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Special issue: The Helsinki Final Act four decades on – critical reflections on the OSCE in Eurasia

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INTRODUCTION

The Helsinki Final Act four decades on

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[The] real Magna Carta of détente ... governing relations between States, ... a charter of freedom for nations and individuals. —Finnish President Tarja Halonen on the 1975 Helsinki Final Act (quoted in Fouéré 2015)

The Cold War is over! Or is it? Doubt is warranted given the ongoing tensions over Ukraine, where projecting from United Nations estimates, the death toll in the eastern part of the country is approaching 10,000 (AP 2016). Doubt is also warranted given the devastation in Syria, where old Cold War rivals are fighting, directly or in proxy, on opposite sides of a genocidal war involving the Asad dictatorship, a number of regional powers including Iran and Turkey, and numerous rebel and terror groups. This has resulted in a human death toll since 2011 of around half a million, with millions more injured or displaced (Reuters 2017). Doubts are also heightened by the steady admission of former Eastern Bloc countries into the US-dominated NATO military coalition in conjunction with ‘bellicose Russian actions’ in Georgia and Ukraine (Itzkowitz Shifrinson 2016, 9). It is not surprising, therefore, that some prominent experts, such as Stephen F. Cohen, claim that the world in the twenty-first century has entered a ‘new Cold War’ (quoted in Smith 2015).

‘This is the way the world ends’, wrote T.S. Eliot in 1925, lamenting a dispirited post–World War I Europe. The old Cold War, as well, which had given us MAD or ‘mutually assured destruction’, ended ‘not with a bang, but a whimper’. The end came largely peacefully, including the breaking down of the Berlin Wall in 1989. Thomas (2001) claims that the 1975 Helsinki Final Act (aka ‘Helsinki Accords’), originally signed between 35 states from among the US-led West and the Soviet-dominated Eastern Bloc, was instrumental in the USSR’s demise and thus the end of the Cold War through the inadvertent acknowledgement of human rights norms by the Soviet hierarchy.

This volume of Central Asian Survey takes stock of the legacies of the Helsinki Accords, more than 40 years after their signing. While touching on broad theoretical paradigms of regionalism, social constructivism, and democratization, the contributors analyse the complexity of the post–Cold War order, especially for the ‘participating states’ of the Organization for Security and Cooperation in Europe (OSCE), and focus on not only how these states have benefitted from their membership in that organization, but also how the OSCE has failed them and their publics in a number of critical ways. The contributions to this volume were first presented at a conference hosted by the OSCE Academy in
Bishkek, The Helsinki Final Act at 40: Reflections and Prescriptions vis-à-vis the OSCE in Eurasia, held in Issyk Kul, Kyrgyzstan, 10–12 September 2014, with the papers having since benefitted from a rigorous peer review process for this publication.2

The original idea for what started as the Conference for Security and Cooperation in Europe (CSCE), becoming an ‘organization’ in 1994 (thus the OSCE), goes back to 1954, when the Soviet leadership of that time proposed the convening of a ‘multilateral European security conference to ratify the postwar boundaries of Europe’. Western powers initially dismissed this initiative, viewing it as a mechanism for the USSR’s strengthening of its hegemony over the Eastern Bloc (Stent 2015). Over a decade later, at the 1969 Warsaw Pact summit, the Soviets once again brought up the notion of a European security conference, a project which had begun to gain traction. The idea for the CSCE gained further strength with détente or the partial thawing of East–West relations, including the launching of Ostpolitik (Eastern policy), also in 1969, in favour of opening up of relations with the Eastern Bloc, by West Germany’s Chancellor Willy Brandt, and the historic visit of US President Richard Nixon to Moscow in 1972.

The Soviet leadership, headed by Leonid Brezhnev, hoped for an agreement that would ensure the upholding of the principle of nerushimost (untouchable), or ‘inviolability of frontiers’ (Von Grünigen and Renk 2015, 42). But the Helsinki Accords instead provided a series of norms and commitments in three ‘baskets’ of politico-military, economics-environment and human rights, together forming what the OSCE (1996, 28) later referred to as the ‘comprehensive security model’. Similar to Buzan’s (1983, 247) ‘system security’, the OSCE’s model of comprehensive security appears to have been drawn from the Copenhagen School of international relations, which would agree with Buzan that the ‘concept of security binds together the individual, states and the international system so closely that it demands to be treated in a holistic perspective’ (245).

By the mid-1980s, Mikhail Gorbachev’s perestroika (restructuring) and glasnost (openness), which had meant to reform and strengthen the USSR, had instead accelerated its demise. And yet, once the Cold War was over, contrary to the optimistic outlook of many, including Fukuyama (1992) and his ‘end of history’ thesis, not all post-communist states were ready to embrace liberal democracy as their preferred mode of governance. This posed a challenge for the OSCE, particularly vis-à-vis its participating states farther ‘east of Vienna’, where its headquarters sits. Among the Soviet republics, Lithuania and its two other Baltic neighbours were the first to demand their independence from the USSR and soon thereafter establish liberal democratic states in the post–Cold War era. Many others, however, including the post-Soviet Central Asian republics, all of which had found independence ‘by default’ (Grant 1994), constructed, as independent states, not democracies but largely forms of neo-Soviet dictatorships. A chapter in history had ended, but contrary to the hopes of triumphant Western policymakers and Eastern dissidents, for many in the Newly Independent States, the end was dull, brutish, and even deadly in such places like Tajikistan and Chechnya, where civil wars erupted and hundreds of thousands of lives were soon to be lost.3

By the time of the implosion of the USSR, the post-Soviet states had to decide whether to join various treaties and organizations, including the OSCE, which required the signing and ratifying of the Helsinki Final Act. All (aside from Russia, which had been automatically given the seat of the USSR at the OSCE) did so days or months after the fall of the Union. As the OSCE grew in membership, so did its institutions and bureaucracy. The organization
opened field missions in a number of post-communist states, the first being in the (then) Yugoslav provinces of Kosovo and Macedonia in 1992, while in Central Asia, the first office was opened in Tajikistan in 1994. In this volume, Alessandra Russo and Andrea Gawrich compare and contrast two different sets of regional organizations at play in Central Asia and the Caucasus. They argue that states evaluate the perceived ‘functional rationality’ and ‘legitimation’ of given organizations in their decision to sign on to regional organizations, such as the OSCE, the Council of Europe, the Shanghai Cooperation Organization and the Commonwealth of Independent States – the latter two focusing not only on sovereignty and collective security, but also on a de facto anti-Western posture of ‘countering the diffusion of liberal norms’.

Over 40 years of associating with the OSCE, however, both as part of the Soviet Union and later as independent states, has not made Central Asian societies – save the outlier case of Kyrgyzstan – more democratic, open or corruption-free. Writing in this volume, Aaron Rhodes argues that in the post–Cold War era ‘human rights has lost [its] dissident movement’s charismatic association with the non-partisan struggle for freedom, and become a slogan of indistinct meaning’ in the process, resulting in a loss of the clarity that ‘gave the Helsinki Final Act its power to inspire those seeking freedom’. The OSCE has also been affected by this ailment, and its ambiguous role and effect in much of its sphere of operation conjures up the sentiment that ‘the OSCE is battling against a loss of relevance’ (Center for Security Studies 2012, 1). Problems of war, dictatorships, suppression of rights and lack of fulfilment of liberal commitments have persisted in the post–Cold War era, and it seems that the OSCE cannot – and at times will not – do much about them.

Some of the problems associated with the weaknesses of the OSCE are systemic. According to Pál Dunay, writing in this volume, the OSCE’s peculiar nature of compromise and consensus developed into a relatively decentralized organization with a series of ‘weak institutions’, and the ‘political practice’ of the OSCE’s participating states ‘does not substantiate the declaratory commitments’ which the organization has repeatedly, but in reality only nominally, undertaken throughout the years. In the words of Kuzmenko (2016), the OSCE has become a mere ‘simulacrum’ or ‘a simulated model’ of an international organization that ‘only minimally works on facilitating cooperation and formation of communication, mutual trust and understanding among’ states (iii).

In her contribution to this volume, Karolina Kluczewska quotes an interviewee who argues that ‘in the world of IOs [international organizations], the bureaucracy has expanded to such an extent that people do not reflect [or matter] anymore’. Kluczewska concludes that without substantial reforms with the aim of real rather than virtual results, the OSCE will continue its ‘pace towards irrelevancy’. Also in this volume, I and Uguloy Mukhtorova warn of the dangers of OSCE’s excessive fixation on election observation missions in post-communist authoritarian states and the organization’s detachment from any significant contextual political analysis.

What can be done, we may ask, to encourage the OSCE and its participating states to uphold the lofty ideals enshrined in the Helsinki Final Act, such as democracy, human rights, non-violence and collective security? The critiques throughout the papers in this volume allude to at least six areas of reform and change that the OSCE could undertake to undo its current crisis of relevance. First is a titular change. The expanding post–Cold War area of operation of the organization goes far beyond Europe. Of today’s 57 participating states, nine – Mongolia and eight countries of the Caucasus and Central
Asia – are not in Europe but Asia. The question thus is: Are these Asian states important for the OSCE due to their role in providing ‘security in Europe’, or are they and the well-being of their citizenry worthy and important ends in and of themselves? By replacing ‘Europe’ with ‘Eurasia’, the OSCE could maintain its current acronym while preventing accusations of Eurocentrism.4

Second, ‘projectosis’ is a pathology affecting the body of the OSCE (Foroughi 2012, 115). Given the dual factors of an inert ultraconservative organizational culture and the political difficulties of working in its largely authoritarian eastern sphere of operations, the OSCE has replaced research, analysis and in-depth objective monitoring and political reporting with an exaggerated focus on often irrelevant, wasteful and even counterproductive projects. And the results of such an approach with its potential negative impacts on ordinary people appear far less salient for the organization than the timely expenditure of project funds, what the OSCE refers to as its ‘implementation rate’. Of greater concern for the organization is reaching an implementation rate of as close to 100% as possible, come 31 December of each year, rather than the promotion of the Helsinki Accords’ liberal norms. To raise its credibility, instead of an incessant and exaggerated focus on often obscure, expensive and badly monitored projects, the OSCE should promote empirically based, cutting-edge research and reporting and monitoring of components of its comprehensive security model, with the goal of far more open access reports and documents of interest to policymakers, scholars and ordinary citizens.

Third, the Helsinki Accords’ intergovernmental nature has (like the UN) produced an elitist and highly paid technocratic cadre who have been socialized to work with like-minded individuals rather than the ordinary populations of the OSCE participating states. A European seconded OSCE bureaucrat working in the mission to Turkmenistan, for example, will receive not only a monthly salary approaching five figures (in euros) from her/his government but also around €4000 per month as ‘board and lodging allowance’ from the OSCE’s unified budget. Such unreasonable remuneration for expatriate OSCE employees does more harm than good for the organization, giving it a reputation as an entity for rich foreigners, and attracts employees whose primarily objective is often monetary rather than ideational engagement in promoting the liberal norms of the Helsinki Accords. The OSCE must thus eliminate excessive levels of pay and develop a recruitment strategy that emphasizes cultural and political knowledge in line with humility and a spirit of service rather than personal enrichment.

Fourth, ‘It’s not in our mandate!’ is an oft-heard response from OSCE leaders and technocrats when asked about critical issues including ‘individual cases’ of human rights. The promotion of human rights norms by the OSCE has become a realm of generalities rather than specifics of individual cases. In his contribution to this volume, Dunay illustrates how in the post–Cold War era, the focus of the OSCE’s human rights-related concerns has been on ‘political’ rather than ‘individual’ freedoms in places like Central Asia. Moreover, given the US-led war in Afghanistan and in an effort to win allies and ‘strategic partners’ among Central Asian regimes, the OSCE treads an overly conservative line on human rights, focusing on ‘stability over democratic transformation’. By ignoring individual cases of rights violations, the OSCE faces criticisms of indifference to, and even collusion in, the sufferings of the persecuted and wrongly detained.

In response to a question on this issue at a recent presentation by OSCE Secretary General Lamberto Zannier in Kyrgyzstan, he responded that the question of individual
cases of human rights ‘is entirely intergovernmental’; that is governments can criticize each other’s cases in OSCE meetings, but the ‘mandates’ of the OSCE institutions, themselves, ‘do not refer to individuals’, and the OSCE was ‘not built for’ nor does it have ‘a policy’ or ‘the capacity … to start devoting attention to individual cases’. It is ironic that the leader of one the largest human rights-based organizations in the world would claim a lack of mandate or capacity to address individual cases of human rights. Although the OSCE does contract local non-governmental organizations to take up individual cases of rights violations, such organizations often lack the will, the political security, or the institutional capacity to take up ‘sensitive’ cases of human rights. Taking up of individual cases directly by the OSCE would have multiple benefits. It would teach the organization and its practitioners what the ‘forest’ of generalities is made of, thus enabling better comprehension of overall human rights situations and thus more rational solutions to address broader problems. The taking up of selected human rights cases also serves as a warning and example to violating regimes. An OSCE participating state would be far less likely to persecute, wrongly detain, torture, improperly try, or extrajudicially execute its citizens if it knows that the OSCE is documenting its actions and may ultimately chastise it in front of other participating states at the organization’s Permanent Council in Vienna. It would thus be prudent for the OSCE to have an average running roster of around 10 individual cases per participating state that it can directly monitor and lobby for in line with the commitments of the Helsinki Accords.

Fifth, given the scale of its current Special Monitoring Mission to Ukraine, the OSCE may be playing a vital role in at least partially preventing the escalation of war in the eastern part of that country. One commentator writes that the OSCE ‘was able to step up and play a role [in Ukraine] … precisely because it was the last man standing in 2014, when no other organization was deemed neutral enough to fit the part’ (de Waal 2017). Of course, the case of Ukraine and Russia involves two OSCE participating states inside the organization’s geographic sphere. However, there are other hotspots and wars, many outside of the OSCE’s sphere of operations, which not only harm OSCE members but also involve key players from the OSCE. An example is the disastrous consequences of the 2003 invasion of Iraq by the most populous OSCE participating state, the US, and the collaboration of at least 25 other OSCE states, chief among them the UK. More recent examples are the provision of cluster bombs and other machinery of war to Saudi Arabia, also mainly by the OSCE states of the US and UK, which in turn are used to kill and maim not only Yemeni militias but also civilians, including children. Another example is that of the tragic war in Syria, where, as mentioned above, a number of OSCE participating states (US, Russia and Turkey) have been aiding or directly fighting on opposing sides. All such wars have security consequences not only on the ‘outside’ but also on the ‘inside’ of the OSCE geographic sphere: the flow of hundreds of thousands of refugees into Turkey and the European Union, and the spread of acts of terror inside the OSCE’s sphere by members or sympathizers of the Islamic State of Iraq and Syria (ISIS).

The point to mention here is the OSCE’s apparent lack of concern for the spread of wars and insecurity often involving its own participating states. According to Secretary General Zannier, for example, though prevention of war ‘is in the genetic tissue’ of the OSCE, given its geographic ‘area of operation’ neither Iraq (and presumably Syria) nor Yemen are ‘on the agenda of the [OSCE as an] organization in any way’. The OSCE appears to be naively treating its geographical domain as an airtight entity, and like the proverbial
ostrich, prefers to bury its head in the sand and avoid observing and speaking about security issues outside of its formalistic sphere, even when those ‘outside’ security issues damage the security of the ‘inside’, or when an OSCE participating state violates the canons of the Helsinki Accords on other peoples and places.

Sixth, many of the problems facing humankind are ideational in nature. In line with social constructivism, the most important factor in need of change is mindsets and the inculcating of the liberal norms necessary for the promotion of peaceful and democratic societies. A relatively cost-effective and sustainable way of promoting the commitments of the Helsinki Accords would be education and for the OSCE to open a number of secondary and higher education institutions in Central Asia and other participating states to bring about a new generation of citizens and leaders knowledgeable of and committed to the implementation of Helsinki’s ideals. The OSCE Academy in Bishkek, offering 16-month graduate programmes in politics and economics, is one such successful endeavour (Juraev 2015), and one which could be replicated throughout the region.

Forty-three years after the signing of the Helsinki Final Act, the world has seen drastic changes, including the modality of security threats. Though the (old) Cold War is over, new tensions and dangers, including the spread of terrorism, new East–West tensions, ongoing wars and instability in Afghanistan and the Middle East, and the increasing environmental threats caused by manmade global warming and consumer pollution, threaten not only the OSCE participating states, but the global community as a whole. The critical analyses and questions posed by contributors to this volume can serve as food for thought to counter such threats and to strengthen and fortify the OSCE’s raison d’être and relevance in the twenty-first century.

Notes

1. The North Atlantic Treaty Organization was created on 4 April 1949 with 12 founding Western states. As of June 2017, 13 out of 29 member states are from the former Eastern Bloc or Warsaw Pact.
2. Funding for the conference was provided by the Norwegian Institute of International Affairs.
3. Loss of life during the Chechen wars of the 1990s is estimated at 160,000 (New York Times 2005), while Tajikistan’s civil war may have seen as many as 100,000 deaths (Epkenhans 2016).
4. ‘Europe’ or ‘Eurasia’, however, still exclude the two North American OSCE countries of Canada and the US.
5. Lamberto Zannier’s response to the author’s question, OSCE Academy, Bishkek, 13 June 2017.
6. Zannier’s response, OSCE Academy, Bishkek, 13 June 2017.

Disclosure statement

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References


