What does the OSCE consist of?
- How was the OSCE formed?
- How does the OSCE compare to other organizations?

This document is designed for people who may be seconded to the OSCE on diplomatic missions. This is an introduction; therefore it is not intended to provide an exhaustive description of the history and functions of the OSCE. For more detailed information, please refer to the OSCE website.
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CHAPTER 1

The OSCE

The Organization for Security and Cooperation in Europe (OSCE) is the world’s largest regional security organization. It offers a forum for political negotiations and decision-making in the fields of:

- Early warning
- Conflict prevention
- Crisis management
- Post-conflict rehabilitation

This chapter provides a brief overview of the OSCE’s participating states and operations.
Overview
The OSCE has 57 participating states from Europe, Central Asia, and North America, and its area spans from Vancouver to Vladivostok.

Origin
Today’s OSCE is the successor to the Conference on Security and Cooperation in Europe (CSCE) established in 1975. The CSCE was largely an arena for East-West debate until the collapse of communism in the Soviet Union and Eastern Europe.

The changed environment in Europe in the 1990s made it possible for the Organization, renamed OSCE in 1995, to be used by participating states to deal with the conflicts and threats to regional security and stability resulting from the breakups of the Soviet Union and Yugoslavia, as well as other regional instability.

As Russia and the West have moved away from cooperation in recent years, the challenges to OSCE playing an effective role in addressing regional problems have increased.
External Partners for Co-operation

The OSCE has also developed two sets of External Partners for Co-operation outside its own region.

- The Mediterranean partners are Algeria, Egypt, Israel, Jordan, Morocco, and Tunisia, and deal with issues affecting the region linking southern Europe with North Africa and the Middle East.

- The Asian partners are Afghanistan, Australia, Japan, Republic of Korea, and Thailand. The Asian states have expressed special interest in OSCE practices that might be applicable to issues and problems facing the Asian region.
Operations

The OSCE possesses most of the normal attributes of an international organization: standing decision-making bodies, permanent headquarters and institutions, permanent staff, regular financial resources, and field operations.

As of 2012, the OSCE employs about 540 persons in its primary institutions, as well as some 2,300 persons in its 15 field missions, including both direct hires and seconded personnel. Its current budget is 148 million Euros (about 192 million U.S. Dollars).
Participants at the first training seminar on UN Security Council Resolution 1325 on Women, Peace and Security held by the OSCE Mission to Moldova and ODIHR, Chișinău, 8 December 2011.

Comprehensive view of security

The following three areas are considered by the OSCE to be equally important for maintaining peace and stability:

- Security
- Economic and environmental cooperation
- Human rights

The consensus of OSCE participating states is that all have a common stake in the security of Europe and should therefore cooperate to prevent crises from occurring, prevent their escalation, and promote post-conflict peace building.

Political dialogue

To maintain security throughout its region, the OSCE relies on political dialogue about shared values and develops partnerships with governments, civil society, and the private sector. The OSCE’s work is often not reported in the headlines, as the aim of the organization is to work behind the scenes to foster discussion to defuse tensions and divert potential conflict.

A flexible tool
With a smaller bureaucracy and less of a history than other international organizations, there are opportunities to use the OSCE creatively, and constantly reinvent the ways it can deal with threats to peace and security, as long as there is a consensus of participating states to act.

Participants at the 18th round of the Geneva Discussions, the on August 2008 conflict in Georgia, Geneva, 14 December 2011.
CHAPTER 2

OSCE structure

The OSCE functions using a combination of:

- Decision-making bodies
- Operational institutions
- Field operations

This chapter introduces you to the main OSCE structures. By the end of this chapter, you should be able to describe how OSCE decisions are reached and which institutions are responsible for OSCE operations.
CHAPTER 2  OSCE structure

MODULE 1  Introduction to the OSCE

OSCE structure including decision-making bodies and operational institutions.
Decision-making bodies

The OSCE decision-making bodies consist of:

- Summits
- Ministerial Council
- Permanent Council
- Forum for Security Co-operation
Summits

Summits are periodic meetings of the heads of state or government of OSCE participating states. They set priorities and provide orientation at the highest political level. Sometimes states send other officials, such as Secretary of State Clinton's representation of the U.S. at the 2010 Astana and 2011 Vilnius Summits.

Summit meetings are managed by the Chair-in-Office and held in its country. These meetings tend to be “scripted” by the professional diplomats who staff the Permanent Council, supplemented just prior to the event by additional staff from capitals.

Chairs-in-Office seek to use Summit meetings to demonstrate success for their Chairmanship goals. Nonetheless, these events also operate by consensus, and decisions and resolutions ultimately adopted reflect negotiations behind the scenes that may have been going on for months or even years prior to the meeting.

Review conferences

Review conferences precede and prepare for summits.

At review meetings:

- the entire range of activities within the OSCE is examined
- steps that might be required to strengthen the OSCE are discussed
Review conferences are also used to:

- monitor the implementation of previously adopted commitments
- finalize the negotiation of the documents, decisions, and statements that are then adopted at the summits

Participants in the plenary room during the first session of the OSCE Review Conference in Astana, 26 November 2010. (OSCE/Vladimir Trofimchuk)
Ministerial Council

The Ministerial Council, made up of foreign ministers of the participating states (or their representatives), meets annually, except in years when summits are scheduled. The Ministerial meetings are held to take major decisions, and often approve documents that have been adopted by the Permanent Council or the Forum for Security Co-Operation.

The Ministerial Council meetings help to maintain a link between the political decisions taken at the summits and the day-to-day functioning of the OSCE.

U.S. Secretary of State Colin Powell at the Ninth Ministerial Council

Activities

The Council meets in order to:

- Consider issues relevant to the OSCE
- Review and assess the activities, accomplishments, and problems of the OSCE
- Make appropriate decisions, including adoption of the annual operating budget

Decisions

The Council makes all of its decisions by consensus, although sometimes during the last decade the Chair-in-Office made summary statements reflecting views shared by the vast majority of participating states, but not universally agreed.
Foreign Ministers, heads of delegations and OSCE officials pose for a family photograph at the 2012 OSCE Ministerial Council in Dublin, 6 December 2012. (OSCE/Dan Dennison)
Permanent Council

The Permanent Council (PC) meets weekly throughout the year at the Hofburg Palace's Congress Centre in Vienna to engage in the day-to-day direction of OSCE affairs. It is composed of representatives at the level of ambassadors from all participating States to the OSCE. Senior officials from capitals may reinforce the PC on special occasions, and then it is referred to as the Reinforced Permanent Council. The Permanent Council is chaired by a permanent representative of the current Chair-in-Office.

The flags of the OSCE in front of the Hofburg in Vienna, 27 April 2009. (OSCE/Blanca Tapia)

Activities

Permanent Council activities include:

- Making decisions on the operation of the OSCE, its institutions and its field missions
- Hearing reports from senior officials and invited guests on matters of concern to the OSCE
- Developing responses to emergency and ongoing situations
- Engaging in debate, dialogue, and discussion on issues before the OSCE
Function
The Permanent Council serves an important function as a catalyst for dialogue among the participating states. It provides an opportunity to exchange views and voice criticisms, serves as an instrument of early warning, and allows smaller states to make their opinions known to major players. Increasingly, spontaneous dialogue tends to take place during advance informal consultations, on the “margins” of the formal meetings, or in the various subsidiary bodies that prepare plenary sessions.
Forum for Security Co-operation

The Forum for Security Co-operation meets weekly throughout much of the year in Vienna to discuss and make decisions regarding military aspects of security in the OSCE area, in particular confidence and security-building measures (CSBMs).

The Forum consists of representatives of the OSCE participating states—usually the same individuals who serve in the Permanent Council.

Responsibilities

The Forum is responsible for:

- Discussing and clarifying information exchanged under CSBM agreements
- Implementation of CSBMs
- Annual implementation assessment meetings
- Preparation of seminars on military doctrine

Delegations of the 56 OSCE participating States, including Russia and the United States, discuss the missile defence initiative at a meeting of the Forum for Security Co-operation, in Vienna, 31 October 2007. (OSCE/Mikhail Evstafiev)

Highlights

The FSC has negotiated extensive CSBM agreements, known as the Vienna Document agreements, the last of which was adopted at the Istanbul Summit in 1999; these documents built on and superseded the Basket 1 confidence building measures included in the Helsinki Final Act and the subsequent 1986 Stockholm Document.

Under the auspices of the OSCE, three agreements were negotiated as part of the Dayton Peace Accords that ended the Bosnian war.

The 2000 Document on Small Arms and Light Weapons and subsequent agreements and
practical assistance projects have addressed the threats of illicit weapons and excess and unsafe stockpiles.

Participants of the regional Vienna Document seminar pose for a group photo, Astana, 30 May 2012. (Kazakhstan's Ministry of Defence)

OSCE expert John Paul Grimsley gives practical on-site training to Moldovan Army Officers on safe explosive ordnance disposal, as part of an OSCE Mission to Moldova project on air bomb destruction, Bulboaca Military Training Area, 7 July 2011. (OSCE/Liubomir Ţurcanu)

Joint Consultative Group, CFE, and Open Skies
The Joint Consultative Group is a special associated body responsible for verifying and
implementing the:

- Treaty on Conventional Forces in Europe (CFE)
- Treaty on Open Skies

As legally binding treaties, these two documents are not formally part of the OSCE and not all participating states are signatories; nonetheless, the JCG works closely with the OSCE to verify and implement these agreements. The original CFE Treaty was adopted at the CSCE Summit in Paris in 1990 and included 30 of the OSCE participating states; it limited quantities of heavy military equipment on the European continent. The Adapted CFE Treaty was signed at the 1999 Istanbul Summit, but it did not enter into force due to differences concerning Russian commitments to withdraw troops from Georgia and Moldova. All signatories agreed to abide by its terms, however, until Russia suspended its participation in the CFE in December 2007.

The Obama administration proposed resolving the CFE dispute through a draft “framework” for new negotiations to strengthen the CFE Treaty regime. But Russia was unwilling to agree to the principle of host-country consent or to a resumption of compliance with the original CFE Treaty.

In response, the U.S. announced in November 2011 that it would cease carrying out certain obligations under the CFE Treaty with regard to Russia. The U.S. explained that it would not accept Russian inspections of its bases under the CFE Treaty, and not provide Russia with the annual notifications and military data called for in the Treaty. Most, if not all, of U.S. NATO allies adopted the same decision. The U.S. stated that it would continue to implement the Treaty and carry out all obligations with all States Parties other than Russia, and would not exceed the pact’s numerical limits on conventional armaments. The U.S. added that it would resume full CFE Treaty implementation if Russia resumed implementation of its Treaty obligations.
Operational institutions

This section focuses on the operational institutions of the OSCE including:

- The Chairmanship
- Secretariat
- Office for Democratic Institutions and Human Rights
- High Commissioner on National Minorities
- Representative on Freedom of the Media

Refer to the OSCE website for details about all of the OSCE operational institutions.
Chair

The Chair-in-Office (CiO) is vested with overall responsibility for executive action and the coordination of OSCE activities. CiO duties include:

- Representing the Organization before other organizations and to participating states
- Coordinating the work of OSCE institutions
- Supervising activities related to conflict prevention, crisis management, and post-conflict rehabilitation
- Seeking consensus as the basis for regular decision-making
- Mediation and conciliation of conflicts among participating states, either directly or through special representatives appointed by the CiO

The OSCE's Chairperson-in-Office in 2013 is Leonid Kozhara, Ukraine's Minister for Foreign Affairs. (OSCE)

Rotation

The Chairmanship rotates annually. The foreign minister of the country chairing the organization traditionally holds the position of CiO. The country that is elected must provide substantial personnel to carry out the many functions of the Chair during the term as a member of the Troika.

Troika

Traditionally, the CiO has been assisted by the previous and succeeding Chairs; the three of them together constituting the Troika.
Which country gets to hold the Chairmanship?

There was a tendency during the first decade and a half of the chairpersonship to select "middle powers" to fulfill this role. The exception was when a newly unified Germany served as the first CiO in 1991. Members of the EU have tended to hold the OSCE Chairmanship in recent years. This changed in 2010 when Kazakhstan assumed the Chair, making it both the first Central Asian and ex-Soviet state to lead the OSCE.

Ukraine is holding the OSCE Chairmanship in 2013. Switzerland will hold the Chairmanship in 2014, and Serbia in 2015.

CiO Staff

Foreign ministers have other responsibilities and are not always able to preside over the day-to-day operation of OSCE affairs. Members of the chair's delegation preside over Permanent Committee meetings, and they may also serve as representatives of the CiO on missions to conflict areas or for meetings in participating states. The success or failure of the OSCE often depends on the skills of the staff of the country holding the chairpersonship at any given time.
Ambassador Mara Mariachi of Greece, Chairperson of the OSCE Permanent Council, with Chairperson-in-Office Dora Bakoyannis, at the Permanent Council, in Vienna 15 January 2009. (OSCE/Mikhail Evstafiev)
**Secretariat**

The Secretary General acts as the representative of the Chair-in-Office and supports him/her in furthering the goals of the OSCE. The Secretariat, under the direction of the Secretary General, provides operational support to the Organization.

The Secretariat is based in Vienna and also has an office in Prague.

**Secretary General**

The Secretary General acts as the representative of the Chair-in-Office and supports him/her in all activities aimed at attaining the goals of the OSCE. The **Secretary General**, in consultation with the Chair-in-Office, is authorized to bring any matter that he/she deems relevant to the attention of the Permanent Council.

**Duties**

The duties of the Secretariat include:

- Managing OSCE structures and operations within the political guidelines set down by the Permanent Council and other political decision-making bodies
- Working closely with the CiO in the preparation and guidance of OSCE meetings
- Ensuring implementation of the decisions of the OSCE
- Publicizing OSCE policies and practices
- Maintaining contacts with international organizations
- Advising on budgetary proposals and financial implications of proposals
- Overseeing personnel issues, including gender equity within the OSCE
Conflict Prevention Center
The Secretariat’s Conflict Prevention Center (CPC) supports the CiO and other OSCE bodies on:

- early warning
- conflict prevention
- crisis management
- post-conflict rehabilitation

Adam Kobieracki is the Director of the OSCE Conflict Prevention Centre.

Primary Functions
The CPC:

- maintains close contacts with other international organizations and NGOs involved in conflict management
- serves as the planning unit for future OSCE missions and field operations
• acts as coordinator for deployment of new or enhanced field operations
• assists mission members in emergencies, such as a medical evacuation

The CPC’s Situation Room can operate 24 hours a day, seven days a week.

The Secretariat also includes the:
• Action against Terrorism Unit (ATU)
• External Co-operation
• Gender Section
• Office of Internal Oversight
• Office of the Co-ordinator of OSCE Economic and Environmental Activities
• Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings
• Strategic Police Matters Unit (SPMU)
• Training Section
Office for Democratic Institutions and Human Rights

The Office for Democratic Institutions and Human Rights (ODIHR) works to:

- Promote democratic elections
- Support the development of democratic institutions
- Monitor human rights
- Strengthen civil society and the rule of law
- Combat discrimination
- Improve the situation of Roma and Sinti
- Assist in protecting the rights of trafficked persons and vulnerable groups

Election Monitoring

Since its establishment in 1991, ODIHR has become the international “gold standard” institution in developing a systematic methodology for evaluating all stages of the electoral process, including:

- The process for the selection of candidates
- The campaign process
- Media coverage
The actual voting process
• The counting of ballots and determination of outcomes.

In addition to recruiting and deploying election monitors, it works closely with the OSCE Parliamentary Assembly and the European Parliament. With a few exceptions it observes all major elections for parliament and heads of state in all OSCE participating states, and in some newly democratizing countries it has also played a major role in organizing, implementing, and monitoring municipal elections.

ODIHR’s efforts in election monitoring in its early years tended to focus on the former communist states in Eurasia and the Balkans, and this has led to some criticism that there is an implicit assumption that the only problems with democratic processes occur in the former communist states.

In part to respond to this criticism, ODIHR has monitored elections in the West as well, such as French presidential elections; U.S. presidential and congressional elections; and elections in the UK involving devolution of authority to Scotland, Wales, and Northern Ireland. Although ODIHR reported occasional problems in several of those elections, its reports generally concluded that the elections were held in these Western countries in the context of a long history of democratic practice. This finding, however, has led to criticism from Russia and several other countries that ODIHR is utilizing “subjective” criteria in its election monitoring, rather than focusing on concrete, material evaluations.

Tolerance and anti-discrimination

ODIHR has been increasingly active in recent years in monitoring, focusing attention, and
developing programs to combat:

- Racism and xenophobia
- Discrimination against Muslims
- Anti-Semitism

Roma and Sinti

ODIHR has been given a major role by the Permanent Council to:

- Implement the "Action Plan on Improving the Situation of Roma and Sinti Within the OSCE Area"

- Assist participating states in developing anti-discrimination legislation and means to implement that legislation; assisting ombudsman offices, commissions for combating discrimination, and police forces

- Serve as principal Contact Point for Roma and Sinti issues within the OSCE region

- Collect data on discrimination and hate crimes and, on the basis of an analysis of those data, making recommendations about policies to alleviate discrimination against Roma and Sinti peoples

The Strategic Police Matters Unit within the Secretariat cooperates with ODIHR to develop programs to compile and teach best practices with regard to police work within Roma and Sinti communities, especially to develop codes to avoid racial profiling and to improve interethnic relations.
ODIHR also works with the OSCE Economic and Environmental Activities office to develop programs to provide targeted assistance to address Roma and Sinti social and economic needs, including improved access to health services, educational opportunities, and participation in the public and political life of the state.
High Commissioner on National Minorities

The OSCE High Commissioner on National Minorities works to identify and seek early resolution of ethnic tensions that might endanger peace, stability, or friendly relations among OSCE participating states.

Role

The role of the High Commissioner is not necessarily to act as an advocate on behalf of persons belonging to minority groups; rather the mandate is to promote dialogue between persons belonging to minority groups and governments or other institutions and organizations representing the national majority. The HCNM, acting as an impartial third party, negotiates at the highest political level.

The HCNM decides when and where to travel in response to incidents that might produce greater violence or an escalation of attention. This flexibility makes the office of the HCNM a unique role pioneered by the OSCE and is often considered one of the most innovative steps it has taken to prevent violent conflict.

Most significantly, the High Commissioner does not require prior approval of his activities from any central institution of the OSCE, and he may seek to enter any participating states when he believes that the situation can benefit from his involvement. Although he typically coordinates his visit with the government involved, he does not need its formal approval to enter into a conflict involving persons belonging to minority groups.
Limitations
The High Commissioner’s involvement is subject to limitations.

The situation must include:

- Persons belonging to national minorities
- Potential for conflict emanating from minority issues
- Potential to affect inter-state relations or regional security.

The situation must not involve:

- Groups actively engaged in terrorist activities
- Ethnic conflicts that are engaged in open violence

Collaboration
In many cases OSCE field operations and the office of the High Commissioner have collaborated closely in their effort to resolve underlying tensions involving the rights of persons belonging to minorities. A substantial number of field operations have come into existence in part because of recommendations by the High Commissioner.
Knut Vollebaek (c), OSCE High Commissioner on National Minorities, speaks to Moldovan officials, alongside Olesa Coseac (l), Translator, and Jaqueline Carpenter, Human Dimension Officer, Chisinau, 16 March 2012.
Representative on Freedom of the Media

The OSCE Representative on Freedom of the Media works to assist governments in the furthering of free, independent, and pluralistic media.

Role

The role of the Representative is to observe relevant media development in all participating states in order to advocate and promote full compliance with OSCE principles and commitments regarding freedom of expression and free media.

Limitations

The Representative on Freedom of the Media will not communicate with and will not acknowledge communications from any individual or organization carrying out or publicly condoning acts of terrorism or violence.

Authority

The Representative is authorized to observe media development in all participating states and advocate and promote full compliance with relevant OSCE principles and commitments.

Actions

The office has frequently conducted seminars to inform journalists, government officials, and nongovernmental organizations about international standards for protecting a free media.

The office has also been a watchdog, reporting on systematic violations of media freedom in participating states; and identifying and publicizing attacks on journalists, including
“disappearances” and killings in an apparent effort to silence outspoken journalists. The Representative addresses threats throughout the OSCE area. For example, during December 2012 Mijatovic expressed concern over threats to a newspaper in northern Italy and attacks on journalists in Turkey, as well as welcomed the release of convicted journalists and a blogger in Azerbaijan.
Field operations

Most of the OSCE’s staff and resources are deployed in field missions in Southeastern Europe, Eastern Europe, Central Asia, and the South Caucasus. The operations are established at the invitation of the host countries.

The majority of the current OSCE field operations focus on:

- Good governance
- The promotion of democratic practices
- Free elections
- The rule of law
- Early warning and conflict prevention

Field operations are described in more detail in Module 2: OSCE Field Operations.
CHAPTER 3

History of the OSCE

The OSCE can trace its origins to the security challenges seen by the Soviet Union, on the one hand, and the U.S. and its allies, on the other, in the period after World War II, eventually leading to the Helsinki Process, and the creation of the Conference on Security and Co-operation in Europe (CSCE). Of special importance is the way in which the OSCE has evolved from a series of conferences and multilateral agreements into a regional, multilateral organization.

It’s important to know how the OSCE started in order to understand the way it operates and how it is seen today by participating states. It’s also important to understand the persistent issues among participating states.

This chapter introduces you to the history of the OSCE. By the end of this chapter, you should be able to describe how the OSCE was formed.
The Conference on Security and Cooperation in Europe

Origins
Since the 1950s the Soviet Union had advocated holding an all-European conference to put a political end to World War II by resolving the "German question," with the goal of ratifying the postwar status quo established in Eastern Europe.

The United States and most of its NATO allies were opposed to a conference with such an agenda. The U.S. countered with a proposal for holding a conference between NATO and the Warsaw Pact states dealing with "hard" arms control in Europe, especially reductions of conventional military forces.

The way to Helsinki
In 1969, neutral Finland offered to host a conference on European security. NATO responded to the Finnish proposal by suggesting that the agenda of a European security conference should also include prior notification of military maneuvers and freer movement of people and ideas across the Cold War divide.

American objections to a mostly political conference on European security were lessened when the Soviet Union agreed to link the opening of the Helsinki Conference with the start of another negotiation on "hard" arms control--Mutual and Balanced Force Reductions (MBFR) in Europe.
Preparatory meetings

Helsinki 1972-73

The Conference on Security and Cooperation in Europe (CSCE) negotiations opened with 35 delegations present including: the U.S., Canada, and all the states of Europe (including the USSR and Holy See), with the exception of Albania. These states tended to gather into three major groups, reflecting the existing political alignments at the time:

- Warsaw Pact
- NATO / European Community
- Neutral / Nonaligned

The preparatory meeting resulted in a detailed outline of the practical organizational arrangements for the conference.

*Foreign Ministers at the Conference on Security and Co-operation in Europe in Helsinki, 1973 (OSCE)*
Working phase
Geneva 1973 to 1975
The working phase of negotiations amounted to the first multilateral East-West negotiation process. During this phase, issues were grouped together into three major “baskets.” The inclusion of such a wide range of issues reflected a comprehensive approach to security that remains one of the OSCE’s greatest assets.

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<thead>
<tr>
<th>Basket</th>
<th>Description</th>
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<tr>
<td>I.</td>
<td>Security and confidence-building measures.</td>
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<td>II.</td>
<td>Cooperation on economics, science and technology, and the environment.</td>
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<tr>
<td>III.</td>
<td>Human rights and the movement of peoples, ideas, and information across national boundaries.</td>
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The three baskets are also referred to as “dimensions” of security.
Final Act

Helsinki 1975

The result of the working phase of the conference is referred to as the Helsinki Final Act, which was signed by the heads of state of all 35 countries at a summit meeting in Helsinki on August 1, 1975. The Final Act is not a treaty, but a politically binding agreement that contained recommendations in each of the Baskets, preceded by the Decalogue.

East meets West: US President Gerald Ford and USSR General Secretary Leonid Brezhnev (with translator Viktor Sukhodrev at his ear) at Helsinki 1975. Flanking them are Secretary of State Henry Kissinger (l) and Foreign Minister Andrei Gromyko (r). (Gerald R. Ford Library)

The Decalogue

The Decalogue is a declaration of ten principles guiding relations between participating states.

1. Sovereign equality, respect for the rights inherent in sovereignty
2. Refraining from the threat or use of force
3. Inviolability of frontiers
4. Territorial integrity of states
5. Peaceful settlement of disputes
6. Non-intervention in internal affairs
7. Respect for human rights and fundamental freedoms including the freedom of thought, conscience, religion or belief
8. Equal rights and self-determination of peoples
9. Cooperation among states
10. Fulfillment in good faith of obligations under international law

Importance of the Decalogue

The ten principles of the Decalogue created the normative structure under which the CSCE and the OSCE have operated. Continuing elaboration of these principles created the normative core for an OSCE regional cooperative security regime.

The provision in the first principle allowing for the peaceful, negotiated change of borders, creating the possibility for a peaceful unification of Germany, was particularly important in the creation of today’s Europe.

Other principles of the Decalogue emphasized the desirability of resorting to diplomatic means rather than the use of force to settle all disputes among participating states.

President Ford signing the Final Act of the Conference on Security and Cooperation in Europe,
Benefits of Helsinki process

The Helsinki process offered the participating states an additional channel of communication, a normative code of conduct (for inter-state and intra-state relations) as well as a long-term vision of cooperation. It thus promoted both stabilization and peaceful change in Europe. As a result, during the Cold War the CSCE maintained the promise of qualitative changes in East-West relations at a time when most contacts were characterized by alternating phases of tension and ambiguous détente.
Follow-on conferences

1977—1989

The Helsinki Final Act called for a series of follow-on conferences to review progress in the implementation of the Final Act and to consider new provisions to strengthen security in Europe. The follow-on conferences took place in Belgrade in 1977, Madrid from 1980—83, and Vienna in 1986—89.

Belgrade

1977

The first CSCE follow-up conference was characterized largely by rhetorical attacks and counterattacks. The West criticized the human rights performance of the Communist Bloc countries, while the latter accused the West of interference in their internal affairs. At the same time, human rights activists in communist states in Central and Eastern Europe formed "Helsinki Committees" to press their governments to live up to the principles that they had endorsed at Helsinki.

Human rights are in the third basket ...' In 1977, at the first Follow-up Meeting of the Conference on Security and Cooperation in Europe (CSCE) held in Belgrade, the cartoonist, Hans Geisen, considers the irreconcilable positions of the despondent Western countries and the ever-triumphant Soviet Union, which is ignoring its human rights commitments.
Madrid
1980-1983

The second follow-up meeting lasted for more than three years, particularly due to disagreements over Soviet and Eastern Bloc implementation of the Final Act.

It was further lengthened by the suspension of the meeting, pressed by the U.S. and its allies, over the imposition of martial law (by the ruling communist authorities) in Poland. Eventually a balance was struck between pursuit of more ambitious undertakings and implementation of existing commitments, and the Madrid conference was able to discuss ideas for strengthening human rights and humanitarian commitments (Basket III), confidence-building in the area of military security (Basket I) and to establish machinery for the peaceful resolution of disputes.

Despite growing East-West tensions and the controversy surrounding the Soviet deployment of intermediate-range nuclear forces in Europe, the agreement on a substantive Final Document was a significant improvement over the Belgrade meeting and restored momentum to the CSCE process.

Vienna
1986—1989

The most significant accomplishments of the Vienna Review Conference were on human rights. The 1975 Helsinki Act had focused primarily in its substantive provisions upon enhancing human contacts across cold war lines rather than on individual political rights.

At Vienna, the conference concluded that individual citizens have a right, “individually or in association with others,” to advocate for and openly promote the realization of human rights and fundamental freedoms. Perhaps even more important in terms of its historical significance was a provision noting that citizens had a right to live where they chose within their own country and to freely leave and re-enter their own country, a right that had previously been denied to citizens of all communist bloc countries (except for Yugoslavia, formally a member of the neutral and nonaligned group within the CSCE).

Eight months after the adoption of the Vienna Document in January 1989, the government of Hungary cited this principle when it opened its borders with Austria, allowing many (including East Germans) to cross freely to the West. The flood of emigration that followed was a major factor in the East German decision to open the Berlin Wall in November 1989. The Vienna Review Conference therefore had profound historical implications that were barely recognized at the time.

Stockholm
1984-1986

Meanwhile, President Reagan and new Soviet leader Gorbachev’s influence in European security matters was also reflected in the Negotiations on Confidence and Security-Building Measures and Disarmament in Europe (CSBMs), held in Stockholm, and taking place under CSCE auspices.

Gorbachev agreed for the first time to accept a limited form of mandatory inspection of Soviet territory extending as far east as the Ural Mountains to verify compliance with this arms control
agreement; this was a first step towards an increasingly extensive use of on-site inspections in later agreements. The Stockholm conference concluded with a substantial expansion of the confidence-building measures that had been initiated by the Helsinki Final Act.
Impact of the CSCE

The CSCE had a direct impact on East-West relations and helped create a post-Cold War cooperative security regime that was no longer divided into three groups: West, East, and Neutral/Nonaligned.

Undermining communism

The CSCE had an impact on the security situation in Europe by undermining the legitimacy of the communist governments throughout Central and Eastern Europe, where governments signed agreements that created norms about human rights and openness, but where their actual behavior often fell far short of those principles.

Human rights

The CSCE certainly inspired and made possible the formation of a wide variety of human rights movements in central and eastern Europe, such as Charter 77 in Czechoslovakia and Solidarity in Poland, which lobbied their governments to observe their commitments undertaken when they signed the Helsinki Final Act.

Human rights, a long-standing taboo for the Soviet Bloc, became by virtue of the Final Act a legitimate subject of East-West dialogue. The CSCE was thus important in keeping the spotlight on human rights and linking progress in that sphere with cooperation on other more traditional security questions.

Rudolf Bereza with Tomas Hradilek on 1 May Day 1987 with a banner saying "Charter 77"
calls for civic courage” (Tomas Hradilek)

1980 strike at Gdansk Shipyard, the birthplace of Solidarity.

Military security

The CSCE can be credited with reducing tensions through its implementation of confidence-building measures agreed upon by participating states, which enhanced military transparency through inspections of armed forces and military activities. This significantly reduced fears that war might start through the misinterpretation of routine military activities, which might have mistakenly been perceived as the initiation of offensive action.
Uniqueness of CSCE

There are a number of things that made the CSCE unique in comparison to other organizations.

Wide participation

In an era characterized by bloc-to-bloc confrontation, the CSCE had wide participation and all states participating in the Conference did so as “sovereign and independent states and in conditions of full equality.”

Comprehensive view

At a time when most negotiations and security organizations adopted a piecemeal approach to security, the CSCE endorsed a comprehensive view. The linkage between different elements of security would prove to be one of the CSCE’s greatest assets.

Decisions by consensus

Decisions of the Conference were taken by consensus thus often making the decision-making process as important as the decisions themselves. This way, no state had to fear that a decision to which it strongly objected would be imposed upon it.

Flexible

CSCE decisions were politically rather than legally binding, giving the Conference considerable flexibility. This meant that its decisions did not risk getting tied up in the sort of lengthy debates that often occur during the ratification of legal instruments, which could delay implementation of CSCE decisions by years, when action was required in weeks, days, or even hours.

No institutional structures

Prior to 1990, the CSCE had no institutional structures; the result being that the very impetus needed to keep the process going was an end in itself. This also added to the capacity of the CSCE to adapt rapidly and effectively to the changing international environment in which it operated.
CSCE becomes the OSCE

With the disintegration of the Warsaw Treaty Organization following the fall of the Berlin Wall on November 9, 1989, the CSCE began a rapid process of transformation to respond to the new post-Cold War security situation. The creation of a genuine Transatlantic system of “cooperative security” appeared possible.

The CSCE took on new responsibilities and challenges in this period of transition characterized by institutionalization, strengthening of operational capabilities, development of field activities, and further elaboration of commitments and principles.

Copenhagen
1990

An experts meeting held on the human dimension of security enacted a code of democratic procedures to guide all participating states. Specifically it called for

- Free elections--open to outside observation
- Equality of all persons before the law
- Freedom to establish political parties
- Rights of the accused

Charter of Paris

Paris, 1990

The Charter of Paris, signed by the Heads of State from all CSCE participating states, represented the first high-level multilateral instrument to reflect the fall of the communist bloc and the end of the Cold War. In its preamble, the Paris Charter announced the opening of a new era for European security based on a reaffirmation of the Helsinki Principles.

After the Charter of Paris, the CSCE began to take on features of an established international organization, rather than consisting of a series of ad hoc meetings about security issues.

The Paris meeting established the following structures for the CSCE:

- Secretariat
- Conflict Prevention Centre
- Office for Democratic Institutions and Human Rights (originally the Office of Free Elections)
- Parliamentary Assembly

It also established a new schedule of meetings of foreign ministers (annually), head of state or government summits (at irregular intervals), and Committee of Senior Officials (when needed).
Moscow Human Dimension Conference
1991

As a follow-up to the 1990 Copenhagen code of democratic procedures, a conference on the Human Dimension (as Basket III is often referred to) was held in Moscow to expand cooperation on human dimension matters and broaden the mandate of the Office of Free Elections to provide it with a mechanism for field missions to assist and monitor elections and other aspects of human dimension activities.

A major innovation was that the participating states declared "categorically and irrevocably" in Moscow that "commitments undertaken in the field of the human dimension of the CSCE were matters of direct and legitimate concern to all participating states and did not belong exclusively to the internal affairs of the state concerned."

This explicit limitation of absolute sovereignty represented a major innovation introduced into contemporary international relations by the OSCE in 1991, effectively interpreting the provision in the Helsinki Decalogue to mean that the principle of non-intervention in the internal affairs of states no longer would apply regarding obligations freely taken by participating States.

The Moscow Mechanism has been used seven times to date, most recently in 2011 to investigate the human rights situation in Belarus after the disputed 2010 presidential election.

Helsinki Follow-Up Meeting
1992
The Helsinki Follow-Up Meeting was preoccupied with the violence sweeping across the former Soviet Union and Yugoslavia. Participating states sought to engage the CSCE more actively both to prevent the outbreak of such conflicts and to manage and resolve those that had already broken out.

New Offices and Institutions
The wave of violence following the breakup of these two large multinational states led to efforts to strengthen the Conflict Prevention Center and endow it with additional functions in conflict management.

The following new offices and institutions were created after the meeting:

- High Commissioner on National Minorities
- Court of Conciliation and Arbitration
- Forum for Security Cooperation

Missions
Another major advance taken at Helsinki was the decision to establish missions in areas of tension to provide for "early warning, conflict prevention and crisis management, and peaceful settlement of disputes." The intent appeared to be to create temporary, more or less ad hoc missions to deal with conflicts as they arose.

Due to the worsening of the situation in the former Yugoslavia, the Committee of Senior Officials created "Missions of Long Duration." The first of these was sent to monitor the situation in three regions of the former Republic of Yugoslavia -- Kosovo, Sandjak, and Vojvodina in 1992.

Summits after Helsinki
Budapest 1995
The Budapest Summit formally changed the name of the CSCE to OSCE in recognition of the institutionalization that had taken place. The Summit also adopted the Code of Conduct in Politico-Military Aspects of Security (which also included cooperation in combating terrorism.)
The Budapest Summit also decided to step up the CSCE role in bringing an end to the conflict over Nagorno-Karabakh in Azerbaijan. The Summit decided that the CSCE would play a greater role in the mediation effort previously handled by Russia, strengthened the Minsk Group effort to achieve a political settlement, and stated that the CSCE would be willing to provide its own peacekeeping force after an agreement on ending the armed conflict.

Istanbul, 1999

At the Istanbul Summit, OSCE Heads of State or Government signed the Charter for European Security to better define the role of the OSCE. The Charter aims at strengthening the organization’s ability to prevent conflicts, to settle them, and to rehabilitate societies ravaged by war and destruction.

The REACT (Rapid Expert Assistance and Cooperation Teams) initiative was put forward by the U.S. at this summit. REACT provides for participating states to develop a pool of skilled individuals ready for speedy deployment with OSCE. While some participating states have implemented the REACT commitment by developing a roster with trained individuals available for speedy deployment, OSCE has not utilized this capability so far.
OSCE today

The OSCE has been experiencing a “mid life crisis” in recent years that has raised some fundamental questions about itself, requiring a new set of adaptations if the organization is to continue to play a leading role in regional security and cooperation.

This crisis reflects a declining consensus about the normative foundations of the OSCE, especially of the human dimension documents adopted in the years immediately following the collapse of communism in Central and Eastern Europe; several renewed crises in the realm of security, especially between Russia and NATO countries; and the stalemate in the arms control regime and other political foundations of cooperation that had created a favorable context for the OSCE to develop in the 1990s.

Basic priorities

The basic priorities of the OSCE at present are:

- **Democracy**: to consolidate the participating states’ common values and help in building fully democratic civil societies based on the rule of law and principles of “good governance”
- **Peace**: to prevent local conflicts, restore stability, seek to resolve “frozen conflicts,” and bring peace to war-torn areas
- **Security**: to overcome real and perceived security deficits, assist participating states in capacity-building, and seek to better address existing and future political, economic, and social divisions by promoting a cooperative system of security

Continuing activities

Despite stalemate on some of the larger political issues, the OSCE continues with “business as usual” on a large number of activities that seldom grab headlines, but which make a contribution to improved security throughout the region. These activities help in the following ways:

- Fifteen field missions monitor ongoing events and assist in a wide range of conflict management tasks on the ground.
- The Action Against Terrorism Unit assists participating states in improving their capacity to respond to the threat of terrorism.
- The Strategic Special Police Matters Unit supports training of police forces in improved police work within a democratic context that respects human rights.
- The Special Representative and Coordinator for Combating Trafficking in Human Beings assists states in preventing trafficking in human beings, especially women and children, across state borders to serve as sex slaves, forced labor, or other servile roles.
- The Forum for Security Cooperation assists states in monitoring, reducing the flow of small arms and light weapons across state borders, and in decommissioning arms within their own territories.
OSCE institutional challenges

In recent years, the OSCE has lost momentum built up after the end of the cold war, causing it to reassess its role in regional security. There are several major causes of this crisis:

- Russia has grown suspicious of the OSCE, which it sees as focusing too much on intervention in states “east of Vienna” while ignoring problems in states “west of Vienna;” it also asserts that focus has become “unbalanced” in favor of human dimension and democratization activities to the neglect of security, economic, and environmental functions contained in the first two baskets of the Helsinki Final Act.
- The United States has shifted much of its foreign policy attention to Southwest Asia and the Middle East and has reduced its presence in the Balkans and other areas of concern to the OSCE, leading to a lowering of U.S. foreign policy attention in this region.
- The European Union has enlarged and now includes over half the OSCE participating states, and has developed independent security institutions that potentially compete with those of the OSCE.

Consequences

The crises that have affected the OSCE has had several significant consequences for its operations:

- Consensus has been difficult to achieve, and ministerial meetings from 2002 to 2009 failed to adopt a consensus communiqué.
- There has also been conflict over the budget, and it has been common for budgets to be adopted well into the fiscal year.
- Key OSCE missions have been closed (in locations such as Georgia and Belarus); and mandates for other missions have been watered down.
- ODIHR (Office of Democratic Institutions and Human Rights) has been placed under great pressure to make its election monitoring more “objective,” to expand its activities “west of Vienna,” and to avoid issuing reports that are likely to influence the outcome of domestic electoral processes in countries where it monitors.
- ODIHR cancelled its observation of the 2007 Duma and 2008 presidential elections in Russia rather than accept what it termed unprecedented restrictions on its mission, including limits on the number of observers it could deploy and the duration of their stay in Russia. In 2011 and 2012, however, agreement was reached for ODIHR to observe the State Duma and presidential elections.

Impact of the 2008 Russian-Georgian War

Prior to 2008, violent conflict had largely disappeared in the OSCE region following the end of the war in Kosovo in 1999. Although outbreaks of violence occurred in Macedonia in 2001, Kosovo in
2004, and Uzbekistan and Kyrgyzstan in 2005, the prevention of violent conflict no longer occupied the central role in the minds of political leaders as it did in the previous decade. Although the “frozen conflicts” in the Transdniestria region of Moldova, the Abkhazia and South Ossetia regions of Georgia, and the Nagorno-Karabakh region of Azerbaijan remained, they had neither reverted to violence nor appeared to be “ripe” for resolution of the underlying conflicts.

Much of this changed with the war between Georgia and Russia in August 2008, whose causes included the long stalemated disputes over the status of the secessionist regions of Georgia in South Ossetia and Abkhazia. The war challenged the basic normative principles underlying the organization, and found the OSCE unable to play an effective role in ending the conflict or in addressing the issues resulting from it. By the end of the year, the OSCE Mission to Georgia had been closed, as a result of Russian refusal to renew its mandate.

OSCE Chairman Alexander Stubb (left) and Ambassador Terhi Hakala (right), Head of the OSCE Mission to Georgia, meet with refugees in Gori, 21 August 2008 (OSCE/David Khizanishvili)

New Chairmanships, New dialogues on security

Corfu Process
The Corfu Process, launched by Greece during its 2009 Chairmanship, sought to establish a revitalized and wide-ranging dialogue among participating states on European security. The Corfu Process followed Russian President Medvedev’s proposal in June 2008 for a renewed European security dialogue leading to a legally-binding treaty, the war in Georgia in August 2008, and French President Sarkozy’s call later in the year for a summit to discuss Medvedev’s proposal and EU ideas on a European security architecture.

The V to V Dialogues
The V to V Dialogues (Vancouver to Vladivostok via Vienna and Vilnius) during the 2011 Lithuanian Chairmanship consisted of informal dialogues and workshops relating to the conflict
cycle to generate operational and actionable deliverables for the concluding Vilnius Ministerial Council and beyond.

Helsinki +40 Process
The Helsinki +40 Process during the Irish Chairmanship was agreed on at the 2012 Dublin Ministerial Council to provide a roadmap to revitalize the OSCE in the period leading up to the 40th anniversary of the Helsinki Final Act in 2015.
mediation-support capacity of the OSCE, speaking during a break, Vienna, 12 July 2011. (Lithuanian MFA/Paulius Kalmantas)

OSCE Chairperson-in-Office, Ireland’s Deputy Prime Minister and Minister for Foreign Affairs and Trade, Eamon Gilmore (l), alongside OSCE Secretary General Lamberto Zannier, announcing a decision on “Helsinki +40” - a roadmap for the OSCE - at the 2012 OSCE Ministerial Council, Dublin, 6 December 2012.
CHAPTER 4

Other relevant multilateral organizations

There are additional international and regional organizations working in the field of European security, many established during the Cold War to deal with the political realities and threats that existed at that time. Some overlap, at least in part, with the OSCE in participation and functions.

NATO continues to be the pre-eminent defense organization in the Transatlantic area. NATO's intervention in Bosnia in 1995 and Kosovo in 1999 brought the wars in those areas to an end and enabled the OSCE and other organizations to play roles in reconstruction and conflict prevention.

Ideally, each institution should assume specialized functions within an overall division of labor, so that all major functions required to maintain security in this region are being performed by one or another institution with a minimum of unnecessary overlap.

It is important to understand what functions can best be performed by the OSCE and its field operations, what can be accomplished only (or more efficiently) by others, and how the OSCE and other institutions may coordinate their work to achieve common objectives.

Organizations in the European area that are most relevant in the security field are the:

- United Nations (UN)
- North Atlantic Treaty Organization (NATO)
• European Union (EU)
• Council of Europe (CoE)
• Commonwealth of Independent States (CIS)

This chapter introduces you to these other organizations. By the end of this chapter, you should be able to describe how the OSCE compares to them, and to understand how they fit into Europe's security "architecture."
United Nations

The United Nations (UN) was founded in 1945 at the end of World War II as a universal international organization, open to membership for all states within the international system. Unlike the OSCE, the UN is a legally binding organization—all states that sign its Charter are obligated to fulfill the commitments contained therein.

Members

The UN includes all of the participating states in the OSCE except the Holy See (Vatican City).

Chapter VI

Chapter VI of the UN Charter deals with the “peaceful settlement of disputes,” and calls upon all states to pursue peaceful means such as negotiation and conciliation to resolve any dispute that might endanger international peace and security.

The Charter gives primacy to the Security Council to deal with such disputes. The Council consists of 15 members, including the "permanent five," each with veto power, The presidency of the Council rotates monthly. The Charter also acknowledges that under certain conditions conflicts may be submitted to the International Court of Justice or to the General Assembly for resolution.
Chapter VII
Chapter VII of the UN Charter on “action with respect to threats to the peace, breaches of the peace, and acts of aggression” deals with overt situations where violent conflict appears imminent or has already broken out. Responsibility for Chapter VII activities is lodged primarily with the Security Council, which may apply sanctions against violators or authorize the use of force by some or all members of the United Nations to enforce security collectively within the international system.

Chapter VIII
Chapter VIII of the United Nations Charter explicitly recognizes the role of regional arrangements for dealing with peace and security. In Article 52 it specifically requires member states to “make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.” However, enforcement actions undertaken under regional arrangements generally require authorization from the Security Council.

Since 1995, the OSCE has been recognized as a regional security institution under Chapter VIII of the UN Charter, and thereby it has also accepted an obligation to keep the Security Council informed of activities that it undertakes or even contemplates undertaking for the maintenance of international peace and security.

UN role in security
The UN role in the security field has also grown considerably beyond the level of activity contemplated in 1945 when the Charter was adopted. Perhaps most important has been the development of UN “peacekeeping” operations, falling between pacific settlement of disputes and actual engagement of military forces in a full-scale collective security mission.
Originally these operations consisted largely of the interposition of UN “blue berets” between combatants after a cease-fire had been agreed upon, intended largely to prevent a resumption of direct hostilities. Since the end of the Cold War, however, UN operations have also entered into “peace-making” and “peace enforcement” in Bosnia-Herzegovina and elsewhere, as well as providing military assistance for complex humanitarian emergencies. These missions may place UN forces in situations where they may have to engage in combat operations rather than police lines of division between parties that have previously agreed to a cease-fire.

Preventive diplomacy
Preventive diplomacy has been identified as a principal area of activity for the UN Secretary General and his staff of special emissaries, thereby giving the UN a special role in the same domain where the OSCE is also active.

This conflict prevention function has generally been performed by senior UN officials based in New York or Geneva rather than by missions permanently stationed in the field, as has generally been the case for OSCE activity on conflict prevention. Of course, a number of UN agencies such as the UN High Commission for Refugees and the UN Development Program maintain offices in many countries throughout the world and often play an indirect, and at times even a direct role in conflict prevention. In some specific cases, the UN and the OSCE have worked together to prevent the re-ignition of violence in post-conflict situations. An example is when the Head of the OSCE Mission in Kosovo serves under the UN Mission in Kosovo (UNMIK).

Other UN agencies
In addition to the Security Council, there are a number of other UN agencies and programs that work in the peace and security field, and some of these frequently overlap with the areas normally covered by the OSCE.

- UN Secretary General’s “Good Offices”
- International Court of Justice
- UN Commission on Human Rights

**OSCE overlap with UN**

Many of the functions that have been created in the OSCE, especially since 1990, overlap and even duplicate functions of the United Nations. This naturally raises the question about when states will turn to the UN versus those occasions when they should utilize the OSCE to deal with particular threats to international peace and security.

One key determinant in states’ consideration is their influence in the organization under consideration and the likelihood of using it to achieve their goals. There is also the view that efforts to deal with threats to peace should originate at the regional level before coming to the UN, while efforts to take enforcement action should generally be launched with specific authorization by the UN Security Council.

In general the OSCE participating states have sought to obtain UN authorization for their major activities. At the same time, states have found that the OSCE can play a useful role by relieving an overburdened UN from having to assume too many responsibilities for peace maintenance in Europe, allowing it to concentrate on other global regions.

**Cooperative efforts**

Dealing with the continuing effects of the 2008 war in Georgia

In accordance with the 2008 ceasefire agreement brokered by the French EU Presidency that ended the war in Georgia, international discussions were started in Geneva under the
sponsorship of the EU, UN, and OSCE. Participating in the talks were representatives from the U.S., Russia, Georgia, South Ossetia and Abkhazia. In addition, an Incident Prevention and Response Mechanism was established by the Geneva talks and meets in Ergnetti between Georgia and South Ossetia, co-facilitated by the EU Monitoring Mission and the OSCE.

Cooperation, overlap and achieving common goals

Cooperation between global and regional organizations to maximize their impact and achieve common goals is desirable. Overlap also occasionally occurs. It is essential that efforts be undertaken cooperatively so that neither, each with financial and personnel limitations, wastes valuable resources in duplication of effort or, even worse, by competing to get the limelight in any particular region experiencing tensions and conflict.
NATO

The North Atlantic Treaty Organization (NATO) was founded in 1949, in the early years of the Cold War, as a collective defense institution, as defined in Article 51 of the UN Charter. The essence of the NATO Treaty is found in Article 5, which declares that an attack against any member of the alliance shall be considered an attack against them all, and that they may then decide to take collective action, including the use of force, in their defense against the act of aggression.

Cold war strategy

NATO’s strategy and tactics were geared to the assumption that a European conflict would involve a threat, or actual military attack, by the Soviet bloc upon one or more members of the alliance.
Post Cold War changes
With the dissolution of the Warsaw Pact, NATO remained after 1991 the only significant multilateral military organization in Europe. Since then, NATO has reconfigured itself to meet the demands of the new security situation in Europe.

NATO’s major transformation has been visible in the following areas:
- Partnership-for-peace (PfP)
- Euro-Atlantic Partnership Council (EAPC)
- Peacekeeping and peace enforcement
- Expansion to 28 members, including former Warsaw Pact members
- NATO – Russia Council

Current strengths
NATO has used PfP and the EAPC to assist transformations in the former communist states, and has included contingents from them alongside NATO forces in peacekeeping and enforcement roles in Bosnia and Kosovo.

Overlap with OSCE
With the entry of Albania and Croatia into NATO in 2009, NATO has 28 member states, which are also participating states in the OSCE. Therefore, half of the OSCE participating States are also NATO members. Macedonia has also been invited to join NATO after a solution is found to a dispute with Greece over its name. Moreover, 49 countries, all OSCE participating states, participate in NATO’s North Atlantic Partnership Council, embracing a wide range of cooperative activities between NATO’s full members and other states in the region.

NATO’s major functions do not overlap with the OSCE’s. NATO is a defensive organization with significant military capability. The OSCE has no military forces of its own except those that can be made available by participating states or military organizations in which they participate, such as NATO and to a far lesser degree, the Commonwealth of Independent States (CIS).

When matters go beyond preventive diplomacy, peaceful resolution of disputes, and cooperative security, it will be necessary to call for military forces with capability such as those provided by NATO. The fact, however, that NATO is both a military organization and one that excludes certain key states (such as Russia) from its central decision-making institutions means that some efforts to use NATO to advance regional security will prove problematic. At the same time, Russia does have a special consultative relationship with NATO, defined in the 1997 NATO-Russia Founding Act on Mutual Relations, Cooperation, and Security. In 2002, in the wake of the September 11 terrorist attacks in the U.S., this relationship was further institutionalized through creation of the NATO-Russia Council.

Bosnia and Herzegovina

OSCE Missions like the one in Bosnia and Herzegovina (BiH) represent a model for institutional cooperation that may be emulated elsewhere. NATO took the lead in bringing the war to an end in 1995. A UN Mission in Bosnia and Herzegovina was established to focus on law enforcement and police reform, as well as coordination of other UN activities in the country (until it was closed in 2002). The OSCE, along with the High Representative of the international community (effectively of the European Union), assumed the lead role in virtually all political and arms control measures.

NATO’s military forces are best used for military missions, rather than to run elections, promote human rights, assure freedom of the media, assist in the repatriation of refugees, or engage in many of the other activities eventually undertaken by the OSCE Mission in BiH. The OSCE presence, therefore, served a useful division of labor and contributes to improvement in the political conditions that necessitated IFOR (Intervention Force)/SFOR (Stabilization Force) deployment in the first place. At the same time, given the tensions and insecurity that existed in BiH after the war, it would have been impossible for unarmed OSCE mission officers to fulfill their mandate without the security provided by IFOR/SFOR troops.

The joint missions in BiH illustrate effectively the principle that peace and security can be built best when institutions each specialize in doing what they can do most effectively, dividing the labor among themselves, and cooperating to assure that all essential tasks are fulfilled with a minimum of overlap and duplication of effort.

NATO turned its peacekeeping mission in BiH over to the European Union’s EUFOR in 2004, leading to the withdrawal of virtually all U.S. troops stationed in BiH since 1995. NATO continues to maintain a presence in BiH through a Military Liaison and Advisory Mission (NATO HQ
Sarajevo) to assist with defense reform.

A Spanish IFOR soldier provides security as voting materials are moved from the Mostar OSCE office during the elections held in BiH in September 1996 (SIRPA/ECPA)

**Macedonia**

**2001-2003**

NATO, supported by the EU's High Representative for the Common Foreign and Security Policy and the OSCE's Chairman-in-Office, facilitated achievement of a ceasefire between ethnic Albanian insurgents and the Macedonian government, which paved the way for the political settlement achieved in the August 2001 Ohrid Framework Agreement. NATO Task Force "Essential Harvest" then deployed to Macedonia to collect insurgent weapons. The Force continued in a monitoring role through March 2003, when the EU took on its mission.
Kosovo

Since 1999

NATO's Kosovo Force (KFOR) entered Kosovo in June 1999 following the NATO air campaign to end the humanitarian catastrophe there. NATO's mandate derived from UN Security Council Resolution 1244 and the Military-Technical Agreement between NATO and the Governments of the Federal Republic of Yugoslavia and Serbia.

NATO's initial mandate was to deter renewed hostility; establish a secure environment and ensure public safety and order; demilitarize the Kosovo Liberation Army; support the international humanitarian effort; and coordinate with and support the international civil presence. Since then, KFOR has performed a wide variety of tasks, including assistance in the return of refugees and displaced persons, border security and prevention of cross-border weapons smuggling, protection of cultural and religious sites, security and public order, and the protection of ethnic minorities.

Although NATO's Secretary General announced in 2010 that KFOR would be reduced from 10,000 to 2,000 troops, tensions in Kosovo have kept troop levels at about 6,200.
On 30 June 2011, KFOR and EULEX conducted the latest version of the regular joint exercise “Balkan Hawk”. However, unlike previous years, units of the Kosovo Security Force (KSF) also participated in the exercise, within their legally defined competencies, for the first time. The exercise was conducted simultaneously in two separate areas – Djakovica Airfield, in the west of Kosovo, and Camp Vrello, near Pristina Airport. (KFOR)
European Union

Another participant in preserving European security is the European Union (EU). The major attraction of the EU is based on its significant success at promoting economic integration and prosperity in Europe.

With 27 members (and another acceding country, Croatia), the EU includes almost half of the participating states of the OSCE. Five more states that also participate in the OSCE are candidates for EU membership, namely Iceland, Macedonia, Montenegro, Serbia and Turkey. Since the EU tends to vote together as a bloc in the OSCE, it has become a formidable factor in OSCE decision-making.

Common foreign and security policy

The European Union agreed on a Common Foreign and Security Policy (CFSP) with the 1991 Maastricht Treaty.

In the early 1990’s, the CFSP tended to consist more of common rhetoric and procedural actions than substance. Its limitations were perhaps best shown by its ineffective response to the crises in the former Yugoslavia after 1991, especially in Bosnia. Cooperation tended to be limited mostly to the adoption of joint positions on international issues. Within the OSCE, the EU generally made joint statements and adopted common positions on issues addressed by the Permanent Council as well as Ministerial and Summit Conferences.

However, in 1999 the EU began to give substantive content to the CFSP and to the creation of what is referred to as the European Security and Defense Identity (ESDI).

In 1999, the EU created a “High Representative for the Common Foreign and Security Policy” to present itself more visibly and effectively on the world stage.

In 2009, the EU upgraded its foreign and security structure, naming the UK’s Cathy Ashton its High Representative for Foreign Affairs and Security Policy/Vice President of the European Commission (EC). This position combined the roles of the HRCFSP and the EC’s External Relations...
Commissioner. At the same time, the selection of a low-profile person placed someone in the role that would not overshadow national leaders.

**Limitations**

The EU has been limited in its ability to take a leading role in providing security for Europe in the post-Cold War period.

- It is primarily an economic organization, although it is clearly seeking to add security functions as well.
- Its military capabilities and ability to project force outside its members’ borders are limited.
- In contrast to the OSCE, neither Russia nor the U.S. are members.

**EU Leverage**

The EU is especially effective when it focuses the dynamism of its economic integration, which serves as a magnet to all of the former communist countries of Central and Eastern Europe.

It is often essential for the OSCE to seek assistance from the EU, and other related financial institutions such as the European Bank for Reconstruction and Development, when confronting conflict situations that require a substantial influx of development assistance in order to alleviate some of the economic and social conditions that provided the environment for violent conflict to develop in the first place.

**Support for OSCE**

OSCE missions may also call upon the support of the EU when dealing with candidate countries seeking EU membership, several of which have had OSCE missions stationed on their territory. For example, the Estonian and Latvian efforts to meet the criteria for being placed high in the priority list for EU expansion probably encouraged their governments to cooperate more actively than they might otherwise have with OSCE demands regarding the treatment of their large minority of ethnic Russians.

**Monitoring and peacekeeping missions**

EC/EU Monitor Missions operated alongside NATO peacekeepers and OSCE missions (and alongside the UN force UNPROFOR/UNPREDEP during 1993-99) in Macedonia with related mandates. The EU police mission Proxima also operated in Macedonia from 2003 to 2005, and was followed by an EU Police Advisory Team (EUPAT).

In Bosnia and Herzegovina a somewhat complicated structure was established to implement the non-military provisions of the 1995 Dayton Agreement.

An EU Border Assistance Mission (EUBAM) was established to assist Moldova and Ukraine in controlling their border in 2005. It currently has about 100 EU police personnel.

The EU has deployed a 200-person civilian monitoring mission (EUMM) in Georgia to monitor the implementation of the ceasefire agreements. It is also tasked with monitoring the stabilization and
normalization of the situation in the areas affected by the war, the deployment of Georgian police forces, and compliance with human rights and rule of law. Although its EU mandate provides for it to operate throughout Georgia, Russian military forces and secessionist authorities in South Ossetia and Abkhazia have rejected their entry into these areas.

Patrol by EUMM Field Office Mtskheta, November 2011

EU in Kosovo
There are three EU organizations currently operating in Kosovo:

- EU Special Representative (EUSR)
- EU Rule of Law Mission (EULEX)
- European Commission Liaison Office (UCLO)

EUSR
Office of the EU Special Representative (EUSR), Samuel Zbogar, with a staff of 30. The EUSR offers advice and support to the Government of Kosovo on European integration; provides overall coordination for the EU presences in Kosovo; and contributes to the development and consolidation of respect for human rights and fundamental freedoms in Kosovo.
EULEX

The EU launched its largest civilian mission ever with the EU Rule of Law Mission in Kosovo (EULEX) in 2008. The Mission’s mandate is a follow-on to the international presence in Kosovo contained in UN Security Council Resolution 1244, although this view is not accepted by Serbia or Russia. As it began its work, it effectively replaced functions of the UN Interim Mission in Kosovo (UNMIK) for the most part.

EULEX includes police, justice and customs components. It has certain executive responsibilities, and also carries out its mandate through monitoring, mentoring and advising. EULEX consists of about 1,700 EU staff and 1,200 local employees. It is co-located with Kosovo counterparts throughout Kosovo.

This EU role in Kosovo has been a continuing work in progress. EULEX has sought to define its role, authority and responsibilities as others did the same: the new Kosovo state, the Serb de facto authorities in north Kosovo and the enclaves (supported by Belgrade), as well as other
international actors in Kosovo (like KFOR and OSCE), and what remains of UNMIK. The EU Council decided in 2012 to extend EULEX's mandate until June 2014 while reducing its size by 25%.

ECLO

European Commission Liaison Office (ECLO), with Acting Head Khaldoun Sinno, has a staff of around 80. The ECLO provides project funding to strengthen institutions, develop the economy and realize European standards, and supports the Stabilization and Association process.
The two sides of overlapping mandates

In September 2012, the EU Special Representative, the OSCE Mission to Bosnia and Herzegovina and the OSCE Media Freedom Representative presented to the BiH authorities two legal reviews of eight laws pertaining the Communications Regulatory Agency and the public service broadcasting system. The reviews include a set of recommendations and the EU and OSCE partners were prepared to assist the country in re-establishing a media framework that allows for politically and financially independent public service broadcasters and a broadcast regulator.

In contrast, conflicts between OSCE and EU mission members have also occasionally occurred where both institutions have overlapping mandates. One of the most essential tasks, therefore, of mission members may be to work out arrangements on the ground, particularly when divisions of responsibility have not been clarified formally or are ambiguous.
Council of Europe

The Council of Europe (CoE) has also become an important actor regarding the human dimension of security. Established in 1949, the Council of Europe drafted the European Convention on Human Rights in 1950, and created the European Court of Human Rights in 1959 at Strasbourg. Its statutes require that its members “must accept the principles of the rule of law and of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms.”

It has also taken a leading role in promoting European cooperation in culture, education, environment, parliamentary democracy, and social policy. It has thus focused almost entirely on the human dimension as an essential component of security.

Members

The Council of Europe consists of 47 states, including 22 former communist countries from Central and Eastern Europe, all of which are also OSCE participating states. Membership in the Council of Europe is effectively, though not formally, a prerequisite for candidacy for entry into the European Union. Neither the U.S. nor Canada is eligible for membership, largely because the Council has defined its geographic scope more narrowly than the OSCE, although both hold observer status. One other OSCE participating state, Belarus, has also applied for membership.

The Council operates primarily by setting up strict criteria for membership prior to the admission of new member states. In contrast, the OSCE requires states to affirm their intent to live up to a series of commitments contained in the cumulative set of OSCE documents and monitors their performance in fulfilling those commitments after they have become participants.

The Council of Europe requires its current members to certify that candidates meet the following criteria before they can be qualified for participation:

- Their institutions and legal system must provide for the basic principles of democracy, rule of law, and respect for human rights
- Their government must include a parliament chosen by free and fair elections with universal suffrage
- They must guarantee free expression including a free press
• They must have provisions for the protection of the rights of persons belonging to minorities
• They must demonstrate a track record of observance of international law

Responsibilities
A Summit meeting of Council of Europe leaders in Vienna in 1993 added a new set of responsibilities, calling for its members to combat racism, intolerance, xenophobia, and anti-Semitism, while also promoting the adoption of confidence-building measures to avert ethnic conflict, mostly in the new member states to the East.

Influence
States that fail to fulfill the membership obligations may be suspended. For example, Russia’s membership was suspended in 1995 due to the behavior of its armed forces in Chechnya. Other countries that continue to maintain a death penalty as part of their penal code have also been denied membership, since the Council of Europe considers the death penalty to represent a violation of fundamental human rights. However, as a general matter of practice, once accepted into membership there are no sanctions for violations of these CoE principles other than suspension.

Furthermore, unlike the OSCE, once a state is admitted into membership, there are no permanent missions stationed on its territory. Therefore, CoE monitoring of its members is quite minimal.

Techniques
The Council of Europe fulfills its role in conflict prevention and the promotion of democracy using techniques similar to those of the OSCE, but always by sending in experts from outside the country. As requested, staff from a relevant Council section in Strasbourg may be sent in to set up seminars, to offer expert advice, and to run training courses. It is these staff members who interact most frequently with OSCE mission members who are already in country.
Cooperation with OSCE

The OSCE and the Council of Europe cooperate in fighting terrorism, combating human trafficking, promoting tolerance and non-discrimination as well as respect for the rights of national minorities. Other fields of cooperation include election observation, legislation reform, Roma and Sinti issues, human rights, democratization and local government.

By defining its primary mission as encouraging good governance as a long-term mechanism for conflict prevention, the Council of Europe has carved out for itself a role that overlaps with that of the OSCE in many important areas. Close coordination between OSCE and CoE missions is essential in those countries where the two operate side-by-side.

The OSCE differs from the CoE in having:

- a broader mandate in conflict prevention and resolution
- a broader base defined by geography, not political system
- continuous, long-term presence through its missions
- decisions that are politically rather than legally binding

Participants discuss local good governance issues at a seminar held by the Office of the Co-ordinator of OSCE Economic and Environmental Activities and the Council of Europe’s Centre of Expertise for Local Government Reform, Kyiv. 7 December 2011. (OSCE/Ruslan Urazalin)

Central Asia not in CoE area
The OSCE also has a special role to play in the five countries of Central Asia that fall outside the geographical territory covered by CoE, while also falling short of the entry criteria in any case.

**Functional overlap**

The potential for redundancy is perhaps greatest between the OSCE and the Council of Europe. This functional overlap requires close cooperation so that it does not become counterproductive in the mutual efforts to build good governance, democracy, the rule of law, and human rights.

The CoE opened liaison offices in Vienna and Warsaw in 2011 to improve its coordination with the OSCE.

**Regional Cooperation Council**

**Background**

The Regional Cooperation Council (RCC) succeeded the Stability Pact for Southeastern Europe in 2008. The Stability Pact was an international conflict prevention mechanism for Southeastern Europe that evolved out of the 1998-99 Kosovo crisis. In June 1999, at the EU’s initiative, more than forty countries and organizations undertook to strengthen the countries of Southeastern Europe in order to achieve stability in the region.

The RCC focuses on regional cooperation in Southeastern Europe through a regionally owned and led framework that also supports European and Euro-Atlantic integration. Its key role is to generate and coordinate development projects, and create a political climate for implementing projects of a wider, regional character, to the benefit of each individual member.

The RCC focuses on six priority areas: economic and social development, energy and infrastructure, justice and home affairs, security cooperation, building human capital, and parliamentary cooperation as an overarching theme.

The RCC membership consists of 46 countries, organizations and international financial institutions.

The RCC’s Secretary General is Croatia’s Hido Biscevic.

The RCC Secretariat is located in Sarajevo.
Hido Biscevic, Secretary General of the Regional Cooperation Council (RCC)
Commonwealth of Independent States

The Commonwealth of Independent States (CIS) was formed by Russia, Belarus and Ukraine in 1991 following dissolution of the Soviet Union. Its membership includes 11 of the original 15 independent states that emerged following the dissolution of the Soviet Union:

- Armenia
- Azerbaijan
- Belarus
- Kazakhstan
- Kyrgyzstan
- Moldova
- Russia
- Tajikistan
- Turkmenistan
- Ukraine
- Uzbekistan

The CIS was conceived as a successor to the USSR in coordinating foreign and economic policies of its member states. Its headquarters are located in Minsk, the capital city of Belarus, and Sergei Lebedev has been chairman of its Executive Committee since 2007. Two of the 11 members, Ukraine and Turkmenistan, signed the CIS charter in 1991, but they have not ratified the document, thereby effectively staying outside of the CIS.

Georgia withdrew from membership in 2008, following the war with Russia. The Baltic states (Estonia, Latvia, and Lithuania) chose not to join.
The receptivity of members to integration or even coordination with Russia has varied widely. The CIS formed a collective security treaty, the **Collective Security Treaty Organization**, signed in Tashkent in 1992 by Armenia, Kazakhstan, Kyrgyzstan, the Russian Federation, Tajikistan, and Uzbekistan, with Azerbaijan, Belarus, and Georgia signing the following year. However, when the treaty came up for renewal in 1999, only six states remained with Azerbaijan, Georgia, and Uzbekistan withdrawing. Moldova, Turkmenistan, and Ukraine never signed the Tashkent Treaty and have refused to participate in its activities.

**Operations**

Some CIS forces have supplemented Russian troops along the border between Tajikistan and Afghanistan. Elsewhere in the region CIS peacekeeping operations have been composed almost exclusively of Russian forces. The CIS also includes non-security groups, such as the Eurasian Economic Community.

The CIS created an election observation office in 2002, which has often reached diametrically opposed conclusions to those reached by ODIHR concerning elections in post-Soviet states.
OSCE and other European security organizations

Conclusion
The OSCE has several potential points of “comparative advantage” relative to other organizations, largely because it is the only pan-European institution dealing with comprehensive security. This provides it with certain advantages as part of a European security “architecture.”

OSCE is unique
No other institution has:

- Universal participation of all of the states in the region
- Linkages between human dimension and political-military foundations of security
- Such a broad and extensive mandate to work in conflict management at the regional level
- Capacity to engage in these activities on a scope comparable to that of the OSCE

Multiple organizations for security
The thick web of security organizations that has evolved since 1990 has not resulted in reliance on a single, dominant institution in Europe. What has emerged is a network of overlapping institutions and a political process in which states rely on different organizations for different purposes, as each seeks to build its vision of a more solid structure for security within the broad European/Transatlantic area.

Important functions
The interconnected areas of preventive diplomacy, conflict mediation, and post-conflict reconstruction, resolution, and reconciliation constitute the important functions that the OSCE can handle effectively. All require efforts to redress grievances that have given rise to violence, as well as to alleviate the structural conditions that make it more likely that conflicts of interest will assume violent forms.

Vital role
Peace and security conditions cannot be fulfilled by the OSCE acting alone, in isolation from other international institutions and non-governmental organizations working on the scene. But the OSCE has a key role to play in these areas, and has the capability to do so.