

**CONFIDENCE BUILDING MATTERS**  
Rethinking the OSCE:  
European Security after Budapest

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AFTER BUDAPEST**

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## Executive Summary

The CSCE process during the last phase of the Cold War served its purpose well. Its three main achievements – a framework for lessening tensions in Europe, a pan-European consciousness in the field of the human dimension and the promotion of a basis for arms control agreements, are still the cornerstone of European security.

Although the Cold War is now over, the divisions in Europe remain and localised conflicts are inflicting heavy human and financial costs in many participating states. A new approach to security is needed to take into account the threats that the signatories of the Helsinki Final Act did not envisage. This approach should stress the commonality rather than the exclusivity of concerns. The key will be to develop transparency and trust through working together on issues of mutual interest.

To address the concerns facing participating states the OSCE should consider:

- Comprehensively identifying the OSCE's strengths *vis-a-vis* other European security organisations in order to clarify how it can best contribute to a new European security framework.
- Developing regional and thematic fora to sharpen the focus of the OSCE's work which now covers a vast and diverse geographic and subject area.
- Enhancing the review process of the Human Dimension by compiling an annual Chronicle and appointing a rapporteur to different participating states or groups of states to report on the implementation of OSCE commitments.
- Invigorating the Economic forum in order that it may help foster pan-European co-operation in the fields of trade, transport, communications, tourism, environmental protection, migration and other issues.
- Focusing on its strengths that is, as an organisation best suited to preventive diplomacy and co-operative security.
- Reassessing the consensus rule and implementing a one year rule.
- Facing up to its organisational weaknesses, particularly in areas of financial capabilities, personnel and public relations.

In the same way that the CSCE built a bridge across the ideological divide in Europe in the 1970's and 1980's, the OSCE should now work towards building a common ethos of European values that will be the foundation of permanent peace and security on the continent.

## Introduction

Twenty years after the signing of the Helsinki Final Act, pan European co-operation stands once more at a threshold – one that must be crossed with decisive steps. The process known as the Conference on Security and Co-operation in Europe (CSCE) served its purpose well. It lessened tensions in Europe in the last phase of the Cold War by elaborating important general principles of international relations in Europe; by developing a pan-European consciousness in the field of the Human Dimension; and by providing a basis for concluding several key arms control and security agreements. All three aspects are still the cornerstones of European security.

At the December 1994 Budapest Summit the CSCE process became the Organisation for Security and Co-operation in Europe (OSCE). Although the OSCE is still not a body with a proper legal personality, it is one step closer to becoming an operative international organisation. The change in name was agreed upon in order to give the former CSCE process "a new political impetus". For this change to be anything more than symbolic it must be followed by decisive action that sets down guidelines for this new impetus for European security and co-operation.

The success of this action hinges on the OSCE's ability to adapt to the new realities that have come about as a result of the end of the Cold War. These challenges are significantly different from those that faced the signatories of the Helsinki Final Act of 1975, and were not foreseen by those drafting the 1990 Charter of Paris. Indeed they are challenges which, mainly as a result of the break-up of Yugoslavia and the Soviet Union, strike at the very Guiding Principles set out in those two documents. In what was to have been an era of peace, Europe instead finds itself torn by fissiparous ethnic, religious and nationalistic struggles which threaten security both within and between participating states. In too many instances participating states are violating the human rights of their citizens with impunity. In other instances states have ignored the sovereignty of others through the threat or use of force, thereby showing disdain for territorial integrity and the inviolability of frontiers. These actions violate the solemn commitments given by all participating states to co-operation and fulfilment in good faith of obligations under international law.

But it is not only the violation of OSCE principles that is creating instability. The haphazard and unequal approach to building a European security architecture to combat this instability also brings with it inherently destabilizing characteristics. Much is made of the fact that the OSCE stretches from Vancouver to Vladivostok. Yet this area is a house divided rather than a common European home. Although Europe is no longer cleaved by a rigid East–West bipolarity, it is still divided by economic inequality and political instability. Its new blocs can be characterised as follows: a highly industrially developed and closely integrated inner core of countries in Western Europe and North America; a zone of semi-peripheral countries in Central and Eastern Europe, clamouring to join the political, economic and military alliances of the core group; and a peripheral group in a European twilight zone, including Russia and most of the former Soviet republics, which feels increasingly disillusioned and isolated.

We are thus a long way from what the Budapest Final Document called "a genuine partnership in a new era". That being said, if there is one organisation that can create that genuine sense of partnership it is the OSCE. It is the one European organisation that includes the United States and Canada and has an all-inclusive membership, a comprehensive notion of security, and a co-operative approach to problem solving.

The tasks ahead for the OSCE are difficult, and the problems wide-ranging. The methods used and solutions proposed must therefore be correspondingly ambitious and all-inclusive. The key will be to have a fresh approach to problem solving that looks from the ground up rather than from the top down.

## Constructing an overall framework

Europe needs a new security framework that looks beyond the existing system of alliances. Considering the level of mistrust still existing on the continent and the fragility of the domestic political situations in many OSCE countries (particularly, though by no means exclusively, in Russia and the successor states of the Former Soviet Union), working out such a framework is not going to be an easy task. But delaying work on such a framework will exacerbate existing feelings of insecurity. Similarly, building a system of alliances that exclude those who feel most insecure is self-defeating.

To develop a truly European common security policy, the concerns of all parties will have to be taken into consideration. The underlying theme must be to stress the commonality rather than the exclusivity of concerns. The key will be to develop transparency and trust through working together on issues of mutual interest.

These issues could include a thorough review of:

- Arms control and disarmament, particularly the CFE Treaty.
- Co-operation in the field of air defence, satellite monitoring and space research, particularly the sharing and transfer of information and technology.
- Peacekeeping: third-party peacekeeping and co-operation between the OSCE and other bodies.
- Peacemaking, including the role of the ODIHR and the Parliamentary Assembly in building civil societies.
- Conflict prevention and early warning.
- A new generation of confidence building measures between states and within states, including the consideration of a second pillar in the form of civilian confidence building measures.

It should be noted that most of these issues are already on the agenda of the OSCE's regular meetings. However, what is currently lacking is an overall approach which considers how the OSCE's work in these fields complements or overlaps the work of other organisations and how a more efficient over-arching security model can be developed to effectively harmonise the best attributes of all the European security organisations. As with any good union there will invariably be some things that are old, some things that borrowed and some things that are new.

## Drafting a blueprint

It took six years of protracted negotiation, from the preliminary Finnish contacts in 1969 until the signing of the Helsinki Final Act in 1975, for the 35 participating states to agree on the text of that all-important document. Despite the collapse of the Iron Curtain (or perhaps because of it) it is unlikely that a blueprint for a new European structure can be agreed upon in less than five years. Therefore, the process that will begin with the OSCE Senior Council meeting in Prague at the end of March 1995 could be regarded as the first phase in a process that should aim for completion by the 1999 Summit. This will allow the model to come into full fruition by the turn of the millennium. To reiterate, the overall goals of this process should be to assess the role of the OSCE in dealing with the new realities of post-Cold War Europe and of seeing how the OSCE's unique attributes can best be combined with those of other organisations to create a truly co-operative European security model that takes into account the concerns of all of its members.

This will require some new thinking within the OSCE. In the Cold War period three distinct groups operated within the CSCE process: the NATO group, the Warsaw Pact Group, and the Neutral and Non-Aligned States group. Of these only the NATO group still exists, and even it sometimes finds itself overshadowed by the European Union.

The OSCE has, at the moment, 53 participating states, all of which, (with the exception of Yugoslavia whose membership is currently suspended), have the right to participate in every OSCE related issue. The observation is often made that the OSCE now has so many participating states and is concerned with such a wide spectrum of issues that following OSCE meetings and having on hand experts who can constructively contribute to the discussions is becoming increasingly difficult. This situation will become more pronounced as the OSCE takes on even more challenges.

### Regional and thematic fora

To focus debate more sharply, the OSCE could develop a system of self-selecting fora. These fora would be made up of only those participating states that have a direct interest in the issue under discussion, hence their self-selecting nature. One can anticipate that large countries will declare an interest in all fora, whereas smaller countries will concentrate their limited resources on those seen as most relevant to their interests.

The merits of this system of specialisation are as follows:

- Debates will be more focused and will involve experts.
- The regional fora will have the freedom to meet in the region which they are discussing, thereby being closer to the ground and being sure to involve all interested parties.
- The forum system will be flexible enough to allow for contributions by NGOs and other international and regional organisations.

- It will allow for the already existing structures to focus on procedural, administrative and macro-political decisions, as opposed to the current situation, which forces OSCE delegates to be masters of all trades.
- It will allow national delegations to use their resources more effectively and for the OSCE to be much more in tune with what is going on in all corners of the vast OSCE area.
- It will enable the individual fora and the overall OSCE process to move faster and more efficiently since the fora will be autonomous in their work (but will still require consensus of all OSCE states for any final decisions) and a particular problem in one OSCE area will not delay debate in another.
- This would effectively make the under-used Forum for Security Co-operation a clearing house and co-ordination point for several regional security fora.

## The security of states and the human dimension

The CSCE was one of the first organisations to recognise that security is all-embracing and that you cannot have the rights of states enshrined in agreements without recognising at the same time the rights of individuals. The agreements in the field of the Human Dimension were a profound inspiration to many dissidents in Eastern Europe and the Soviet Union in the 1970s and 1980s. The Helsinki agreements called for a freer flow of persons and ideas between the Cold War divide. The interaction created an opportunity for new movements to emerge, despite the rigorous controls. By drawing attention to the commitments that their governments had rather cynically made in Helsinki, these dissidents exposed the mendacity of their regimes and focused attention on the inextricable link between domestic security and international relations.

The linkage between security and the human dimension has been reasserted even more strongly since the end of the Cold War. The OSCE Moscow document of October 1991 and the Helsinki Document of 1992 say that the participating states "categorically and irrevocably declare that the commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating states and do not belong exclusively to the internal affairs of the state concerned".

Therefore the human rights record of Turkey is the OSCE's business and what goes on in Chechnya is not just an "internal Russian affair". Thus despite the fact that almost all conflicts in the OSCE area are intra-state, they are the concern of all participating states.

The decision made at Budapest to bring the work of the Office for Democratic Institutions and Human Rights, ODIHR, more into the mainstream of the Permanent Council's work is encouraging. So too is the ODIHR's continued work in hosting seminars on regional and thematic issues. However, even more efforts must be made towards giving the NGOs a more active role in the OSCE process. Also, more emphasis should be put on examining the human rights record of participating states to ensure that they are implementing, and not just talking, about commitments. In this respect it might be useful to consider preparing an annual Human Dimension Chronicle, with individual reports on all participating states, which would synthesise the observations and conclusions of the High Commissioner on National Minorities, Missions, the ODIHR and NGOs.



The ODIHR could appoint rapporteurs to countries, or groups of countries, to prepare these reports, which could form the basis of discussion for the Human Dimension implementation review process. In this way, Human Dimension reviews would be more focused and participating States would be made more accountable for their actions. Some may complain that such a chronicle would jeopardise the ODIHR's objectivity, but the CSCE was never afraid of taking political decisions in the past.

## Economic and social security

The OSCE's potential as a vehicle for fostering closer social and economic co-operation in Europe is greatly under-used. If one's view of Europe is limited to the European Union then the relevance of the OSCE seems insignificant. However, even if the European Union expands to more than 20 countries by the year 2000 there will be approximately 30 European states which will be left out – states whose security very much depends on economic and social stability.

For many non-EU countries, Russia remains an economic giant – their biggest trading partner and in many instances their biggest supplier of raw materials. Particularly in CIS countries, years of economic linkage with Russia means that even if they should want to diversify their trading contacts, their dependence on Russia is likely to continue for many years to come.

But beyond the fact that these less developed OSCE states need particular assistance, all OSCE members could benefit by discussing common solutions to common problems. Developing co-operation in the fields of trade, transport, communication, tourism, environmental protection, migration, protection of intellectual property, financial services and many other fields will not only enhance the prospects of economic well being, but will also contribute to economic security – an important factor in overall security. Such an approach has become a necessity rather than a luxury as states face transnational problems that require a collective approach.

To invigorate this process the work of the Economic Forum should be expanded into a permanent body. Its main goal in this new embodiment would be to oversee the work of self-selecting fora which, on the model of the security fora mentioned earlier, would concentrate on either regional or sector specific projects. This arrangement would be attractive for the same reasons mentioned above, but whereas the security fora would (where appropriate) be open to NGOs, the economic and social fora would include businessmen and representatives of economic organisations as well.

## Timely and pre-emptive intervention

A great deal of criticism has been levelled at the CSCE/OSCE in the past for its inertia in dealing with issues like Bosnia, and more recently Chechnya. Unfortunately this is a result of the way that the member states have abused the organisation. They have called on the OSCE to deal with situations for which it is ill-equipped and ill-suited. On many occasions they have resorted to using the OSCE at a stage in the conflict when the time for effective mediation has already passed. As has been shown by the sterling work done by the High Commissioner on National Minorities and the Missions of long duration, the OSCE is most effective in the earliest phase of conflict prevention. By its very nature it is an organisation better suited to fireproofing than fire fighting. Therefore, calling on

the OSCE when all else has failed, as in Bosnia, or when a token gesture is needed, as in Chechnya, fundamentally undercuts the integrity and usefulness of the organisation.

That being said, the organisation's decision-making process, as well as its ability to implement its decisions need to be updated. The central issue here is consensus.

## Consensus and the one year rule

The rule of consensus is fundamental to the OSCE. It is at the very heart of the philosophy of developing a collaborative approach to problem-solving which enables even the smallest country to have a full say in all discussions and decisions. Like all good things this rule has often been abused. For example, during the Budapest Review Conference the Turkish delegation withheld its consensus for a human rights activist from Cyprus to speak in the working group on the human dimension. Even more seriously, Greece continues to withhold its consensus for the former Yugoslav Republic of Macedonia (FYROM) to join the OSCE as a full member.

In order to safeguard the OSCE from this abuse of the consensus rule it is necessary to narrow the applicability of the consensus rule without diverging too much from its principle. One way in which this can be done is by introducing a rule whereby if consensus cannot be achieved because of the obstruction of one, or at most two participating states, the issue under discussion will be frozen and reintroduced after one year, whereby the one (or two) state(s) who withheld their assent to the original decision will not be able to take part in the vote again.

This rule will enable states, particularly small states, to make their point forcefully in an OSCE conference. It will allow them a period of a year in which to explain their position and get support for it. If by that time they have not won the support of at least one other state, then their objection will simply be overruled. Such a proviso can work very well when an issue has become a matter of national honour and principle – far removed from political reality and exigency. The issue of the membership of FYROM is one such example, with the Greek government clearly a victim of its own rhetoric and domestic constituency.

Such a rule will also mean that even in the most difficult circumstances, the OSCE will not have to revert to suspension, as in the case of Yugoslavia, in order to stop a country from hindering the OSCE in operating effectively in the face of grave violations of its principles. Suspension of membership in a co-operative security organisation like the OSCE is self-defeating.

## Addressing the OSCE's weaknesses

All international and regional organisations reflect to some extent the personalities of their senior officials. This is certainly the case with the OSCE. In most cases the OSCE has been lucky in having capable and tactful diplomats. However, too much leeway is left for individual initiative, which is sometimes not forthcoming and at other times misdirected. The uneven record of the OSCE Missions of Long Duration is a case in point.

Therefore greater care has to be exercised in the formulation of mandates and in strengthening the recruitment and training process of OSCE officials. A level of harmonisation of the OSCE structures is of utmost importance – particularly as OSCE personnel are usually on short secondment periods to the Organisation. The number of full-time non-diplomatic staff in high ranking positions should also be increased to ensure an effective institutional continuum.

The right balance has still not been struck between having a slim and efficient bureaucracy and an adequate and effective bureaucracy. The bottom line is financial and human resources. If participating states believe in the merits of the OSCE, they must be ready to assume greater commitments. Financial commitments will invariably increase in the near future, particularly if the OSCE is developed as "the instrument of first resort" in areas like peacekeeping. But peacekeeping and peace enforcement will be needed less if preventive diplomacy is given sufficient resources. This is, surely, the greatest peace dividend.

Budapest has shown once more that the OSCE's secretive approach to its work can very easily become its worst enemy. The negative media reporting of the summit stemmed in large part from a superficial understanding of the issues. But that is to be expected when one is given only a very superficial view of what is going on. The refusal to open the discussion in all working groups during the review conference, except some meetings in the field of the Human Dimension, is a reflection of a deeper, institutional propensity for unnecessary secretiveness. If the OSCE is ever going to win the public opinion necessary to create political will on its behalf, it has to let people know what the OSCE is all about.

## Building bridges

In his speech to the Budapest summit President Bill Clinton warned that "we must not allow the Iron Curtain to be replaced by a veil of indifference. We must not consign new democracies to a grey zone". This is the biggest confidence and security building measure that the OSCE needs to put into place at the end of the millennium. In the same way that it built a bridge across the ideological divide in the 1970's and 1980's it must now build many small bridges within and between states and communities in Europe. It is the one and only organisation with the possibility of building a common ethos of European values: values that are necessary as a common foundation for permanent peace and security.