

The OSCE marks 40 years since the Helsinki Final Act: Its principles are more valid than ever

Erwan Fouéré

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Abstract. As it approaches the 40th anniversary of the Helsinki Final Act, the Organization for Security and Co-operation in Europe (OSCE) can be justly proud of its remarkable achievements over the past four decades. That it has survived the vicissitudes of Europe's turbulent recent history is a measure of its enduring success. At the same time, however, the annexation of Crimea and the conflict in Ukraine continue to have a major impact on its work and underline the lack of political will in an organisation that operates by consensus. The so-called Helsinki +40 exercise has established a 'Panel of Eminent Persons on European Security as a Common Project', which will need to come forward with bold initiatives to encourage the participating states to renew their commitment to the ten founding principles of the Helsinki Final Act.

Introduction

"The Iron Curtain is rusting", observed the then Soviet Foreign Minister Eduard Shevardnadze in 1989 – perhaps in belated recognition of the contribution made by the Helsinki Final Act, signed 14 years earlier, to the disintegration of Europe's dividing lines. As we approach the 40th anniversary of the signing of the Helsinki Final Act, it is an appropriate moment to reflect on the dramatic developments in the decades that followed, and to consider the challenges facing the Organization for Security and Cooperation in Europe (OSCE), as it is known today.¹

¹ On 1st August 1975, the heads of state or government of 35 nations, from Vancouver to Vladivostok, signed the Conference on Security and Cooperation in Europe Final Act - more commonly known as the Helsinki Final Act. By adopting the 'Decalogue' of basic principles guiding relations among the participating states contained in the document, the 35 leaders launched the 'Helsinki Process', which became the main forum for political consultation and negotiation on a comprehensive set of issues, including human rights and fundamental freedoms. The CSCE became the Organization for Security

Erwan Fouéré is Associate Senior Research Fellow at CEPS.

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Considering the momentous events of the late 80s and early 90s in Europe, and the unique task given to the CSCE to manage these historic transformations, what was achieved in those first 20 years was truly remarkable. The development of its comprehensive approach to security, the establishment of its so-called autonomous institutions, and the setting up of its field operations, which remain one of its most effective instruments, are reminders of what the organisation has achieved over the years.²

At the same time, there were suggestions, as it approached its 30th and 35th anniversaries, that the OSCE had lost momentum and political will on the part of the participating states; some even undermined its work by temporarily blocking approval of its operational budget. Russia, in particular, became more strident in its criticism of the West for being overly selective in its approach and for focusing too much on human rights issues at the expense of the other dimensions of the OSCE's comprehensive approach to security. Russia's accusations of double standards contributed to the further weakening of the OSCE, adding to a sense of frustration and underlining the need for a fundamental rethink by the West of how to make the Organization more responsive to emerging challenges and maintain its relevance as a forum for dialogue from Vancouver to Vladivostok.

There is no doubt that the fallout from Russia's annexation of Crimea, the continued fighting in Ukraine and the impact in the broader region has had a profound impact on the work of the OSCE and on its role in what is the security disorder in Europe. It upended the Helsinki +40 exercise launched by the Irish OSCE chairmanship and endorsed by the OSCE ministerial meeting in Dublin in December 2012, aimed at reinvigorating the founding principles of the Helsinki Final Act. At the same time, paradoxically, the Ukraine crisis has reaffirmed the vital role of the OSCE in conflict management, with the Special Monitoring Mission (SMM) being deployed in record time and being the only international organisation to have a monitoring mission present on the ground. In a sense this crisis has injected a new lease of life into the OSCE, even if the 40th anniversary celebrations will be more muted than originally intended before the Ukraine crisis.

Time will tell whether the report to be presented next November by the Eminent Persons Panel will help to overcome the lack of political will currently casting a shadow over many aspects of the Organization's work.

Background

At the height of the summer, with the cold war still overshadowing global diplomatic relations, an impressive gathering of 35 world leaders assembled in the Finlandia Hall in Helsinki, on 1st August 1975, to pen their signatures to the Helsinki Final Act. This landmark document was to herald a new approach in relations between East and West.

In a period marked by mistrust and deep-rooted ideological conflicts, the fact that leaders as diverse as Leonid Brezhnev, Gerald Ford, Josip Broz Tito, Pierre Trudeau, His Beatitude Archbishop Makarios III, and the leaders of both West and East Germany, Helmut Schmidt and Erich Honecker respectively, sat together in the same ceremonial hall was a remarkable

and Cooperation in Europe, from 1st January 1995, to reflect the institutional development from a process into a body with permanent structures, autonomous institutions and a growing number and range of tasks.

² Galbraith, D. (2007), "The Organization for Security and Cooperation in Europe", London: Routledge; Schnabel, A. and D. Carment (eds.) (2004), *Conflict Prevention, From Rhetoric to Reality: Organisations and Institutions*, Lanham: Lexington Books.

achievement in itself. It was enough to show to everyone that change, as yet undefined, was on its way in Europe.³

This extraordinary event was described as “the most spectacular gathering of world leaders since the 1814-1815 Congress of Vienna”, according to *Time Magazine* in its special edition of 4 August 1975. The description by British Prime Minister Harold Wilson was one of those most quoted:

“In territorial coverage, in representation at top level of almost every State, large and small, this conference so transcends any previous meeting that it makes the legendary Congress of Vienna of 1814 and the Congress of Berlin of 1878 seem like well-dressed tea parties.”⁴

This moment in history offers us an important lesson for the turbulent world of today. Even during the cold war, with its clearly delineated spheres of influence, what appeared impossible at the time was made possible through painstaking dialogue and perseverance. It succeeded because “responsibility and far sightedness rather than timidity and thinking in terms of rivalry were the determining factors”, to quote long-serving Foreign Minister Hans-Dietrich Genscher at an event in Berlin on 1st August 2005, marking the 30th anniversary of the signing.⁵

Admittedly, the event was preceded by a long gestation period, with negotiations for the final text spread over the three previous years, starting in 1972. From the original Soviet idea of a European security conference launched at the Warsaw Pact summit of March 1969, the Conference for Security and Co-operation in Europe evolved against the backdrop of both Chancellor Willy Brandt’s *Ostpolitik* and the emergence of the nine-member European Community on the international stage. Competing interests were at play, with the Soviet Union determined to secure recognition of existing borders and spheres of influence, while the US, under President Nixon and Secretary of State Kissinger, were more focused on multilateral disarmament, and giving priority to the military aspects of *détente*. On the other hand, the European Community was keen to use the CSCE process to push ahead on human rights, on freedom of religion and free movement.

Bearing in mind these competing interests, that agreement was reached on the final text of the Helsinki Final Act with its ten key principles and three ‘baskets’ (covering security and disarmament, economics, science and technology and the environment, and the human dimension)⁶ is all the more remarkable. As the President of Finland, Tarja Halonen, stated in her remarks on 1st August 2005, on the occasion of the thirtieth anniversary:

“The Helsinki Final Act was the real Magna Carta of *détente*. Not only was it a charter governing relations between States, it was also a charter of freedom for nations and individuals.”⁷

Nevertheless, the Helsinki Final Act had its detractors. In the West there were those who lamented what they considered to be the acceptance of Moscow’s sphere of influence and

³ See Appendix 1 for the 35 signatories to this Act, featured in the OSCE Magazine, Special anniversary issue October 2005.

⁴ Ibid.

⁵ Ibid.

⁶ Conference on Security and Cooperation Final Act, Helsinki 1975; OSCE archive.

⁷ OSCE Magazine, op. cit.

the Iron Curtain dividing Europe. In Moscow there was satisfaction that it had, in its view, gained recognition of the status quo and its control over the Warsaw Pact countries.

But as history unfolded, the Helsinki Final Act became a catalyst for change in ways that Moscow certainly did not expect. Fourteen years after the signing of the Helsinki Final Act, the Soviet Union collapsed; the Berlin Wall was torn down by citizens on both sides – thus bringing a peaceful end to the division of Germany and irrevocably redrawing the map of Europe overnight.

In particular, the human rights provisions contained in the Final Act had a galvanising effect in expanding the notion of security to include fundamental freedoms, throwing a lifeline to dissident movements in the East who were struggling for recognition during the dark years of the cold war. It is worth recalling that in the same year of the signing of the Helsinki Final Act, the Nobel Peace Prize was awarded to Andrei Sakharov. He and other courageous personalities such as Vaclav Havel were given strength by the Final Act and used its principles to maximum advantage.

Follow-up meetings of the 35 participating states, which took place initially at two yearly intervals, with the first one hosted by Yugoslavia in Belgrade (October 1977 - March 1978), provided a forum for review of progress and for the West, in particular, to maintain pressure on overseeing respect for the commitments entered into.

The dramatic geopolitical changes in Europe's security architecture following the events of the late 80s and early 90s led to the institutionalisation of the CSCE and the establishment of autonomous institutions, such as the Office for Free Elections (now the Office for Democratic Institutions and Human Rights-ODIHR), based in Warsaw.

Starting with the Charter of Paris for a new Europe adopted at the Summit in Paris of the 35 participating states in November 1990, and the Treaty on Conventional Armed Forces (CFE) in Europe negotiated and adopted in the CSCE framework, also in November 1990, successive summits strengthened the CSCE's role in responding to the challenges of the post-cold war period. Its name was changed to Organization for Security and Cooperation in Europe at the 1994 Budapest Summit, while the 1999 Summit at Istanbul adopted the OSCE Charter for European Security aimed at strengthening the operational capacity of the Organization. The CFE and other arms agreements, as well as the Confidence and Security Building Measures (CSBM) that are implemented within the OSCE have significantly contributed to Europe's military security and reduced levels of arms.

Looking back over the years there is no doubt that the road travelled has been considerable. From modest beginnings, the Organization has grown to what it is today, a forum for dialogue and multilateral diplomacy promoting a comprehensive approach to security, an inclusive membership (now 57 participating states), and a flexible structure. Using its autonomous institutions, such as the ODIHR, the office of the High Commissioner on National Minorities (HCNM), based in The Hague, the Representative for the Freedom of the Media, based in Vienna, together with the OSCE's Parliamentary Assembly, with its Secretariat in Copenhagen, the Organization covers a wide variety of tasks that include peace-keeping and conflict mediation, election monitoring, protection of free media, economic and environmental cooperation, and minority rights.⁸

Of particular note is the strengthening of the Conflict Prevention Centre within the OSCE Secretariat in Vienna. Together with its Mediation Support Team, it has greatly expanded its outreach in training and advice provided to the OSCE Field Operations; it has also helped to

⁸ For the Helsinki Final Act Ten Principles, see (<https://www.osce.org/mc/39501?download=true>).

streamline and coordinate the early-warning mechanisms across the OSCE institutional structures, an essential element in the increasingly complex nature of conflicts arising, both within and between participating states.

The most visible role carried out by the OSCE over the years has been the activities undertaken by the ODIHR in relation to the electoral process and observation of elections. The expertise built up over the years in electoral law and in the methodology for electoral observation with both long term and short term election observation missions has had a major impact particularly in post conflict societies where institutions and implementation of electoral standards remain weak.

At the same time, it was probably inevitable that as the Organization expanded its activities, it was becoming increasingly criticized, particularly in the years following the Istanbul Summit, for not living up to its commitments. This has been particularly the case in the human rights ('Basket Three') dimension, with the failure of successive high level meetings to adopt any meaningful decisions on the advancement of human rights, despite or perhaps because of the worsening human rights situation in participating states such as Russia, Belarus and Central Asia. As the Irish Chair- in- Office, Foreign Minister Eamon Gilmore stated at the Dublin Ministerial in December 2012, in commenting on the failure of that meeting to agree any decisions in the human dimension:

“Of even greater concern, is the sad reality that respect for basic human rights and fundamental freedoms is currently under great threat in many parts of the OSCE region. There are too many examples of participating states falling short of the OSCE’s human dimension commitments, as well as their obligations under international law.”⁹

The Helsinki +40 exercise

As a way of trying to reinvigorate the Helsinki Final Act and the principles espoused across all three dimensions, the Irish 2012 OSCE Chairmanship launched its 'Helsinki +40' initiative. A courageous approach in view of the underlying tensions between different participating states, the chairmanship sought to anchor the debate in the perspective of the approaching 40th anniversary of the Helsinki Final Act. The endorsement by the Ministerial meeting in Dublin in December 2012 of the “Decision on The OSCE Helsinki +40 Process” was a clear recognition of the need to “provide strong and continuous political impetus to advancing work towards a security community...”¹⁰ This decision enabled work to commence during the succeeding chairmanships, starting with Ukraine in 2013, and followed by Switzerland in 2014 and the current incumbent, Serbia.

Sadly, the progress achieved in the early period was brought to a grinding halt with the sudden annexation of Crimea by President Putin in February 2014. The contempt for all international rules and standards and the violation of the key principles of the Helsinki Final Act by Russia marked a turning point in the work of the OSCE. While some regarded this development as the death knell of the OSCE, others saw it as an opportunity to give the Organization a new sense of purpose (see below).

⁹ Closing statement by the OSCE Chairman-in-Office, Foreign Minister Eamon Gilmore, Dublin, MC.DEL/54/12., 7 December 2012.

¹⁰ OSCE Ministerial Council, Dublin 2012, Decision on the OSCE Helsinki + 40 Process, MC/19/EW18.

The Swiss chairmanship sought to pick up the pieces of the Helsinki +40 process and in December 2014 established a high level “Panel of Eminent Persons on European Security as a Common Project”. Chaired by Wolfgang Ischinger, Chairman of the Munich Security Conference, and composed of 15 personalities from across the OSCE region, it presented a first interim report in June that focused on lessons learned from the Ukraine crisis. It is scheduled to present its final report in November 2015.

It will have a difficult task, bearing in mind the repercussions of the continuing crisis in Ukraine, and the competing interests at play. Russia will want more emphasis on the economic dimension, although it does little to engage with the other participating states on the issues raised; its strategy seems to consist of doing everything possible to divert attention from the third dimension (human rights), where it is continually on the defensive. It is also using the OSCE context to gain recognition for the Eurasian Economic Union, as a counterbalance to the European Union. The US and most of the EU member countries will, on the other hand, be keen to maintain a strong focus on the human dimension.

The Panel will need to balance these competing interests. The optimistic view is that if a balanced agreement was achieved in 1975, there is no reason why it cannot happen today. The shadow of the Ukraine crisis makes that task all the more difficult, however. Notwithstanding this, the Panel should not shy away from proposing innovative recommendations that take account of what the OSCE has achieved so far. It should build on the report of the previous Eminent Persons Panel of 2005 and the many recommendations it put forward.¹¹

The Panel also needs to highlight what the OSCE can do to address the emerging transnational threats to security, such as organised crime and terrorism, cyber-security, as well as the trafficking in drugs, weapons and people. It should also focus on innovative approaches to resolving the so-called protracted conflicts (see below). Above all, it should avoid trying to tinker with the existing institutional structures or trying to limit the autonomy of its specialised institutions, which have worked well and have contributed to strengthening the Organization’s ‘early warning’ capacity and to maintaining the comprehensive approach to security.

This is likely to take time, implying an extension of the Helsinki +40 exercise beyond the 40th anniversary. Extending the time is well worth the effort if the chance of a greater meeting of minds is made possible. With Germany as incoming chairmanship in 2016, there will be a strong commitment to ensure the exercise continues and opens the way for real progress in overcoming the current lack of political will on the part of some participating states. If anything, the exercise should be used as a vehicle to re-invigorate the founding principles.

The Ukraine crisis

Just one month after the annexation of Crimea by President Putin, the OSCE’s Permanent Council - the OSCE’s decision-making body comprising ambassadors of all 57 participating states, decided to deploy an “OSCE Special Monitoring Mission to Ukraine”.¹² This decision, taken over the weekend of 21-22 March 2014 in an atmosphere fraught with tension and

¹¹ Final Report and Recommendations of the Panel of Eminent Persons on Strengthening the effectiveness of the OSCE, 27 June 2005.

¹² Deployment of an OSCE Special Monitoring Mission to Ukraine PC.DEC/1117, 21 March 2014.

conflicting interests, demonstrated that when it comes to the crunch, the Organization has the capacity to act effectively and decisively.

The Mission was the first and remains the only international organisation to have a monitoring mission deployed in Ukraine. Following a decision by the Permanent Council taken last March,¹³ the number of monitors has been increased from 500 to 1000, and its mandate extended to March 2016. The challenges facing the Mission from day one were immense, with some monitors being taken hostage by pro-Russian groups in the east in the early stages of deployment. It also had to deal with the tragic circumstances of the Malaysian airliner shot down in early July, with OSCE monitors being the first international representatives on the scene.

There is no doubt that the Mission remains a success story for the OSCE. Despite monumental security issues, particularly with deploying its monitors in the disputed regions of eastern Ukraine, the Mission has managed to foster an atmosphere where dialogue is increasingly seen as the only solution to ending the armed conflict. It has also, through its regular monitoring reports, ensured an objective presentation of the facts on the ground, thus acting as a strong counterweight to the propaganda being spread, particularly by Russian-supported elements in both the east and in Russia itself.

Without doubt, this success is due both to the effective work of the OSCE Secretariat, in particular the Conflict Prevention Centre and its Mediation Support Team, and to the personalities leading the Mission on the ground. With one of the ten guiding principles of the Helsinki Final Act being the peaceful settlement of disputes, the Mission has been able to show the relevance of the OSCE in relation to mediation and conflict management on the international stage.

But at the same time, because of continued restrictions on the movement of its monitors in the east of Ukraine, it is not able to fully implement its mandate. This is where the participating states most involved, starting with Russia, must allow the SMM to operate without hindrance and to focus more on the facilitating dialogue on the ground. The OSCE's capacity to promote dialogue in the east of Ukraine, particularly at local level and involving different sectors of society, will be critical in fostering a climate for greater understanding and overcoming the deep-rooted prejudices. Joining forces with civil society organisations, such as the Conflict Management Initiative, which has brought representatives from Ukraine to Northern Ireland to examine the Northern Ireland peace process, can also be beneficial in achieving the objectives of replacing violence with dialogue.

The interim report issued in June by the Eminent Persons Panel on "Lessons Learned for the OSCE from its engagement in Ukraine" also merits careful attention and follow-up in this context.¹⁴

Protracted conflicts, and the role of civil society

Enhancing the role of civil society in the efforts towards resolving the so-called protracted or 'frozen' conflicts within the OSCE region is one area where the OSCE and its participating states could do much more.

¹³ Extension of the Mandate of the OSCE Special Monitoring Mission to Ukraine, Decision No.1162, PC.DEC/1162, 12 March, 2015.

¹⁴ Interim Report and Recommendations of the Panel of Eminent Persons on European Security as a Common Project, June, 2015.

Failure to resolve these so-called frozen or protracted conflicts, such as those in the Southern Caucasus or the Transdniedstrian settlement process, has reflected negatively on the OSCE's conflict resolution capacity. The blame here lies fair and square with the lack of political will of some of the participating states directly involved. As Hans-Dietrich Genscher said at the above mentioned 30th anniversary event, the OSCE "cannot be better than its members want it to be."¹⁵

Providing a space for civil society in a peace process offers one way of helping to overcome the political deadlock in this area. Civil society organisations are best placed to build bridges across the political divide and to create a climate of trust at the local level - where it matters most; they also help to build a constituency for a political settlement, acting as a pressure on political leaders. Past experience of conflict resolution shows that women's groups and organisations are often in the forefront of this effort.

The OSCE chairmanships have not always shown consistency in this respect. Yet, having responsibility for the negotiating mechanisms in place for these conflicts, they are uniquely placed to do so and should play a pioneering role in providing a space for civil society in peace processes. Fortunately, as the institutional memory that is being built up within the OSCE's Conflict Prevention Centre on peace processes will demonstrate, the advantages of providing a space for civil society involvement and thereby broadening the traditional approach to mediation, speak for themselves.

Cooperation with other international organisations

One of the key challenges facing the OSCE relates to its interaction with other international organisations and institutions. This was already recognised at the Istanbul Summit in November 1999 with the adoption of the Platform for Cooperative Security as part of the Charter for European Security, which gave a clear mandate to the OSCE to develop cooperation with other international organisations.

While much progress has been made since then in developing synergies with, for example, the EU,¹⁶ the Council of Europe and the UN, it is an area where more efforts can be undertaken. The priority must be to find ways of avoiding overlapping agendas in policy areas (such as media freedom, the rights of national minorities and education) where the OSCE has developed extensive expertise. Even in areas where some organisations are in the process of building up their respective capacities and expertise, such as the EU in mediation and conflict prevention, there would be considerable gain from sharing expertise and resources. Sharing analytical research and organising joint training exercises for people working in the field would be of mutual benefit in dealing with conflict situations in the OSCE region, as well as in enhancing the much needed early warning mechanisms throughout the region.

In an effort to improve the situation, and following an initiative from the Irish 2012 Chairmanship, a report was prepared by former EU Ambassador Lars-Erik Lundin and presented in July of that year. Entitled "Working Together: The OSCE's relationship with

¹⁵ Magazine, op.cit.

¹⁶ Jorgensen, K.E. (ed.) (2008), *The EU and International Organisations*, London: Routledge; Mockli, D. (2008), "The EC Nine, the OSCE, and the Changing Patterns of European Security", in Wenger, A., V. Mastny and C. Nuenlist (eds.), *Origins of the European Security System: The Helsinki Process Revisited 1965-1975*, London: Routledge.

other relevant organizations”,¹⁷ the Report offers nine steps to effective OSCE engagement with other organisations. It rightly suggests that a “goal-oriented approach” would have the best chance of success, focusing on areas where the OSCE has recognised and proven expertise that would provide added value to the other organisations working in the field.

Because of its extensive field presence in countries and regions where the EU, the Council of Europe and UN have more limited capacities, considerable benefits could be gained from a more systematic cooperation. The OSCE’s comparative advantage is also reflected in its flexible structure and autonomous institutions such as the ODIHR, the High Commissioner on National Minorities or the Representative for the Freedom of the Media.

Of particular relevance in this debate is the cooperation developed with the EU, which alone comprises already half of the membership of the OSCE. The EU and its member states contribute over 70% of the OSCE budget, in addition to extensive financial support to specific operations such as the Special Monitoring Mission in Ukraine. There are many examples of close synergy between both the OSCE and the EU, such as in Electoral Observation Missions or in addressing the protracted conflicts, such as the Transdniestrian settlement process. At the same time there are areas where this cooperation could be improved.

In the preparation of its annual progress reports in the EU enlargement process, the European Commission organises regular consultations with the OSCE and Council of Europe to review and compare the respective assessments of these organisations in their areas of expertise. With regard to the OSCE and its autonomous institutions, and the extensive expertise in the areas mentioned above, its assessments and views should be systematically reflected in the European Commission’s assessment, which has not always been the case. Differences in perception on the same policy areas should be avoided, as they can easily be exploited by the country in question.

Conflict mediation in the Balkan region would also lend itself to more extensive EU/OSCE cooperation. The political crisis that has been deepening in Macedonia, where a dialogue facilitation process led by the EU has been ongoing, as well as the continuing tensions in Bosnia and Herzegovina are examples where a pooling of expertise would be more than beneficial. This would be particularly relevant in situations when implementation of an agreement reached will require the input of the OSCE, such as in the case of Macedonia where early elections are tentatively envisaged for next April. Involving the OSCE at an early stage in the dialogue facilitation and mediation efforts would ensure a smoother and more efficient follow-up of the commitments entered into by the parties concerned.

OSCE field operations

There are 17 field operations currently in existence, of varying character. Apart from the Special Monitoring Mission in Ukraine, and the Observer Mission at the Russian Checkpoints Gukovo and Donetsk, which are the most recent to be established, the others include OSCE ‘Centres’, OSCE ‘Missions’, OSCE Project Co-ordinator’ offices and OSCE ‘Presences’. The differences between each relate to their respective tailor-made mandates, which are based on negotiations with the host countries, and are subject to a consensus decision-making process.

¹⁷ Food For Thought Paper commissioned by the CiO, CIO.GAL/83/12/Corr.1, 9 July 2012.

In its report on the future of OSCE field operations, the OSCE Network of Think Tanks and Academic Institutions defined the comparative advantages of OSCE field operations vis-à-vis those of other international organisations as “the triad of its political and institutional inclusivity, its regional expertise and its rapid reaction capability”.¹⁸ The Special Monitoring Mission deployed in Ukraine offers a good example of this, not only in respect of the speed with which it was established, but also because its monitors come from most participating states, including Russia.

There is no doubt that looking back on the experience on these field operations, their impact has been overwhelmingly positive. The OSCE Missions present in the countries of the Western Balkans provide excellent examples of what the OSCE can achieve out in the field. Established as these countries emerged from conflict, the Missions have been instrumental not only in supporting the post-conflict process of building stability but also in fostering strong institutions at state and local level and promoting democratic values. Since these are all countries at various stages of EU accession, the synergy developed between both the EU and the OSCE at the field level is particularly relevant. The expertise developed by the OSCE in areas such as media freedom and rights of national minorities can bring extensive added value to the work of the EU, which lacks the required expertise in those areas.

On the other hand, participating states whose governments’ record is often at variance with OSCE principles have sometimes raised difficulties with the field operations. That such host countries, particularly those with authoritarian governments, have been critical of these presences is a measure of the field operations’ success in being seen as serving the needs of the entire country and not subservient to the whims of the host government. Unfortunately however, a host government can on its own decide to terminate the mandate even if this opens the government concerned to criticism from the other participating states. This is the approach recently adopted by the government in Azerbaijan, which has given the Project Co-ordinator Office in Baku one month to close.

In this context, some participating states have put forward the suggestion that the field operations are there to serve only the government and the needs that it determines. This approach should be fiercely resisted at all costs, as it would undermine the value of the field operation and could also be used to restrict the work of the OSCE’s autonomous institutions. Perhaps one way of avoiding this would be to transform the yearly planning and budget process for the field operations to a multi-annual exercise, thus giving a more long-term perspective and reducing the temptation for some participating states to use the budget as a blocking mechanism. As recommended by the abovementioned report on field operations, “the OSCE should depoliticize the budget process and make it a more technical exercise”.¹⁹

Concluding remarks and recommendations

It is a measure of the challenge facing the OSCE that, before the crisis in Ukraine, the Organization suffered from a lack of visibility and a lack of understanding of the extent and range of activities it covered. Now, with the spotlight focused on the work of the OSCE in Ukraine, and the critical role played by the Special Monitoring Mission, there is a greater appreciation of both the relevance and indispensability of the Organization.

¹⁸ “The Future of OSCE Field Operations (Options)”, Report prepared by the OSCE Network of Think Tanks and Academic Institutions, December 2014.

¹⁹ *Ibid.*, Recommendation no.13, page 5.

This increased attention has also highlighted the negative impact that the lack of political will on the part of some participating states has on realising the capacities of the OSCE. As the incoming Chair-in-Office, German Foreign Minister Frank-Walter Steinmeier, stated in the address to the OSCE's Permanent Council on 2nd July:

“We must not allow all that we have built up in the OSCE over the years to be torn down now - that is, the vision of a peaceful order in Europe that rests on dialogue, trust and security.”²⁰

The challenge will be to ensure that the Organization continues to be seen as an indispensable actor in addressing the transnational threats and risks to security across the OSCE region. The participating states need to be convinced that there is benefit and added value for all of them in strengthening the OSCE's role as a unique forum for dialogue and conflict prevention. It should be possible to find some compromise solutions whereby concessions on one side (such as in a future dialogue with the Eurasian Union) can be matched by more openness to engage on the other (Russia and other like-minded participating states) in the human dimension.

If it was possible 40 years ago, there is no reason why it cannot be achieved today.

Recommendations

1. All participating states should reconfirm their responsibility to fully uphold and respect the principles of the Helsinki Final Act, together with the norms and standards established by the Final Act and developed over the years.
2. The Eminent Persons Panel should build on the recommendations of the previous Panel of 2005 and on what has already been achieved by the OSCE. It should not shy away from proposing innovative recommendations, particularly in the context of resolving the protracted conflicts. It should avoid any tinkering with the existing institutional structure or attempt to limit the autonomy of the autonomous institutions, but should rather focus on ways of overcoming the lack of political will currently prevailing within the Organization.
3. Attempts by participating states to limit the mandate of OSCE field operations should be resisted.
4. The participating states most directly involved should ensure full access to all parts of Ukraine territory for the Special Monitoring Mission (SMM) in Ukraine, as well as allowing the SMM to prioritise all avenues for dialogue in the eastern part of Ukraine.
5. The annual rotating OSCE Chair-in-Office should pay greater attention to the role of civil society in the efforts to resolve protracted conflicts, and create a space for civil society dialogue between the conflicting parties.
6. The OSCE Chair-in-Office should take maximum advantage of the institutional memory built up by the Conflict Prevention Centre, using the experience of other post-conflict peace processes.
7. Cooperation between the EU and the OSCE should be enhanced, in particular with regard to conflict mediation in the OSCE region, through joint training programmes and the sharing of expertise and analytical research capacities. This would be particularly

²⁰ See (<http://www.osce.org/pc/168376?download=true>).

beneficial in Macedonia, where the OSCE will have a critical role to play in the implementation of whatever political settlement emerges.

8. The EU should also ensure that the OSCE's assessments in areas of its expertise (such as media freedom and rights of national minorities) be incorporated in the European Commission's regular reports for the enlargement countries.

Appendix 1: The 35 world-leader signatories to the Helsinki Final Act

