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The OSCE in the modern european security architecture system

У статті аналізується роль ОБСЄ у формуванні європейської системи безпеки і стабільності та визначаються завдання щодо активізації діяльності України в цій структурі. Автор доходить висновку, що сучасна роль ОБСЄ в архітектурі безпеки є обмеженою. Це зумовлює нагальну потребу в багатокомпонентному реформуванні ОБСЄ з метою досягнення географічного та функціонального балансу між трьома вимірами діяльності організації і тим самим повернення авторитетного статусу. Драматичні уроки української кризи важливі для концептуалізації міжнародної безпеки. Гарантувати право кожної країни на вільний вибір напряму цивілізаційного розвитку, відповідних стратегій – таким має стати імператив для побудови нової європейської безпекової архітектури.

Ключові слова: ОБСЄ, європейська безпека, співробітництво, попередження конфліктів, моніторинг прав людини, післякризове врегулювання, миротворча діяльність.

В статье анализируется роль ОБСЕ в формировании европейской системы безопасности и стабильности и определяются задачи по активизации деятельности Украины в этой структуре. Автор приходит к выводу, что современная роль ОБСЕ в архитектуре безопасности является ограниченной. Это вызывает настоятельную необходимость в многокомпонентном реформировании ОБСЕ с целью достижения географического и функционального баланса между тремя измерениями деятельности организации и тем самым возвращения авторитетного статуса. Драматические уроки украинского кризиса важны для концептуализации международной безопасности. Гарантировать право каждой страны на свободный выбор направления цивилизационного развития, соответствующих стратегий – таким должен стать императив для построения новой европейской архитектуры безопасности.

Ключевые слова: ОБСЕ, европейская безопасность, сотрудничество, предотвращение конфликтов, мониторинг прав человека, послекризисное урегулирование, миротворческая деятельность.

The article analyzes the role of the OSCE in shaping the European security and stability system and defines tasks of intensifying Ukraine's activities in that structure. The author drew a conclusion that the current OSCE role in the security architecture is limited. That determines an

urgent need for multidimensional OSCE reform to achieve the geographical and functional balance between the three dimensions of the Organization's activities and thus to return its authoritative status. The dramatic lessons of the Ukrainian crisis are important for conceptualization of international security. Guaranteeing the right of each country to free choice of the direction of civilization development and the appropriate strategies should be the imperative for establishing new European security architecture.

Key words: OSCE, European security, cooperation, conflict prevention, civil rights monitoring, post-conflict reconstruction, peacekeeping activity.

The scale of the challenges and the complexity of the factors operating in the global international environment (regional conflicts, terrorism and organized crime, proliferation of weapons of mass destruction, energy, ecological and cyber security, etc.) require the search for adequate responses and new conceptual approaches to security problems.

In the context of globalization, no country is able to solve strategic security problems independently. Therefore, the role of international security organizations is growing significantly. According to the international law, the elements of the European security system are the OSCE, NATO, the CSTO (the Collective Security Treaty Organization) and the EU. NATO played a key role. Most of its members are countries of Europe, which are members of the EU simultaneously. Traditionally the security policy of the European Union has been framed as complementary to NATO's policy. In today's context, the impact of the EU is increasing. The European Union continues to develop its own foreign and security policy, including the defense component. In eastern Europe, the CSTO aspires tobe a leader in solving security issues, but its activities seems to be "an instrument for the implementation of Russian foreign policy, a mean to restore Russia's influence in the post-Soviet space" [6, p. 110]. Such countries as Ukraine, Moldova, Georgia and Azerbaijan remain in the zone of uncertainty, so, in fact, only the OSCE takes care of their security. Until recently the role of the latter had a tendency to decrease. Actually it does not go beyond the monitoring of democratic processes and the protection of human rights, as well as the post-crisis reconstruction in conflict zones.

The activities of the OSCE are analyzed by the Ukrainian (M. Baimuratov, O. Delinsky [1], V. Voloshin [2], P. Klimkin, V. Krushinsky, M. Mikievich, N. Mushak [4], B. Parakhonsky [6] , H. Perepelitsa [7], I. Khraban [9]) and foreign (J. Freeman [11], V. Ghebaly [12; 13; 15], P. Switalski [14], H. Vetschera [16; 17], R. Zaagman) experts, who demonstrate different approaches toward appreciation of

contemporary European security processes and the effectiveness of the OSCE's structure and functioning.

The purpose of the article is to analyze the role of the OSCE in shaping the European security and stability system and to define tasks of intensifying Ukraine's activities in that security structure.

The Organization for Security and Cooperation in Europe (OSCE) was created on the principles of a comprehensive, consistent and effective security system. Therefore, if it is reformed, it will quite capable of assuming such functions. Now the OSCE is the largest international regional security organization in the world, including 57 member-states with a population of over one billion people. In its activities, the OSCE relies on a holistic approach to security, which covers three main dimensions such as military-political, economic-ecological and humanitarian ones. Through specialized institutions, expert units and network of local structures the OSCE affects security in the Northern Hemisphere, including arms control, the fight against terrorism, good governance, energy security, the prevention of trafficking in human beings, democratization, freedom of the media and the rights of minorities. In terms of institutional and legal aspects the OSCE is a unique organization, since it does not have a founding treaty and operates solely on the basis of voluntary participation of member countries in its activities. All member countries have equal status, decisions are made by consensus on the basis of political agreement.

For almost forty five years since the signing of the Final Act of the Conference on Security and Cooperation in Europe on August 1, 1975 in Helsinki, the OSCE has worked a difficult way from a forum for political dialogue between representatives of two opposing military blocs up to an organization that is one of the important elements of the modern system of European and global security. Three main periods can be distinguished in its evolution:

(1) the East-West dialogue and the detente policy during the Cold War;

(2) the transitional period to the post-bipolar world;

(3) the organization's activities in modern conditions [5, p. 8].

Today, this institution plays the role of a universally recognized platform for discussing security issues, arms control, confidence-building measures, prevention, resolution and monitoring of conflicts, including frozen ones, human rights monitoring, free elections, etc. However, the Organization's strong potential in the global governance and regional security system is not fully implemented. The OSCE's unique feature of a comprehensive approach to security issues, including political,

economic, military, environmental, and humanitarian aspects, has become an obstacle to the effectiveness of the Organization. There is every reason to say that two of the three main components of the OSCE's mandate – military-political (security) and economic (due to NATO enlargement and effective economic cooperation within the enlarged EU) ones – have actually lost their effectiveness for today. The humanitarian dimension seems to remain the only effective instrument of the Organization, first of all owing to activities of the Office of Democratic Institutions and Human Rights (ODIHR), but significant difficulties have been also appeared in that area recently (in particular, through the use of humanitarian factors for political pressure) [5, p. 34–35].

According to experts, within the framework of a new security environment with new risks and threats, the effectiveness of this organization has the potential to increase. In the period of the bipolar world existence, when the CSCE / OSCE was created, the main threat to international security was the military confrontation between the "western" and "eastern" blocs, i.e. the problem of "hard security". After the end of the Cold War, the problems of "soft security" are coming to the fore and constantly increasing their impact in the context of globalization. "Soft security" covers potential and actual political, social and economic challenges to national security; it includes almost everything, except for purely defense issues. On the other hand, specifics of modern threats and challenges is that they originate from an area that is not controlled by individual states and, unlike geopolitical threats, are often formed by non-state actors who are of international importance and who seek to influence the policies of individual states. Current security threats tend to become transboundary and transnational ones, while economic and environmental threats are global in their nature. The OSCE principles, based on the universal and comprehensive security, security indivisibility, and the concept of a united Europe without demarcation lines, provide an opportunity to shape organizational models that are capable of responding to globalization threats and challenges effectively [14].

The events of the last decade show that, unlike NATO and the EU, the OSCE failed to become a cornerstone of Europe's unified security architecture, in particular, to prove its effectiveness in establishing fruitful dialogue between the EU and Russia and its allies, as well as ensuring the interests of the countries, which are not members of integration associations. The Russian Federation's withdrawal from the CFE (Treaty on Conventional Armed Forces in Europe) in 2007 has questioned the effectiveness of the arms control system. The OSCE's capabilities in the

Euro-Atlantic area security, based on cooperation and coordination of existing organizations, are virtually unused due to their formality and the lack of real levers of influence. The Organization just records participation in conflict resolution processes (through the activities of mediation missions), but does not lead to the progress in resolving any of the "frozen" conflicts (Transnistria, Karabakh, Georgian-Russian conflict, etc.) [5, p. 34].

The annexation of the Crimea, support for separatist movements in the East of Ukraine by Russia has become possible only because of helplessness of international security institutions. Though the Russian annexation of the Crimea was a direct violation of the basic principles and norms of international law, but unfortunately, it has remained unpunished. Intervention of regional security structures was delayed and has not affected the situation significantly yet. The OSCE acts on the basis of consensus that means the approval of a decision with the consent of all member countries. Therefore, the refusal of Russia as one of member states created obstacles for the effective inclusion of the OSCE into the settlement of the crisis in the Ukrainian-Russian relations. Only the additional efforts of the guarantor countries have forced to move the process out of the "deadlock" and develop a package of urgent crisis management initiatives.

Today, Ukraine is looking for its proper place and role in the European security system. The Ukraine's choice is crucial - the integration towards European security systems, on the one hand, or a security vacuum and status of an international outsider, on the other hand [6, p. 114]. The security of the Ukrainian state is an important element of European security in general. Nowadays, the understanding of "non-alignment" as a policy of non-participation in confrontational relations of the Cold War period is meaningless, since the bipolar world has already been destroyed, and the new world order is based on entirely other principles. In fact, only inclusion in international security processes based on solidarity and mutual support provides real security guarantees for the country.

Now, the strengthening of Ukraine's national security is directly linked to the increasing the effectiveness of international regional and global security institutions. Obviously, one of the most urgent issues in this area is the reform of the OSCE. Currently, there is no unified model for reforming the Organization approved by the member countries. In fact, there are two trends in understanding its future. According to the first one, OSCE should retain the functions of a consultative forum focused on monitoring and facilitating conflict resolution as well as discussing issues of cooperation in various fields, as recorded in the

Helsinki Final Act, the Paris Charter and a number of other documents. Another approach is to further strengthen the OSCE in order to transform it into a pivotal element of the European security system.

Discussions on the need to modernize the OSCE were launched within the framework of "Corfu Process" (2009) and the "Helsinki +40 process" (2012). The main idea was to increase the OSCE role of the in preventing conflicts and arms control in Europe. During 2010-2013, experts have developed a significant number of proposals and programs that enable them to form the key direction of reforming the organization. It is a movement towards a new system of regional security in Europe, built on the principles of "development security", collective regulation of conflicts and controversies as well as the creation of mechanisms for collective preventive intervention in the conflict. The new European security architecture should be organized in such a way that the right to direct control over arms, military technology, and the use of armed forces has been transferred under a broad "collective sovereignty" that must be endowed to the OSCE.

So, the current role of the OSCE in the security architecture can be assessed as limited. Therefore, it is obvious that there is an urgent need for multidimensional OSCE reform to achieve the geographical and functional balance between the three dimensions of the Organization's activities and thus to return its authoritative status and real impact in the field of international security. The recognition of the OSCE as an effective center for the coordination of interests would help to "defrost" such important areas of the Organization's activities as arms control, conflict management, post-conflict reconstruction, preventive diplomacy etc.

Ukraine should contribute to the development of new security architecture in Europe. Historical experience proves destructive consequences of miscalculations and passivity in security matters. Today the dramatic lessons of the Ukrainian crisis are important for all peoples of the world, especially for those nations that are at the beginning of their state-building. Guaranteeing the right of each country to free choice of the direction of civilization development and the appropriate strategies should be the imperative for establishing new European system of collective security.

Bibliography

1. Баймуратов М. А. Международно-правовые аспекты становления и развития европейской системы безопасности на пороге XXI века : моно-графия / М. А. Баймуратов, А.А. Делинский. – Одесса : Юридична література, 2004. – 184 с.

2. Волошин В. А. Використати повнішою мірою політико-правові механізми ОБСЄ / В. А. Волошин // Політика і час. – 2006. – № 5. – С. 54–60.

3. Ільницька У. Україна–ОБСЄ: активізація співробітництва у формуванні європейської системи безпеки та стабільності [Електронний ресурс] / У. Ільницька // Українська національна ідея: реалії та перспективи розвитку. – 2015. – Вип. 27. – С. 115–121. – Режим доступу:
http://www.ena.lp.edu.ua:8080/bitstream/ntb/28416/1/019-115-121.pdf. – Назва з екрана.

4. Мушак Н. Б. Міжнародно-правова діяльність Організації з безпеки і співробітництва у Європі у сфері захисту прав людини / Н. Б. Мушак // Наукові записки Інституту законодавства Верховної Ради України. – 2012. – № 3. – С. 133–137.

5. ОБСЄ: сучасні виклики та перспективи розвитку. Аналітична доповідь [Електронний ресурс] / А. В. Єрмолаєв, К. А. Кононенко, О. О. Резнікова та ін. – К., 2013. – Режим доступу:
http://www.niss.gov.ua/articles/1518/. – Назва з екрана.

6. Парахонський Б. О. Роль ОБСЄ у формуванні європейського середовища безпеки / Б. О. Парахонський, Г. М. Яворська // Стратегічні пріоритети. – 2013. – № 3 (28). – С. 109–114.

7. Перепелиця Г. М. Миротворча діяльність України: кооперація з НАТО та іншими структурами європейської безпеки / Г. М. Перепелиця. – К. : Стилос, 2002. – 248 с.

8. Фалалєєва В. Особливості організації та діяльності ОБСЄ в умовах загострення невоєнних загроз / В. Фалалєєва // Вісник Академії адвокатури України. – 2013. – № 2 (27). – С. 136–145.

9. Храбан І. А. Система європейської безпеки і напрями воєнно-політичної інтеграції України до її структур : монографія / І. А. Храбан. – К. : Варта, 2005. – 544 с.

10. OSCE [Електронний ресурс]. – Режим доступу:
http://www.osce.org/ru. – Назва з екрана.

11. Freeman J. Security and the CSCE Process: The Stockholm Conference and beyond / J. Freeman. – L. : MacMillan, 1991. – 198 p.

12. Ghebaly V.-Y. European Security in the 1990s: Challenges and Perspectives / V.-Y. Ghebaly, B. Sauerwein UNIDIR, United Nations. N.Y., Gen., 1995. – 230 p.

13. Ghebaly V.-Y. Growing Pains at the OSCE: the Rise and Fall of Russia's Pan-European Expectation / V.-Y. Ghebaly // Cambridge Review of International Affairs. – 2005. – V. 18. – № 3, October. – P. 375–378.

14. Switalski P. The OSCE in the European Security architecture system: chances and limits / P. Switalski / OSCE. – Warsaw, 1997. – 62 p.

15. The Reform of the OSCE 15 Yeats After, the Charter of Paris for a New Europe: Problems, Challenges and Risks / ed. by prof. V.-Y. Ghebali, dr. D. Wamerio. – PSIO Occasional Paper. – 2006. – № 2.

16. Vetschera H. European Conflict Prevention: the Role of OSCE // The Art of Conflict Prevention / compiled, ed. by W. Bauwens, L. Reychler. – N.Y. : Brassey's, 1994. – P. 72–112.

17. H. Vetschera Co-operative security / H. Vetschera in the OSCE framework: CSBMs, emergency mechanisms and conflict prevention // European security / ed. by W. von Bredow, T. Jager, G. Kemmel. – London : Macmillan, 1997. – P. 146–166.