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## **“The real risk to NATO is CSCE”**

### **Thirty years after the Paris Charter and the marginalization of the OSCE**

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1. *Introduction.*- On May 4<sup>th</sup>, the Organization for Security and Cooperation in Europe came out with its Annual [Report](#) for 2020. It is a particularly significant occasion because 2020 marked the 45<sup>th</sup> anniversary of the Helsinki Final Act and the 30<sup>th</sup> anniversary of the Charter of Paris for a New Europe. Moreover, new and unprecedented challenges also marked it. During the Albanian Chairmanship year, the Organization encountered the unpredicted surge of the COVID-19 pandemic, which posed new obstacles for the participating states' governments, communities, and the Organization's overall work. Although the limits of the pandemic worsened by a mid-year leadership vacuum in the OSCE executive structures, during 2020, the Chairmanship continued its effort in supporting conflict resolution in Ukraine, facilitating dialogue in Belarus following the presidential election <sup>1</sup> and organizing peacekeeping operation in the Nagorno-Karabakh context<sup>2</sup>.

Despite its commitment, the Organization for Security and Cooperation in Europe struggles to be effective. Scholars agree that it is going through a slow decline of functions once past the moment of glory and expansion. Although the Charter of Paris for a New Europe promoted the ideal of a pan-European security framework guided by the OSCE, the Organization is still at the edge of the European security constellation dominated by NATO. The leadership crisis of 2020 is a sign of more profound disequilibria, while the ongoing conflict in Ukraine and the disputes in Belarus show that Europe is still divided and that the east-west conflict has not yet settled. Without justifying Russian offensive actions, some analysts believe that the current European instability is a cause of the exclusion of Russia from any security framework.

Thirty years after the Charter of Paris was established, the geopolitical order has changed: China is becoming a dominant player, and the growing dependence that the COVID-19 pandemic placed on the cyber domain demands new regulations. New rules should be discussed, and it is no more possible and unwise to continue to marginalize

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<sup>1</sup> The OSCE office in Minsk monitors human rights violations and facilitates dialogue in the civil society protests against the Belarusian government and President Alexander Lukashenko.

<sup>2</sup> In July 2020, hostilities started between Armenia and Azerbaijan. Azerbaijan is seeking to retake part of Nagorno-Karabakh, forcing Armenia to renounce part of its occupied territories.

Russia. The OSCE, the post-Cold War organization *par excellence*, should play its role and fulfill its mediation mission between east and west.

2. *The OSCE in the European security constellation.*- The OSCE originates from the Conference for Security and Cooperation in Europe, convened in Helsinki on the 3 July 1973, and ended with signing the Helsinki agreement on the first August 1975. The presidents of the European States (excluding Albania), the United States, Canada, the Soviet Union, and the Holy See participated<sup>3</sup>. At that time, the US did not show much interest in the new Organization, and NATO was mainly concerned with the oil crises<sup>4</sup>.

Gorbachev had a dream for the OSCE. He saw the Organization as an instrument to unify Europe and create a “common European home” so that Russia would have finally returned to Europe. The OSCE would have replaced the old Cold War constellation of alliances to become the central point of European political cooperation. At that time, western countries considered it unwise to exclude Russia from a unified Europe: ‘in the long run, nothing would be more destabilizing than an excluded and frustrated Soviet Union, which marginalization under humiliating circumstances could drive to revenge’<sup>5</sup>.

The institutionalization of the Organization started in 1990, after the adoption of the Charter of Paris for a new Europe. The third part of the document listed the institutions that would have come into being: the Council, the Committee of Senior Officials, a Secretariat in Prague, a Conflict Prevention Centre in Vienna, and an Office for Free Elections in Warsaw. NATO played a much more fundamental role in this phase, while Gorbachev was distracted by internal disorders and the Gulf War during the summer of 1990. Gorbachev’s dream of a Common European home began to dissolve, while the USSR was in paralysis and the majority of the ex-soviet countries were already gravitating towards NATO. Moreover, the German delegation that went to Paris was composed only of diplomats from former Western Germany, while the eastern one slowly disappeared<sup>6</sup>. At the same time, the American Secretary of State Jim Baker clearly stated the American worry declaring that “the real risk to NATO is CSCE.”<sup>7</sup> Finally, the transition from the EC to the European Union in February 1992 at the Maastricht summit introduced an alternative new Europe: united through the EU institutions, open in part to Central and Eastern countries but not for Russia.

3. *Leadership crisis.*- The OSCE’s expansion comes to a halt in the 2000s, and lately, the Organization saw a slow decline in functions and activities. Indeed, after a

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<sup>3</sup> Hazewinkel, H. J. (1998). Religious freedom in the CSCE/OSCE process. *Helsinki Monitor* 1998, no. 3.

<sup>4</sup> In 1973 the members of the Organization of Arab Petroleum Exporting Countries led by Saudi Arabia proclaimed an oil embargo, directed at those countries, among which United States, were perceived as supporting Israel during the Yom Kippur war. The consequences on international relations were sharp and NATO suffered a rift.

<sup>5</sup> Heisbourg Francois (1992). ‘From a Common European Home to a European Security System’, in GregoryTreverton (ed.), *The Shape of the New Europe*, Council on Foreign Relations, p. 48.

<sup>6</sup> The final document of the Charter of Paris is available in the OSCE website at: <https://www.osce.org/mc/39516?download=true>.

<sup>7</sup> Baker cited in Shiffrinson, Joshua. (2016). Deal or no deal? The end of the cold war and the U.S. offer to limit NATO expansion. *International Security*. 40. 7-44. 10.1162/ISEC\_a\_00236.

period of political instability, during the so-called Autumn of Nations<sup>8</sup>, in the early 90s, Russia and other East European participant states appeared less willing to follow Western states' rules<sup>9</sup>. In particular, the Russian Federation and other ex-soviet countries started to be unsatisfied with the imbalance between the three OSCE dimensions. In fact, since those years, the Organization seemed to be mainly concerned with the human dimension, such as election monitoring and observance of human rights, instead of developing more activities in the economic-environmental and politico-military dimensions<sup>10</sup>. The progressive fading of the participant states' support toward the OSCE had an immediate repercussion on a body that adopts almost all the most critical decisions based on consensus. The new attitude weakened the commitment to the agreements that have been made within the CSCE / OSCE<sup>11</sup>.

In the wake of this trend, in 2020, the OSCE faced a leadership crisis. In the middle of July, the Secretariat and the other three executive OSCE institutions remained without a head. None of the appointments of the OSCE's top four diplomats whose terms were supposed to expire on 18 July were extended due to a lack of consensus. Moreover, the last attempt to find agreement on a 'technical extension' of such appointments, waiting until the following foreign ministers' meeting in Tirana in December, also failed.

In particular, Azerbaijan and Tajikistan [blocked](#) the mandate of the Representative on Freedom of the Media probably because, during the same year, the former Representative on Freedom of the Media, Harlem Dèsir, repeatedly [expressed concern](#) about Azerbaijan's limitation of freedom of the press, [denouncing](#) harassment and violence against journalists. Furthermore, Turkey joined Tajikistan in blocking the mandate of the Director of ODIHR, [saying](#) that ODIHR had allowed "registration of representatives of criminal groups and people who committed terrorist acts" to participate in the OSCE's annual Human Dimension Implementation Meetings. In this regard, the Turkish delegation during the 2017 HDIM [complained](#) about the presence of members of the New York-based Journalists and Writers Foundation that Turkish authorities assert to be a terrorist organization connected to the Fethullah Gülen movement. Tajikistan protested that the Islamic Renaissance Party of Tajikistan (IRPT) was present during the 2016 HDIM. In fact, on September 29, 2015, requested by the Tajik Prosecutor General, the High Court [classified](#) the IRPT as a terrorist group. However, the evidence to support both these claims is [contested](#).

[Another point of contestation](#) was that the OSCE leadership positions had always been held by Westerners, a disparity that Russia and Central Asian countries have long denounced as causing imbalance and leading to "excessive criticism" of their human rights records. As requested by Russia, the OSCE filled one of the vacant positions with

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<sup>8</sup> Sadurski, Wojciech; Czarnota, Adam; Krygier, Martin (30 July 2006). Spreading Democracy and the Rule of Law?: The Impact of EU Enlargement for the Rule of Law, Democracy and Constitutionalism in Post-Communist Legal Orders. Springer. pp. 285.

<sup>9</sup> Ingravallo Ivan (2011). L'OSCE 35 anni dopo Helsinki: ascesa (e declino) di un'Organizzazione Internazionale sui generis. in Studi in onore di Claudio Zanghi, vol. III, Torino, p. 221 ss.

<sup>10</sup> Morozov, Viatcheslav. (2005). Russia's Changing Attitude toward the OSCE: Contradictions and Continuity. S+F. 23. 10.5771/0175-274x-2005-2-69.

<sup>11</sup> Ingravallo Ivan (2011). L'OSCE 35 anni dopo Helsinki: ascesa (e declino) di un'Organizzazione Internazionale sui generis. in Studi in onore di Claudio Zanghi, vol. III, Torino, p. 221 ss.

a diplomat from a former Soviet state: Ambassador Kairat Abdrakhmanov of Kazakhstan took up the mandate of OSCE High Commissioner on National Minorities.

German Secretary-General of the European External Action Service, Helga Maria Schmid, was appointed OSCE Secretary General, Italian former member of the OSCE-PA, Matteo Mecacci, Director of the Office for Democratic Institutions and Human Rights, Portuguese State Secretary for Foreign Affairs, Teresa Ribeiro, Representative on Freedom of the Media.

4. *No place for Russia.*- According to some analysts, the fact that there was “no place for Russia” in the post-Cold War European security structure contributes to explaining the current crisis in European security, with Putin asserting himself in Ukraine. According to William Hill, twice Head of the OSCE Mission to Moldova, everything started with NATO’s willingness to incorporate Ukraine. Still, the accident was provoked by [a closer EU collaboration with Ukraine](#), where the EU was pushing for an association agreement with the country. A couple of months before, in December 2014, Vladimir Putin [received](#) former Prime Minister of Italy and ex-Head of the European Commission Romano Prodi. Putin made a clear warning during the meeting: he [said](#) that Russia has a vital interest in Ukraine. Although he understood that Ukraine is a free country able to agree with other counterparts, greater EU-Ukrainian closeness would have generated Russia’s immediate reaction. The invasion of Ukraine and the annexation of Crimea [represent the first time](#) since 1939 that a European territory was subjected to military aggression.

Moreover, [“Belarus is the new front in Putin’s war against Ukraine.”](#) Russia enlarged its economic and military interests in Belarus thanks to the 2020 Belarusian presidential election, that the OSCE [reports](#) were ‘not transparent, free or fair.’ The election outcome caused widespread anti-regime protests across Belarus and put Lukashenko in an increasingly dependent position regarding Putin. Although Belarusians [do not support](#) Lukashenko for its pro-Kremlin stance, he managed to let his country be [another front](#) for Putin’s war in Ukraine.

The aim of what has been said here is not to justify Russia’s military actions and interference in other countries, but to show how integrating Russia in the European constellation has failed during these thirty years after the end of the Cold War, and Europe is once again divided.

5. *Conclusion.*- If the intent was ensuring peace and cooperation in Europe, excluding Russia has not been working. It reinforced the division of Europe, crystalizing a Cold War structure, with Russia playing the role of a common threat and enemy. The OSCE suffers directly from these choices and never has had the possibility of being at the forefront of European cooperation. From a Western perspective, different aspects and ideals diverge from a country like Russia, often too authoritarian and anti-democratic. However, it could be [better](#) to find a way to deal with them, trying to “include Russia enough that it feels it has a stake in the system.”

The OSCE is the already existing forum where Russia has a role. However, the Organization is still at the margin regarding the other security organizations, like NATO

and the EU: a starting point could be to give official legal status to the Organization to improve the position of the OSCE. “The OSCE needs a Charter or a legally binding Founding Act that would certify its mandate, structure, and mode of operation. Ideally, this new document, prepared under Chapter VIII of the UN Charter, should turn the OSCE into a rightful international organization with enhanced institutional capacities and more generous funding from the Member States”<sup>12</sup>.

Moreover, scholars suggested the implementation of an independent cybersecurity organ. The cyber domain, the internet, and social media lack specific and shared rules, but States [understand](#) that not regulating them does not benefit anyone. “According to the interactive map of cyber threats developed by Kaspersky Lab, the OSCE participating States constitute the absolute majority as a percentage of both the total number of infections of countries in the world and the total number of cyber-attacks in terms of the volume of infections”<sup>13</sup>. As [highlighted](#) by William H. Hill, how those problems are solved will profoundly impact the future configuration and relations between States.

China’s Belt and Road initiative and the correlated Digital Silk Road cut through the OSCE Region and challenge post-Soviet countries in several ways. The expansion of infrastructure implies the growth of different risks. Therefore, it is fundamental to correlate the development of infrastructures with related security and protection measures. The current security architecture has failed, and the ongoing Ukrainian war demonstrates it. Just “keeping the Russian out” is not a solution in the current geopolitical order anymore<sup>14</sup>. The road rules that will guide states’ relationships in the following years need to reflect a post-Cold War scenario. The marked division between East and West is no longer required, and a more balanced OSCE is the most appropriate framework were to discuss.

Luglio 2021

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<sup>12</sup> Kortunov Andrey (2021). To stay or not to stay? Seven concerns Russia has about the OSCE. Security and Human Rights Monitor. Accessed: 20 July 2021.

<sup>13</sup> Abdullin, Adel & Davletgildev, Rustem & Kostin, Sergey (2020). Organization for Defense and Cooperation in the Field of Collective Cyber Security in Europe // *Utopía y Praxis Latinoamericana*, AÑO: 25, n° EXTRA 12, 2020, pp. 130-136.. 10.5281/zenodo.4280100.

<sup>14</sup> Crump, L. (2019). “The real risk to NATO is CSCE”: The role of NATO at the end of the Cold War. *Atlantisch Perspectief*, 43(2), 21-25. Retrieved July 25, 2021, from <https://www.jstor.org/stable/48581481>.