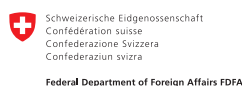# CSS BACKGROUND PAPER

Reviving Dialogue and Trust in the OSCE in 2018

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Introduction

In April 2014, Thomas Greminger described the Ukraine Crisis as both "a curse and an opportunity" for the OSCE.[1] Three and a half years later, the *bonmot* is still true. The Ukraine Crisis is a curse for the OSCE since it proved to be a negative turningpoint in European security. In 2014, the rule-based European order was definitely coming to an end. Russia's illegal annexation of Crimea and the military intervention in Eastern Ukraine have violated core OSCE principles, including respect for the territorial integrity of states, inviolability of borders, and abstention from the threat or use of force. OSCE participating States have moved away from the commonly defined vision of a value-based security community from Vancouver to Vladivostok (Paris 1990, Istanbul 1999, Astana 2010), even though no OSCE participating State has yet openly challenged the organization's normative acquis. The daily work in the value-based and consensus-oriented OSCE has become difficult and cumbersome due to tensions between Russia and the West.

A new security order is currently not yet visible, and the role of Russia in Europe is still unresolved. Neither is there consensus within the OSCE about when and how the common vision of pan-European, undivided security in the 1990 Paris Charter has descended into the current antagonistic relationship between Russia and the West and into a renewed division of Europe. Divergent narratives about the evolution of European security after 1990 and ghosts from the past complicate and poison forward-looking and solution-oriented discussions within the OSCE. An open and frank dialogue about the symptoms of the crisis is still needed within the OSCE.

Russia's new assertiveness is by no means the only current challenge for European security. Strategic trends over the last few years have become less predictable – as evidenced both by external events (the unstable situation in the MENA region and the related refugee and jihadist terror waves) and by intra-societal developments (e.g. Brexit, Donald Trump's election in the US, populist nationalism, and authoritarianism). In sum, the words in the EU Global Strategy of June 2016 need to be taken seriously and also shape the debates about the future of European security and the role of the OSCE: "We live in times of existential crisis, within and beyond the European Union."[2]

At the same time, the Ukraine Crisis was also a blessing and an opportunity for the OSCE. In contrast to the crisis-weakened EU[3], the OSCE has launched an unexpected, notable comeback – despite or precisely because of the current turbulent times in European security. Its traditional and tested role as a dialogue forum between antagonistic camps in the Cold War has regained prominence. Today, there is no more talk about an identity crisis of the OSCE as before 2013. There are several indicators for the regained relevance of the OSCE. *Firstly,* with the Special Monitoring Mission (SMM), the OSCE plays a central and unique role in the Ukraine Crisis. Since March 2014, the SMM has been providing valuable pragmatic aid on the ground in a war zone, for example through the negotiation of local armistice agreements. *Secondly,* the "Steinmeier Initiative" in the area of conventional arms control in August 2016 and its surprisingly swift transformation into an OSCE-wide Structured Dialogue (SD) on current and future challenges and risks to security in the OSCE area a few months later may also be regarded as a small success and a victory for the voices who had been arguing for dialogue in bad weather (similarly to the CSCE in the Cold War) and for a twin strategy of deterrence and détente (a "Harmel II" strategy, modelled after NATO's 1967 strategy). *Thirdly,* the innovative concept of "economic connectivity" (invented over the summer of 2014 by the Swiss chairmanship) has revitalized the traditionally neglected second OSCE dimension. *Fourthly,* migration has climbed up on the OSCE's agenda in dealing with transnational threats, leading to a Ministerial Council decision in December 2016. *Fifthly,* no longer mainly "OSCE nostalgists" such as Finland, Switzerland, Serbia, or Austria volunteer to assume responsibility and chair the OSCE for a year. In 2016, with Germany, for the first time, a political heavyweight held the OSCE chairmanship. According to an informal gentlemen's agreement, the US and Russia abstain from the position, and none of the two European veto powers in the UN Security Council, France and Britain, have so far chaired the OSCE. In 2018, Italy, another major European country, will assume responsibility for the OSCE.[4]

Thus, the OSCE has reappeared on the radar and the political agenda in the capitals after a long absence. Since 2014, the number of foreign ministers attending OSCE Ministerial Council meetings has increased again, and regular informal foreign minister meetings (e.g. in Berlin in 2016 and in Mauerbach in 2017) also enhanced the visibility of the OSCE in the capitals.

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1   Thomas Greminger, "The 2014 Ukraine Crisis: Curse and Opportunity for the Swiss Chairmanship", in: *Overcoming the East-West Divide: Perspectives on the Role of the OSCE in the Ukraine Crisis,* ed. Christian Nünlist and David Svarin (Zürich: CSS/foraus, 2014), pp. 11–12. Greminger had first described the Ukraine Crisis both "a curse and a blessing" for the Swiss chairmanship in an interview with the Swiss daily *Tages-Anzeiger* (14 April 2014).

2   *EU Global Strategy,* June 2016, p. 7.

3   A similar phenomenon of crisis and opportunity can be observed in the area of EU defense policy. The British Brexit decision in mid-2016 after the first shock also led to astonishing dynamism and lively debates. See Daniel Keohane, "Brexit and European Security", in: *CSS Strategic Trends* (2017), pp. 55–72.

4   See Christian Nünlist, "Successful Small States in the OSCE and the German Chairmanship of 2016", in: *Security and Human Rights* 26 (2015), pp. 48–64. Previously, Spain (46m), Ukraine (43m), and Poland (39m) were the biggest OSCE chairmanship countries. Germany has a population of 81m.

The relaunch of the OSCE in 2014 has been consolidated in recent years. But according to an OSCE expert, it is far from certain how sustainable the "remarkable recovery" of the OSCE will be in coming years.[5] While the OSCE has regained relevance since 2014, the organization is indeed still far less central for Washington, Moscow and other capitals than the CSCE/OSCE had been between 1975 and 1999. No miracles can be expected from the OSCE due to its relatively modest annual budget. In addition, political will is often lacking, preventing consensus and common decisions – as evidenced by the lack of political declarations at Ministerial Council meetings since 2002.

In mid-2017, the OSCE experienced an institutional mini-crisis. In early July, it was without leadership for the very first time in its history. It was only on 11 July 2017 that political agreement was reached on the appointment for four vacant top posts, including the OSCE Secretary General. After compromise was reached, it should be noted, Russia, Armenia, Kyrgyzstan, Tajikistan, Azerbaijan, and Kazakhstan criticized the fact that all four top jobs were awarded to Western representatives – not respecting the geographical and regional balance within the OSCE.[6]

This background paper discusses in a first part the geostrategic trends and societal changes that limit the role the OSCE can play in European security. In a second part, the current state of the OSCE is critically analyzed. The third and final part outlines selected future key challenges for the organization to be addressed in 2018 and beyond. The goal of the paper is to summarize the current challenges and to point to top priorities the OSCE needs to tackle under the Italian Chairmanship to remain relevant in an increasingly conflictual environment.

1 Turbulent Times: Geostrategic Trends and Societal Changes

The world today is in a state of disarray. Contrary to the Cold War era, it is not characterized by a sequence of successive single bloc-to-bloc crisis (e.g. the Berlin Wall Crisis in 1961, the Cuban Missile Crisis in 1962, etc.) but by an "extensive crisis landscape"[7], or a multiple crisis, which

has compelled international politics into a permanent crisis mode.[8]

Today's most significant geostrategic trend is, *first of all,* the emerging strategic rivalry between the US and China. Europe on the other hand has lost in geopolitical relevance since 1990. While transatlantic relations and European security remain high on the US political agenda due to the Ukraine Crisis, expectations should be realistic. As a result of the US strategic pivot to Asia, Europeans will have to assume more responsibility for European security and stability in Europe's neighborhood. Already during the Obama years, Europe played a less important role in US grand strategy. Obama's doctrine of "Leadership from behind", his Europe-critical message in the long "Atlantic" interview in early 2016, and Robert Gates' brutally honest farewell address on burden-sharing in June 2011 illustrate this very clearly.[9]

Nevertheless, the election of Donald Trump as US president does still mark, *secondly,* an important turning point. A great deal of uncertainty about the US role in the world prevails. The commitment of the US to an internationalist foreign and security policy and the goal of maintaining and spreading a liberal world order has been seriously called into question. The bipartisan consensus on US foreign policy established in 1945 is being challenged, with the conservative, populist nationalism ("America first") grappling for control against the traditional internationalist foreign policy establishment within the Trump administration. Washington's commitment to transatlantic relations, European security, and multilateral diplomacy can no longer be taken for granted. Similarly, the US strategic pivot to Asia also seems to temporarily be on pause, as demonstrated for example by the US backing out from the 12 nation Trans Pacific Partnership (TPP) trade deal (preferring one-on-one bilateral trade deals instead) and the lack of support the US gave to Vietnam during its recent dispute with China over the South China Sea.[10]

Third, the ramifications of the uprisings and civil wars in the MENA region since 2011 pose a huge challenge for European security, as the civil wars in Libya and Syria, and the migratory flows from the region have shown. The terror attacks in Paris, Brussels, Berlin, London, Barcelona, and elsewhere further highlight the weaknesses regarding social integration and security policies in Western Europe – in fact most terrorists were

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5   Wolfgang Zellner, "Old and New Challenges for the OSCE", in: *OSCE Yearbook* (2016), pp. 33–44, p. 33.

6   *Interpretative statements,* appended to MC.DEC/1/17, MC.DEC/2/17, MC.DEC/3/17, and MC.DEC/4/17, 18 July 2017, http://www.osce.org/permanent-council/332821.

7   Volker Perthes (ed.), *Krisenlandschaften: Konfliktkonstellationen und Problemkomplexe internationaler Politik: Ausblick 2017* (Berlin: SWP, 2017), p. 5.

8   Wolfgang Zellner, "Eine Welt in Unordnung: Der Rückzug der USA und die globale Multikrise", in: *Blätter für deutsche und internationale Politik* 7 (2017), pp. 63–70.

9   See Jeffrey Goldberg, "The Obama Doctrine", in: *The Atlantic* (April 2016); Robert Gates, *The Security and Defense Agenda,* Brussels, 10 June 2011.

10   See Jack Thompson, "The Trump Administration and the Future of US Grand Strategy", in: *CSS Analyses in Security Policy* no. 212 (September 2017); Bill Hayton, "The Week Donald Trump Lost the South China Sea", in: *foreignpolicy.com,* 31 July 2017.

"home-grown", marginalized immigrants, which become prone to the propaganda of the Islamic State.

Fourth, Putin's newly assertive security policy has turned Russia from a "regional nuisance"[11] into a global problem for the West. Since 2014, NATO has fundamentally transformed and refocused again on its original raison d'être – article 5 and the collective territorial defense of Europe against a perceived Russian threat. NATO leaders have militarily strengthened the forward presence of the alliance in the Baltics and Central Europe. After two decades of out-of-area crisis management, the defense of the in-area has regained importance.[12]

Fifth, the economic crisis has led European societies increasingly turning inwards and displaying less interest and a reduced engagement in conflicts outside Europe. The economic crisis also exacerbated anxieties and fueled populist nationalism, including new forms of xenophobia, ethnic discrimination, and anti-Muslim or anti-Semitic violence. Moderate voices of the center are being pushed aside by formerly sidelined extreme positions. Racism, or rather opposition to migrants and refugees (for the most part legitimate refugees protected under international law) from conflicts in the Middle East have become an outright instrument of mainstream politics to win elections and public support.

Sixth, the British 2016 Brexit referendum led to a further weakening of the EU, in particular due to the growing EU-skepticism that can be observed in other EU member states as well. This comes at a time when more integration would in fact be a better response to modern threats and risks, as opposed to less integration and a fall back to national myths.

Seventh of all, and to complicate matters, populist parties in Europe promoting "traditional values" are increasingly funded and supported by foreign powers. Soft power propaganda in the form of external economic engagement and foreign news channels further encourage this anti-European sentiment.

Genuine progress inside the OSCE is only possible if these external threats are perceived as a common challenge requiring common cooperative solutions. Precisely in the consensus-based OSCE, the political will of the OSCE participating States is decisive for progress. Therefore, the OSCE is suffering from the fact that since Trump's inauguration, the bilateral relations between the US and Russia – arguably still the most important poles within the OSCE – have gone from bad to worse over the summer of 2017, despite mutual expectations after Trump's election that the complicated relationship would improve in 2017.

2 The Current State of the OSCE

Paradoxically, at first sight the OSCE is doing better today than 4–5 years ago despite an increasingly tense perception of European insecurity. The "Steinmeier Initiative" and the Structured Dialogue (SD) moderated lamentation about the death of convention arms control – even though there still is need to modernize the OSCE arms control regime as an important pillar of European security and stability.[13] The innovative concept of "economic connectivity" also silenced critical voices emphasizing that the economic dimension ("basket II" of the Helsinki Process) still remained "empty". In addition, the "refugee crisis" in 2015 pushed the new issue of migration up the OSCE's political agenda in 2016.[14] Over the course of 2017, the OSCE lost some focus on the issue, but the Italian Chairmanship is likely to re-emphasize migration as a focal point of OSCE activities in 2018. The OSCE's inclusive and comprehensive approach promises sustainable solutions particularly for the issue of migration.

As already mentioned, the OSCE experienced a remarkable comeback in 2014, responding to the Ukraine Crisis. For the first time in 11 years, the OSCE has found political will and consensus for such a new field mission. Yet one should keep things in perspective and also emphasize the central role the Normandy Format between Berlin, Paris, Moscow and Kyiv – and thus a format outside the OSCE – played in managing the crisis, even though Berlin was able to maintain the link between the Format and the OSCE as a member of the troika between 2015 and 2017. As of 2018, there will be no more such direct link between the Normandy Format and the OSCE; the last one remaining will hence be the current head of the Trilateral Contact Group and Special Representative of the OSCE chairmanship, the Austrian diplomat Ambassador Martin Sajdik. With regard to diplomatic crisis management, the US has taken a back seat since 2014 and focused its efforts on the military reassurance of their European allies and NATO's military deterrence of Russia. The Trump administration wants to substantially increase its military contribution to European defense[15] but continues to abstain from management of the Ukraine Crisis. Some voices recommend a more active

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11 Edward Lucas, "The New Cold War Ten Years On", in: *CEPA Blog,* 14 August 2017, http://cepa.org/EuropesEdge/The-New-Cold-War-10-years-on.

12 See e.g. Jens Ringsmose and Sten Rynning, "Now for the Hard Part: NATO's Strategic Adaptation to Russia", in: *Survival* 59, no. 3 (2017), pp. 129–146.

13 See Daniel Trachsler, "The OSCE: Fighting for Renewed Relevance", in: *CSS Analysis in Security Policy* no. 110 (2010); Wolfgang Richter, "Sicherheitsgemeinschaft OSZE", in: *SWP Aktuell* no. 17 (2013); Stefan Lehne, *Reviving the OSCE: European Security and the Ukraine Crisis* (Brussels: Carnegie, 2015).

14 See the various chapters in the *OSCE Yearbook 2016* (Hamburg: CORE, 2017).

15 In May 2017, Trump proposed to add USD 1.4bn (+ 40 percent, compared to 3.4bn in the FY 2017 budget) to the European Reassurance Initiative in FY 2018. In 2016, Obama had quadrupled funding for the ERI from USD 789m to USD 3.4bn.

role of the US through an inclusion in the Normandy Format.[16]

Much enthusiasm would thus be misplaced. Despite the useful and important role the OSCE played and still plays in the Ukraine Crisis, the escalating confrontation between Russia and the West made apparent what had been obvious from 1999 at the latest. The common aspiration of the 1990 Charter of Paris, which stated the foundations of European security based in a community of values and undivided security, is not a common aspiration anymore, despite the fact that the vision was theoretically confirmed in 1999 and 2010 in fundamental documents of the organization. The Panel of Eminent Persons (PEP, led by Ambassador Wolfgang Ischinger) report of 2015 clearly showed that there is no more a common view on the evolution of European security since 1990 within the OSCE.[17] There is no specific identifiable point in time or event when the cooperative spirit von 1990 Paris turned into a lasting confrontational relationship between Russia and the West, nor is it possible or beneficial to objectively assign blame. However, many decisions in the OSCE space between 1990 and 2013 entailed unintended side effects. NATO and the EU's eastern enlargement for example increased security and stability in Central and Eastern Europe but built a new fault line between NATO/EU and Russia and weakened the vision of an undivided security community between Vancouver and Vladivostok. There was ultimately "no place for Russia"[18] in the evolving European security architecture.

In practice, fundamentally diverging attitudes towards values and principles inhibit an implementation of the vision of 1990 – which appears largely obsolete today. A number of states within the OSCE particularly question the concept of liberal democracy and replaced it with the idea of an "illiberal democracy", a euphemism for authoritarianism. This trend has been observable for the past 15 years, but it has further exacerbated and spread to political parties in Western Europe.

Already in the early 21st century, ideologically driven tensions between East and West mostly revolved around the human dimension and paralyzed the OSCE not unlike they had hampered the CSCE between 1977 and 1985.[19] This restricted particularly the OSCE field missions east of Vienna. In the 21st century, they have been increasingly perceived as a stigma and unwelcome external involvement in internal affairs. The trend of the last few years is evident: Several OSCE field missions were forced to close, including the OSCE Office in Yerevan in August 2017, or saw their mandates greatly restricted – thus severely weakening OSCE field presence, one of the traditional strengths of the organization. In 2017, the OSCE Centre in Bishkek was transformed into an OSCE Program Office, and the Office in Dushanbe, Tajikistan, was transformed into a OSCE Program Office.[20]

Cooperation within the OSCE was more and more based on common interests rather than common values, for example dealing with transnational challenges including terrorism, radicalization, and violent extremism. Since 2002, consensus for political declarations could not be reached anymore at OSCE ministerial meetings. Ministerial Council decisions thus largely focused on less contested issues including the fight against jihadist terrorism, organized crime, or cyber threats. However, the OSCE would lose importance if it turns into a mere platform for dialogue on the harmonization of temporarily interest-driven politics and no longer tries to maintain a long-term vision of a value-based security community.

3 Empowering the OSCE: Dialogue, De-linkage, Resources

Today, the future of the OSCE is facing a crucial challenge. The multiple crises in European security cannot be solved overnight – and not primarily by the OSCE. To begin with, the confrontation between Russia and the West has to be stabilized and managed – which is largely dependent on the future course of the hardly foreseeable, adversarial, and poisoned bilateral relations between Trump's US (America First) and Putin's Russia (Russia First). Cooperative efforts in the OSCE will be seriously hampered as long as the current cycle of Cold War-type hostility between the US and Russia continues.

The OSCE needs to be empowered with political will and resources of OSCE participating States, to play out the advantages of inclusiveness and compromise in dealing with current conflicts and challenges in Europe. The current trend towards zero-sum thinking hampers the OSCE's win-win thinking mode of operation, as OSCE participating States no longer share the idea of common solutions to common challenges.

16   See e.g. Fiona Hill and Steven Pifer, "Dealing with a Simmering Ukraine-Russia conflict", *Brookings Big Ideas for America,* ed. Michael E. O'Hanlon, 6 October 2016; Andrew C. Kuchins, "Reassess and Reassure", in: *The National Interest Blog,* 2 December 2016.

17   Panel of Eminent Persons, *Back to Diplomacy* (Vienna: OSCE, 2015).

18   To borrow the title of a forthcoming insightful book of the American OSCE expert and diplomat William H. Hill about the evolution of European security since 1990, focusing on NATO, EU, and the OSCE.

19   See e.g. Pál Dunay, "The OSCE in Unabated Decline", in: *Analysis of the Real Instituto Elcano* no. 1 (2007).

20   The Project Coordinator in Uzbekistan (2006), the Project Coordinator in Uzbekistan (2006), and the Program Office in Astana (2015) are other scaled down field presences. The OSCE Office in Baku had been transformed in 2014 into the Project Coordinator in Baku, before the mandate expired on 31 December 2015. The Office in Minsk (established in 2003) was closed in March 2011. The Mission to Georgia (1992) was closed in December 2008. See Wolfgang Zellner and Frank Evers, *The Future of OSCE Field Operations* (Vienna: OSCE Network of Think Tanks, 2014).

3.1 An Open Dialogue about Threats, Narratives, Principles, Values, and Interests

The current geostrategic environment renders any fundamental debate about the OSCE's future *raison d'être* difficult. The discussion should nonetheless not be postponed. As during the Helsinki Process, the OSCE today needs renewed strategic patience. An honest, open discussion about diverging threat perceptions and interests is unavoidable among OSCE participating States. The ongoing Structured Dialogue (SD) on current and future challenges and risks to security in the OSCE area is a positive first step towards strengthening military stability in Europe and resuming a strategic dialogue with Russia, possibly reviving discussions on conventional arms control and CSBMs. At the moment, the OSCE can serve as an effective communication channel and dialogue forum to prevent military escalation and avoid misperceptions. Military predictability and transparence need to be enhanced, and the OSCE could be used for enabling military-to-military contacts more frequently. Mapping military capabilities and exercises in the OSCE area, as suggested at the 2017 ASRC, would help identify facts and reduce risk emanating from military build-up, military incidents, miscalculation, and unintended escalation.[21]

During the Cold War, the CSCE demonstrated that an inclusive, consensus-based platform for constructive dialogue can be a basis to gradually establish a new modus vivendi particularly during adverse weather in international politics. The OSCE could test the level of political will within the framework of the Structured Dialogue suggesting a discussion with the aim of adjusting the "OSCE Strategy to Address Threats to Security and Stability in the 21st Century", adopted in 2003.[22] On the one hand, a new revised strategy could state what the OSCE has achieved since 2003 in the field of transnational threats and challenges. On the other hand, the common perceptions of current threats and common interests in the new strategy could be adjusted to current realities.

Willingness to listening to each other, and readiness to compromise, trust-building and finding a new modus vivendi should not be mistaken for appeasement or a renegotiation of the Helsinki Principles of 1975. Helsinki 1975 must be upheld. The example given in the Ischinger report (2015) according to which one should not change traffic rules simply because one road user has run a red light, is a fitting metaphor.[23] The Helsinki Decalogue has been time-tested over the past four decades and for the foreseeable future, there will be no consensus within

the OSCE to initiate a new negotiation process with the aim of a "Helsinki II" document.

One way out of the current impasse could be to uphold "Helsinki 1975" but also to hold a diplomatic multilateral dialogue in the OSCE about the interpretation of the principles in today's reality. One could allow for a discussion about an adjustment of the 1990 Charter of Paris, which was overly euphoric with hindsight. This could prevent a fundamental discussion about the Helsinki Principles and unrealistic calls for a "Helsinki II", and, equally importantly, also avoid a new "Yalta II". Academic observers of the OSCE agree that a consensus-oriented multilateral dialogue with the aim of a new "Paris II" (a new common understanding of the interpretation of the 1975 Helsinki Principles in light of today's new realities) is sensible to build trust between Russia and the West, to maintain and to strengthen the OSCE's legitimacy and relevance and to fix the damage inflicted on the "OSCE Bible" of 1975 during the last years. To avoid misunderstandings, this new document should be adapted in a new capital, making it the "Geneva Declaration" or the "Oslo Declaration" after the seminal Helsinki, Paris, Istanbul, and Astana documents rather than "Paris II" in OSCE language.[24]

In addition, the OSCE track 2 project on "historical narratives" could be continued. Based on the informal exchange in September 2017 between high-ranking former CSCE Ambassadors with leading historians from East and West about the important historical watershed of 1989/90 and the "Road to the 1990 Paris Charter", this academic dialogue could continue analyzing the reasons why the common cooperative, inclusive European vision of 1990s turned into the current crisis of European security.[25]

It appears critical in this age of crisis of print media and a trend towards "echo chambers" and ideological "bubbles" to take seriously the phenomena of "fake news" and propaganda in social media channels and to strengthen particularly youth in critically assessing sources and media competence, ideally at primary school level already. Innovative track 1.5 projects within the OSCE could contribute crucial impulse and ideas to address this issue.

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21   OSCE, *2017 Annual Security Review Conference: Chairperson's Report*, PC.DEL/1110/17, 16 August 2017.

22   OSCE, *Strategy to Address Threat to Security and Stability in the 21st Century*, 2 December 2003.

23   Panel of Eminent Persons, *Back to Diplomacy* (Vienna: OSCE, 2015), p. 5.

24   See Wolfgang Zellner et al., *European Security: Challenges at the Societal Level* (OSCE: OSCE Network of Think Tanks, 2016), pp. 15f., 21ff., 25f.; Christian Nünlist, "The OSCE and the Future of European Security", in: *CSS Analyses in Security Policy* no. 202 (2017); Kari Möttölä, "Present-at-the-(re)creation: The US Grand Strategy Shaping the European Security Order at a Crossroads of Fluctuation, Rupture or Transformation", paper prepared for the ISA Annual Convention, Baltimore, MD, 22–25 February 2017, pp. 5 and 13.

25   At an oral history workshop, former CSCE diplomats including John Maresca, Anatolii Adamishin, Andrei Zagorski, Marianne von Grünigen, Markuu Reimaa, Adam Rotfeld, Pierre Morel, or Stefan Lehne discussed with historians the geopolitical context and legacy of the 1990 Paris Charter. See Christian Nünlist et al., *The Road to the Charter of Paris: Historical Narratives and Lessons for the OSCE Today* (Vienna: OSCE Network, 2017).

The aim of all dialogue is to improve trust and predictability in the OSCE space and to avoid propagandist dialogue whenever possible.

3.2 Ukraine as a Protracted Conflict? Issues of Status and the Baltic Model

The Ukraine Crisis continues to cast a long shadow on the OSCE and still represents the biggest political and operational challenge for the organization. Moscow's illegal annexation of the Crimea and the continued fuelling with military means of the civil war in Eastern Ukraine tends to turn the conflict into yet another "protracted conflict" in the OSCE space. OSCE participating States are faced with the question of how to deal with Russia in light of its involvement in Ukraine. On the one hand, some voices approve punishing Russia for its breach of international law and to maintaining pressure on Moscow through sanctions. There must be no return to "business as usual" and "normal relationships" before Russia hands Crimea back to Ukraine and calls off its military involvement in Ukraine, they argue.

On the other hand, de facto Crimea seems to stay Russian for the foreseeable future – representing a disputed exception to the (hopefully) still generally accepted principle that borders in Europe can only be changed by mutual consent of the motherland and the regional population, and only peacefully. Despite all important differences with Kosovo's unilateral declaration of independence, it might be better to have two individual cases of disputed exceptions (Kosovo, Crimea) than a generally ignored and violated principle.[26] Thus, these voices argue that the issue of Crimea's status should not hamper the whole relations between Russia and the West indefinitely. To that end, the Baltic model or the question of Germany in the 20th century should come into play. In practice, even if the status of Crimea as Russian territory is not recognized and rhetoric maintains that Crimea must become Ukrainian again, the issue of status should not strain relations with Russia in every detail for the years and decades to come.[27] Similar to the case of the policy of "change through rapprochement" and Willy Brandt's "Ostpolitik" during the Cold War, the delicate political question remains as to when such a status quo should be accepted as fact in order to pave the way for long-term change through cooperation and easing of tensions, and the question of which concessions Russia will offer in

return. Historical analogy runs counter the possibility that this point in time is already reached three or four years after 2014.

The inclusion of Ukraine in the category of separatist "protracted conflicts" in the OSCE area may not (yet) be adequate for political reasons. De facto, however, the conflict in Eastern Ukraine increasingly risks to be turning into a protracted conflict, not least because of the OSCE's particular role in the conflict since 2014. This is different to the "frozen conflicts" in the Western Balkans where the role of the OSCE has decreased in the meantime and the EU plays a central role. Paramount for dealing with "protracted conflicts" in general is to avoid an escalation of violence and thus a stabilization and management of the conflicts. Even though countries chairing the OSCE during "their" year have wished to produce progress towards the solution of these chronic conflicts in the OSCE space for years, realistic management of expectations is advisable. More often than not, even the chairmanship's good will cannot achieve much progress if parties to the conflict consider the question of status more important than the disadvantages of continued conflict, or if they still believe that a military solution is preferable to a political solution. Despite recent encouraging steps in the Transnistria conflict,[28] there is still no low-hanging fruit in these conflicts, which all suffer from a "protracted conflict syndrome" (Philip Remler) by now, i.e. all sides have grown used to continued conflict and try to benefit from standstill.[29]

In that sense, one must not hope for much wind of change and new innovative ideas and solutions (that currently neither conflict party wants). Protracted conflicts rather take the famous "golden millimeter" of progress[30] – and above all no relapse into war. Status-neutral approaches can be helpful, but only once all sides are ready to prefer an end of the conflict over status questions. Lessons might be learned from status-neutral elements used in the OSCE's activities in Eastern Ukraine.

Southeastern Europe deserves particular attention. Often forgotten in the media amidst other crises, negative developments and political crises in the Western Balkans require urgent attention. The OSCE has to secure its investments in the Western Balkans since 1995 because the US, NATO and the EU have had their focus elsewhere as of late. In fact, the Western Balkans is at the intersection of external interests – apart from Russia and the EU, increasingly Turkey and the Gulf states.[31] Thanks

26 See for such an argument Matthew Rojansky, "The Geopolitics of European Security and Cooperation", in: *Security and Human Rights* 25 (2014), pp. 169–179, at p. 176.

27 See Fredrik Wesslau, "Why Non-recognition matters in Crimea", in: *ECFR Commentary,* 18 March 2016; Lukas Milevski, "Crimea and the Art of Non-Recognition: A Baltic Analogy", in: *FPRI Black Sea Strategy Papers,* 8 February 2017.

28 See Stephanie Liechtenstein, "Vienna International Talks on Transdniestria Achieve Significant Progress", in: *Security and Human Rights Monitor,* 29 November 2017.

29 Philip Remler, *Protracted Conflicts* (Vienna: OSCE Network, 2016).

30 The expression was coined by Lithuania's Foreign Minister Audronius Azubalis. Tomas Janeliunas, "The Lithuanian OSCE Chairmanship: Lessons and Dilemmas", in: *Lithuanian Annual Strategic Review* 10, no. 1 (2013), pp. 59–86, p. 72.

31 Matthias Bieri, *Der Westbalkan zwischen Russland und der EU* (Zürich: ETH Zürich, 2017).

to its presence on the ground and 20 years of experience, the OSCE is able to provide useful and valuable contributions in one of its traditional regions of emphasis – particularly because the current OSCE topics of radicalization, migration, national minorities and freedom of press are imperative. The OSCE's know-how in the region now seems to be more relevant than ever.

3.3 Internal Reform Fatigue and Demand for Institutional Leadership

After several initiatives resulting in proposals for institutional reform of the OSCE, a sensible reform fatigue has emerged within the OSCE since 2015. Back in December 2004, almost ten years after the step of institutionalization from the CSCE to the OSCE, the creation of a panel of eminent persons had marked the launch of a reform debate inside the OSCE. In 2005, the panel presented a 32-page report with the title "Common Purpose" that contained more than 70 recommendations for a sustainable strengthening of the OSCE's effectiveness. Among other things, the report suggested to strengthen the role of the Secretary General, in particular with regard to operational management and the identification of long-term strategies and objectives.[32] The modest implementation of the proposals, however, led to the launch of additional reform processes. Points in case are the OSCE debate of the Medvedev proposal for a new European Security Treaty (2008/9), the OSCE-internal Corfu process (2009), as well as the poorly timed Helsinki+40 process that fell victim to the Ukraine Crisis (the process was aiming at an OSCE summit in 2015 on the occasion of the 40th anniversary of the Helsinki Final Act). Nevertheless, the Finnish and Greek Presidencies succeeded in transforming Medvedev's initiative – which ultimately aimed at replacing the OSCE with a new legally binding European Security Treaty – into an OSCE-internal reform discussion with Russian participation (Corfu Process from 2009 onwards). After all, this reform debate resulted in the first OSCE summit since 1999 (at the end of 2010 in Astana) and to the Astana Declaration, which confirmed CSCE/OSCE principles and emphasized that existing commitments on human and civil rights were non-negotiable. In addition, the Astana Declaration reaffirmed the vision of a cooperative, inclusive security community from Vancouver to Vladivostok – two years after the Russo-Georgian war. Some OSCE participating States, however, vetoed a plan of action on how to implement the noble political goals.

They were not able to find consensus on the protracted conflicts in the OSCE area.[33]

Up to the present, a majority of the OSCE participating States – the US in particular – prefer to keep the OSCE flexible and non-bureaucratic, therefore not setting it up as a full-fledged organization with its own charter and legal personality. An open-ended working group on strengthening the legal framework of the OSCE has been trying for many years to compromise on this fundamental question and move forward. In 2007, experts agreed on a draft Convention on international legal personality. However, a number of OSCE states still links the proposed Convention to a legally binding charter – the reason why the discussion on the Convention is currently largely blocked.[34] Further, a study in 2014 revealed that there is no uniform approach among the OSCE participating States on how to apply the legal status of the OSCE in national laws.[35] The discussion received new impetus in 2014 when the OSCE observer mission in Ukraine was active for 12 weeks before corresponding legal agreements with Ukraine enabled a successful implementation of the mandate of the mission and the protection of observers. The Ukraine Crisis showed bluntly the problems of the lack of a legal basis for OSCE activities on the ground. In 2017, the largest holes were filled with bilateral agreements between the OSCE and the most important participating States. The headquarter agreement with Austria was signed on 14 June 2017 (and is pending submission for parliamentary approval at the time of writing) and is an important step towards consolidating the legal status of the OSCE. On 28 June 2017, Poland concluded an agreement with the OSCE regarding the status of the organization in Poland, covering the hosting of the ODIHR headquarters in Warsaw (the agreement is also pending parliamentary approval at the time of writing).

Enhancing cooperation with other security institutions (UN, EU, NATO) will be one way to compensate for limited resources. Optimizing information exchange and thus using synergies, e.g. in early warning, would strengthen the OSCE. Since many of the current threats emanate from the South, closer cooperation with Mediterranean partners is crucial – and will be one main priority of the Italian Chairmanship in 2018.

In general, the OSCE needs to be creative to maintain the advantages of its autonomous institutions and field presences in a less cooperative European security environment. There seems to be consensus among OSCE

32   OSCE, Panel of Eminent Persons, *Common Purpose* (Vienna: OSCE, 2005).

33   Dov Lynch, "The State of the OSCE", in: *The EU-Russia Centre Review* no. 12 (2009), pp. 5–13; Wolfgang Zellner, "Das OSZE-Gipfeltreffen von Astana im Jahr 2010: Eine vorläufige Bewertung", in: *OSZE-Jahrbuch* (2010), pp. 23–31, at pp. 26–29.

34   OSCE, *Draft Convention on the International Legal Personality, Legal Capacity, and Privileges and Immunities of the OSCE,* CIO.GAL/48/07/Rev.6, 23 October 2007.

35   OSCE, *Report to the Ministerial Council on Strengthening the Legal Framework of the OSCE in 2014,* MC.GAL/5/14/Corr.1, 3 December 2014.

insiders and experts that the old concept of OSCE field operations – the OSCE's "crown jewels" as they have been called and where the vast majority of people employed by the organization are working – needs to be updated. Ideas for devising a new generation of field operations include small and flexible missions that could be quickly deployed and supported by experts from the OSCE's main institutions, as well as needs-oriented thematic activities (e.g. on refugees or Roma and Sinti or anti-radicalization) or regional centers of excellence (based on the model of the OSCE Academy in Bishkek or the Border Management Staff College in Dushanbe), roving special representatives, and small OSCE information offices across the OSCE region to better inform the general public about the OSCE activities.[36]

Outlook: New Top Jobs and Inspired Chairs as a Breath of Fresh Air?

Over the next few years, the OSCE could benefit from the fact that a new line-up fills the four most important positions within its ranks. Paired with engaged chairmanships, these top jobs could prolong the OSCE's comeback into 2018 and contribute to the OSCE's role in an important moment of the evolution of European security.

The new OSCE Secretary General Thomas Greminger has promised to fill – in addition to the managerial duties – the political and representative functions of the post, of course in close coordination with the respective Chairman-in-Office, in order to bring movement to the diplomatic level. As a Swiss, Greminger can credibly fill the role of a bridge-builder in the OSCE and rebuild lost mutual trust.[37] The Structured Dialogue provides a testing ground for a long-term return to cooperative security and inclusive European security. In first speeches and interviews, Greminger has announced to strengthen cooperation with other organizations (e.g. NATO and EU) as well as with NGOs and development agencies and to moderate talks between the US and Russia within the OSCE, namely to use the multilateral platform of the OSCE as a channel for dialogue between Washington and Moscow. He would like to establish a "smart division of

labor" with the chairmanship to support diplomatic processes.[38]

It seems to be particularly important to keep up the momentum of the dynamic chairmanships of recent years. It is already relevant to guess who could take over the OSCE chairmanship after Italy (2018), and Slovakia (2019). Wanted in 2020 and beyond are bridge builders between East and West that are able to commit a sufficient number of top diplomats and resources and are willing to treat the OSCE chairmanship as a foreign policy priority. Possible options are, amongst others, the "OSCE nostalgics" Sweden (after the more informal CSCE chair in 1993), Finland (after 2008), the Netherlands (after 2003) or Spain (after 2004) – or maybe it is even time for a first-time chairmanship such as of post-Brexit Britain or France? With regard to geographical balance, an "east of Vienna" chairmanship would also be desirable.

For a successful future of the OSCE, in addition to the political will of the participating States, there is also a need for strong political institutional leadership. The chairmanships should utilize the Troika to intensify the coordination of their cooperation beyond the calendar year and emphasize continuity through appointments of special representatives for 2–3 years, instead of one year, and through biannual budget cycles. One of the biggest strengths of the OSCE remains its "convening power". When the OSCE convened a Ministerial Council in the last 2–3 years, almost 50 Foreign Ministers (out of 57) attended. In 2017, however, the number dropped again to 41 foreign ministers attending the Vienna Ministerial Council. Informal foreign ministers meetings assembled some 40 Foreign Ministers in Berlin and Vienna in 2016 and 2017. In the years to come, the OSCE should try to make further use of this feature with additional informal high-level OSCE meetings.

In recent years, the OSCE has also gradually strengthened its visibility through increased outreach efforts. With the "OSCE Security Days", the OSCE has possessed a periodic, public and live broadcasted event since 2012, based on the model of the WEF or the Munich Security Forum. The concept has been well received, and the Security Days are well attended by OSCE ambassadors, even when they take place outside of Vienna. The involvement of academics and NGOs strengthens the important link between the OSCE and think tanks and universities. In addition to support for the OSCE by well-tried institutes such as CORE/University of Hamburg and the International Peace Institute in Vienna, recently, the London-based European Leadership Network (ELN) and the Friedrich-Ebert-Stiftung – which recently opened a regional office in Vienna – have identified the OSCE and

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36   See Jafar Usmanov, "OSCE Field Operations in the Helsinki+40 Process: A Case Study on the Presence in Tajikistan", in: *OSCE Yearbook* (2014), pp. 83–96; Wolfgang Zellner / Frank Evers, *The Future of OSCE Field Operations* (Vienna: OSCE Network of Think Tanks, 2014).

37   Interview with Ambassador Thomas Greminger, in: *Security and Human Rights Monitor Blog,* 17 March 2017.

38   See e.g. "Neuer OSZE-Chef fordert mehr Mitglieder-Engagement", in: *Der Standard,* 4 September 2017; Stephanie Liechtenstein, "New OSCE Secretary General Sets Out Main Priorities", in: *Security and Human Rights Monitor Blog,* 5 September 2017.

European security as new objects of their interest. Furthermore, at OSCE Secretary General Lamberto Zannier's initiative, the OSCE Network of Think Tanks and Academic Institutes was brought into being. After four years, the network under coordination of Wolfgang Zellner has presented several collaborative reports on topics such as threat perceptions, field missions or historical narratives, thus integrating academic knowledge into political discourse in Vienna.[39]

Still, one should not expect too much from the weakly equipped, consensus-based OSCE. In light of the rising insecurities and unpredictability on a global and regional level, the OSCE cannot work wonders. A sober reality check is paramount. The OSCE can contribute in a useful manner, and the challenge can play to its strengths, but only if there is consensus among OSCE participating States and if there is political will to pursue the OSCE's comeback.

The OSCE missed an opportunity for more visibility in the capitals when the summit project "Helsinki+40" was aborted. Preparations for a summit such as Paris (1990), Istanbul (1999), or most recently Astana (2010) raises awareness of the OSCE among heads of state and government. It should therefore remain a goal to celebrate the next big anniversary of "Helsinki 1975" or "Paris 1990" with an OSCE summit. In order to complete a diplomatic process successfully by 2020 or 2025, the Structured Dialogue begun in April 2017 should be steadily pursued and gradually expanded when confidence has been somewhat re-established. The aim should still be an inclusive European security architecture without dividing lines.

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39   The first six reports published by the OSCE Network of Think Tanks since 2014 can be found here: http://www.osce-network.net/publications.

About the Co-hosts

This CSS Background Paper was prepared and distributed among conference participants with the aim of stimulating the discussion during the OSCE Focus 2017 conference "Empowering the OSCE in Challenging Times", held in Geneva on 13–14 October 2017. The conference was organized by the Geneva Centre for the Democratic Control of Armed Forces (DCAF) in close supportive collaboration with the ministries of foreign affairs of Austria, Italy and Switzerland, and the Center for Security Studies (CSS) at ETH Zürich. See also: CSS/DCAF, *Empowering the OSCE in Challenging Times: Reflections and Recommendations: Conference Report* **(Geneva: DCAF, 2017).**

Austria holds the Chairmanship of the OSCE in 2017. Learn more about the Austrian OSCE Chairmanship at *www.bmeia.gv.at/en/european-foreign-policy/security-policy/the-austrian-chairmanship-in-2017* and about the Federal Ministry for Europe, Integration and Foreign Affairs at *www.bmeia.gv.at/en*.

Italy will hold the OSCE Chairmanship in 2018. Learn more about the Italian OSCE Chairmanship at *www.esteri.it/mae/en/sala_stampa/archivionotizie/comunicati/2016/07/osce-presidenza-2018-all-italia.html* and about the Ministry of Foreign Affairs and International Cooperation of Italy at *www.esteri.it/mae/en*.

Switzerland held the OSCE Chairmanship most recently in 2014. Learn more about Switzerland's OSCE Chairmanship at *www.eda.admin.ch/eda/en/home/news/dossiers/alle-dossiers/osce-chairmanship-2014.html* and about the Federal Department of Foreign Affairs of Switzerland at *www.fdfa.admin.ch/eda/en/home.html*.

The **Center for Security Studies (CSS) at ETH Zürich** is a center of competence on Swiss and international security policy, offering security expertise in research, teaching and consultancy. Founded in 1986, it combines research and policy consultancy and thus functions as a bridge between academia and practice. Learn more at *www.css.ethz.ch/en*.

The **Geneva Centre for the Democratic Control of Armed Forces (DCAF)** is an international center of excellence whose mission is to assist partner States, and international actors supporting these States, to improve the governance of their security sector through inclusive and participatory reforms. DCAF has a long-standing collaborative relationship with the OSCE. Learn more at *www.dcaf.ch*.