

# Introduction to OSCE Insights 2021: Identifying Common Ground

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The year 2021 saw the intensification of the many crises facing the OSCE. For the second time in a row, this time for political reasons, the Human Dimension Implementation Meeting (HDIM) – Europe’s largest human rights gathering – was cancelled. Russia had opposed holding the meeting, revealing the extent to which the third (human rights) dimension of the OSCE had become a political battleground. It also rejected an extension of the mandate of the OSCE Observer Mission at two Russian checkpoints on the Russian–Ukrainian border in eastern Ukraine. Instead, in late 2021, Russia sent a large number of troops near the border with Ukraine, raising the spectre of a major war.

The year also set a negative record in that it took until August for participating States to agree on the OSCE’s budget, adding to the difficulties of strategic planning posed by annual budget cycles and budget freezes. After years of zero nomi-

nal budget growth, the Organization is reaching the limits of its operational capacity.

The Ministerial Council held in Stockholm in December 2021 demonstrated that participating States still want to use the OSCE as a platform for cooperation. Thus, they took a decision on climate change (even if vaguely worded) and issued a statement on Transdnistria. However, both the plenary sessions and the side events revealed deep rifts with Russia regarding Western support for democratization and human rights, which Russia viewed as illegitimate interventions in internal affairs. Throughout 2021, the Swedish Chair’s high hopes of strengthening compliance with OSCE commitments failed to materialize.

These developments in 2021 thus confirmed that the OSCE is undergoing a deep crisis of legitimacy. Governments neither take decisions nor provide the resources the Organization needs to function; instead, they contest both each other’s and the OSCE’s practices and underlying norms. These negative developments are part of a broader crisis

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of multilateralism, democracy, and Western–Russian relations.

All this raises the following questions: Where do governmental interests dovetail, and where do they diverge? If interests diverge widely, can the OSCE still carry out its broad mandate? Should it be redesigned, and if so, how? These issues are addressed in this second edition of *OSCE Insights*, produced by the Centre for OSCE Research (CORE), Institute for Peace Research and Security Policy at the University of Hamburg (IFSH). They are painful questions, at least for supporters of cooperative and comprehensive security, but they cannot be ignored.

### Contributions to the 2021 edition

The contributions to *OSCE Insights 2021* can be divided into three groups. The first examines the extent to which divergent government interests continue to stymie the OSCE. The second considers the dilemmas facing the OSCE and presents options for redesigning the Organization, while the third suggests ways forward in specific areas within existing organizational capacities.

### Divergent interests and their effects

A special issue edited by *Frank Evers* and *Argyro Kartsonaki* compares eight selected OSCE participating States: France (*Barbara Kunz*), Kazakhstan (*Rustam Burnashev* and *Irina Chernykh*), North Macedonia (*Ana Krstinovska*), Poland (*Łukasz*

*Kulesa*), Russia (*Andrei Zagorski*), Sweden (*Lars-Erik Lundin*), Turkey (*Giray Sadik*), and the United States (*Daniel Hamilton*). While analysing governmental interests is crucial for understanding any international organization, this is particularly true of the OSCE: decisions require consensus, the OSCE lacks sticks for enforcing compliance with commitments, and civil society is largely excluded from the decision-making bodies.

The case studies reveal much variation in how participating States perceive the value of the OSCE. Variation also exists regarding the dimensions and topics of interest. Generally, the OSCE is seen as less important than other international organizations. Moreover, participating States interpret OSCE principles differently; thus, Russia would like to see a debate on how freedom of alliance squares with the indivisibility of security. States disagree on the third dimension in particular, with political regime type being the main determinant of where governments stand: autocracies contest liberal norms and the autonomy of institutions such as the OSCE Office for Democratic Institutions and Human Rights (ODIHR), and democracies insist on compliance with commitments.

However, the special issue also suggests that the OSCE will survive. All of the governments discussed share a minimum interest in maintaining the OSCE as a platform for dialogue, and there is no evidence of a strong preference for leaving the Organization. States also have an interest in specific fields, including conflict prevention and human rights, where the OSCE has a competitive edge.

Nonetheless, an ailing organization can only do so much. In addition to the contributions to the special issue, former OSCE Secretary General *Thomas Greminger* reveals in a separate paper how the OSCE's legitimacy crisis has affected the OSCE Secretariat. Budget freezes, blockades, and micromanagement by participating States mean that executive structures and institutions have been hard pressed to carry out their numerous mandated activities. In important areas, governments have stymied Greminger's "Fit for Purpose" agenda, through which he tried to reform OSCE management processes and structures.

### Dilemmas facing the OSCE

A second group of papers discusses dilemmas facing the OSCE. Drawing on institutional theory, *Matthias Dembinski* and *Hans-Joachim Spanger* present two options for redesigning the OSCE to address the crisis of legitimacy.

On the first option, the Organization would focus on areas of relative consensus among participating States, in particular conflict prevention. This would allow for the continuing delegation of competencies to executive structures in order to facilitate cooperation among states and to help implement agreements. This option leaves little room for the human dimension, however, and could therefore spell the end of comprehensive security.

On the second option, participating States would preserve the broad mandate of the OSCE but would increase gov-

ernmental control over executive structures and institutions. This would imply the de-institutionalization of the OSCE across its three dimensions and a return to a CSCE-style conference format, for example by stripping ODIHR of its relative autonomy or even abolishing it altogether.

The authors' analysis raises a major dilemma: an OSCE thus redesigned could potentially become unblocked, but at the cost of a narrower mandate (option 1) or the termination of its role as a developer, implementer, and monitor of norms (option 2).

*Stefan Wolff* and *Stephanie Liechtenstein* examine China's Belt and Road Initiative and its implications for the OSCE. Describing Chinese activities in Central Asia, the South Caucasus and Eastern Europe, and the Western Balkans, they conclude that China's growing influence, although it varies across OSCE sub-regions, is too large to ignore. They therefore suggest ways in which the OSCE could engage China.

The dilemma here is that – as the authors acknowledge – such engagement may be a bridge too far for the OSCE. The OSCE is struggling to carry out core tasks such as holding the HDIM; adding new and ambitious topics to its agenda such as engaging China (on top of addressing other pertinent issues including climate change, migration, and Afghanistan) would put additional pressure on an already overstretched organization.

## Ways forward in specific areas

Several contributions to OSCE Insights 2021 demonstrate that progress in specific OSCE areas may be possible even in the absence of substantial OSCE reform. *Fred Tanner* compares the OSCE's two main civilian missions: the Special Monitoring Mission to Ukraine and the Kosovo Verification Mission. Both offer lessons for future missions operating in high-risk areas, including a potential mission to address the conflict over Nagorno-Karabakh. A key lesson is that robust military OSCE missions are unfeasible.

*Nino Kemoklidze* also studies OSCE conflict management in troubled areas, focusing on Georgia. Following the Georgian–Russian war in 2008, Russia forced the OSCE to close its field presence in Georgia. Subsequent negotiation, mediation, and conflict prevention formats have not managed to break the deadlock over Abkhazia and South Ossetia. Despite these setbacks, Kemoklidze argues that the OSCE can nevertheless contribute to conflict management, even in the absence of a field operation.

*Gaetano Pentassuglia* examines the role of the OSCE High Commissioner on National Minorities (HCNM), with a focus on the political participation of minorities. He demonstrates the need for further standard-setting and clarification of international norms – especially those enshrined in the Lund Recommendations – under the auspices of the HCNM. Minority participation raises questions regarding the right balance between integration and separation, and Pentassuglia shows how this tension can be eased, especially

with regard to political parties, consultative bodies, and self-governance.

*Dmitri Makarov* also writes about protecting rights. Human rights groups occupy a prominent place in the history of the CSCE. Many such groups have again come under pressure from states, especially authoritarian ones. What are the chances of another “Helsinki from below” movement? Makarov reveals that trends such as the transformation of human rights groups into professional NGOs are problematic. Drawing on examples of successful citizen mobilizations, he offers recommendations for how to strengthen human rights groups, in particular through greater transnational cooperation.

*David Galbreath, André Härtel, and Stefan Wolff* examine cooperation between the OSCE and the EU. The EU has the potential to strengthen the OSCE, which would also be of benefit to the EU itself. In practice, however, both organizations tend to work in parallel, and there is a risk that the power of the EU could further weaken the OSCE. The authors suggest that the EU should a) regard the OSCE not merely as an instrument but as an autonomous institution with distinct capabilities, b) use the OSCE as a forum for genuine dialogue with non-EU states, especially Russia, and c) avoid duplicating activities, as this could further weaken the OSCE.

## Towards Helsinki+50

The contributions to OSCE Insights 2021 offer stimuli for discussions in the run-up

to the 50<sup>th</sup> anniversary of the Helsinki Final Act in 2025. Their findings suggest that democratic participating States can pursue three strategies for coping with the OSCE's legitimacy crisis, which we might characterize as "insisting on compliance", "redesigning", and "muddling through". Unfortunately, all three have drawbacks.

First, governments could continue to insist on compliance with OSCE commitments. In line with this strategy, they could – as many did in 2021 – use strong language to press authoritarian participating States to change their behaviour. However, there is no evidence that such rhetoric yields results; instead, it seems to fuel tensions between authoritarian and democratic participating States.

Second, participating States could redesign the OSCE along the lines envisaged by Matthias Dembinski and Hans-Joachim Spanger. The OSCE could be downsized and limited to areas of common interest, such as conflict prevention and the fight against terrorism. Yet losing existing institutional elements such as ODIHR would be a heavy cost; indeed, it would be tantamount to giving up on the concept of comprehensive security. From the perspective of democratic participating States, such radical institutional change is neither justifiable at their own domestic level nor desirable.

Third, states could muddle through. Rather than dismantling existing organizational structures, they could use the OSCE for identifying areas of common interest and for facilitating cooperation in these areas while pragmatically avoiding antagonistic confrontation on thorny

issues. This strategy takes into account the current rift between democracies and autocracies but leaves open the possibility of broader cooperation in the future.

While this third, pragmatic, approach has its merits, it is not a panacea. Muddling through has reached its limits when a logic of escalation has landed Russia and Ukraine, with the possible involvement of NATO, on the brink of a major war. The Organization is also put in emergency mode when the Secretariat, field operations, and institutions must put activities on hold because governments do not agree on the OSCE budget; Thomas Greminger's analysis implies that OSCE bodies have been stretched to the point where attempting to make do with the limited resources available to them will soon no longer work. Proponents of muddling through may argue that we simply have to wait until governments once again support OSCE structures and institutions. This hope may be misplaced, however, because the conditions necessary for such a shift – in particular the democratization of authoritarian states who seek greater control over the OSCE – are not on the horizon.

Furthermore, pragmatic cooperation in areas of common interest may further erode compliance with OSCE commitments. For example, Western states and Russia share an interest in preventing and prosecuting terrorism. However, meaningfully including human dimension elements when implementing such projects conducted jointly with authoritarian states is difficult. Finally, the hope that pragmatic cooperation will prevail ignores the fact that domestic drivers

such as the assumption that domestic liberal norms can be exported often trump the search for international consensus.

The contributors to OSCE Insights cannot solve the dilemmas inherent in these three strategies. Nevertheless, they can support cooperative and comprehensive security by presenting evidence of what works and what does not. Many practices must be put to the test, such as whether aggressive rhetoric or an appeal for greater “political will” can override domestic policy drivers. Discussing these questions will remain the key objective of OSCE Insights in the coming years.

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You, our readers, are at the centre of this effort. CORE is pleased to present these ideas to you and happy to hear your feedback and suggestions for future contributions to OSCE Insights.