

Oral Statement for US Helsinki Commission Briefing on “Mongolia Moves toward Europe,” October 12, 2011

P. Terrence Hopmann, Ph.D.

Professor of International Relations

Director, Conflict Management Program

Johns Hopkins University, School of Advanced International Studies

Washington, DC

Distinguished Members of the US Helsinki Commission, Ambassador Bekhbat, Ladies and Gentlemen:

I am pleased to be able to address you today as the CSCE Commission considers the request of Mongolia to become the 57th participating state in the Organization for Security and Cooperation in Europe (OSCE). I appear before you, not as a specialist on Mongolia, but rather as a scholar who has observed and written about the development of the CSCE/OSCE and its many contributions to security in the broad European area since the negotiation of the 1975 Helsinki Final Act. The OSCE is fundamentally a “cooperative security” institution in which the participating states commit themselves to enhance security, broadly defined, in cooperation with all other participants in an effort to enhance collective security within the region. It is not, on the other hand, a defensive alliance that provides security against potential threats from states outside the region. Therefore, the decision to add new states to the OSCE should depend primarily on whether their participation will enhance cooperative security with other OSCE participating states. My focus today is thus on the history of enlargement decisions in the OSCE and the criteria that might reasonably be applied in considering the request of any applicant, such as Mongolia, to become a participant in the OSCE.

My presentation will touch on three issues that might arise in connection with Mongolia’s request to become a full participating state in the OSCE:

1) The question of the geographic scope of the OSCE: in other words, how far does “Europe” extend?

2) The question of decision-making: how does the addition of new participating states affect the ability of the OSCE as a consensus-based organization to make decisions on critical issues?

3) The normative question: how willing and capable is any new participating state to strive to fulfill the normative commitments of the OSCE?

The Organization for Security and Cooperation in Europe has become the largest institution dealing with issues of European security, in addition to holding the broadest definition of security to include not only military confidence-building and transparency but also the economic, environmental, and human dimensions of security. It was formed with the signing the Helsinki Final Act by 35 heads of state in 1975, in the midst of the Cold War. Therefore, at the outset it focused mostly on bridging the chasm that divided Europe through the middle. Its initial participating states thus consisted of all member states of the two Cold War alliances, the North Atlantic Treaty Organization (NATO) (with 15 members at the time) and the Warsaw Pact (7 members), along with 13 neutral and non-aligned states and the Holy See. Due to its original structure based on the Cold War blocs, it included within NATO two North American participants, the United States and Canada, as well as the Asian portion of Turkey; within the Warsaw Pact, it included all of the 15 republics of the former Soviet Union, including five Central Asian republics and three republics located in the Southern Caucasus. As a consequence, ever since 1975 OSCE followers have generally described its geographic scope as including all of Europe “from Vancouver to Vladivostok the long way around.”

Since 1991, 22 additional states have become participants, while one (the German Democratic Republic) ceased to exist with German reunification. Of the 22 new participating states, 20 emerged from the breakup of three multinational states: the Soviet Union (14 new states in addition to the Russian Federation), Yugoslavia (5 new states in addition to Serbia), and Czechoslovakia (1 new state). To date only two states have entered the organization that were not part of the original geographic territory covered in 1975, namely Albania (an outlier among the communist states that did not join the Warsaw Pact) and Andorra (a micro-state on the border between France and Spain that did not participate in the original Helsinki process); of course, both of these states are located within the core area of the OSCE. Therefore, from the very beginning the geographic boundaries of Europe have been defined broadly to include parts of

Asia and North America, but heretofore they have not significantly extended beyond the external boundaries of the original 35 participating states.

After the end of the Cold War, the OSCE also developed special relationships with six Mediterranean and five Asian Partners for Cooperation. Of these, only two are contiguous with the original OSCE participating states, namely Afghanistan and Mongolia, both bordering the territory of the former Soviet Union. Both because most of the OSCE “partners for cooperation” are geographically separated from the OSCE core region, but more importantly because they are located in regions preoccupied with a very different set of security concerns, I believe that we should be careful about setting a precedent that might enlarge the OSCE to include most of the partner states. At the same time, it seems to me that the participation of Mongolia as a special case, though it might be perceived by some as setting a precedent, does not create such a significant break with tradition so as to preclude its participation. In short, on the basis of the geographic scope of the OSCE alone, it seems to me that, in spite of some potential concerns about precedents, there are no clear reasons for opposing enlargement to include Mongolia.

A second issue when considering the enlargement of the OSCE is the question of decision-making. The OSCE makes decisions by consensus of all participating states, with the exception of the “consensus minus one” rule applied only once, when the rump Yugoslav Federation (a.k.a. “Serbia-Montenegro”) was suspended in 1992 in reaction to its military role in Croatia and Bosnia. Every new participating state thus formally adds a potential “veto” over decisions. Consensus within the OSCE was difficult to find in the Cold War period, but became significantly easier in the decade of the 1990’s; since 2000, however, consensus has once again been notably difficult to achieve. The primary state parties that have made reaching consensus difficult in the recent past include the Russian Federation, as well as at times Serbia, Greece, and Cyprus. The Russian role in Georgia, in both South Ossetia and Abkhazia, as well as in the Transnistria region of Moldova, has been a frequent source of stalemate. Similarly, the status of the Republic of Macedonia remains an object of dispute, including the mandate for the OSCE Field Mission that has worked there effectively since 1992. Of course, the addition of a 57th potential “veto” to the present 56 is not likely to affect significantly the capacity of the OSCE to take important decisions on these and other similar issues.

However, the most controversial issue for the immediate future is the status of the important OSCE Field Mission in Kosovo, which has recently taken on many tasks previously performed by UNMIK, and of course even more importantly Kosovo's eventual entry as a participating state within the OSCE. The latter has been blocked so far by the strong opposition of Russia, Serbia, Greece, and Cyprus, and they are likely to maintain their opposition to Kosovo's entry for the foreseeable future. For the present, likely the best we can hope for is the continued acquiescence of these participating states in the regular renewal of the mandate for the OSCE Mission in Kosovo, though even that is uncertain. The United States, with its long history of support for Kosovo's independence, should seek assurances, therefore, that any new participating state admitted to the OSCE would not do anything to hinder the effective implementation of the important mandate of the OSCE Mission in Kosovo or to block eventual participation by Kosovo in the OSCE. Once again, I would not anticipate that Mongolian participation would present any problems in this regard.

Finally, the most important question, therefore, comes down to the willingness and capability of any participating state to implement fundamental OSCE principles and norms. The OSCE remains the most comprehensive institution in the field of multilateral security cooperation, embracing a broad definition of security that includes, but goes well beyond physical security from violent attacks emanating from other participating states, to include also assuring economic well-being, a healthy environment, and respect for human dignity and security of the individual. Therefore, the most important obligation for any new OSCE participating state is to agree to do its utmost to implement all of the obligations undertaken on a political basis in the Helsinki Final Act and the ensuing *acquis* – including the ten fundamental normative principles of the Decalogue; the full set of military confidence-building measures contained in Basket One and in the subsequent Vienna Documents on Confidence-Building; commitments to open economic exchange and environmental cooperation in Basket Two; and fulfillment of all of the human dimension obligations contained in Basket Three and in subsequent documents, especially the 1990 Copenhagen Document and the 1991 Moscow Document that recognize the importance of fundamental freedoms, basic human rights, and open and democratic political processes.

Especially important is the commitment in the Moscow Document in which participating states agreed by consensus “categorically and irrevocably” that “commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned.” In other words, participation in the OSCE requires that states relinquish a small part of their sovereignty, especially their sovereign prerogative to deprive their own citizens of their basic political, economic, and cultural rights; like all multilateral cooperative arrangements, this sacrifice of sovereignty brings with it the benefits of living in a more secure environment. Nonetheless, many governments of the states that entered the CSCE in late 1991 and early 1992 appeared to be largely unfamiliar with these obligations as they were rapidly swept into the organization in the period of euphoria that accompanied the end of the Cold War. This has led to a number of serious deficiencies in the implementation of fundamental OSCE principles by some new participants, as well as back-tracking in the fulfillment of obligations by some of the original participating states. By contrast, Mongolia’s role as an “Asian Partner for Co-operation” since 2004, as well as serving as host of the 2007 conference on “Strengthening the Co-operative Security between the OSCE and the Asian Partners for Cooperation,” has given its political leaders an opportunity to become familiar with and to understand the set of norms to which OSCE participating states have committed themselves, in marked contrast to many states that entered the CSCE as the Cold War came to an end in the early 1990’s.

To be sure, none of the 56 participating states in the OSCE fully meets all of the obligations contained the Helsinki Final Act and in the extensive *acquis* of politically-binding agreements that have followed. However, the OSCE has never insisted on prior compliance with the normative principles as a condition of entry. This contrasts, for example, with the Council of Europe, which requires its member states to fulfill fundamental criteria for entry, but once a state has entered there is no further monitoring of its continuing implementation of those principles. The OSCE, on the other hand, has brought in participating states that fell far short of the principles embodied in the Helsinki Final Act and the follow-on documents, and has instead sought to assist them in fulfilling their obligations over the long run. This has been the central role of virtually all of the OSCE Field Missions that are permanently stationed on the territory of many participating states, both to monitor their compliance with OSCE norms and, more importantly, to assist them in fulfilling those normative obligations, especially to resolve ongoing

conflicts within their societies and with neighboring states. It is also the function of ODIHR to monitor and assist participating states in conducting free and fair elections; of the Representative on the Freedom of the Media to observe the performance of states in meeting their commitments to a free press and media and to help them to do so when they fall short; and of the High Commissioner on National Minorities to see to it that all persons belonging to national minorities have a right to participate fully in the political life of their country. Although some states regard the presence of OSCE long-term missions or even short-term observers as an implied criticism of their performance, these activities should rather be viewed by the participating states as an opportunity to move closer to fulfilling the normative criteria that form the foundation for the OSCE. In this regard, I think Mongolia should welcome an OSCE Field Mission should one be proposed, not as a sign of any deficiency in meeting its obligations, but as an opportunity to become more fully integrated with the system of values upon which the OSCE is founded and as an aid to the full implementation of those principles by representatives of the Mongolian state.

In conclusion, in my opinion the primary criteria for bringing any new state into the OSCE community should be the willingness and capability of the government seeking participation, first to be fully aware of all the obligations entailed by participation, second to be willing and able to make every possible effort to implement those commitments, and third to be willing to accept the advice and assistance of OSCE institutions and representatives to help them fulfill their obligations in both their internal governance and in their cooperative relationships with neighboring states that are also participants in the OSCE. I am very much encouraged by the statement made by Ambassador Bekhbat here today regarding Mongolia's commitment to the fundamental OSCE principles, although that commitment must ultimately be judged by actual deeds and not on the basis of oral commitments alone. It is not for me to say here whether or not Mongolia fully satisfies these criteria, and others here who know the current situation in Mongolia are far better able to judge that than I am. Today, however, I have emphasized the considerations that I believe should guide all current OSCE participating states, especially the United States, in evaluating the request of the Government of Mongolia, or any other state aspiring to participate in the future, to become a full participant in this organization, which I believe continues to have an important role to play in promoting security and international cooperation "from Vancouver to Vladivostok the long way around."