

A REPORT OF THE  
U.S.-KAZAKHSTAN  
OSCE TASK FORCE

# Kazakhstan's OSCE Chairmanship 2010

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*Authors*

Janusz Bugajski  
Margarita Assenova  
Richard Weitz

January 2011



Institute for New  
Democracies

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INTERNATIONAL STUDIES

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Center for Strategic and International Studies  
1800 K Street, NW, Washington, DC 20006  
Tel: (202) 775-3119  
Fax: (202) 775-3199  
Web: [www.csis.org](http://www.csis.org)



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## EXECUTIVE SUMMARY

This report provides an end-of-year assessment of the 2010 Kazakh chairmanship of the 56-nation Organization for Security and Cooperation in Europe (OSCE). The CSIS-IND Task Force has provided extensive analysis and comprehensive recommendations to the Kazakh government in order to assist it in providing effective leadership of the OSCE. Most of these recommendations, particularly on the potential agenda of the chairmanship and subsequently the OSCE Summit, were implemented by the Kazakh OSCE chair. Due to the extensive review of earlier developments found in previous CSIS-IND reports and policy briefs, this report focuses on events during the last months of 2010, especially the December 1–2 OSCE Summit in Astana and the preceding review conferences. Examining the direction, activities, and priorities of the 2010 Kazakh chairmanship of the OSCE also provides insights into the challenges facing the organization, the region it encompasses, and its member states.

As the first Central Asian, post-Soviet, and predominantly Muslim state to lead the OSCE, the Kazakh government viewed its chairmanship as an opportunity, even as a strategic national project, to enable Kazakhstan to develop closer ties with both Europe and the United States, while reinforcing ties with its traditional regional partners and contributing to broader Eurasian security.

The Kazakh government approached its 2010 OSCE chairmanship with significant energy and high hopes that the country could contribute to invigorating the organization that many experts considered to be precipitously weakening. The tense situation in Central Asia, stemming largely from the war in Afghanistan and several simmering regional conflicts, made Kazakhstan's OSCE chairmanship important for the organization. Despite its own vulnerability to criticism for insufficient domestic progress in human rights and democratic development, Kazakhstan was in a position to advance the organization's mandate, invigorate efforts to settle existing conflicts, and generate discussions on important security, economic, and human development matters.

Kazakhstan's appointment as the OSCE chair was objected to by human rights organizations, mainly because of insufficient progress in implementing democratic reforms in the country. In addition, there were fears that Kazakhstan may not preserve the mandate and autonomy of the OSCE's democracy body—the Office of Democratic Institutions and Human Rights (ODIHR)—since Astana has sided in the past with Russia and other countries in the Commonwealth of Independent States (CIS) in requests for changing the status of ODIHR. In reality, under the Kazakh chairmanship, the ODIHR was able to operate independently within its established autonomy and without interference by the chairman-in-office (CiO) or other member states.

In sum, Kazakhstan provided capable and energetic leadership for the organization at a difficult time in its evolution. A major achievement of the Kazakh chair was bringing the attention of the OSCE to Central Asia and emphasizing its Eurasian dimension—in highlighting security problems stemming from the Afghan conflict, potential failed states, destabilizing economic and environmental problems, and vexing human rights issues.

The crisis in Kyrgyzstan contributed to focusing the OSCE member states on the region. In addition, Kazakhstan provided bilateral assistance to Kyrgyzstan during and after the crisis, which was followed by other states. Astana managed to handle the April 2010 crisis in Kyrgyzstan with swift diplomacy that helped avert further confrontation. The Kazakh president Nursultan Nazarbayev persuaded the Kyrgyz president Kurmanbek Bakiyev to resign and leave the country under the pressure of citizens' protests in Bishkek. However, the OSCE was slow and indecisive during the second Kyrgyz crisis in June 2010 and, together with all international organizations, failed to prevent ethnic clashes and murders in southern Kyrgyzstan. The deployment of the OSCE Police Advisory Group, proposed in June 2010, was delayed by the OSCE's cumbersome decisionmaking mechanism and by opposition within the Kyrgyz interim government. Eventually, the OSCE Permanent Council approved a Community Security Initiative, which deployed at the end of the year. As a result of the crisis, the OSCE field mission in Kyrgyzstan was significantly strengthened, including its human dimension programs.

In another development related to Central Asia, Kazakhstan held a donor conference on the Aral Sea and promoted the idea that the OSCE adopt a Water and Rights Program as an international legal framework for resolving water disputes in the region.

Other achievements of the Kazakh chairmanship included:

- Expanding cooperation with multinational organizations, including the United Nations, European Union, Council of Europe, Comprehensive Nuclear Test-Ban Treaty (CNTBT), Shanghai Cooperation Organization (SCO), Collective Security Treaty Organization (CSTO), and the Organization of the Islamic Conference (OIC). This cooperation was especially visible during and after the Kyrgyz crisis. It contributed to defining specific areas of involvement by different bodies in order to improve coordination.
- Significant work was done on renewing and strengthening the regime of arms control and confidence-building measures. These efforts will make possible the completion of the process of modernizing the 1999 Vienna Document in 2011.
- An agreement was reached at the Astana Summit to support the ongoing consultations on the Conventional Armed Forces in Europe Treaty (CFE Treaty) and the Adapted CFE Treaty aiming at opening negotiations in 2011 on a viable conventional arms control mechanism.
- The Kazakh chair made every effort to restart negotiations on settlement of conflicts in the Caucasus and Moldova's Transnistria region. Although the Astana Declaration included a basic agreement to continue this work and eventually resolve the conflicts, the summit also

exposed serious differences between the West and Russia, as well as between some of the most involved parties such as Azerbaijan and Armenia.

- The Kazakh chair encouraged OSCE members to expand their participation in the peace settlement in Afghanistan and in its economic revival. The possibility for intensifying OSCE engagement in Afghanistan was discussed during the Astana Summit. The Astana Commemorative Declaration underscored the need for OSCE member states to contribute to collective international efforts to promote stability, prosperity, and democracy in Afghanistan.
- During 2010, the ODIHR successfully conducted election observation missions in Ukraine, Tajikistan, Kyrgyzstan, and Belarus. The election monitors were able to observe the electoral process, make conclusions and issue reports, and express criticism of election violations.
- The Astana Summit, proposed by the Kazakh chair at the beginning of its mandate, concluded with an important declaration reaffirming the commitment of member states to the Helsinki Final Act and the Charter of Paris for a New Europe. Among the challenges that the Kazakh chair faced was the inability of OSCE members to agree on an action plan, exposing some serious differences between the West and Russia. However, the Astana Commemorative Declaration Towards a Security Community outlined a wide range of issues that the OSCE will need to tackle during 2011 in order to adopt a tangible action plan.

The OSCE human dimension faced serious challenges in 2010 as human and civil rights in most post-Soviet countries are declining. Russia is clearly setting the tone in the region with its disregard for various core principles of human rights conventions. At the same time, the Kremlin's ambitious policies toward its neighbors and its goal to recreate a Russian "privileged sphere" makes them anxious and defensive, as well as reticent to advance democratic reforms that could destabilize the country and from which Moscow could benefit. Although the OSCE has field offices in most of the region's capitals, it is not in a position to advance democratic reforms when state governments oppose them. Unfortunately, after delivering a dynamic and effective chairmanship of the OSCE, Kazakhstan was criticized for taking a step backward in its democratic development by planning to postpone direct presidential elections for the next decade. The director of ODIHR, Janez Lenarcic, and several OSCE members criticized Astana's preparations for a referendum that would enable President Nazarbayev to remain in office until 2020 without direct elections.

Undoubtedly, the Astana Summit of heads of state and government held in the Kazakh capital on December 1–2, 2010, was the major achievement of Kazakhstan's OSCE chairmanship. The summit concluded with a commemorative declaration outlining the road ahead for the organization. At the same time, the direct negotiations held by leaders of 56 countries brought to light the significant differences between several states. While all member states reconfirmed their commitment to the Helsinki Final Act adopted 35 years ago, they were unable to agree on a comprehensive action plan that would guide the organization over the next few years. The main contentious issues at the summit were the unresolved conflicts in the Caucasus and Transnistria

and the development of a crisis management mechanism. Although the summit ended in acrimony over the proposed action plan, paradoxically the gathering of 56 leaders appeared necessary to underscore the fundamental problems within the OSCE: the lack of a common interest in preserving and enhancing comprehensive security in the OSCE area and advancing the role of the organization. The differences that Russia labeled as “ideological” during the Astana Summit stretched from hard security and military transparency to promoting human rights and democracy and the OSCE field missions operations.

The OSCE today is faced by the necessity to take more decisive steps to fulfill its mission in providing collective security “from Vancouver to Vladivostok,” or it risks slipping into irrelevance and obsolescence. In 2011, the organization will need to agree on a meaningful action plan and start to implement its provisions. Further delays by some member states could threaten the OSCE’s core rationale and contribute to the persistent security and humanitarian problems throughout the OSCE region.

# 1

## BACKGROUND

The Astana Summit of the Organization for Security and Cooperation in Europe (OSCE) took place 11 years after the last OSCE Summit in Istanbul in 1999, which adopted a new Charter for European Security and revised the Vienna Document of the Negotiations on Confidence and Security Building Measures (CSBM). Although the Charter for European Security has a political rather than a legally binding character, it is recognized as a landmark document outlining the challenges to security and committing its members to developing a “common security space” within the OSCE area. The adoption of the charter in Istanbul reflected a number of policy initiatives, including the adoption of the Platform for Cooperative Security, the development of the OSCE’s role in peacekeeping operations, the creation of Rapid Expert Assistant and Cooperation Teams (REACT), to enable the OSCE to respond quickly to demands for civilian assistance and for large civilian field operations, and the establishment of an Operations Center, in order to plan and deploy OSCE field operations.

On the sidelines of the 1999 Summit, 30 states signed the Agreement on Adaptation of Treaty of Conventional Armed Forces in Europe (Adapted CFE). The original CFE Treaty, which entered into force in 1992, is a legally binding international treaty. In Istanbul, Russia committed itself to withdrawing from the Transnistrian region of Moldova, reducing its equipment levels in Georgia, as well as withdrawing from two military bases, achieving an agreement on the future disposition of the remaining Russian military bases in Georgia, and reducing its forces in the flanks to the agreed levels of the Adapted CFE. These agreements became known as the “Istanbul Commitments” and were included in the 1999 Istanbul Summit Declaration. However, NATO members refused to ratify the adapted treaty as long as Russia failed to withdraw troops from Georgia and Moldova. As a result key aspects of the Istanbul accords have never been implemented, and Russia has in effect rejected them.

In December 2007, Russia suspended its observance of CFE Treaty obligations, an unprecedented step with no basis in international law. The problem was exacerbated following the Russo-Georgia war in August 2008 when Russia used its southern flank troops to occupy Abkhazia and South Ossetia and has since consolidated its troop presence in these Georgian provinces. The invasion of Georgia was considered by the West as a major violation of the core principles of the OSCE. These unresolved problems, along with serious differences between Russia and the West in implementing human dimension commitments, were the main contentious issues among OSCE member states during the Astana Summit.

# 2

## FORMULATING THE 2010 SUMMIT AGENDA

On August 3, 2010, the Ministerial Council formally agreed to hold the OSCE Summit in Astana on December 1–2. The 56 OSCE participating states reached this decision by employing their silence procedure, under which they can make decisions without having to meet physically. They also decided to hold the OSCE’s 7th Review Conference before the December 2010 Summit. The fall of 2010 saw a three-part review conference, with sessions held in three cities over a total of 17 days, in preparation for the Astana Summit on December 1–2, 2010. Many of the debates at the summit and the review conferences involved the competing positions of the Russian Federation on the one hand and the United States and the European governments on the other, with the Kazakh chairman-in-office (CiO) sometimes trying to mediate between them.

### Kazakhstan

In July 2010, the chairman-in-office, Kazakh foreign minister and state secretary Kanat Saudabayev, stated that the Kazakh government viewed the following as the main agenda items for the summit: “confirmation at the highest level of all of the earlier obligations undertaken within the OSCE framework; the future of Euro-Atlantic and Eurasian security; strategic goals in arms control and in military confidence-building measures; responses to new challenges and threats; Afghanistan issues; conditions in Central Asia, and Kyrgyzstan in particular; and an adapted strategy for the OSCE second basket.”

At the informal July 16–17, 2010, OSCE foreign ministers meeting, President Nursultan Nazarbayev of Kazakhstan called on the participating states to pay more attention to developing economic and environmental policy, as well as a strategy for promoting Eurasian economic integration. After the foreign ministers agreed to a summit, Saudabayev offered a slightly different list of topics, in addition to the general goal of “shaping a united and indivisible security space, free of dividing lines and different levels of security.” The subjects included “reconfirming States’ commitments; reinforcing the OSCE’s institutional foundation and its transformation into a full-fledged international organization; strengthening arms control; enhancing the OSCE toolbox in all three dimensions on early warning, conflict prevention, crisis management and post-conflict rehabilitation; joint development of ways to peacefully settle protracted conflicts; and increased attention to countering trans-national threats.” He further listed “boosting OSCE engagement, within its mandate, in international efforts to stabilize and reconstruct Afghanistan, countering economic challenges in the post-crisis period, strengthening the OSCE’s potential to counteract challenges in the human dimension, and enhancing OSCE capabilities to monitor implementation.”

Kazakhstan's proposals for the OSCE Summit were outlined by Konstantin Zhigalov, deputy foreign minister of Kazakhstan, at the opening of the OSCE Review Conference in Warsaw on September 30, 2010:

1. Renewed commitment by all participating states to the founding principles of the Helsinki Final Act, the Charter of Paris for a New Europe, and the Charter for European Security. Re-engaging with this body of principles in a new context may require willingness to consider updating them in specific areas.
2. The participating states should seek to work with greater focus to resolve outstanding security problems that divide the OSCE area. This would entail strengthening the arms control and CSBM regime by securing progress on the CFE Treaty and by updating the Vienna Document of 1999. In addition, the participating states should work together to set protracted conflicts in the OSCE area on the path toward peaceful settlement.
3. The participating states should seek to step up collective efforts to counter transnational threats—from illicit drug trafficking, organized crime, cyber crime, and trafficking in human beings to international terrorism, including those threats emanating from outside the OSCE area, notably Afghanistan.
4. Building on discussions in the Corfu Process, where OSCE has made tangible progress, the OSCE participating states should work to strengthen the efficiency and effectiveness of the OSCE in providing for comprehensive and indivisible security. This would involve strengthening the legal framework of the organization and its capacities in conflict prevention, crisis management, and post-conflict rehabilitation, and deepening OSCE interaction with Partners for Co-operation, as well as other international organizations.

## Security Dimension

The CiO highlighted the need to ensure that the OSCE would be better equipped to handle transnational threats, as national responses alone are insufficient. The chairman also recommended that the organization's considerable experience in combating human trafficking and border security be brought to the forefront so that the expertise can then aid Afghanistan and other neighboring states. The Kazakh delegation considered updating the 1999 Vienna Document as a priority. The CiO stated that it was examining how efforts undertaken in the economic and environmental sphere impact on other areas of OSCE work. Particular focus was also placed on enhancing the OSCE as a political forum, strengthening its legal framework, and improving its procedures and practices.

In his opening speech during the Astana Summit, Kazakh president Nazarbayev highlighted the efforts of Russian president Dmitri Medvedev to integrate transatlantic relations through a new Treaty on European Security. Along these lines, Nazarbayev presented Kazakhstan as a potential link in Eurasian security, proposing that work begin on a Treaty on Eurasian Security. Nazarbayev also identified the main future challenges to the OSCE as being related to conflict settlement and the fostering of confidence and integration in the region.

## **Economic and Environmental Dimension**

The Kazakh delegation to the Vienna Review Conference suggested that participating states would benefit from using the broad discussion platform of the OSCE to expand their dialogue on land transport security issues. The delegation pointed out that one of the OSCE commitments was to help developing countries without access to open seas, as is the case with Kazakhstan, to establish an integrated Eurasian transcontinental transport link. Turning to the issue of migration, Yeset Karamendin, head of the Migration Division at the Ministry of Internal Affairs, stressed that work is in progress to liberalize visa and registration procedures so as to bring them in line with international standards. Looking at the issue of energy security, Birzhan Alshimbayev, director of the Department for Strategic Development and International Cooperation at the Ministry of Oil and Gas of Kazakhstan, highlighted the strategic role Kazakhstan can play in Eurasia thanks to its geographic location. Alshimbayev also noted his country's confidence that the creation of a Customs Union among Belarus, Russia, and Kazakhstan will improve energy security in the broader region. During his opening speech, Nazarbayev also spoke of the importance of a strong economy and steady growth for the development of fledgling democracies. He proposed splitting the economic and environmental baskets to allow for increased focus on each of them.

## **Human Dimension**

Kazakhstan emphasized its efforts to ensure a timely adoption of a consensus-based decision by member states to appoint the new personal representative of the CiO on freedom of the media. Its delegation pointed to the High-Level Conference on Tolerance and Non-Discrimination held in Astana at the end of June 2010 as a tangible indicator of their country's support for the principles of the OSCE's third basket. Deputy Minister of Foreign Affairs Konstantin Zhigalov acknowledged the violation of human rights within the OSCE area as an ongoing cause for concern. Specifically, Zhigalov spoke of the integration of Roma and Sinti communities, which continues to lag behind the goals set out in the 2003 OSCE Action Plan. Various Kazakh representatives also highlighted the creation of an advisory council within the OSCE's human dimension that was established under the auspices of the Kazakh Ministry of Foreign Affairs.

The Kazakh delegation stressed the importance the CiO placed on cooperation with nongovernmental organizations (NGOs), as indicated by the High-Level Conference on Tolerance and Non-Discrimination held in Astana in June 2010, as well as the establishment of a Civil Society Forum as a mechanism for dialogue between Kazakh NGOs and the government. The Kazakh chair identified interethnic tolerance as one of its chief priorities during its chairmanship. To this end, Astana has encouraged regular and direct contacts between state bodies and representatives of ethnic communities. Tugzhanov advocated increased coordination and cooperation within the OSCE area among civil society institutions working in the area of interethnic relations. The Kazakh government also plans to increase access to the Internet for the whole country during 2012 to reduce media inequality.

## United States

During her opening statement at the Astana Summit, Secretary of State Hillary Clinton highlighted three priorities. The first involved an increased role in support of mutual interests in Afghanistan. Accordingly, the OSCE efforts are expected to “improve border security, counter illicit trafficking, boost legitimate trade, and promote economic development.” The second priority involves strengthening the OSCE’s role in preventing conflict from erupting or reigniting. Specifically, Clinton pointed to Georgia, whose “sovereignty and territorial integrity the United States strongly supports.” Clinton stressed the importance of resuming formal 5+2 talks to resolve the conflict in Moldova and efforts toward a settlement in Nagorno-Karabakh. The third priority involved addressing shortcomings in the implementation of human rights and fundamental freedoms, such as free elections.

### Security Dimension

The theme in all the proposals, statements, and recommendations of the U.S. delegation during the series of review conferences was that new treaties or institutions were unnecessary in advancing cooperative security in Europe. The U.S. stance implicitly dismissed Moscow’s proposed European security treaty.

U.S. representatives focused on the need to revitalize work in the politico-military dimension, with the CFE Treaty a particular cause of concern. They also called for strengthening the OSCE’s crisis management and resolution capabilities, particularly in the case of the protracted conflict in Georgia. In addition, the U.S. delegation anticipated the development of an action plan that would allow for more collaborative combating of transnational threats, encompassing the areas of border management, counterterrorism, counternarcotics, countertrafficking, and policing work. While praising the impressive body of commitments and practice the OSCE possesses in arms control and confidence- and security-building measures, the U.S. delegation felt that still greater transparency was required. Washington expected the heads of state and government to set specific priorities and goals at the Astana Summit for future work on enhancements to the Vienna Document.

U.S. representatives also reaffirmed the central role the OSCE’s field presences play for “coordinating action and implementing projects for the fulfillment of OSCE commitments.” Field operations have an important role in early warning and conflict resolution. Highlighting the cross-dimensional work of the OSCE field offices, Ambassador Cynthia Efirid pointed to the framework developed for important conflict management discussions among groups along the Kyrgyz-Tajik border. She praised the OSCE for teaming up with knowledgeable local groups in developing training mechanisms to help foster communication and develop skills on dispute resolution. This gives the OSCE a low-cost advantage over other international organizations. However, Carol Fuller, deputy chief of the U.S. mission, raised concerns about the selection of heads and deputy heads of mission for these field operations. Fuller pointed out the importance for field representatives to have strong management and leadership skills and not just political

knowledge or diplomatic experience. Fuller also stated that the failure of participating states to fully support field operations, either through resources, political backing, or choice of leaders, leads to suffering among citizens.

Georgia was repeatedly pointed to as an example, where the OSCE field operation was closed despite the overwhelming support of the host country and the vast majority of other participating states. The U.S. delegation noted that it was unacceptable for the OSCE, which has a mandate to promote security and long-term stability, not to have a fixed presence on the ground in Georgia. Accordingly, the United States put forth several recommendations, including that all states agree before the Astana Summit to restore a meaningful, status-neutral OSCE presence in Georgia. Support for international efforts to stabilize the security situation in Georgia and address humanitarian concerns include the reestablishment of international access to the separatist regions of Georgia.

At the summit, the United States and its allies insisted on upholding Georgia's internationally recognized borders, which include the breakaway regions of Abkhazia and South Ossetia. In her opening speech, Secretary Clinton criticized Russia's veto of the OSCE missions in Georgia. "It is regrettable that a participating state has proposed to host a mission and the OSCE has not been allowed to respond," she observed. "We here at this table must let this organization do its job and restore a meaningful OSCE presence to Georgia. We also call on all parties to fully respect and implement the August and September 2008 ceasefire arrangements."

## **Economic and Environmental Dimension**

With regard to transportation security, U.S. representatives felt that existing frameworks should be used to enhance the dialogue on sharing best practices in securing and modernizing transportation infrastructure. Emphasis was also placed on the need to work cooperatively to ensure transportation links are as efficient as possible, not just in their energy consumption, but also in the time and administrative burden they impose. The United States suggested that the OSCE help by providing training and a forum for the sharing of best practices on border management, harmonizing customs policies, and maintaining existing infrastructure.

The United States praised the OSCE for its assistance in setting norms and sharing information on handling transnational industrial accidents in the OSCE space. It was also noted that the unique regional scope of the organization gives it a level of local knowledge and an orientation on how various aspects of security develop in Eurasia, an area that is lacking in other regional fora. OSCE field missions were also highlighted for their work with civil society. Examples can be seen in the OSCE Center in Astana, which worked closely with the Kazakh government and the International Fund for the Aral Sea to facilitate dialogue among the affected parties in the Aral Sea Basin.

The U.S. delegation recommended that attention be focused on areas where measurable goals could be achieved. More specifically, this included endorsing Extractive Industries Transparency Initiative (EITI) principles so as to increase the attractiveness to investment and the economic

vitality of all OSCE states. As well, the United States pushed for a formalized process to address energy issues and for the establishment of an OSCE Academy in Central Asia focused on the second dimension, specifically on the “facilitation of economic activity that can not only improve licit trade in the OSCE space, but also help neighboring Afghanistan.”

## **Human Dimension**

U.S. delegates consistently emphasized the importance of timely and transparent exchange of information, as well as a need for greater partnership among the participating states in confronting intolerance, providing equal opportunities, and strengthening the rule of law. They expressed support for measures designed to improve the “implementation of existing commitments, facilitate the timely exchange of information and provision of assistance, and ensure the relevance of our principles and commitments to the digital age.” The U.S. delegation also urged Astana to fulfill its commitments made on accepting the OSCE chairmanship and uphold the organization’s key principles, including full respect for human rights and the rule of law.

Ambassador Efirid praised the OSCE for the premier platform it had become over the last 10 years in the promotion of technical expertise in combating human trafficking. Special mention was made of the initiatives undertaken by the organization’s institutions and field missions that led directly to greater victim assistance, identification, and liberation from exploitation. Praise was also given to the special representative and coordinator for combating trafficking in human beings, Maria Grazia Giammarinaro, for her dedication and commitment to the protection of victims and the prosecution of human traffickers. Washington called on OSCE institutions and field operations to work with nations whose cultural traditions perpetuate the exploitation of children for labor in order to “find alternatives that respect the rights of children to a healthy and productive childhood.”

With regard to the issue of intolerance, U.S. representatives noted that there “continues to be a marked increase in prejudice, discrimination, and violence directed against migrants, persons perceived to be migrants, and human rights defenders in the OSCE region.” Mischa Thompson, policy adviser at the U.S. Helsinki Commission, pointed to the data from ODIHR’s Annual Hate Crimes Report, which noted heightened attacks against Central Asians in Russia and Eastern Europe. Thompson, speaking on behalf of the U.S. delegation, stated that they remained concerned by the continued use of policies by some countries that are “overtly discriminatory.” To this end, the U.S. representatives made a point of strongly welcoming any increased support from the European Union for border countries to address such humanitarian concerns. In taking note of the expulsions of Roma and Sinti peoples from within the OSCE region, the U.S. delegation proposed that any long-term objective involve the strengthening of international dialogue on migration and reduction of community tensions.

Further statements on the questions of intolerance and discrimination included urgings by U.S. representatives for OSCE states to implement Decision No. 9/09: Combating Hate Crimes,

adopted in December 2009 at the Athens Ministerial. U.S. delegates also called on OSCE capitals to honor commitments to collect and report data to the ODIHR and adopt and implement hate crimes legislation. Several OSCE states have claimed that privacy protection prevents them from collecting data necessary for documenting and combating discriminatory practices. The United States expressed deep regret over such actions and urged participating states to make better use of ODIHR's Tolerance and Non-Discrimination Unit's capacity-building and training programs for civil society and law enforcement.

The U.S. delegation highlighted the role of a free media as a vital cornerstone of modern democratic societies and praised the efforts of Dunja Mijatovic, the OSCE representative on freedom of the media. U.S. representative Catherine Fitzpatrick spoke of the dangerous labeling of independent journalists as "traitors and enemies of the state" by the pro-Moscow Chechen leader Ramzan Kadyrov. Fitzpatrick urged the Russian Federation to condemn such veiled threats and to conduct "meaningful investigations and just prosecutions of the murders of journalists." Fitzpatrick also called on the governments of Azerbaijan, Uzbekistan, and Kyrgyzstan to release without delay or conditions the 16 journalists the Committee to Protect Journalists has documented as missing since December 2009. Along similar lines, Philip Crowley, U.S. assistant secretary of state for public affairs, issued a statement emphasizing U.S. commitments to continue focusing attention on the case of murdered journalist Anna Politkovskaya and editor Paul Klebnikov, as well as the cases of "all the other brave journalists who have been killed in Russia."

The United States also noted that it was pleased with OSCE support for international efforts to ensure credible elections in Afghanistan. While Ambassador Michael Guest praised the progress made in Georgia's municipal elections in May 2010, hope was also expressed that Georgian authorities would build on the improved electoral conduct by addressing still significant shortcomings, including "the misuse of administrative resources, a lack of impartial media coverage and the harassment or intimidation of candidates and parties during the campaign." Ambassador Guest also took note of several OSCE countries that have not made significant efforts to comply with the 1990 Copenhagen Document. Such examples included elections in Tajikistan, which took place in a noncompetitive electoral environment, the flawed local elections in Belarus, and Albania's parliamentary elections in 2009. Overall, while tangible progress has been made by several OSCE states, electoral shortcomings among those who have yet to comply with the organization's commitments have weakened those countries' political institutions and public confidence in them. U.S. representatives noted that elections can only be truly democratic in the context of full respect for human rights and fundamental freedoms.

## European Union

The European Union's emphasis is on preserving the comprehensive approach to security throughout the OSCE's three dimensions, specifically the autonomy and integrity of the organization's institutions in promoting democracy. As far as a more specific role for the OSCE is concerned, the European Union stressed that the organization should not duplicate, but

complement, what is already carried out by other actors. The EU delegation pointed out that while the organization serves as a flexible and coordinating framework, it does not mean “the OSCE always has to play the leading role in international cooperation.” The European Union’s priorities regarding the OSCE include strengthening its capacities to promote early warning, conflict prevention, and crisis management in connection with protracted conflicts; strengthening the framework for conventional arms control; and paying greater attention to transnational threats within the OSCE’s three dimensions.

## **Security Dimension**

The EU delegation recommended that the framework for conventional arms control, including CSBMs, and progress on the CFE Treaty be reinforced. It also underscored the need to strengthen and modernize the conventional arms control regime in Europe so that it could be more transparent and predictable.

With regard to good governance, the European Union noted that the anticorruption campaign requires the adoption by participating states of a comprehensive and long-term strategy that encourages transparency. Tools such as the OSCE Border Security and Management Concept can make a useful contribution to managing good governance, transport security, and trade at border crossings. Looking more specifically at transport security, the EU delegation reiterated that deepening regional cooperation and aiding landlocked countries in overcoming their transport-related problems will be key in Central Asia and Afghanistan. Additionally, the delegation recommended that the capacities of the OSCE for moving from early warning to early action should be improved, particularly by strengthening the role of the secretary general and his right to make proposals.

In energy security, the EU delegation recognized that the increasing energy interdependence between OSCE countries would require cooperative dialogue so as to enhance transparency and reliability. The delegation suggested that the OSCE could also provide a forum for discussing the need to develop rules and principles for international cooperation on energy security. In this context, the European Union “strongly supports the ongoing modernization of the Energy Charter Process.”

Finally, the EU delegation recommended that participating states review the OSCE’s engagement with Afghanistan. Delegates called for the adoption of a strategy concerning police activities and highlighted the need to adopt other strategic documents, in particular on cyber security, organized crime, and combating drug trafficking. Echoing similar calls from the United States, the European Union also stressed the urgency to adopt the draft convention on the organization’s legal personality.

In his opening remarks at the Astana Summit, President Herman Van Rompuy of the European Council highlighted the threats to OSCE security and stability posed by various protracted conflicts. He emphasized the principles of peaceful settlement proposed by the Minsk Group as

“the best option to reach an agreement on Nagorno-Karabakh.” Van Rompuy also called for the restoration of a meaningful OSCE presence in Georgia.

## **Economic and Environmental Dimension**

The European Union highlighted its support for the OSCE’s work in the areas of climate change, land degradation, water scarcity, reduced access to natural resources, and forced migration, as all these elements remain vital to the OSCE’s early warning and conflict prevention activities. As the impact of environmental and climate change on migration is complex, the European Union noted that it would welcome a greater focus by the OSCE Secretariat in this area. Delegates suggested that organizing a workshop where previous experiences could be presented would serve as an important first step. The delegation noted that one OSCE priority should be the “reinforcement of confidence building in the management of scarce resources.”

## **Human Dimension**

The EU delegation endorsed preserving the OSCE’s comprehensive approach to security that drew on the OSCE’s three dimensions, especially the autonomy and integrity of the organization’s institutions in promoting democracy. The delegation noted that the OSCE itself is based on the conviction that respect for human rights and fundamental freedoms is an essential factor of peace, justice, and well-being. To this end, the delegation saw the peer evaluations carried out within the organization as a way to move forward through dialogue toward the establishment of a security community based on respect for human rights and democracy. The majority of the proposals and recommendations put forward by the EU delegation centered on the issues of human trafficking, intolerance, freedom of the media, and democratic governance.

In stating that it remains strongly committed to combating human trafficking, the EU delegation reiterated its full support for the ODIHR, pointing to its impartiality and autonomy as a force that must be preserved. EU representatives also stressed the importance of a comprehensive approach and coordinated efforts by OSCE states. Special mention was also given to the special representative and coordinator for combating trafficking in human beings for the success of the 10th Alliance against Trafficking in Persons conference held in June 2010. The focus of the conference was on the growing problem of trafficking for the purpose of domestic servitude. The EU delegation made note of the special attention given to the issue of human trafficking by the current Kazakh chair and hoped that such progress and momentum could be maintained beyond the Astana Summit. The EU delegation also indicated support for the cross-dimensional approach to migration issues within the OSCE itself, as seen in the 2009 Ministerial Council decision on migration management.

With regard to the question of tolerance, the EU delegation highlighted its own efforts to set up a framework of legislative measures aimed at combating prejudice. Specifically, the 2009 Stockholm Program for an Open and Secure Europe Serving and Protecting the Citizens, which provides for the full use of existing financing programs to combat racism and xenophobia. EU representatives also highlighted the importance of relevant data collection in making policy decisions. Informed

evaluation of relevant legislation and its implementation is key to the preservation of rights and freedoms for migrants. Supplementary statements on the issues of discrimination and intolerance included the notice that the European Union expects the OSCE to “pay as much attention to combating manifestations of hatred and intolerance based on sexual orientation as it does to other forms of discrimination.” While the organization has developed a strong body of political commitments regarding nondiscrimination, the EU representatives pointed out that implementation is lacking. The delegation did praise the OSCE’s efforts in combating intolerance, describing it as a “unique approach that combines high-level political attention with practical measures and mechanisms.” To this end, the EU representatives urged other participating states to draw on the ODIHR’s expertise as a valuable resource, praising the institution for its focus on education and raising awareness in the struggle against hate crimes.

On a related note, EU representatives highlighted their concerns regarding the implementation of OSCE commitments on media freedoms. The delegation pointed out that the monitoring of media freedom is a direct and legitimate concern for all OSCE members. EU representatives suggested that improved follow-up and stronger implementation should be key priorities for the organization. The EU delegation also urged that the Internet and associated technologies not be held accountable for any misuse—such as hate speech and the promotion of intolerance. They stressed that “all legislative and law enforcement activity must clearly target only illegal content and not the infrastructure of the Internet or the free flow of information itself.”

With regard to democratic governance and institutions, EU delegates stated that no sustainable progress can be achieved without democratic elections. Referred to as a key pillar of sustainable security and stability, the delegates expressed their appreciation to ODIHR and the OSEC Parliamentary Assembly for their continuous assistance to participating states in conducting elections that comply with OSCE standards. Furthermore, the delegation emphasized the importance of ODIHR retaining its impartial mandate and autonomy so that the institution can continue to provide expert assistance. The European Union urged all states to invite ODIHR to convene a needs assessment and observe their elections without restrictions. The European Union remains concerned about the limitations of “the right to be elected, the lack of freedom in the election campaign, limits on access and coverage of media, tabulation of votes, voter registration, election administration, inefficient appeal processes, and the limitations imposed on the number of domestic and international observers during the election process” among certain OSCE states. Delegates stressed the vital role civil society can play in assuring a transparent and healthy democracy.

## Russian Federation

During the course of the review conferences and the Astana Summit, the Russian Federation emphasized the need to focus on the “forgotten” OSCE commitments, namely the issues of freedom of movement and the liberalization of visa regimes. The Russian delegation also recommended that the OSCE pay more attention to conflicts west of the Balkans and spoke of a

need to transform the OSCE itself into a full-fledged international organization. The delegation also restated Russian president Medvedev's call for a new European-Eurasian security architecture.

## Security Dimension

A predominant theme throughout the proposals put forward by the Russian delegation was presented in their opening statement at the Vienna Review Conference: the need to overcome the “functional imbalance” of the OSCE's emphasis on the human dimension. The delegation also called for the “objective” consideration of the arms control situation so as to “overcome the crisis in connection with conventional arms control in Europe.” Anvar Azimov, the head of the Russian delegation, emphasized that unconditional consensus should be the foundation for any OSCE activities involving crisis management and resolution. While Russia regards the organization's activities in the area of early warning, conflict prevention, crisis management, and post-conflict rehabilitation as key tasks, Azimov noted that Russia feels that any efforts in these areas must be based on the consent of all parties involved.

The Russian delegation also highlighted its belief that the OSCE “would be completely appropriate for advancing the concept of modernized alliances, a concept that could be put into practice through multilateral intergovernmental agreements.” Azimov claimed that the Russian Federation was willing to cooperate with OSCE partners on issues of energy security, combating corruption, money laundering, and financial terrorism. While Russia stressed that such work must be done on the basis of uniform standards and in cooperation with international organizations, its delegates also devoted special attention to the question of safeguarding the maritime environment and stopping illegal transportation by sea.

In a subsequent speech, Azimov said it was important to deal with existing gaps in OSCE decisions (such as the establishment of open and integrated markets) before taking on new commitments. Russian delegates stated that they saw no sense in creating new and “intrusive early-warning and conflict-prevention mechanisms.” They argued that any change to existing methods would “effectively give the OSCE expanded powers and undermine the principle of consensus-based decision-making.” Azimov reiterated that any OSCE field presence must be in strict response to requests from authorities in the host country. Russian representatives also stated that any joint initiatives the OSCE undertakes with other organizations, in particular the Environment and Security Initiative (ENVSEC), must be carried out exclusively at the request of the host countries. This would apply to all NGOs operating within the OSCE's area of responsibility. In his closing statement, Azimov noted that while many participating states recommended increased flexibility and operational autonomy for many OSCE institutions, Russia does not “subscribe to an approach that threatens to decentralize the work of the Organization.”

The most significant issue of concern for the Russian delegation was that of OSCE field offices and their mandates. Moscow's ambivalent position stems from what it perceives as the “questionable quality of coordination between these missions and authorities in the host

country.” Among their key questions was the status of an OSCE field mission when the host country joins NATO. Essentially, the Russian argument is that winding down such missions out of a notion of political expediency demonstrates the need for the OSCE to better define the criteria for assessing the effectiveness of missions and the importance of devising an exit strategy. Further points of contention included the appointment process for heads of missions and amendments to the OSCE Staff Regulations and Staff Rules.

The Russian delegation also pointed to the recent crisis in Kyrgyzstan as an example of the need to “refine the preventive diplomacy skills of the field missions,” arguing that the OSCE Center in Bishkek failed not only to predict the violence of April and June but also in its estimation of the impact on domestic politics. However, no explicit mention was made of Georgia in any of the prepared statements that dealt with OSCE field activities. Instead the delegation indicated that while Russia has “nothing against the aspirations of the Balkan states to integrate with Europe,” the use of OSCE resources for these purposes goes beyond its mandate.

## **Economic and Environmental Dimension**

The Russian delegation questioned whether issues such as the effects of climate change were appropriate for the OSCE. This is in sharp contrast to the European Union’s emphasis on the organization’s ability to contribute to that debate. Instead, Russia stressed that OSCE work in the economic and environmental dimension should be focused on establishing conditions in the economic and law enforcement fields conducive to safeguarding the security of participating states.

Regarding the OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE area, the Russian delegation argued that the organization has never been able to effectively repudiate the double standards practiced by various member states. Russian representatives felt that there needs to be a stronger stance by the OSCE as a whole when it comes to enforcing the implementation of humanitarian commitments by individual countries. Accordingly, the Russian delegation recommended that a tightening of standards occur regarding the protection of national minorities within the OSCE area, that international cooperation within this sphere be strengthened, and that the authority and role of OSCE institutions be enhanced. Moscow’s representatives also pointed out that the OSCE should move away from the assumption that any problem areas within the economic and environmental dimension are localized only east of Vienna. Such assumptions were repeatedly referred to as the “geographical imbalance” of the organization.

In covering energy security, the Russian delegation supported the standardization of technologies for safeguarding crucial energy infrastructure facilities. The OSCE was seen as the ideal platform for this endeavor. Furthermore, while not objecting in theory to increased transparency in the processes of extraction, transport, and consumption of energy, the Russian perspective was that such an approach within the OSCE context “would be of very limited utility.”

## Human Dimension

The Russian delegation repeatedly reiterated the need to “overcome the functional imbalance” of the OSCE with regard to the organization’s emphasis on the human rights basket. The delegation’s proposals included a recommendation that the organization approve a program for future arms control and confidence-building measures, while at the same time “promoting an inter-dimensional approach so as not to obstruct the resolution of specific problems in each of the baskets.” In terms of the third basket, the Russian delegation highlighted the need to focus on the “forgotten” OSCE commitments, namely the issues of freedom of movement and the liberalization of visa regimes. The Russian government has engaged in lengthy but unsuccessful talks with the European Union to secure a visa waiver for its nationals seeking to travel to EU member states.

# 3

## PARALLEL CIVIL SOCIETY CONFERENCE

Civil society representatives from across the OSCE region came together at the parallel OSCE Civil Society Conference in Astana on November 28–29, 2010. The underlying premise was to reaffirm respect for human rights and fundamental freedoms, democracy, and the rule of law as being at the core of the organization’s comprehensive security. The final Outcome Document, which contained more than 100 recommendations, underscored the common responsibility of all OSCE states to ensure the implementation of human dimension commitments across the entire OSCE region.

Despite noting several important achievements, such as the work done by the OSCE representative on freedom of the media, NGO delegates pointed to the “shrinking space wherein civil society can operate, an obvious erosion of human rights, and the inability of participating states to effectively resolve protracted conflicts” as proof that the OSCE needs to reaffirm its fundamental values and principles. Representatives saw the Astana Summit as a unique opportunity to reinvigorate the organization, with civil society playing an important role in shaping the final outcomes. They provided the following recommendations as part of their resolve to protect and promote human rights and fundamental freedoms:

- strengthening implementation of the human dimension as a core principle of comprehensive security;
- strengthening the OSCE’s operational functions, including its relations with civil society;
- strengthening the OSCE’s effectiveness in responding to political and humanitarian crises; and
- addressing urgent problems of human rights in the post-Soviet region, including Central Asia.

More specifically, they recommended creating a mechanism for NGOs to participate in sessions of the OSCE Permanent Council and the Human Dimension Committee. They urged the creation of an official review mechanism to evaluate candidates for OSCE chair in light of their records in implementing human dimension commitments. Along similar lines, representatives promised to work toward strengthening engagement and oversight of OSCE field operations and institutions. Delegates also called on the OSCE to endorse the Extractive Industries Transparency Initiative (EITI), a revenue transparency standard in the oil, gas, and mining sectors that provides for regular public disclosure of payments by extractive industries to governments.

Furthermore, civil society representatives highlighted their concern regarding the “growing tendency of using the legitimate goal of fighting terrorism as a pretext for laws that seek to curb legitimate speech.” They strongly advocated that such practices be brought to an immediate end. They called on participating states to do more to protect journalists and civic and political activists from physical attacks, harassment, and intimidation. With regard to intolerance, the representatives urged that OSCE commitments on promoting nondiscrimination be upheld by all member states. Civil society representatives noted their regret regarding the unwillingness of Kyrgyzstan to accept the OSCE Police Advisory Group in a timely manner, though they did welcome the launching of the Community Security Initiative. Additional recommendations focused on the need for the OSCE to strengthen cooperation with other international institutions, most notably the Council of Europe and the Venice Commission. Representatives also called on OSCE members to maintain, if not increase, their financial contributions to the OSCE.

# 4

## KEY SUMMIT DISAGREEMENTS

The Astana Summit was expected to make decisions on advancing security in the South Caucasus and Moldova, developing the crisis response capacities of the OSCE to tackle conflicts such as the unrest in Kyrgyzstan, and undertaking decisions on OSCE involvement in Afghanistan. Most of these agreements were blocked by the Russian government. Negotiations over the two major summit documents—the declaration and the action plan—were difficult and continued hours after the summit formally ended.

Although agreement was finally reached on the declaration, the document did not contain concrete measures and timelines to address the most divisive problems. Instead, it underlined the areas where the OSCE must reach agreements in the near future in order to be effective in protecting security and advancing human rights. The declaration reconfirmed the commitment of OSCE members to the territorial integrity and security of each member state. It also asserted that no member could consider any part of the OSCE area as its sphere of influence. These were two of the most important commitments signed at the summit by all OSCE members, including Russia, and can serve as the basis for finding solutions to existing conflicts within the OSCE region.

Serious differences in the approach to the human dimension became evident during the summit. While several Western democracies emphasized the deficiencies in the implementation of human dimension commitments by some member states, Russia claimed that the OSCE had become unbalanced because of its intensive involvement in promoting human rights.

Russia's positions expressed at the summit or at the preceding review conferences were often contrary to these of the United States and the European Union. The only issue where interests coincided was in combating transnational threats, particularly narcotics trafficking. The Russian Federation also asserted that it was willing to cooperate with OSCE partners regarding issues of energy security, combating corruption, money laundering, and financial terrorism.

The most serious disagreements occurred over the unresolved territorial conflicts, the proposed crisis management mechanism, the importance of the human dimension, and the operations of the OSCE field missions. The Astana Summit also missed the opportunity to develop a plan for substantive OSCE involvement with Afghanistan—an issue of special concern for Central Asia that was specifically advanced by the Kazakh chair in 2010.

### Protracted Conflicts

EU representatives outlined their first priority as dealing with regional conflicts, both emerging and existing. The European Union has made specific proposals for an early resumption of formal

negotiations over the Transnistrian settlement process. It has reemphasized the principles for a peaceful settlement proposed by the Minsk Group as the best option to reach an agreement on the Nagorno-Karabakh question. In recent months, the European Union has also called for restoring a meaningful OSCE presence in Georgia to deal with both the security situation and humanitarian and human rights issues, and with full respect for the territorial integrity and sovereignty of Georgia.

Almost all EU and U.S. speakers at the Astana Summit emphasized the resolution of the Georgian conflict and reestablishing an OSCE mission in Tbilisi. These positions were consolidated by the highly publicized speech of the Georgian president Mikheil Saakashvili in the European Parliament on November 23, 2010, where he unveiled peace initiatives aimed at reducing tensions between his country and Russia. These initiatives include a commitment to the nonuse of force against Russian occupying forces in Abkhazia and South Ossetia and a readiness to engage in high-level talks with Moscow without preconditions. In contrast, the Russian president mentioned Georgia only to blame its leadership for the conflict over South Ossetia.

Negotiations on the action plan at the Astana Summit underlined a deep division between Russia and the West on how to resolve conflicts in the OSCE area. The debilitating dispute that arose over Georgia was perhaps inevitable given the entrenched positions and domestic political imperatives of all parties. The United States and its NATO allies insisted on upholding Georgia's internationally recognized borders, which include the breakaway regions of Abkhazia and South Ossetia. Western governments wanted to include a reference to "the conflicts in Georgia" in the summit documents, whereas the Russian government adamantly sought to justify its unilateral detachment and recognition of Abkhazia and South Ossetia as independent states allegedly having no legal ties with the Georgian government. Russian foreign minister Sergei Lavrov insisted that "There can be no question about Georgia's territorial integrity within its old borders." According to some sources, Russian opposition to the original wording was so strong that the entire draft text had to be discarded and a new one rapidly written.

Russia also blocked proposals to revive the OSCE presence in Abkhazia and South Ossetia as a part of a unified OSCE mission in Georgia, which had ceased operating in 2009. Restoring an international presence in South Ossetia is essential for enabling Georgian refugees from the region to feel sufficiently confident to return.

Presidents Serzh Sargsyan of Armenia and Ilham Aliyev of Azerbaijan exchanged mutual accusations over the failed negotiations on Nagorno-Karabakh. Sargsyan threatened to formally recognize Karabakh as an independent state if Baku acted on its threats to reconquer the disputed territory and the occupied Azerbaijani districts surrounding it. Although the two presidents signed a joint statement in Astana to continue the peace negotiations in the presence of Russian president Dmitry Medvedev, French prime minister Francois Fillon, and U.S. secretary of state Hillary Clinton, the bitter dispute during the two days of the summit torpedoed the chance of agreement on a comprehensive action plan.

## Human Dimension

The European Union and the United States underscored their concerns over the serious and widespread problems of noncompliance with the norms established in the OSCE's human dimension. In their opinion, the protection of human rights needs to be strengthened, including a more effective and systematic peer review. The OSCE needs quicker and more effective adaptation to rapid change, particularly in the media field.

In contrast to calls by Western democracies to address deficiencies in the implementation of human dimension commitments by a number of states, the Russian delegation stressed the need to overcome the "functional imbalance" stemming from the OSCE's emphasis on the human dimension. This statement illustrated the wide gap between Russia and the Western members on questions of respect for human rights and developing democratic mechanisms. Indeed, Russian president Medvedev sought to shift the attention of the summit from the lack of sufficient democratic reforms in CIS countries to the European Union's visa requirements for travel by Russian citizens.

## Crisis Management Mechanism

Russia objected to changing the decisionmaking mechanism of the OSCE in order to more effectively address crisis situations. Its representatives emphasized unconditional consensus as the foundation for all OSCE activities involving crisis management and resolution. Russia refused the proposal to authorize the chairman-in-office to dispatch fact-finding missions to crisis areas, thus retaining its veto power on all OSCE decisions. The Russian delegation argued that any change to existing methods would "effectively give the OSCE expanded powers and undermine the principle of consensus-based decision-making." In addition, Russian representatives reiterated that any OSCE field presence must be in strict response to requests from the authorities in the host country. They also stated that any joint initiatives the OSCE undertakes with other organizations must be carried out exclusively at the request of the host countries. This would apply to all NGOs operating within the OSCE's area of responsibility.

## Field Missions

Perhaps the largest issue of contention for the Russian delegation was that of the OSCE field offices and their mandates. Moscow's position stems from what it perceives to be the "questionable quality of the coordination between these missions and the authorities in the host country." Moscow voiced concern over the status of an OSCE field mission when the host country joins NATO. In essence, it argued that closing such missions should not be carried out according to political expediency, while the OSCE needs to better define the criteria for assessing the effectiveness of missions and any subsequent exit strategy.

# 5

## ASTANA COMMEMORATIVE DECLARATION

The major significance of the Astana Commemorative Declaration Towards a Security Community was the recommitment of all 56 participating states to the vision of a free, democratic, common, and indivisible Euro-Atlantic and Eurasian security community embodied in the Helsinki Final Act and the Charter of Paris for a New Europe. The declaration stated that the OSCE members are determined to work together to fully realize the vision of a comprehensive, cooperative, and indivisible security community throughout the OSCE area. This “security community” should aim to meet the challenges of the twenty-first century based on full adherence to common OSCE principles and commitments in all three dimensions.

Member states recognized that the OSCE has made much progress, while acknowledging that more must be done to ensure full respect for and implementation of the core principles and commitments undertaken in all three OSCE dimensions, particularly in the area of human rights and fundamental freedoms. Language in the declaration reaffirming commitments to respect human rights encompasses several paragraphs. Paragraph 6 states: “Convinced that the inherent dignity of the individual is at the core of comprehensive security, we reiterate that human rights and fundamental freedoms are inalienable, and that their protection and promotion is our first responsibility. We reaffirm categorically and irrevocably that the commitments undertaken in the field of the human dimension are matters of direct and legitimate concern to all participating states and do not belong exclusively to the internal affairs of the State concerned. We value the important role played by civil society and free media in helping us to ensure full respect for human rights, fundamental freedoms, democracy, including free and fair elections, and the rule of law.”

The declaration also reaffirmed the inherent right of each participating state to freely choose or change its security arrangements, including treaties and alliance. Participating states declared that they would not strengthen their security at the expense of the security of other states.

Furthermore, the declaration asserts that within the OSCE area no state, group of states, or organization can have any preeminent responsibility for maintaining peace and stability or can consider any part of the OSCE area as its sphere of influence. All capitals pledged to refrain from the threat or use of force in any manner inconsistent with the purposes and principles of the Charter of the United Nations or with the 10 Principles of the Helsinki Final Act.

The declaration also outlined the work ahead for the OSCE:

- Resolving existing conflicts in the OSCE area in a peaceful and negotiated manner fully respecting the norms and principles of international law;

- Updating the Vienna Document 1999;
- Overcoming the impasse of CFE Treaty implementation and starting negotiations on a reliable conventional arms control mechanism;
- Achieving greater unity of purpose and action in facing emerging transnational threats, such as terrorism, organized crime, illegal migration, proliferation of weapons of mass destruction, cyber threats, and the illicit trafficking in small arms and light weapons, drugs, and human beings;
- Enhancing the level of interaction with OSCE Partners for Cooperation in the Mediterranean and Asia and contributing effectively to collective international efforts to promote a stable, independent, prosperous, and democratic Afghanistan.

OSCE members tasked the incoming Lithuanian chairman-in-office with organizing a follow-up process within existing formats, taking into consideration ideas and proposals put forward by the participating states, including the framework of the Corfu Process and the preparations for the Astana Summit. Progress achieved will be reviewed at the next OSCE Ministerial Council meeting in Vilnius on December 6–7, 2011.

# 6

## CONCLUSIONS

The Astana Commemorative Declaration Towards a Security Community outlined a path for the OSCE to overcome its internal stalemate and advance its role throughout the OSCE area. It commissioned the organization to complete agreements on the action plan and start its implementation in 2011. Finding solutions to the protracted conflicts, updating the Vienna Document, reviving and modernizing the CFE Treaty, and addressing emerging transnational threats to strengthen European security will be important OSCE tasks in 2011. Lithuania, as the OSCE chair for 2011, together with Kazakhstan and Ireland as members of the OSCE Troika, will need to complete and start implementation of the action plan. Otherwise, confidence in the OSCE as an organization for ensuring collective security and cooperation will further erode.

The 2010 Kazakhstan chairmanship did have the positive effect of better binding Euro-Atlantic and Eurasian security in that much of the organization's activities in 2010 concerned non-NATO members. The CiO's efforts to revive the OSCE's contributions in the former Soviet republics were assisted by both positive and negative incentives: the Afghanistan War, the crises in Kyrgyzstan, and improvement in Russia-NATO relations. Yet, the record in 2010 also demonstrated the OSCE's continuing difficulties in achieving consensus on important practical decisions.

Nonetheless, Kazakhstan's performance during its OSCE chairmanship in 2010 proved sufficiently successful for the Ministerial Council to select another non-NATO, non-EU post-Soviet state to chair the OSCE—in this case, Ukraine in 2013. Ukraine can perhaps make a special contribution to promoting energy security in the South Caucasus and Central Asia given its key role as energy importer and transit state of natural gas from these regions. Ukraine also is eager to resolve the protracted conflicts in its neighborhood. Meanwhile, the other OSCE members will want to ensure that Ukraine adheres to OSCE norms in the human dimension, such as respecting minority rights, media freedoms, and the conduct of free and fair elections.



# ASTANA COMMEMORATIVE DECLARATION TOWARDS A SECURITY COMMUNITY

1. We, the Heads of State or Government of the 56 participating States of the OSCE, have assembled in Astana, eleven years after the last OSCE Summit in Istanbul, to recommit ourselves to the vision of a free, democratic, common and indivisible Euro-Atlantic and Eurasian security community stretching from Vancouver to Vladivostok, rooted in agreed principles, shared commitments and common goals. As we mark the 35th anniversary of the Helsinki Final Act and the 20th anniversary of the Charter of Paris for a New Europe, we reaffirm the relevance of, and our commitment to, the principles on which this Organization is based. While we have made much progress, we also acknowledge that more must be done to ensure full respect for, and implementation of, these core principles and commitments that we have undertaken in the politico-military dimension, the economic and environmental dimension, and the human dimension, notably in the areas of human rights and fundamental freedoms.
2. We reaffirm our full adherence to the Charter of the United Nations and to all OSCE norms, principles and commitments, starting from the Helsinki Final Act, the Charter of Paris, the Charter for European Security and all other OSCE documents to which we have agreed, and our responsibility to implement them fully and in good faith. We reiterate our commitment to the concept, initiated in the Final Act, of comprehensive, co-operative, equal and indivisible security, which relates the maintenance of peace to the respect for human rights and fundamental freedoms, and links economic and environmental co-operation with peaceful inter-State relations.
3. The security of each participating State is inseparably linked to that of all others. Each participating State has an equal right to security. We reaffirm the inherent right of each and every participating State to be free to choose or change its security arrangements, including treaties of alliance, as they evolve. Each State also has the right to neutrality. Each participating State will respect the rights of all others in these regards. They will not strengthen their security at the expense of the security of other States. Within the OSCE no State, group of States or organization can have any pre-eminent responsibility for maintaining peace and stability in the OSCE area or can consider any part of the OSCE area as its sphere of influence. We will maintain only those military capabilities that are commensurate with our legitimate individual or collective security needs, taking into account obligations under international law, as well as the legitimate security concerns of other States. We further reaffirm that all OSCE principles and commitments, without exception, apply equally to each participating State, and we emphasize that we are accountable to our citizens

and responsible to each other for their full implementation. We regard these commitments as our common achievement, and therefore consider them to be matters of immediate and legitimate concern to all participating States.

4. These norms, principles and commitments have enabled us to make progress in putting old confrontations behind us and in moving us closer to democracy, peace and unity throughout the OSCE area. They must continue to guide us in the 21st century as we work together to make the ambitious vision of Helsinki and Paris a reality for all our peoples. These and all other OSCE documents establish clear standards for the participating States in their treatment of each other and of all individuals within their territories. Resolved to build further upon this strong foundation, we reaffirm our commitment to strengthen security, trust and good-neighbourly relations among our States and peoples. In this respect we are convinced that the role of the OSCE remains crucial, and should be further enhanced. We will further work towards strengthening the OSCE's effectiveness and efficiency.
5. We recognize that the OSCE, as the most inclusive and comprehensive regional security organization in the Euro-Atlantic and Eurasian area, continues to provide a unique forum, operating on the basis of consensus and the sovereign equality of States, for promoting open dialogue, preventing and settling conflicts, building mutual understanding and fostering co-operation. We stress the importance of the work carried out by the OSCE Secretariat, High Commissioner on National Minorities, Office for Democratic Institutions and Human Rights and Representative on Freedom of the Media, as well as the OSCE field operations, in accordance with their respective mandates, in assisting participating States with implementing their OSCE commitments. We are determined to intensify co-operation with the OSCE Parliamentary Assembly, and encourage its efforts to promote security, democracy, and prosperity throughout the OSCE area and within participating States and to increase confidence among participating States. We also acknowledge the Organization's significant role in establishing effective confidence- and security-building measures. We reaffirm our commitment to their full implementation and our determination to ensure that they continue to make a substantial contribution to our common and indivisible security.
6. The OSCE's comprehensive and co-operative approach to security, which addresses the human, economic and environmental, political and military dimensions of security as an integral whole, remains indispensable. Convinced that the inherent dignity of the individual is at the core of comprehensive security, we reiterate that human rights and fundamental freedoms are inalienable, and that their protection and promotion is our first responsibility. We reaffirm categorically and irrevocably that the commitments undertaken in the field of the human dimension are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned. We value the important role played by civil society and free media in helping us to ensure full respect for human rights, fundamental freedoms, democracy, including free and fair elections, and the rule of law.

7. Serious threats and challenges remain. Mistrust and divergent security perceptions must be overcome. Our commitments in the politico-military, economic and environmental, and human dimensions need to be fully implemented. Respect for human rights, fundamental freedoms, democracy and the rule of law must be safeguarded and strengthened. Greater efforts must be made to promote freedom of religion or belief and to combat intolerance and discrimination. Mutually beneficial co-operation aimed at addressing the impact on our region's security of economic and environmental challenges must be further developed. Our energy security dialogue, including on agreed principles of our co-operation, must be enhanced. Increased efforts should be made to resolve existing conflicts in the OSCE area in a peaceful and negotiated manner, within agreed formats, fully respecting the norms and principles of international law enshrined in the United Nations Charter, as well as the Helsinki Final Act. New crises must be prevented. We pledge to refrain from the threat or use of force in any manner inconsistent with the purposes and principles of the Charter of the United Nations or with the ten Principles of the Helsinki Final Act.
8. Conventional arms control and confidence- and security-building regimes remain major instruments for ensuring military stability, predictability and transparency, and should be revitalized, updated and modernized. We value the work of the Forum for Security Co-operation, and look forward to the updating of the Vienna Document 1999. We value the CFE Treaty's contribution to the creation of a stable and predictable environment for all OSCE participating States. We note that the CFE Treaty is not being implemented to its full capacity and the Agreement on Adaptation of the CFE Treaty (ACFE) has not entered into force. Recognizing intensified efforts to overcome the current impasse, we express our support for the ongoing consultations aiming at opening the way for negotiations in 2011.
9. At the same time, in today's complex and inter-connected world, we must achieve greater unity of purpose and action in facing emerging transnational threats, such as terrorism, organized crime, illegal migration, proliferation of weapons of mass destruction, cyber threats and the illicit trafficking in small arms and light weapons, drugs and human beings. Such threats can originate within or outside our region.
10. We recognize that the security of the OSCE area is inextricably linked to that of adjacent areas, notably in the Mediterranean and in Asia. We must therefore enhance the level of our interaction with our Partners for Co-operation. In particular, we underscore the need to contribute effectively, based on the capacity and national interest of each participating State, to collective international efforts to promote a stable, independent, prosperous and democratic Afghanistan.
11. We welcome initiatives aimed at strengthening European security. Our security dialogue, enhanced by the Corfu Process, has helped to sharpen our focus on these and other challenges we face in all three dimensions. The time has now come to act, and we must define concrete and tangible goals in addressing these challenges. We are determined to work together to fully realize the vision of a comprehensive, co-operative and indivisible security community

throughout our shared OSCE area. This security community should be aimed at meeting the challenges of the 21st century and based on our full adherence to common OSCE norms, principles and commitments across all three dimensions. It should unite all OSCE participating States across the Euro-Atlantic and Eurasian region, free of dividing lines, conflicts, spheres of influence and zones with different levels of security. We will work to ensure that co-operation among our States, and among the relevant organizations and institutions of which they are members, will be guided by the principles of equality, partnership co-operation, inclusiveness and transparency. Drawing strength from our diversity, we resolve to achieve this overarching goal through sustained determination and common effort, acting within the OSCE and in other formats.

12. To this end, we task the incoming Chairmanship-in-Office with organizing a follow-up process within existing formats, taking into consideration ideas and proposals put forward by the participating States, including in the framework of the Corfu Process and in the preparation of the Astana Summit, and pledge to do all we can to assist the incoming Chairmanships-in-Office in developing a concrete action plan based on the work done by the Kazakhstan Chairmanship. Progress achieved will be reviewed at the next OSCE Ministerial Council meeting in Vilnius on 6 to 7 December 2011.
13. We express our deep gratitude to Kazakhstan for hosting our meeting, and for the energy and vitality the country has brought to the challenging task of chairing the OSCE in 2010. We welcome Lithuania's Chairmanship of the Organization in 2011, Ireland's in 2012 and Ukraine's in 2013.



## ABOUT THE PROJECT

The “U.S.-Kazakhstan Task Force: Supporting Kazakhstan’s OSCE Chairmanship” is a joint initiative of the CSIS New European Democracies Project and the Institute for New Democracies (IND) funded through a grant from the government of Kazakhstan. The goal of the initiative is to assist Kazakhstan in shaping its OSCE chairmanship agenda, support Kazakhstan during its OSCE mandate, and strengthen U.S.-Kazakh relations. The project aims to provide expert analysis and policy recommendations for a successful OSCE chairmanship of Kazakhstan in 2010, which will benefit all parties involved—the OSCE, the member states including the United States and Kazakhstan, and the Central Asian region.

CSIS and IND organized a U.S.-Kazakhstan OSCE Task Force to assemble regional and subject specialists, representatives of nongovernmental organizations, representatives of former OSCE chairing countries, and business leaders to offer recommendations for shaping and implementing a compelling and focused agenda for Kazakhstan’s chairmanship. The task force addresses aspects related to all three OSCE baskets, including strengthening OSCE’s Office for Democratic Institutions and Human Rights and making recommendations to the Kazakh government to implement democratic reforms. The initiative involves task force meetings, publication of policy briefs and assessment reports, and conferences in Washington and Astana on the challenges facing the OSCE. The OSCE chairmanship enables Astana to draw the attention of Europe and the United States to the importance of the Central Asian region and its numerous challenges, from security and democratization to long-term economic development.



## ABOUT THE AUTHORS

**Janusz Bugajski** holds the Lavrentis Lavrentiadis Chair in Southeast Europe Studies at the Center for Strategic and International Studies (CSIS). He concurrently is director of the New European Democracies Project and senior fellow in the Europe Program at CSIS. He also chairs the South-Central Europe area studies program at the Foreign Service Institute of the U.S. Department of State. He was a recipient of the Distinguished Public Service Award granted jointly by the U.S. Department of State, the U.S. Agency for International Development, the U.S. Information Agency, and the Arms Control and Disarmament Agency. His recent books include *Dismantling the West: Russia's Atlantic Agenda* (Potomac, 2009); *America's New European Allies* (Nova, 2009); *Expanding Eurasia: Russia's European Ambitions* (CSIS, 2008); *Atlantic Bridges: America's New European Allies*, with Ilona Teleki (Rowman & Littlefield, 2007); *Cold Peace: Russia's New Imperialism* (Praeger, 2004); and *Political Parties of Eastern Europe: A Guide to Politics in the Post-Communist Era* (M.E. Sharpe, 2002).

**Margarita Assenova** is the executive director of the Institute for New Democracies (IND) in Washington, D.C. She also serves as course chair (contractor) for Southeast Central Europe Advanced Area Studies at the Foreign Service Institute in Arlington, Virginia. Ms. Assenova is a professional journalist with over 20 years of experience in print and broadcast media. Since 1998, she has designed and implemented U.S. projects for economic development and democracy building in Eastern Europe and Central Asia. Her articles have appeared in U.S. and European newspapers, magazines, and online publications, including *RFE/RL Newslines* and *Balkan Report*, the *Washington Times*, *World and I*, *Transitions Online*, *Balkan Times*, *Capital Weekly*, and *Reason Magazine* (Bulgaria), *Internationale Politik* (Germany), *Essays in Arts & Sciences*, *World Finance Review Magazine* (UK), and *Future Prospects* (UAE). She has authored book chapters on security, energy, and democracy published by CSIS, Brassey's, Freedom House, and Bertelsmann Foundation Publishers.

**Richard Weitz** is senior fellow and director of the Center for Political-Military Analysis at Hudson Institute. His current research includes regional security developments relating to Europe, Eurasia, and East Asia, as well as U.S. foreign, defense, and homeland security policies. Dr. Weitz has published or edited several books and monographs, including *The Russian Military Today and Tomorrow* (Strategic Studies Institute, 2010); *Global Security Watch—Russia* (Praeger, 2009); *Mismanaging Mayhem: How Washington Responds to Crisis* (Praeger, 2008); *China-Russia Security Relations* (Strategic Studies Institute, 2008); *Kazakhstan and the New International Politics of Eurasia* (Central Asia–Caucasus Institute and Silk Road Studies Program, 2008); and *Revitalising US-Russian Security Cooperation: Practical Measures* (Routledge, 2005).

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INTERNATIONAL STUDIES

1800 K Street, NW | Washington, DC 20006  
Tel: (202) 887-0200 | Fax: (202) 775-3199  
E-mail: [books@csis.org](mailto:books@csis.org) | Web: [wcsis.org](http://wcsis.org)

