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The Organization for Security and Co-operation in Europe – Co-operative Security

Introduction

In international security and defence policy, a number of various frameworks of cooperation are available for different actors. In the resulting diversity, the Organization for Security and Co-operation in Europe (OSCE) is a unique participant of co-operative security, which makes the organisation an option for arranging the settlement of crisis situations. This study aims to summarise such processes from specific perspectives.

First, an overview will be presented on the concepts supporting the theory which frames the topic. The OSCE will be examined through the theory of Barry Buzan, Ole Wæver and Jaap de Wilde on the extended concept of security (Buzan et al. 1998). A further dimension is offered by the theory of regional security complexes, which states that international security is founded on the relationships or the lack of relationships among actors (Buzan et al. 1998: 11). The components of this dimension are geographical, political, military, economic and energy related factors with significant impact on the interests and values of the actors constituting regional forms of co-operation as well as subsystems, so-called security complexes (Vida 2007: 30–40).

The security character of the OSCE

The OSCE, comprising 57 European, North American and Asian Member States is the largest regional organisation of the world with more than one billion population on its territory (OSCE s. a.m). It can be viewed as a general complex including the combination of the North American regional complex and of the European super-complex, furthermore, in some respects, it can be characterised by sub-complexes. Regional security complexes are parts of the system of collective security (Buzan et al. 1998; Remek 2017a). "The efficiency of collective security systems is reduced by neutrality, volunteer participation prioritising individual interests and reliance on individual force" (Tisovszky 1997: 9). Nevertheless, Article 52, Chapter VIII of the UN Charter supports regional efforts contributing to international peace and security: "The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council" (United Nations 1945: Article 52).

A regional organisation is defined as "an organization established by an intergovernmental treaty whose member states are bound by objectives deriving from their

common geographical, social, cultural, economic and political background" (BLAHÓ–PRANDLER 2014: 345). Beyond this, the states constituting a regional organisation or participating in specific agreements also form an independent security community (MATUS 2005: 179), which is a result of their gradually deepening co-operation. A security community is defined as a community of states "in which the participant states have made an agreement to settle possible conflicts nonviolently" (DANNREUTHER 2013: 146). In this context, the role of norms gets more and more important.

The role of norms must be emphasised in the case of the OSCE, especially because of the co-operative nature of the interpretation of security by the organisation. Co-operative security involves a system of institutions and mechanisms used by sovereign states in order to eliminate threats to security posed by state- or non-state actors (MIHALKA 2005: 114). Co-operative security is often considered a system of preventive mechanisms and institutions also related to collective security. Collective security can be defined as an effort to provide security inside a group of co-operating states (MIHALKA–COHEN 2001: 6). For example, the United Nations is a universal international organisation for collective security, the principles of which are included in its Charter. A regional example could be the OSCE, which aims at ensuring security in the Eurasian and Atlantic region. The definitions of co-operative security and collective security are, however, difficult to distinguish and are sometimes regarded interchangeable. As to collective defence, the distinction is clearer: an organisation of collective defence is established to defend its members from external aggression (MIHALKA–COHEN 2001: 7). In summary, a co-operative and a collective security organisation is focused on preventing and eliminating threats especially with non-military tools, whereas a collective defence organisation is usually based on the mutual commitment of its member states to defend each other with military tools in case of an aggression against any of them.

Co-operative security is the most general form of security political co-operation by states where a number of states try to eliminate a threat considered dangerous by each participant state. In a broader sense, it is a network of political and legal relations among states. It includes membership in international organisations as well as specific agreements, for instance, on verification of compliance with agreements on the limitation of armed forces, and other bi- and multilateral agreements. Another example for a co-operative security organisation can be the Association of Southeast Asian Nations (ASEAN); however, the prototype for the mechanism is the OSCE. The OSCE, like other regional organisations, "can act as a vanguard for the UN by building regional consensus around security issues before they are taken up at the global level" (ZANNIER 2015: 109).

The strategic and theoretical framework of the OSCE for security and defence

The emerging challenges of the post-bipolar era required innovative responses by the international actors (RADA 2019: 1–10). While the total number of interstate conflicts decreased in the1990s, the intrastate conflicts increased in amount (FRIEDMANN 2007: 78). The new challenges were of such nature that their management created new tasks for

the actors seeking to cope with those conflicts. The legal predecessor of the OSCE, the Conference on Security and Co-operation in Europe (CSCE) also took on new tasks from 1992 by engaging in international activities through its long-term missions, for instance, in Kosovo, the Sanjak, Vojvodina, Macedonia, Estonia and Latvia. All were crisis prevention or crisis management missions terminating in the early 2000s (Dunay 2010: 26).

The old and new components of the strategic framework of the organisation complemented and reinforced each other. Whereas the organisation identified the 21st century challenges in its Security Strategy (OSCE: 2003), it enhanced the security of its members and environment in line with the earlier principles (Helsinki Accords; Decalogue), reliant on a comprehensive and co-operative concept of security. It was comprehensive because it placed under scrutiny each sector of security (military, political, societal, economic, environmental and cyber). Co-operative, because each participatory state has equal rights. It should be underscored that the predecessor to the OSCE, the CSCE, had already done efficient work during the Cold War, such as the confidence- and security-building measures at the Stockholm Conference in 1984–1986, the Treaty on Conventional Armed Forces in Europe (CFE) in 1990, and the Charter of Paris for a New Europe in the same year. The member states of NATO and of the Warsaw Pact stated in the latter that they no longer considered each other enemies (Nagy 2010: 20).

Although the Helsinki Decalogue (CSCE 1975) served well to enhance East–West relations in the Cold War, its guiding principles did not completely fit the changed circumstances of the post-Cold War era. In some regions, "an irreconcilable conflict of interests arose between the principles of the sovereignty and territorial integrity of states, including the inviolability of borders and the right of peoples to self-determination" (Nagy 2010: 21).

In the early 1990s, the operation of the CSCE was institutionalised and in 1994 in Budapest it transformed into the Organization for Security and Co-operation in Europe. The organisation remained a forum for political dialogue between its member states: "The OSCE continued to play a key role in the European security architecture as a forum for inclusive dialogue and a platform for joint action" (Istituto Affari Internazionali 2016: 2), acting as an impartial observer and mediator. Consensus based decision-making not only survived but also has become a measuring instrument for the sense of responsibility of the states.

The OSCE aims at preventing the outbreak of conflicts as well as reaching a lasting settlement of prevalent conflicts and remedy afterwards, for which the toolbox of the organisation includes early warning, conflict prevention or resolution, crisis management and rehabilitation, which can be summarised by the term conflict cycle (OSCE s. a.a).

The peculiarities of OSCE crisis management are embodied in its institutional structure (see below), principles and mechanisms; in addition, these provide its framework for action. Principles and mechanisms were established in the early 1990s and were intended to counterbalance difficulties posed by consensus-based decision-making. An example is the introduction of the principles of "consensus minus one" and of "consensus minus two". According to these, if CSCE commitments were not honoured, decisions could be made without the consent of the countries concerned. In the first case, the state concerned

could not participate in voting, and in the second, two states in conflict would be called upon to make a compromise (Remek 2017c: 159–160).

As to mechanisms, the Vienna, the Berlin, the Moscow and Valletta Mechanisms were introduced. According to the Vienna Mechanism, a participant state may ask another one for information if it perceives unusual military activities, and response must be given in 48 hours. If response is denied or is unacceptable, the two countries may negotiate with the assistance of the OSCE. On request, the OSCE may even arrange an emergency meeting. The Berlin Mechanism must be applied if a state suspects that an emergency situation is unfolding in another state. In such a case information can be requested for from the state in question. It also involves opportunity for an emergency meeting. The main idea of the Moscow Mechanism is that, following information exchange and a bilateral meeting, the initiating party can ask the partner state to host an expert mission. If this request is denied, the initiating party may ask for a "reporting mission". The Valletta Mechanism is a reconciliatory one, within the framework of which any state may ask a third state to intervene in the settlement of a dispute. Less known is the Risk Reduction Mechanism, the Consultation and Co-operation as Regards Unusual Military Activities (OSCE 2011).

Chapter VIII of the UN Charter provides opportunity for deepening co-operation between the international actors in the area of prevention. Until the end of the 1990s, in the peaceful settlement of local disputes most efforts focused routinely on "the culture of reaction" (peacekeeping, peacebuilding, rehabilitation), not on "the culture of prevention" (early warning, early intervention). At present, the main objective of the OSCE is obviously the latter, although the intention to prevent conflicts manifested as early as the time of the CSCE.

The activities and organisational structure of the OSCE

From the 1990s, the OSCE became an integral part of the Euro-Atlantic system of institutions. On the basis of the division of work among European institutions, as a regional organisation of "soft security", it mostly uses the tools of "soft power" (Salát 2010: 100–113), traditionally managing three dimensions: political, economic-environmental and human. This threefold division has prevailed since the baskets of the Helsinki Accords (CSCE 1975). The activities of the organisation are broad-range and extend to many kinds of missions.

The first dimension, for instance, comprises security political and military issues, arms control, border control, conflict prevention and management, reform of the security sector, counterterrorism efforts and confidence building measures. The second dimension involves good governance and areas related to economic, technological and environmental cooperation. The third dimension includes areas such as humanitarian and human rights issues, to lerance, anti-discrimination efforts, rule of law and freedom of the media (OSCE s. a.k). Beyond these three dimensions, some activities may be "overarching", that is, related to more than one dimension, for example, global challenges, cybersecu-

rity, trafficking in humans, the state of education and of the youth, or the issue of gender equality (OSCE s. a.k).

The OSCE does not have a legal status in international law, so all its decisions are of political nature. The lack of a founding document has so far prevented the OSCE from establishing an international legal status for the whole of the organisation. Nevertheless, some of its bodies, for instance the OSCE Secretariat and the Parliamentary Assembly, enjoy legal status with privileges and immunities granted by the host states of their headquarters. A Draft Convention on the International Legal Personality, Legal Capacity, and Privileges and Immunities of the OSCE was created in 2007 but not adopted by all participating states (OSCE 2015). The reason was that some states insisted the organisation must have a statute, that is, a founding document first. The legal personality of the OSCE would be crucial in a number of areas such as in entering into agreements and co-operation with other international organisations and institutions or providing security, insurance and protection for members of OSCE missions (see the following chapter). However, the OSCE still meets the criteria of being an international organisation and the majority of its tools, decisions, declarations are framed in legal wording, and their interpretation requires the overall understanding of the basic principles of international law as well as of international treaties.

The declarations of the organisation have been and are issued at the highest political level and have real significance. An example could be the Charter of Paris for a New Europe, which was signed by Heads of Government and Heads of State on 21 November 1990 (OSCE 1990: 2). It was the first multilateral agreement which stated the importance of the end of the Cold War and, additionally, the need for the institutionalisation of the CSCE. This institutionalisation marked the adaptation of the organisation to the changed security environment and the reinforcement of its role in conflict prevention. For instance, at the 1992 Helsinki Summit a decision was made to establish the following: Forum for Security Co-operation, High Commissioner on National Minorities, Economic Forum, Senior Council.

In 1990, the Conflict Prevention Centre was established with the mission of reducing the risk of conflicts and assisting the work of the CSCE institutions. Today the Centre works as an early warning hub facilitating talks and mediation between missions and decision-making bodies as well as regional co-operation initiatives. Furthermore, it provides assistance to the Forum for Security Co-operation, which is an independent decision-making body on military security issues.

In summary, it can be concluded that "with the Charter of Paris, the classic and spectacular period of the CSCE terminated and, since then, its history is characterised by slow evolution" (Nyusztay 1997: 21). A tangible result of this evolution is the current organisational structure of the OSCE, which will be discussed below.

The organisational structure of the OSCE

The OSCE has decision-making, executive and confidence building bodies. (For field missions see the following chapter.) Figure 1 describes the structure of decision-making.
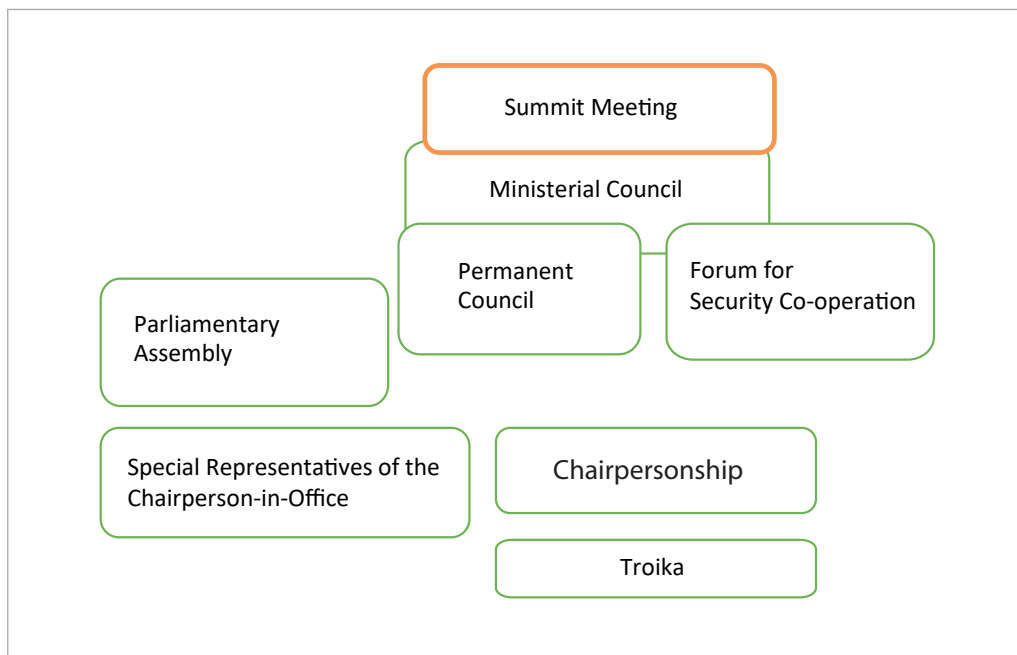

Figure 1: OSCE Decision-making Bodies
Source: Compiled by the authors based on OSCE s. a.j

The Heads of State and Heads of Government gather at summit meetings, the highest political forums. The summit meetings assess the overall state of the OSCE region and determine the strategic objectives. The preparation of the summits takes place at review conferences (OSCE s. a.i).

Between summits, decision-making and related tasks of leadership are the responsibility of the Ministerial Council, which is the highest political body. Its members are the Ministers for Foreign Affairs of the participant states who meet annually in the country filling the post of chairpersonship. If a country objects to a proposal, the talks may end without a result, because at the sessions of the Council consensus rarely develops, and, in lack of it, no decision can be made (Blahó–Prandler 2014: 366). Thus, despite its importance, this body does not always support the crisis management by the OSCE.

The Senior Council prepares the meetings of the Ministerial Council and implements the decisions. Its members are political directors delegated from the Ministries for Foreign Affairs of the participating countries. It was integrated into the Permanent Council in 1997.

The headquarters of the Permanent Council is in Vienna. It works in weekly sessions led by the Chairperson-in-Office. The Permanent Council discusses conflicts, challenges and risks in the OSCE region, issuing declarations and making decisions (OSCE s. a.f).

The creation of the Permanent Council enhanced the early warning capability of the OSCE, what is more, the Council plays a decisive role in conflict prevention as it has an appropriate toolbox including fact-finding, data collecting and long-term missions. The latter is relevant because the Permanent Council grants the mandates for operations and is responsible for their extension (Cohen 1999: 91). Besides, "the efficiency of conflict prevention also depends on its influence on states so that it can motivate them to use their crisis prevention instruments for achieving the objectives" (Cohen 1999: 23).

As it was mentioned earlier, military security and the creation of stability belong to the Forum for Security Co-operation. It was established in 1992 and its members are the permanent representatives of the participant states of the OSCE. It is responsible for the exchange of military information and the implementation of confidence building and security enhancement measures, furthermore, the democratic control over security forces. Its headquarters is in Vienna, where its sessions are held weekly.

The most transparent institutions in the OSCE are the Chairpersonship and the Chairperson-in-office beside the Troika, which is reference to the collaboration of the preceding, the incumbent and the next Chairperson-in-Office. This trio-like collaboration was institutionalised by the Helsinki Document 1992. Chairpersonship is held on rotation by a different participating state each year. The Foreign Minister of the country which holds chairmanship in a particular year is the Chairperson-in Office (OSCE s. a.j). The Chairperson-in-Office is responsible for the coordination of relationships with international organisations, consultations. The Chairperson-in-Office also plays an important role in conflict prevention and crisis management. His or her work is helped to a great extent by the Personal Representatives of the Chairperson-in-Office. Several Representatives of the Chairperson-in-Office may be working and each is appointed and tasked by the Chairperson-in-Office. They are involved in prevention and crisis management, besides, ensure the "visibility" of the OSCE in areas like gender, youth and to lerance issues (Cohen 1999: 23–30).

The Parliamentary Assembly, which has its headquarters in Copenhagen and which does not directly take part in crisis management, was one of the outcomes of institutionalisation. It was established in 1990 with the mission of maintaining contact among the national assemblies of the participant states. Thus, the members of the Parliamentary Assembly are delegated by the national parliaments of the member states. Its mission includes the development of conflict resolution mechanisms, the reinforcement of democratic institutions and the facilitation of the cooperation of the OSCE institutions (OSCE s. a.d).

The bodies discussed so far have been decision-making ones, as it was said above. Executive bodies are as follows (see Figure 2 below): the Secretary General (since 1992) is responsible for administrative aspects of implementation and financial affairs together with the Secretariat (since 1990).
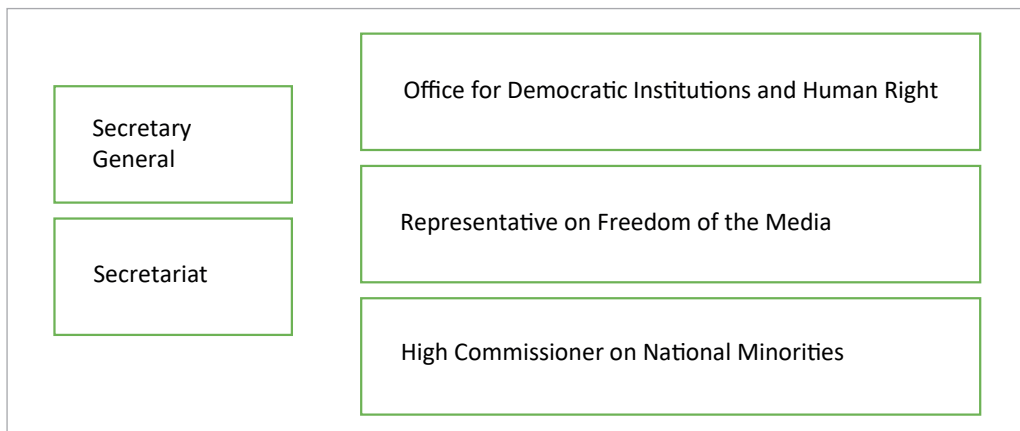
Figure 2: OSCE Executive Bodies
Source: Compiled by the authors based on OSCE s. a.j

The Secretary General has significant tasks in relation to crisis management, for instance, informing the Permanent Council about increasing tensions or deepening crisis in the area of operations of the OSCE. The Secretary General also consults the states concerned, makes proposals for possible solution, oversees the leadership of the OSCE missions, and coordinates the tasks between the OSCE missions and bodies. The Secretary General takes part in debates in the Permanent Council and in the Forum for Security Co-operation and oversees the management of field operations. Besides, the Secretary General acts as a representative of the Chairperson-in-Office in achieving their objectives (OSCE s. a.g).

When it comes to conflict prevention, the position of the High Commissioner on National Minorities created in 1992 needs to be mentioned, too. The High Commissioner has a role in the early warning phase of crises besides their prevention. Taking into consideration that one or more groups of ethnic minorities can be found on the territory of nearly all participant states, due to the mission of the High Commissioner, safeguarding minority rights may contribute to the stability of the region through its mission in shaping an integrated, multi-cultural society, which is in line with the mission of the OSCE.

The High Commissioner provides "'early warning' and, as appropriate, 'early action' at the earliest possible stage with regard to tensions involving national minority issues that have the potential to develop into a conflict". […] The High Commissioner enters into contact with the Office for Democratic Institutions and Human Rights (ODIHR) whose headquarters are located in Warsaw (CSCE 1992: 8). The latter represents the human rights dimension of the OSCE. One of its main missions, for instance, is monitoring elections and honouring OSCE principles and commitments during the process (OSCE ODIHR 2010).

The Representative on Freedom of the Media (RFoM) is responsible for the independence and plurality of the media. Free and independent media is a pillar of democratic societies, that is why the OSCE pays special attention to free expression of opinion and open journalism.

Apart from the above mentioned bodies, further institutions of confidence building are connected to the OSCE. One is the Open Skies Consultative Commission, which oversees the implementation of the Treaty on Open Skies in effect since 2002. Unfortunately, the United States withdrew from the Treaty in 2020, and Russia withdrew in 2021 (Arms Control Association 2021). Another is the Joint Consultative Group, which verifies the implementation of the Treaty on Conventional Armed Forces in Europe (OSCE s. a.h). Finally, the Court of Conciliation and Arbitration seated in Geneva is committed to settling interstate debates, however, its assistance has never been requested.

The role of the OSCE in crisis management

The changes in the 1990s required the launch of OSCE missions. The objectives of missions were officially stated at the Helsinki Summit in 1992: for example, data collection, fact-finding, peacekeeping as well as their types: short term, such as data collecting, or long term, such as peacekeeping with observer missions (CSCE 1992: 13–14).

The tasks included in the crisis management portfolio of the OSCE are early warning, conflict prevention and post-conflict peacebuilding summarised as conflict cycle in the academic literature, as it was mentioned before. They are accomplished through a network of local missions and with the participation of the above-mentioned Conflict Prevention Centre. In addition to the Permanent Council, the Security Cooperation Forum bears responsibility for crisis management. Among the major tasks of the latter are regular consultations on arms limitation and disarmament, and, in addition, assistance in the implementation of confidence- and security-building measures, for which the regulation of the exchange and mutual verification of military information is crucial.

The various field missions of the OSCE provide its peculiarities and unique character mentioned before. Currently, in 2023, eleven missions are in process in four regions Southeast Europe, East Europe, the South Caucasus and Central Asia (OSCE s. a.l). OSCE missions are discussed in more detail in the following chapter.

For launching a mission, the consent of the host state is needed, as well as the consensus of the state parties. The mandate is determined by the Permanent Council and the Head of Mission is appointed by the Chairperson-in-Office. The mandate of the Heads of Mission can be extended annually. The civilian or military experts of the missions are delegated by the member states. Missions can enter in any phase of the crisis, thus accomplishing diverse tasks from preventive diplomacy to post-crisis peacebuilding.

The OSCE has various tools for performing its missions, for instance, involving fact-finding and rapporteur missions, missions accomplished by the Personal Representative of the Chairperson-in-Office, or ad hoc work groups, which are set up case by case, mechanisms for debate resolution and peacekeeping, among others (Osváth et al. 2002: 26–29).

Missions can be remarkably diverse in mandate, size or tasks. This requires a certain flexibility from the OSCE, while the experience gained from the many missions results in the unique capability of the OSCE to manage crises. Earlier it was mentioned that the Permanent Council plays a decisive role in controlling the missions, nevertheless,

each detail of the launch of a mission must be acceptable to the participating states. The host country must take an active part in the elaboration of the mandate of the mission in order to avoid their perception of the event as a violation of its sovereignty later. That is, the mission must be welcomed by the host governments, whose consent is required in three areas: the mandate, the budget and the Memorandum of Understanding (OSCE Network 2014: 12).

According to the rules of procedure, the Chairperson-in-Office appoints the Head of Mission on the basis of preliminary consultation with the participatory states, which is confirmed by the decision of the Permanent Council (Cohen 1999: 88). Reports by the Heads of Mission are the primary means of early warning, in addition, they provide feedback on the accomplishment of tasks. The reports are relevant but not public, and they serve as tools in the coordination of those political bodies of the OSCE that may impact the completion of the mission (Cohen 1999: 89).

On the whole, the OSCE missions have three advantages in comparison with similar activities of other organisations. These also offer an explanation for the statement in the introduction that the organisation has remained an option for addressing a number of crisis situations: its activities are characterised by inclusivity, expertise and quick reaction.

Budget

As much as 70% of the budget of the OSCE is allocated by the 28 Member States of the EU. In the 1990s, some analysts claim, the EU paid little attention to the political, military and economic environment (Nünlist–Svarin 2014: 14), focusing principally on the exportation of human rights and democracy to the East. The obsolescence of the arms control mechanism of the OSCE directly resulted from the negligence of the military dimension (Korzun 2016). Besides, NATO and the EU were more and more "competing" with the organisation in creating European security, but they had more financial resources than the OSCE, whose annual budget decreased by 25% in the past decade (Nünlist–Svarin 2014: 14).

For instance, the 2016 budget of €141 million amounted to only 3% of the UN budget. Six nations granted 60% of the funding, all of them being G7 members: Canada, France, Germany, Italy, the United Kingdom and the United States (De Waal 2017).

As it was seen formerly, the OSCE finances itself from the contributions of its 57 participant states. For instance, on 18 August 2021, in Permanent Council Decision No. 1413, the OSCE Permanent Council adopted the Organization's Unified Budget for 2021, totalling €138,204,100 (OSCE 2017; OSCE 2021b). Currently, the OSCE employs 550 officials in its institutions and 2,330 in field operations. The number of local staff is three times higher than that of international employees (OSCE s. a.e).

In order to enhance transparency and accountability, and prevent fraud or mismanagement of resources, independent internal and external auditors regularly examine and evaluate the budgetary and financial activities of the organisation. If alleged or suspected

mismanagement arises, they report it to the Secretary General. Audits, assessments and investigations are conducted by international standards (OSCE s. a.e).

A major challenge of the future is to increase the contributions of the OSCE member states so that the organisation can efficiently perform its operative tasks. Secretary General Thomas Greminger recognised on entering office in 2017 that the Unified Budget of the OSCE had been decreasing in the previous years. He remarked: "If we want the OSCE to be fit for purpose, we need the participating States to come along resource wise" (LIECHTENSTEIN 2017).

Under Helga Maria Schmid, the incumbent Secretary General since 2020, the Unified Budget was the same in two following years: €138,204,100 (OSCE 2020: 104; OSCE 2021a: 104).

Summary

The OSCE addresses various aspects of security within its own range of activities. Its comparative advantages in contrast to other international actors are its political and institutional inclusivity, regional expertise, routine and quick reaction. Nevertheless, its activities are hindered by its shortcomings in planning and execution, and especially the burden of the financial sustainability of individual operations (OSCE Network 2014: 3).

The OSCE is an important factor in the European security system: a suitable political thermometer (DUNAY 2010: 24). Using Swiss Minister of Foreign Affairs Didier Burkhalter's words: the OSCE has become the eyes and ears of the international community.

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