# Back in Business.
## The OSCE and conflicts in Europe's neighbourhood

**Christian Nünlist**

**The Organization for Security and Co-operation in Europe (OSCE) has awoken from its 15-year slumber. The Ukraine crisis, in which the OSCE has played an important conflict management role between Russia and the West since 2014, has done much to restore the OSCE's *raison d'être*: as in the Helsinki process during the Cold War, the OSCE is once again an urgently needed dialogue forum for negotiating a *modus vivendi* for peaceful coexistence in Europe among its 57 participating states, despite their diverse values, interests and historical experiences.**

**In January 2016, the OSCE Chairmanship passed to Germany – by far the most powerful country to lead the OSCE since its evolution from the Conference on Security and Co-operation in Europe (CSCE). Expectations of Berlin are high. However, the German government will not be able to resolve the fundamental geostrategic conflict between Russia and the West in just one year. Nonetheless, with a pragmatic policy of small steps, Berlin can potentially rebuild lost trust and facilitate constructive dialogue in the OSCE. But dialogue does not mean consensus. Germany should assert, with self-confidence, the universality of the OSCE principles, which were negotiated and codified by East and West between 1972 and 2010. These principles are non-negotiable, even though they have been deliberately breached by Russia.**

## The CSCE/OSCE in transition, 1972-2016

The OSCE is a child of the Cold War. From 1972 to 1975, 35 countries, including all NATO and Warsaw Pact members as well as non-aligned and neutral nations, met at the Conference on Security and Co-operation in Europe (CSCE) in Helsinki and Geneva to negotiate common principles for peaceful coexistence. To this day, the Helsinki Final Act, adopted in 1975, is still regarded as the "Bible" for the OSCE. In 1990, the principles were adapted for a new era, resulting in the Paris Charter.

In response to the new challenges in European security, the CSCE – an inter-bloc dialogue forum – was transformed into a permanent organisation with a new name – the OSCE – in 1995. With more robust structures, including independent institutions, field operations and toolkits, the OSCE henceforth became a champion of democracy, the rule of law, human rights and confidence building. It also engaged in conflict prevention and post-war reconstruction and adopted a broad and comprehensive definition of cooperative security which encompassed economic, environmental and human rights dimensions alongside political and military aspects.

By the late 1990s, however, the OSCE was sinking into irrelevance. The EU, NATO and the Council of Europe were increasingly active in many areas which had traditionally been the province of the OSCE. The OSCE therefore moved into niche areas: mediation, police reform, action on corruption and human trafficking, and protection of media freedom. Its annual budget fell from EUR 202.7 million in 2000 to EUR 141.1 million in 2015. It rarely attracted media attention – only its election observers and human rights activists made the headlines. Due to its commitment to inclusivity and consensus, the OSCE also suffered increasingly from the fact that individual participat-

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ing States (including both Russia and the US) were able to wield their veto to block common action.

During the Ukraine crisis, however, the OSCE once again demonstrated remarkable agility. Under the Swiss Chairmanship in 2014, it made its way back into the international spotlight and played a useful role, with innovative ideas and instruments, as Russia persistently breached fundamental OSCE principles. With hindsight, it is clear that Swiss diplomacy responded very effectively to Russia's surprising annexation of Crimea and Eastern Ukraine's swift descent into civil war. As the OSCE's Chairperson-in-Office, Swiss Foreign Minister Didier Burkhalter tackled the geostrategic conflict between Russia and the West with great energy and, in consultation with key players such as Kyiv, Berlin, Paris, Washington and Moscow, made full use of the OSCE's conflict management toolbox. Within a matter of months, the Swiss Chairmanship achieved notable successes: in March 2014, for the first time in more than 10 years, the OSCE launched a major field mission. Verification missions within the framework of OSCE arms control demonstrated the importance of military transparency and confidence and security building measures (CSBMs). Another innovative move was the formation of international contact groups which, in Geneva, Berlin and Minsk, facilitated dialogue between Russia and Ukraine as well as with pro-Russian separatists in Eastern Ukraine, and brokered the (initially shaky) Minsk ceasefire agreement.

Starting in January 2016, Germany has now assumed responsibility for the OSCE for one year – at a time when the OSCE faces massive challenges in Europe's immediate neighbourhood, both in the east (Putin's Russia) and in the south (Islamic State, war in Syria, refugee crisis).

## Back to cooperative security in Europe?

The OSCE's key role in political mediation and international conflict management in the Ukraine crisis since 2014 is by no means a given. This is evident from a comparison with the 2008 Georgia War. At that time, the EU – under French presidency – seized on the task of international crisis management, with President Nicolas Sarkozy able to negotiate a ceasefire between Russia and Georgia. The OSCE mission in Georgia was forced to withdraw in late 2008 under pressure from Russia. The war in Georgia plunged the OSCE into a major identity crisis, with Russia's alienation from the OSCE – which had steadily increased since 1999 – reaching a peak after President Vladimir Putin described the organisation in 2007 as a "vulgar instrument" designed to promote Western interests at Russia's expense.

In 2008, his successor Dmitry Medvedev was rather more diplomatic in expressing Russian criticism of

the OSCE. He proposed a new pan-European security treaty – a non-aggression pact which would emphasise not only the renunciation of violence but also the indivisibility of security and further disarmament. In 2009, the OSCE under Greek Chairmanship successfully translated Medvedev's criticism of the OSCE into an internal OSCE reform process with Russia's active participation. The easing of US-Russian relations under Barack Obama also had a positive effect on the OSCE. In December 2010, an OSCE Summit took place for the first time in 11 years. The Astana Commemorative Declaration reaffirmed the commitment to "the vision of a free, democratic, common and indivisible Euro-Atlantic and Eurasian security community stretching from Vancouver to Vladivostok". However, an action plan with practical steps to translate this vision into reality failed due to the protracted conflicts in Georgia and Moldova.

In late 2012, the political initiative to reform the OSCE was rebranded as the "Helsinki+40 process". With the impeding OSCE Summit in 2015 to mark the 40th anniversary of the Helsinki Final Act, the OSCE participating States were under pressure to negotiate a new roadmap for the future. However, under the Serbian Chairmanship in 2013, very little progress was made. The Ukraine crisis robbed the debate of the last vestige of momentum, largely because the political tensions between Russia and the West – despite the OSCE's intensive engagement in this conflict – left their mark on the OSCE as well. Ministerial Councils in Basel (2014) and Belgrade (2015) adopted toothless declarations which barely camouflaged the slow demise of the Helsinki+40 process. Instead of a summit, merely an informal high-level meeting was held in summer 2015 to mark the anniversary of the 1975 Helsinki Final Act.

## Lessons learned from the Ukraine crisis for the future of the OSCE

A more successful initiative was the idea launched by the Swiss OSCE Chairperson-in-Office to set up a "Panel of Eminent Persons (PEP) on European Security as a Common Project", chaired by the German Ambassador Wolfgang Ischinger, to explore lessons learned from its engagement in Ukraine, both for the OSCE itself and for the European security order. The PEP published its interim report in June 2015. In it, the experts rightly complained that the opportunity to move from early warning to early action in the Ukraine crisis had been missed. They recommended that the OSCE strengthen its role in conflict prevention, primarily by empowering the Secretary-General accordingly. This demand runs like a red thread through the Interim Report. However, the roles and powers of the Chairperson-in-Office and the Secretary-General have in fact been clearly defined in OSCE documents since 2002 and 2004, respectively. During the Ukraine crisis in particular, Chairperson-in-Office Didier Burkhalter and Secre-

tary-General Lamberto Zannier achieved a notable degree of harmony in their approaches, to the extent that in January 2014, the two could have put the escalating Maidan crisis on the agenda for the weekly OSCE ambassadors' meetings in Vienna or taken some other form of early action. However, neither Kyiv nor Moscow wanted to involve the OSCE in the conflict, so Burkhalter and Zannier sadly missed the opportunity to bring the OSCE's conflict prevention arsenal into play. From this perspective, changing the well-established division of labour between the political leadership of the Chairperson-in-Office and administrative support from the Secretary General through an enhanced role for the latter appears to be something of a distraction – especially given that experience with the tandem chairmanship between Switzerland and Serbia, which focused on clearly defined two-year work priorities and OSCE Special Representatives (e.g. for the Western Balkans and the South Caucasus), can be viewed in entirely positive terms. This might also serve as a model for closer coordination between successive OSCE Chairmanships, such as Germany and Austria at present.

The Putin-appointed Russian representative Sergey A. Karaganov took issue with many of the points made in the PEP interim report and was the only one of the 15 experts to state his divergent opinion on the genesis and evolution of the Ukraine crisis, setting out these views in six footnotes. They reveal how some of the views expressed in the PEP were strongly politicised. Among other things, Karaganov insisted on the official Russian interpretation, namely that this was not a Russian military annexation, but the reunification of the people of Crimea with Russia, which happened peacefully. In the PEP's final report, entitled *Back to Diplomacy* and published in November 2015, there were no more Russian footnotes; instead, the report contained a letter of disagreement from Karaganov, which makes for interesting reading. In it, the Russian delegate describes the report as "Western" in logic and in recommendations and states that the text is "still largely directed towards the past". He is critical that many recommendations are "unrealistic or even counterproductive", and that the text is not aimed at prevention of a new structural military-political confrontation; rather, its main emphasis is on making such a confrontation "safer".

The PEP's final report devotes many pages to describing three different narratives of the evolution of European security since 1990. Whereas the diametrically opposed Russian and Western narratives are well-known, the inclusion of a third perspective, namely that of the states in-between (Georgia, Moldova and Ukraine), is innovative and enriching. The report thus recognises that today, there is no threat of a fall back into the bipolarity of the Cold War and that solutions dating from this period must be adapted to the new era as a matter of urgency, taking account of the interests of the countries located between Russia and the EU. Among the specific recommendations for the OSCE on reviving the

badly damaged idea of cooperative security, it is the proposals on arms control which are most convincing. However, Russia has repeatedly emphasised that the modernisation of its armed forces takes priority to 2020 and that it therefore has no interest in arms control in the coming years. Aside from the innovative third narrative of the states in-between and arms control, much of the report is vague and offers few fresh ideas.

## What can Germany do in 2016 – and what not?

The starting point for success in Germany's OSCE Chairmanship is therefore not entirely auspicious, not only for the reasons outlined above. The insecure and unstable environment in Europe's immediate neighbourhood presents the OSCE with a major challenge. The unprecedented concurrence, complexity and interdependence of the challenges arising on Europe's periphery require strategic staying power, but also the willingness to take small pragmatic steps. This is the only way to maintain the dialogue with Russia and rebuild mutual trust – despite the fraught relationship.

German OSCE diplomacy should use this opportunity to test the waters for the creation of five confidence building "islands of cooperation" in the currently stormy seas of international relations.

*Firstly*, the OSCE is only ever as strong as the political commitment of all 57 of its participating States. If the participating States' governments are to give the OSCE the priority that it deserves, one option is to hold more regular Ministerial Council meetings, in addition to the annual sessions at the end of each Chairmanship.

*Secondly*, the OSCE's comprehensive and inclusive approach to shared transnational challenges such as violent extremism and irregular migration offers the most durable solutions, but its potential has not been harnessed to the full. The OSCE should boost its activities in the field of inter-faith dialogue in order to promote mutual understanding, respect and co-operation among different religions. The OSCE can, potentially, also serve as a dialogue platform to promote the sharing of best practice from its 57 member states, with a particular focus on tolerance and the prevention of radicalism and extremism.

*Thirdly*, early warning and early action by the OSCE should be strengthened. The analytical capacities of the Conflict Prevention Centre (CPC) in the OSCE Secretariat should be expanded and synergies created with the early warning systems set up by other organisations, such as the UN and the EU. Furthermore, measures should be taken to strengthen the autonomy of the Chairperson-in-Office and the Secretary-General, perhaps with a separate budget,

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so that the OSCE leadership can respond to escalating situations promptly with fact-finding missions or the deployment of special envoys, as it sees fit. In addition, the OSCE Secretariat could set up an informal mediation group so that the Chairperson-in-Office and the Secretary-General are in a position to offer mediation services swiftly and with minimal red tape when conflicts flare up.

*Fourthly*, despite Russian scepticism, an attempt should be made to strengthen confidence building measures in the field of conventional arms control, perhaps first by updating the Vienna Document. In addition, tried and trusted mechanisms from the Cold War era that aimed to avoid military incidents could be reintroduced and adapted to modern times. The much greater frequency of military exercises and the many "close calls" resulting from violations of airspace demonstrate the importance of transparency and direct military-to-military contact.

*Fifthly*, ways should be found to increase stability in the OSCE's neighbourhood through partnerships in Asia and the Mediterranean region. The crises in Syria and Libya, the spread of so-called "Islamic State" (IS) and the dramatic rise in irregular migrant numbers clearly show that at present, the most acute threat to European security comes from the southern shores of the Mediterranean.

The task of creating these islands of cooperation may not be particularly appealing to a diplomatic heavyweight like Germany, but a policy of small steps would seem to be the only viable way forward at the present time. Russia generally accepts Germany as an effective OSCE Chair, which should make it easier to find a way back towards dialogue.

Probably the greatest challenge facing the German OSCE Chairmanship lies, paradoxically, outside the OSCE, however. In 2016, various dates on the international agenda – such as the NATO Summit in Warsaw, the British referendum on EU membership, Russian parliamentary elections and the US presidential election – make reliable planning much more difficult for the OSCE. If NATO, in July 2016, decides to breach the NATO-Russia Founding Act and permanently station NATO troops in the Baltic states and Poland, or if the United Kingdom votes in June to leave the EU, the prospects of a reasonably successful German OSCE Chairmanship will dramatically decline. So in parallel to the Chairmanship, Germany should, in the coming months, focus its diplomatic efforts primarily on holding the EU together and creating consensus within NATO on a position which provides additional security for the exposed Baltic and Eastern European member states without any unnecessary provocation of Russia. For Germany, then, the greatest challenge is to reconcile the OSCE's expectations that the German Chairmanship will play a credible mediating role, on the one hand, with NATO's and the EU's demands for German alliance solidarity, on the other.

**Author**

**Dr Christian Nünlist** | Senior Researcher at the Center for Security Studies (CSS), ETH Zürich. Dr Nünlist is a co-editor of *Perspectives on the Role of the OSCE in the Ukraine Crisis* (2014) and a regular contributor to the journal *Security and Human Rights*. He is currently a member of the Steering Committee of the *OSCE Network of Think Tanks and Academic Institutions* (2016/17).

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