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**European Security: dialogues for the
21st Century.**

OSCE and European Security.
Mark Sigler

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For those who may not be entirely familiar with the Organization for Security and Cooperation in Europe, let me briefly describe the OSCE. It was created in the early 1970's as the Conference on Security and Cooperation in Europe. Starting in Helsinki, the Conference continued in a number of capitals, including Madrid in the early 1980's. It currently has 54 participating States, stretching from Vancouver to Vladivostok. Andorra recently joined. All States of the former Soviet Union are participants. Both the U.S. and Canada are in. OSCE decisions are taken on the basis of consensus. A Chairman-in-Office – the Foreign Minister of one of the States – serves a one-year term, and has responsibility for executive action. The CiO is assisted by the “Troika” which includes the previous year's CiO and the next year's Chairman. A Secretary General, who is the chief administrative officer, heads a secretariat of slightly over 100 people. There is a Documentation Office in Prague, the High Commissioner on National Minorities hangs his hat in the Hague, and the Office of Democratic Institutions and Human Rights is headquartered in Warsaw. Ten OSCE missions are deployed from the Baltics to the Balkans and east to Tajikistan. More on those in a minute.

A Senior Council is to meet twice a year in Prague, and can set policy guidelines. The Ministerial Council, OSCE's central governing body, meets annually. The Permanent Council meets weekly in Vienna and is the normal body for consultations and decisions. OSCE Heads of State and Government have been meeting at the Summit level every two years.

OSCE is a regional arrangement under Chapter VIII of the United Nations Charter. As such, OSCE States may jointly decide to refer a dispute to the United Nations Security Council on behalf of the OSCE.

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To begin with a truism, security is multi-dimensional. European security is no exception. Security – national and multilateral – is enhanced to the extent there is not only stability in military relationships but also due to attention to human rights, social issues, economic development and prosperity, and the environment.

OSCE embodies that truism. It has sought to establish among its participating States a network of principles and commitments that acknowledges the importance of each of these dimensions of the security mosaic. And to some extent the OSCE internal structure reflects the multi-dimensional approach: The Forum for Security Cooperation seeks to build confidence, transparency, and cooperation in the political-military dimension. Annual meetings in Warsaw track whether human dimension principles and commitments are adequate and honored. We look to the Economic Forum, which meets each year in Prague, to play a similar role for the economic dimension.

The Helsinki Decalogue – the politically-binding basic principles governing relations among OSCE's participating States – also reflects these various security dimensions. The Decalogue encompasses not only such traditional military aspects of security as inviolability of frontiers and a pledge to refrain from the threat or use of force, but also respect for freedom of thought, freedom of conscience, freedom of religion, equal rights, and self-determination of peoples. The OSCE carries out a constant review of implementation of its principles and commitments, both to ensure they are honored and as a means of identifying what additional commitments might be warranted.

The importance of both the human and economic dimensions of security was underscored recently at OSCE's Lisbon Summit, where Heads of State and Government tasked OSCE to elaborate a mandate for a coordinator on economic and environmental activities, as well as a mandate for a representative on freedom of the media.

Preventive diplomacy is at the core of OSCE's contribution to European security. OSCE seeks to ensure stability and security by anticipating crises and preventing conflict. In pursuing this art, it has at its disposal a number of tools:

OSCE has ten long-duration missions: Bosnia-Herzegovina, Chechnya (called an "Assistance Group"), Croatia, Estonia, Georgia, Latvia, Moldova, Skopje, Tajikistan, and Ukraine. Staffing levels run from over 200 (Bosnia) to as few as 5 (Former Yugoslavian Republic of Macedonia-FYROM). There is also a two-person Central Asian liaison office in Tashkent. A Chairman's special representative on Nagorno-Karabakh undertakes functions similar to those of a mission among the parties to that dispute. There also are OSCE representatives to the Latvian-Russian Joint Commission on Military Pensioners, to the Estonian Government Commission on Military Pensioners, and to the Joint Committee on Skundra Radar Station. Belgrade's participation in OSCE has been suspended since July 1992. The long duration missions in Kosovo, Sandjak, and Vojvodina in Serbia were withdrawn in June 1993 when FRY authorities refused an OSCE request to prolong the Memorandum of Understanding on the deployment of those missions.

The “preventive” nature of the mission’s work is reflected in the mandates of these missions. These are reviewed every six months, with the exceptions of the Chechnya Assistance Group, for which no end date has been specified, and the one-year Bosnia mandate. The mandate can be fairly specific: Intensify discussions with all parties to given conflict; prepare reports on the human rights situation. Others are more general: Gather information and report developments, maintain a high profile, assist in establishing the facts. Mission mandates are tailored to individual circumstances, but what the missions have in common is their recognition of a situation that has the potential to degenerate into conflict, and a determination to prevent that from happening.

The position of High Commissioner on National Minorities was established at the OSCE Helsinki Summit in 1992. The High Commissioner works to prevent conflict by providing early warning and early action at the earliest possible stage in regard tensions involving national minority issues that have not yet developed beyond an early warning stage, but that have the potential to develop into a conflict with the OSCE area. His job is to look ahead, identify potential problems, and work to resolve the underlying issues before they degenerate into conflict. He is an instrument of conflict prevention at the earliest possible stage. His ability to succeed depends greatly on the willingness of the parties concerned to cooperate with his efforts. He has been active in the Central Asia republics, Central-Eastern Europe, the Balkans, and the Baltics.

Active throughout the OSCE area is the Office for Democratic Institutions and Human Rights –ODIHR – formerly known as the Office for Free Elections. The Office is a tangible reflection of OSCE’s conviction that respect for human dimension issues is central to stability and security in Europe. Advising on, helping to conduct, and monitoring elections remains an important focus of ODIHR’s work as the successor to the Office for Free Elections, but as the name suggests, the ODIHR is also strongly focused on human rights. The two go hand-in-hand: ODIHR helps to build the democratic institutions – free elections, respect for “rule of law” – that are necessary for implementation of human rights. In doing so, it works closely with non-governmental human rights organizations, and helps monitor and review the implementation of OSCE human dimension commitments.

I should say a word now about another OSCE institution whose name warrants mention here. The OSCE Secretariat includes a Conflict Prevention Center. It is an ambitious title. The CPC in fact functions in large measure to support OSCE missions in the field. It also facilitates information exchanges as agreed under certain confidence-and-security building measures, and organizes the annual meeting that assesses implementation of Vienna Document commitments.

Beyond these institutions for conflict prevention, OSCE has a number of procedures, or “mechanisms” it can call on to help prevent conflict. To touch on them briefly:

The Vienna Document on Confidence-and-Security Building Measures includes a November 1990 “mechanism for consultation and cooperation as regards unusual

military activities.” The mechanism provides that OSCE States will “consult and cooperate with each other about any unusual and unscheduled activities of their military forces outside their normal peacetime locations which are militarily significant...and about which a participating State expresses its security concern.” Again, this is a two-phase mechanism. One State requests clarification, which the other State must provide to all OSCE States within 48 hours. The initiating State may then request a bilateral meeting, or an emergency meeting of the OSCE. This mechanism was invoked in 1991 by Austria and Italy because of the conflict in the former Yugoslavia.

The Berlin mechanism, agreed in June 1991, facilitates consultation and cooperation with regard to emergencies. It may be used when there is “a serious emergency situation which may arise from a violation of one of the Principles of the Final Act or as a result of major disruptions endangering peace, security or stability.” Again, it is a two-step mechanism. A State may seek from another “clarification” when it believes an emergency situation is developing. The response is to be provided to all OSCE States within 48 hours. Thirteen States may then request an emergency meeting of the OSCE, with the understanding that any OSCE decision will require consensus. The effect of this mechanism, therefore, is to raise an issue to a high political level, and to exert political pressure on an OSCE State. It has been used twice: once against the former Yugoslavia during the conflict there, and once by Hungary in a dispute with Czechoslovakia over the Gabčíkova dam.

A meeting in Valletta in early 1991 established a mechanism for peaceful settlement of disputes. It can be applied to disputes between OSCE States, except when at issue are territorial integrity, national defense, sovereignty over land, or competing claims of jurisdiction. Qualifying disputes are submitted to one or more independent experts drawn from an established list. These experts, referred to as the “mechanism,” are charged with offering comment and advice to the parties as to how best to settle the dispute. The parties may decide to accept as binding the advice or comment of the “mechanism.”

The Valletta mechanism was strengthened at the end of 1992 by adoption of a provision for directed conciliation. This allows the OSCE Council of Ministers to direct any two OSCE States to seek conciliation to assist them in resolving a dispute.

The 1989 Vienna Concluding Document established a multi-phase mechanism for addressing human dimension concerns. It involves a written response to requests for information, bilateral meetings, and the involvement of all OSCE States. The Vienna mechanism has subsequently been supplemented, including by the Moscow mechanism, or emergency mechanism for the human dimension, which went into effect in 1992 and provides for a variety of OSCE missions of rapporteur or experts to look into human dimension issues. In the case of suspected massive violations of OSCE human dimension commitments, an emergency mission may be sent at the behest of several OSCE States, even if the receiving State is opposed. The Moscow mechanism has been used in Estonia and Moldova at the invitation of those States, and in Croatia on an emergency basis.

A consensus-minus-one principle agreed in 1992 allows for political measures to be taken against a State in which massive and gross violation of human rights occurs. This provision was the basis for suspension of the former Yugoslavia, in connection with its action in Bosnia and elsewhere in the former Yugoslavia.

Beyond the early warning and conflict prevention stage, OSCE is involved in crisis management and conflict resolution.

In Bosnia, an end to the killing brought a Dayton Agreement-mandated role for the OSCE in elections, "regional stabilization", and human rights. OSCE successfully supervised national elections last September (1996), and is assisting in preparations for municipal elections this September (1997). As I noted, there are over 200 people in OSCE's Bosnia mission.

Both Georgia and Moldova became OSCE members with the break-up of the Soviet Union. Their independence was followed by armed conflict with portions of their territory attempting to break away from control by central authorities. Once cease-fires were established, OSCE sought to facilitate long-term political settlements.

In Moldova, the OSCE mission assisted the parties in negotiations that would consolidate the independence, sovereignty, and territorial integrity for Moldova while at the same time providing an understanding about the special status of the separatist Trans-Dniester region. Thanks in part to that effort, and those of Russia and Ukraine, a Memorandum was signed in Moscow May 8 between Chisinau and Tiraspol representatives, providing a framework for a final round of negotiations to resolve the status of Trans-Dniester within Moldova. The OSCE Chairman-in-Office also signed, as a witness, a separate statement by Russia and Ukraine offering to guarantee compliance by both parties with the terms of the status agreement.

In Georgia, the OSCE mission sought to intensify discussions with the parties to the South Ossetia conflict, in order to identify and seek to eliminate sources of tension and extend political reconciliation throughout the area of conflict. The Mission is also mandated to make recommendations regarding the early convening of an international conference under OSCE auspices, with the participation of the UN, aimed at the resolution of the conflict, including the definition of the political status of Southern Ossetia.

In the case of the Georgia/Abkhazia conflict, the OSCE Mission works to ensure liaison with the UN operations in Abkhazia, with a view to facilitating the participation of the representative of the OSCE Chairman-in-Office, at UN invitation, to the negotiations carried out under UN auspices.

In Chechnya, OSCE found itself conducted with a situation already well beyond the normal bounds of preventive diplomacy or even crisis management. The task was to assist in finding a peaceful end to an ongoing conflict. With the support of Russian Federation and some elements of the Chechnyan opposition, a small OSCE Assistance Group was deployed to Grozny. The Group worked to facilitate meetings and discussion

between the sides in order to end the killing, enhance respect for human rights, and ease the way for delivery of humanitarian assistance. The personal security of Assistance Group members was often in doubt, and, on occasion, members had to re-deploy out of Chechnya. Ultimately, however, these OSCE representatives were instrumental in helping the doves on both sides of the conflict reach agreement on a cease-fire and the outline of a political solution to the crisis. The Group was also key to organizing elections in Chechnya once the shooting stopped. Their work now is focused more sharply on humanitarian issues, and – yet another important aspect of preventive diplomacy – reconstruction of Chechnya’s destroyed economy and society.

In the case of the conflict over Nagorno-Karabakh, the OSCE mandated in 1992 that a conference be held in Munich to “...provide an ongoing forum for negotiations towards a peaceful settlement of the crisis on the basis of the principles, commitments, and provisions of the (then) CSCE.” The Minsk Conference has yet to take place. Armenia and Azerbaijan have conditioned their participation in a conference on the other’s withdrawal from occupied territory. Those withdrawals have not occurred. For now, a preparatory group, called the Minsk Group, is working on the parameters and agenda of the Conference. Incidentally, little or none of the work of the Minsk Group takes place in Minsk.

A cease-fire between Azerbaijan and Armenia was concluded in May, 1994. It more or less remains in force, although there are periodic violations. In 1994 OSCE Budapest Summit promised that an agreement to end the hostilities would be followed by a dispatch of an OSCE peacekeeping force, to help implement the agreement. In Vienna, OSCE created a “High Level Planning Group,” to prepare for the work of the peacekeeping force. The parties to the conflict have yet to reach agreement on a formal cessation of hostilities, and the work of the HLPG remains to be implemented.

Therein lies an important feature of the OSCE view of peacekeeping. When Heads of State approved in principle the possibility of OSCE peacekeeping (the 1992 Helsinki Summit), they had in mind an additional tool for conflict resolution. There was no desire to engage in peacekeeping without end, or peacekeeping for its own sake. The necessary political conditions had to be present to offer the expectation that peacekeeping, as an additional instrument of OSCE preventive diplomacy, would further the cause of conflict resolution. In Nagorno-Karabakh, where there is still no political agreement to cease armed conflict, that is not yet the case.

A number of international organizations contribute to Europe’s security and stability. More than one of them is represented here today. How do they relate to each other, and where does OSCE fit in?

As others have said, European security is not a “zero sum” game. We see room for contributions by all who are able to contribute in a positive way. Mutually-reinforcing cooperation, not competition, is the way ahead. To have a number of organizations

working to enhance European security and stability can be beneficial, provided there is coordination and cooperation.

Nor do we see a need to elevate OSCE to the position of first among equals in that cooperative effort. In the words of OSCE's former Secretary General, Wilhelm Hoyneck, hierarchies do not seem to serve the purpose of effective cooperation.

What is the comparative advantage that OSCE brings to cooperation among European security institutions?

First, it is very nearly all-inclusive. No security organization is a more inclusive Euro-Atlantic forum. None comes closer to being "pan-European." Everyone gets to play.

Second, participation is equal. When it comes time to decide, everyone has a voice, and all voices are equal.

Third, it is flexible. OSCE is not legally-based. When it comes time to act, there is no need to consult a Charter to see if the contemplated action is permitted. Rather, maximum value is placed on the ability to react quickly and effectively to unfolding events. To be adaptable and creative. To cite an example close to home, when the refusal of Serbian authorities to recognize opposition electoral victories led to crisis in Belgrade, the Chairman-in-Office was able to send former Prime Minister Felipe Gonzalez to Belgrade as his special representative. No vote, no argument, no time lost. The Gonzalez findings brought enormous public pressure on Serbia authorities to respect the results of the November 17(1996) balloting and helped those elected claim their rightful seats.

Perhaps fourth is a strength that some may consider a weakness. When issues must be decided by OSCE participating States, consensus is usually required. Admittedly, this can mean a weaker outcome than some would like. But it also helps to ensure that whatever action is agreed will, in fact, be implemented.

There may be a fifth strength that is somewhat less tangible than the others. Here I need to draw on the words of our Assistant Secretary for European Affairs, John Kornblum, in his remarks to the OSCE last March:

"The United States considers the OSCE to be an essential aspect of our own hopes...for a truly integrated Europe. Integration to us means not a specific organizational solution or a fancy treaty. It means integration of all aspects of cooperation within and among societies and governments at all levels. It means overcoming the sense of instability which still burdens many parts of Europe. And in the new era of democratic cooperation, it means above all transferring the initiative for building security to the peoples and nations of our community. When we are able to give our peoples a sense of investment in their mutual security, when they feel they have the power to deal openly and positively with each other, our goal of true integration will be achieved. The OSCE is the best place, perhaps the only place, where these complex aspects can be debated, defined, and transformed into concrete action."

A final word about one aspect of OSCE work that makes room for contributions from all players in European security. At OSCE's Budapest Summit 1994, the participating States undertook to begin a discussion on a model of common and comprehensive security for the OSCE region for the twenty-first century. Views differ as to where this discussion should lead. Some would like it to conclude in a legally-binding Charter that might overtake OSCE's Helsinki Principles. Other, my government among them, hold the Helsinki decalogue sacred.

Whatever the outcome, it is the current state of play of the security model exercise that is of interest for our immediate purposes. The security model discussion has required as a necessary step the identification of risks and challenges to security – with the understanding that it might then be possible to construct a model that addresses those risks and challenges. States were asked to list their security-related concerns. The old favorites made the list, of course: sovereignty, the inviolability of borders, territorial integrity. But there were some newcomers as well, including drug trafficking, organized crime, and terrorism. The OSCE has just concluded a seminar – held under the auspices of the Security Model exercise – that looked at the security challenge posed by these last three issues. There are, you see, some new elements to be factored into the European security equation. New facets of perhaps familiar security dimensions. And addressing them effectively will require cooperation among Europe's security institutions, as well as the flexibility and innovation that are OSCE's hallmark.