

REPOSITIONING OF THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE (OSCE)

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Abstract: In many ways, the Organization for Security and Cooperation (OSCE) in Europe represents a specific international organization. *Inter alia*, it differs from others regarding the way of its creation and structure, the methods of work, instruments of action, composition, and the role of organs, as well as a number of other characteristics. From a legal point of view, it does not possess all the elements of a classic international organization. Yet, from the political point of view, it had become one of the most influential actors in the European system of security. It reached its peak in the era of detente, whose purpose it served, but with the fulfillment of that goal, it found itself on the margins of both global and regional streams. Other international organizations overtook it, pushing it aside and largely subordinating it to their interests. From the common security basket (set out in the Helsinki Final Act 1975), they took away the key topics and left the OSCE to tidy up and repair the disordered courtyards of the states that were transformed overnight from socialism to capitalism, or emerged from the ruins of federal states. During the search for a new role and the old influence, the OSCE underwent multiplex transformations. However, due to the change in the global balance of power and the new aggravation of the great powers' relations, it became clear that the so-called "Helsinki Process" had gone to history and that Europe should have to create and construct a new security concept. We would like the new European Security System to be achieved in a peaceful way, but the use of force cannot be excluded. Relations between the Republic of Serbia and the OSCE over the past 47 years have had ups and downs. Yugoslavia (1918-1992), the country that owes its statehood to the Kingdom of Serbia, was one of the creators

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of the Helsinki concept of European security. But it was also the only founder who was suspended from that organization. Despite that, the Republic of Serbia returned to the OSCE in 2001 as an independent state and even more successfully chaired the organization during 2015. In short, relations between the Republic of Serbia and the OSCE have crossed the path from the stars to the thorns and back, to the same extent as the OSCE in international relations. Without questioning the OSCE's significant contribution to peace in Europe, the author of this paper primarily points out the basic contradictions that have limited its work and reduced its role in preserving security in Europe.

Keywords: Organization for Security and Cooperation in Europe, Serbia, European Security.

INTRODUCTION

The OSCE is a specific organization of states, formed 47 years ago, at a time when two opposing blocs were on the brink of starting a war, but fortunately gained strength to start negotiations on preserving peace. The fear of a new world war brought the leaders of 35 countries to the table, and in the end, they created a mechanism to establish mutual security through the diplomatic conferences. Undoubtedly, the situation in international relations was crucial for the emergence of the OSCE. Also, further changes in the global power balance have always affected its status, mode of operation, and methods of action. The OSCE has tried to adapt to new circumstances without changing its identity and purpose. At the beginning, in its initial phase, it was more successful than later. The effects of global changes are reflected on the OSCE both in positive and negative ways, influencing the role and position of the OSCE in the European security architecture. Phases of cooperation and relaxation were replaced by the phases of aggravation and confrontation, and vice versa. Between 1990 and 2000, the OSCE reached its golden era. Since then, its ability to follow changes has been weakening. Over time, it has had its ups and downs. Sometimes it flew to the stars and sometimes it fell into thorns. Therefore, its history is full of contradictions and challenges. The greatest OSCE contribution to peace was made in its conference phase (1975-1994). It succeeded in establishing an authentic security system, which cooled down the Cold War heating up in Europe. That system was based on a generally accepted political platform, the so-called Helsinki Final Act, which interconnected three key segments of security: military-political, economic-technological, and democratic-humane. The European security system,

based on high-level diplomatic meetings, worked successfully until 1989, when crucial changes, triggered by the fall of the Berlin Wall, shook international relations. From Helsinki in 1975 to Paris in 1990, the CSCE did not fundamentally change. With the end of the Cold War and the disappearance of the bloc system of international relations in 1989-1990, the situation changed fundamentally (Aćimović, 2013, p. 8; Charter of Paris for a New Europe, 1990, November 11). Indeed, at that time, of the three key factors of the European balance of power from 1975, only NATO survived. The Warsaw Pact was dissolved, and the Non-Aligned Movement has lost its political power and influence. Of the two main goals of the CSCE, one has been fulfilled – detente. Unfortunately, the second goal – dissolving both military blocks – proved unrealistic because NATO has survived. The world became unipolar, and the US and its NATO allies established a new world order tailored to their own interests and values. As a picturesque illustration of the US hegemony, a new saying appeared: “From now on, the Sun rises in the West”. The OSCE tried to adapt to this new situation, find a new focus of work and invent some specific tools for dealing with the crisis that emerged. It decided to transform from a negotiating forum into a security institution starting in 1995. Hence, the conference was declared an international organization. The OSCE has established a permanent organizational structure and its forums have been transformed into bodies, with different competencies and hierarchies in decision-making and new fields of activities. “The OSCE established regular meetings of the heads of state or governments every second year, called summits, which should create the most important political guidelines and priorities for action. In between these two meetings, the OSCE is governed by the Council of Ministers, composed of the foreign ministers of the member states. The Council of Ministers meets once a year, in December. The next established body within the institutional structure of the OSCE was the Permanent Council, which consists of accredited heads of delegations of member states in Vienna. The Permanent Council meets weekly, discusses political issues and makes concrete operational decisions through the silence procedure.” (Dimitrijević, 2015, p.380). Since its reorganization, the OSCE has shifted its focus of action from general security issues to the pacification of local incidents and conflicts, and has put its capacity at the disposal of other organizations engaged in Europe. At the beginning of the 21st century, the constellation of power changed again in a very dramatic way. The concept of unilateralism has reached its zenith. The world has become multipolar. While Russia has recovered economically, militarily and politically, China has surpassed all other countries in terms of economic growth rates and the

speed of internal social transformation. The European Union has become not only a new and most powerful factor within the region, but a very important factor in world politics. At the same time, India and Brazil have made remarkable progress. U.S. influence began to wane. In such a structured global environment and under the influence of multilateralism, the OSCE's role and importance in European security began to dwindle. The Summit meetings have almost disappeared, while the Minister Council meetings have taken the lead. The Ministerial Council has become the most powerful decision-making body regarding political, military, economic, humanitarian, financial, budgetary, personal, and almost all other matters. However, newly emerged differences and significant divisions among the participating countries referred the OSCE's Ministerial Council to an insurmountable political wall that it could not overcome. Its ability to reach a consensus and create a common attitude toward critical political issues is also deteriorating. Several years later, the Ministerial final meeting could not approve a common statement or significant decision. In a changing global context, the institutional concept of European security has revealed its limitations and inability to respond to new challenges. The emerging multipolar balance of power makes it clear that, if not a new concept, at least a redefinition of the existing is required. The new vision and composition of security structures in Europe proved to be inevitable. Since 2008, Russia, as an emerging country, has been continuously launching initiatives for the development of a new model of mutual security and guarantees that would be based on an international agreement. However, the United States, as the leader of NATO and the whole Euro-Atlantic world, did not want to consider it or to start negotiations. NATO and the US persistently pursue their strategy for the 21st century, aimed at political and military expansion towards Eastern Europe, Russia, and Asia. They were not doing so, contrary to the previous promises and assurances given in 1990 that NATO would not, nor had any intention of spreading to the East. In spite of a huge redistribution of power in the last 15 years, the West-Atlantic alliance decided not only to maintain its hegemony, but to strengthen and expand it. Preserving US predominance in the world, according to western strategists, required the transposition of its military structure and offensive arms to Central and Eastern Europe and, in continuation, its deployment all around Russia. Although China was proclaimed the greatest threat to US security in the future, the NATO alliance assessed that at this moment, disassembling Russia and preventing its strengthening is the goal of the highest priority. The non-NATO member countries that surround Russia, such as Ukraine, Moldavia, Georgia, Finland, and Sweden, did not succeed

in avoiding being drawn into a plan. When faced with such turmoil, the OSCE tried to avoid opting for one or other party and left the door open for discussion. It was a unique way to escape a new political setback. Really, the OSCE's capacity for decision making was reduced, although the question of its survival is still hanging in the air.

THE BASIC CONTRADICTIONS THAT INFLUENCE THE OSCE ROLE AND ACTIVITIES

Shifting the gravity of the OSCE activities

The activities that the OSCE has developed since its creation could be divided into three groups: (1) own institution building, (2) normative-program activity, and (3) operational-implementation activity. (Aćimović, 2013, p. 11). As for institution building, that process was basically completed two decades ago. The OSCE Summit, Ministerial Council, Permanent Council, Forum for Security Cooperation, Chairperson-in-Office/OSCE Chair, and Troika are the main decision-making bodies. The executive structure of the OSCE is made up of the Secretary-General/Secretariat in Vienna, the Office for Democratic Institutions and Human Rights (ODIHR) in Warsaw, the Representative on Freedom of the Media in Vienna, and the High Commissioner on National Minorities (HCNM) in The Hague. The related bodies to the OSCE are: the Joint Consultative Group, the Open Skies Consultative Commission, and the Court of Conciliation and Arbitration (OSCE, 2021, p. 6). Other structures that help the OSCE work are: the OSCE Parliamentary Assembly, the Economic and Environmental Forum, the Minsk Group, and the Personal Representatives of the Chairperson-in-Office. Later, the idea of introducing new bodies or establishing committees, each of which would be responsible for a special group of issues belonging to one of the three "baskets" of European security, was not accepted because the United States opposed it. Regarding normative and programmatic activities, up to now the OSCE has managed to adopt only four significant documents since the 1975 Helsinki Final Act: the Paris Charter for a New Europe 1990, the Challenges of Change (concluding document) of the 1992 Helsinki Summit, the True Partnership in a New Era – the 1994 Budapest Document and Charter for European Security-Istanbul Summit 1999 (Conference on Security and Co-operation in Europe Final Act, 1975, August 1; Charter of Paris for a New Europe, 1990, November 11; Budapest Summit Declaration, 1994, December 21; Charter for European Security, 1999,

November 18). During the past 23 years, it has failed to create and reach consensus on any long-term or visionary political document.¹ It looks like the OSCE's creativity and ability to come up with new ideas and answers to emerging challenges in a changing world have vaporized. The development of operational and implementation activities was unacceptably fast and wide. Moreover, these activities today represent the authentic trade mark for recognition of the OSCE as an international organization. Among them, so-called "field activities" are dominant, mainly under the name of the mission, although they are different types, names, and mandates of missions. There were only a few missions at first, but their number grew over time, eventually reaching 21. The number of staff engaged in missions was also increasing, and they became far more numerous than before, but in June 2022, their number dropped to 13.² Expansion of missions influenced the OSCE's annual budget distribution in favor of field operations.³ When expenditure overtook budget possibilities, the additional sources for the missing funding were funded. For decades, the greatest part of the OSCE's annual budget has been spent on the activities of missions, i.e., $\frac{3}{4}$ as well as the majority of the additional funds.⁴ Within each of the three fields of work above mentioned, there have been changes, stagnation, deviations, and even imbalances, all of which have diminished the OSCE's internal cohesion and weakened its international political position. The peculiarities of the OSCE political composition change and countries' status differences In terms of the structure of the countries involved in the European security process, there have been multiple changes. In the first place, the basic triangle upon which the security balance existed has disappeared.⁵ That is to say, the

¹ Some sectoral documents were approved, but they refer only to the technical aspect of soft arms control.

² Out of 15 at the beginning of 2022, two were canceled (Project Co-ordinator in Ukraine and Special Monitoring Mission to Ukraine);

³ Some missions engaged around 1,500 persons, while observer missions amounted to 1,900.

⁴ The costs are even higher when we consider that the OSCE budget for 2021 was 138 million euros, but for two missions in Ukraine (OSCE Special Monitoring Mission to Ukraine and OSCE Observer Mission at Russian Checkpoints Donetsk and Gukovo), 108 million and 45 million euros were provided for extra-budgetary or special projects, respectively.

⁵ Triangle consisted of the NATO members, the Warsaw Pact members and a group of neutral and Non-Aligned countries.

balance of powers has also gone to history. The main consequence of this change was the disintegration of three federal states in Europe and the emergence of many new subjects of international law. For that reason, the number of OSCE participating states has increased from the initial 35 to as many as 57. Secondly, regarding the status of countries, the OSCE has one characteristic that distinguishes it from all other international entities. The OSCE states do not have the status of a member but the status of a participant. Participation in the process, as an authentic form of connecting countries to the system of European security and its inclusion in the activities of the OSCE, has survived up to now without any change and regardless of the problems that arise from that fact. In addition, the OSCE temporarily introduced observer status for federal units of individual states that step up on a path of separatism from the federation. This was applied first to Slovenia and Croatia, then to Macedonia and Bosnia and Herzegovina, as well as to Armenia, Ukraine, Belarus, Moldova, and Uzbekistan, which proclaimed separation from the USSR. This observer status was later granted to some minor international organizations. From the point of view of the structure of participants, the third specificity is that the OSCE has granted the status of partner for co-operation to some countries outside of Europe. First, that status was granted to the so-called Mediterranean countries: Algeria, Egypt, Israel, Jordan, Morocco, and Tunisia. Later, the same status was granted to a group of countries from Asia: Afghanistan, Australia, Japan, the Republic of Korea, and Thailand.

From 3 baskets to 23 branches of activity

As for the Final Act from Helsinki, the competencies of the OSCE have been significantly expanded and qualitatively changed (Aćimović, 2013, p. 10). Initially, in 1975, it was devoted only to elaboration of the general political principles and achieving military relaxation. Since 1990, it has started to deal with specific, narrow issues and individual crises. From three baskets in 1975, it has come to the 23 branches of work today.⁶ Military-political issues were originally at the center of the OSCE's activities, while others were complementary (economic and human rights issues). The OSCE's economic activities have been neglected too early, and instruments for action are scarce. Today, these issues are completely overshadowed by

⁶ Web page of the OSCE Serbia has a list of 23 *Areas of Focus*, two more than the Vienna Center OSCE Factsheet document.

environmental issues. Activities in the fields of human rights, freedoms, and democracy have become a central focus of the OSCE's attention and observance. Some countries have become sort of "pre-paid" for such supervision and monitoring, especially those from the east and south-east parts of Europe. Furthermore, the OSCE has established broad competencies regarding the internal situation in (individual) states. Since 1990, general proclamations, guidelines, and standards pertaining to the third basket of the European security package have literally been transformed into recommended formulations of laws, political decisions, and practice in a number of countries. The OSCE competencies in this area have hypertrophied, and the fields of activity have expanded to such an extent that practically no segment of socio-economic life in the target countries has remained uncovered. These competences, for example, encompass border management, cyber/ICT security, education, economic activities, gender equity, environmental issues, migrant issues, youth and many others. The scheme of OSCE activities becomes highly diverse and voluminous. On the basis of such a wide range of activities, which in the OSCE promotion brochure were shown as branches of activities, the OSCE defined itself as a forum for political dialogue on a wide range of security issues and a platform for joint action to improve the lives of individuals and communities (OSCE, 2021, p. 3).⁷ This is by far the most general and least precise definition of the political and security items to be addressed by the OSCE. The question is, however, to what extent this tree of branch activities can be extended and why the priorities among them were not determined.

Lack of the OSCE international legal personality

Several significant international conferences were convened in European diplomatic history a long time ago with the intention of establishing or preserving peace. The most famous were the Peace Conference of Westphalia in 1648 (held in two cities, Osnabruck and Munster), the Congress of Vienna in 1815 and the Congress of Berlin in 1878. In the first half of the 20th century, powerful diplomatic gatherings were the Congress of Versailles in 1919 and the UN San Francisco Conference in 1945. Both decided to establish an appropriate international security organization. Thanks to them, Europe lived in peace for many years. In recent history, such a peace-building diplomatic conference was the Conference on Security

⁷ OSCE brochure shows its 21 fields of activities as the branches of the OSCE tree.

and Cooperation in Europe, 1973-1975. It started as the SCCE, i.e., a diplomatic forum for overcoming the risks of the new world, but unlike the two previous, it was converted into a permanent conference, which in 1995 became the OSCE. No previous conference had such experience. The first, second, and third ones have finished their existence upon signing the peace agreement between the lingering parties. The fourth and fifth conferences had only one session, but the Versailles Conference in 1919 adopted the foundation act of the League of Nations, while the Conference in San Francisco passed the Charter of the UN and formed the Organization of the United Nations.⁸ From the legal point of view, one of the unavoidable elements for establishing an international organization is the adoption of a founding act, statute, or agreement that defines the international legal personality of the newly created entity, its main bodies, organization structure, members' rights and obligations, etc. The fact that the CSCE only changed its name to the OSCE, without adopting a constitutive act, did not change its initial legal nature. The OSCE has remained an ambivalent subject, a kind of modern international centaur. It did not get out of the shell of the diplomatic conference in which it was born and has not been transformed into an international organization with the full legal capacity for which it was proclaimed fifteen years later. Its unchanged conference matrix is also confirmed by the fact that the status of participants was not altered by the status of member states. Only the second one is inherited by the international organization, while the first is inherited by the diplomatic meeting. The OSCE does not possess a founding act, which should specify its status as an international legal entity. The Helsinki Final Act of 1975, being a political proclamation, does not belong to the type of documents registered with the UN Secretariat. Regardless of the fact that some scholars define the Helsinki Final Act as a "*de facto* multilateral agreement or international act sui generis", the wording of Article 102 of the UN Charter contrasts with such extensive interpretation (Dimitrijević, 2015, p. 373). Political proclamations have no sufficient capacity to establish a legal entity per se. For that reason, the UN Charter does not recognize the OSCE as a subject of international law. Therefore, "no party to such an agreement or international agreement which has not been registered in accordance with the provisions of paragraph 1 of this article may invoke that agreement or agreement before any United Nations body" (Paragraph 2, Article 102, the

⁸ The Treaty of Versailles, to form the League of Nations in 1919, and the Charter of the UN, to form the OUN in 1945.

UN Charter). The Helsinki Final Act was deposited with the government of Finland, which later on distributed it to all UN member states, but in spite of this bypassing of the UN Charter, no party can still refer to this document as a legally binding instrument. The absence of international legal personality has created major problems for the OSCE in terms of acquiring rights and obligations, as well as providing immunity to staff and granting the organization and its personal diplomatic protection during the implementation of decisions and commitments of the organization. The first attempt to overcome this problem was made by the Rome Minister Council Document of 1993, which was limited to a few suggestions (CSCE, 1993, December 1, pp.1-3). This document proved to be a really modest attempt, as "its recommendations related only to certain institutions, i.e., the SCCE Secretariat (now in Vienna), the Office for Democratization Institutions and Human Rights (ODHIR, Warsaw) and any other CSCE institutions determined by the CSCE Council". The Rome Decision "clearly failed to achieve its objective: it neither provided for an agreement (in the sense of an international treaty), nor did it grant anything - it limited itself to recommendations (Tichy, 2008, p. 461). The only thing that "could be granted in accordance with the Rome Decision was not international legal personality, which would be related to the legal status of the CSCE, but legal capacity, which is related to the capacity of performing domestic legal transactions of private law, and of being liable for such transactions". In addition, the beneficiaries would be only the mentioned institutions and not the CSCE (OSCE) or the CSCE missions in the participating countries (Tichy, 2008, p. 461). Implementation of these recommendations further contributed to the fragmentation of the OSCE legal system. The greatest number of the OSCE institutions and staff stayed out of any legal protection or were subject to the national law and legal will of each participant state. After the OSCE Secretariat in Vienna and ODHIR in Warsaw Later, some other institutions, including OSCE field missions, started to sign so-called Status Agreements with host countries or Letters of Understanding with non-state entities to assure some degree of diplomatic protection and immunity for their staff. On the basis of so-signed documents, some scholars assert that the OSCE's international legal subjectivity was in fact recognized in practice as customary international law. But the International Law Commission, at its 3.412th meeting, held on May 25, 2018, adopted the entire set of draft conclusions on the identification of customary international law. Conclusion 15/1 reads: "Where a State has objected to a rule of customary international law while that rule is in the process of formation, the rule is not opposable to the State concerned for so long as it maintains its objection" (Yearbook,

2018, p. 121). Subsequently, as long as there is an objection that refers to the legal personality of the OSCE, its existence would invalidate the argument that the OSCE has acquired international legal personality. During the decades that followed the Rome Decision of 1993, almost at every annual Ministerial Council Meeting, some sort of document that recommended strengthening of the OSCE legal capacity was distributed for discussion (Report to the Ministerial Council on Strengthening the Legal Framework of the OSCE, 2021, December 17). But the recommendation for adopting a document that establishes international legal personality for the OSCE has never materialized. Up to now, four options have been crystallized as a way of reaching its legal personality:

1. Adoption of the 2007 draft Convention on the International Legal Personality, Legal Capacity, and Privileges and Immunities of the OSCE;
2. Adoption of a constituent document (draft Statute of the OSCE) prior to, or in parallel with, adoption of the 2007 draft Convention;
3. Development of a Convention Plus (a hybrid solution consisting of elements of a constituent instrument incorporated into the 2007 draft Convention);
4. Implementation of the 1993 Rome Council Decision through signature and ratification of the 2007 draft Convention by a group of interested participating States (Hobek, 2020 p. 262). Unfortunately, the differences between states have deepened over the years instead of narrowing. Sweden's OSCE Chairperson in December 2021 could only conclude that "the four options for strengthening the legal framework of the OSCE remained tabled in 2021 without any perceptible progress towards consensus". It is obvious that in the near future, there is no chance for the OSCE to attain international legal personality. The latest conflicts in Europe have pushed aside the problem of the OSCE's legality. A new and crucial challenge has emerged – will the OSCE survive the Ukraine war?

Redistribution of the role of the international organizations in Europe

When it was established in 1975, the CSCE was the only forum in which East and West could have a global dialogue on general security issues on the continent. All initiatives for overcoming the security risks in Europe and for creating mechanisms for de-escalation were launched at this conference. At that moment, other general European organizations did not exist or were

at the margins of the main streams. The European Economic Community (which later transformed into the European Union) gathered only nine countries, whose main goal was to build a single market. NATO functioned only as a defensive military alliance of 12 countries. The Council of Europe had only 18 members, of which 11 were from Western Europe. That is why the OSCE had a leading role in defusing dangerous situations and was engaged in all three segments of European security: military-political, economic-technological, and democratic-humane. Today, there are a number of regional organizations of a general type in Europe whose strength and influence have far surpassed those of the OSCE and which keep the key to European security in their hands. The North Atlantic Treaty Organization, from defensive, has grown into an offensive organization while the number of members has increased to 30, with a tendency to further aggressive expansion.⁹ This organization is also concerned with political issues of strategic security, as it possesses a dominant force capable of resolving such a crisis. In practice, no country in Europe can have more soldiers or weapons than NATO allows as needed. The European Union has grown into an exclusive club of 27 countries with a single economic, fiscal, and monetary policy and a highly harmonized foreign and security policy. It has built instruments through which it can influence the policies of non-EU member countries, and in particular the policies of the candidate countries. Almost two decades ago (in 2003), it adopted the first strategic document on security strategy in Europe. But in 2015, taking into account a huge change in the security ambient, noticing the outbreak of new threats and assessing the multiplication of dangerous risks for its future, the EU adopted a Global Strategy for the EU's Foreign and Security Policy. In this new document, it pointed out its priorities, expanded the area of its political and security activities at a global level, projected the development of its own military forces and expressed its readiness to lead certain UN peacekeeping missions. The Council of Europe, with its 45 members, has become a key institution for considering, reviewing, and assessing states' democratic capacity and behavior in accordance with democratic development values and policies, as well as the protection of human rights and individual liberties.¹⁰ In the form of recommendations, it makes suggestions to the

⁹ Assessing that any crisis in the world can threaten its security, NATO has created an instrument for launching preventing activities all over the globe, called *Crisis response operations out of no. five article of the NATO Treaty* (Non-Article 5 Crisis Response-NA5CR OPERATIONS);

¹⁰ Russia has just stepped out.

member states on what to change and how to improve national laws and practice. A Recommendation does not have imperative power, but it represents a high moral obligation, and the majority of countries follow it. The consequences of non-compliance with these requirements can cause many problems for those who ignore them. Even a large state like Russia experienced the “soft power” of the Council of Europe’s recommendations. Russian neglect of some recommendations a few years ago resulted in its temporary suspension from the Council. In May 2022, Russia stepped down on her own, to avoid a new suspension. The decline of the OSCE’s political influence and importance in the contemporary constellation of power was inevitable because the three above-mentioned organizations took over a leading position in creating and maintaining European security. Redistribution of the roles on the European political stage resulted in entrusting the OSCE with the task of undertaking preventive diplomatic activities in the zone. The OSCE has developed instruments, mechanisms, and tools for potentially dangerous situations’ recognition, crisis prevention, diplomatic mediation, pacification and relaxation of tensions, observation, and control of the internal situation in host countries. It is the first to alert the other European security partners of a potential crisis and growing risk and turn on the red light of warning. In the event of conflict eruption, the OSCE gives way to other organizations to take appropriate measures, according to their capacities and competences. In other words, the OSCE’s activity is limited to giving political legitimacy and general support to partner organizations in the Euro-Atlantic zone of security. Upon the armed conflict’s termination, the OSCE comes again with the task of organizing and leading the overall activities of the so-called international community aimed at rehabilitation, rebuilding, and recovery of the social system and everyday life within a conflict-affected country. Given these processes, the OSCE’s role in the European security architecture has been redefined and supplanted several times. The goal of the diplomatic conference at the first summit in Helsinki in 1975 was to conduct a dialogue and contribute to détente (Conference on Security and Co-operation in Europe Final Act, 1975, August 1, p. 3, Para. 2). At the Paris Summit in 1990, the OSCE was explained as an “instrument of change... with the aim of making democratic gains irreversible.” (Charter, 1990, p. 4). At the Budapest Summit in 1994, the role of the OSCE was described as a “primary instrument for early warning, conflict prevention, and crisis management in the region” (Towards, 1994, p.2, para.8). The Summit at Istanbul in 1999 marked the OSCE as “a primary organization for the peaceful settlement of disputes within its region and as a key instrument for early warning, conflict prevention, crisis management,

and post-conflict rehabilitation” (Charter for European Security, 1999, November 18, pp. 2-3). At the last Summit in Astana 2010, the OSCE was sketched as a forum for promoting open dialogue, preventing and settling conflicts, building mutual understanding and fostering co-operation” (Astana Commemorative Declaration towards a Security Community, 2010, December 1, p. 2, Para. 5). There are many reasons why today the OSCE is characterized by a relatively “low profile”. Probably the most important reason is that the US had suspicions about transforming the OSCE into a pan-European security organization, since it would raise the question of the future role of NATO. France did not want the OSCE to take over too many responsibilities in the field of security, so instead it decided to strengthen the WEU. Also, France did not want to attach much importance to human rights because it could call into question the continued existence of the European Council. However, the comparative advantage and potential of the OSCE with respect to other European security institutions did not vanish (Zirojević, 2006, p. 215).

The OSCE main bodies’ repositioning

The organizations largely maintained the same structures and competencies of their main bodies, institutions, and assisting structures during the transition from the CSCE to the OSCE. There were some minor changes, but they are irrelevant to our theme.¹¹ The Summit formally remained at the top of the pyramid of OSCE power, as the most important organ of the OSCE. Meetings of heads of state or government of the OSCE participating states set priorities, take decisions, and provide orientation at the highest political level. At one time, the Summit really played the most important role. It reached its peak of power and efficiency in the middle of the last decade of the 20th century. In total, seven meetings were held during the past 46 years, the first in Helsinki in 1975. After 15 years, the second Summit was organized in Paris (1990). At that time, the idea of transforming the Conference into an organization was far from the agenda. But the fall of the Berlin Wall in 1989, then the collapse of the Soviet Union, the dissolution of the Warsaw Pact and the civil war in the SFRY imposed strengthening

¹¹ The predecessor of the *Permanent Council* was the *Committee of Senior Officials*, which has later changed its name. The *Review Conference* switched off after a dozen meetings, and its competences were transferred to a new body, the *Conflict Prevention Center*. Additionally, some new working bodies were introduced, which initially did not exist.

the OSCE, its structure and mechanisms. These events encouraged the heads of European states to gather again and consider how to fill the political and security vacuum that arose after the break-down of the communist world. The rule that meetings are held every two years was respected only in the period from 1990 to 1996 (Paris 1990, Helsinki 1992, Budapest 1994, and Lisbon 1996). Then three years passed before a new meeting was held, this time in Istanbul (1999). After that, another 11 years were to pass, and in 2010, the seventh Summit in a row was held in Astana (Kazakhstan). Almost 12 years have passed since then, but there are practically no indications or chances for holding a new summit. It is not excluded that, unless the conflicts in Ukraine end by the end of 2023, the summit in Astana will remain inscribed as the last in the history of the OSCE. Gone are the ideas and statesmen capable of creating a new security concept that would restore peace to the European continent. Europe needs a new vision, a new security architecture, and strong contractual guarantees, as well as a mechanism to implement them. The rule that meetings are held every two years was respected only in the period from 1990 to 1996 (Paris 1990, Helsinki 1992, Budapest 1994, and Lisbon 1996). After 1996, the next three years had to pass before a new meeting was held, this time in Istanbul (in 1999). But another 11 years were to pass, to convene the 7th Summit in Astana (Kazakhstan) in 2010. From that moment, no summit could be convened, even though 12 years had passed. As for the current situation, in the year 2022, there are practically no indications or suggestions for convening a new summit. Maybe the summit in Astana will remain the last one in the history of the OSCE. Thus, not a single person, politician or statesman, could create a new concept of security that would be acceptable to such divided countries in Europe. The European continent deserves and needs a new long-range vision, a different security architecture, and strong contractual guarantees, as well as a mechanism of implementation. Due to the lack of such leaders and concepts, the OSCE found itself in a situation where, instead of the Summit, other forums and bodies began to make decisions and shape the organization's destiny. The Council of Ministers, which meets regularly once a year, has objectively taken on the role of summit. The list of its conclusions became longer, the content of its conclusions more general, or related only to technical issues, while the obligations that are addressed to the host countries of the OSCE missions literally were repeated every December. In addition, even the importance of the Council of Ministers is gradually fading away. For the first time in history, the Ministerial Council did not succeed in approving a concluding document in December 2020, at the so-called millennium meeting. The same occurred in the period from 2003 to 2006.

An extreme case was noted at the 2002 meeting in the city of Porto (Portugal), when at the Ministerial Meeting, out of 25, only three EU Foreign Ministers attended. The presence of two was inevitable, from Portugal and the Netherlands, as the countries of the ongoing and next presidency. The United States and Canada also did not send their foreign ministers, and all of the participating countries from Asia (with the exception of Tajikistan) did the same. Due to the sharp divisions within the OSCE, such disrespect of the Ministerial Council could be seen many times later, with the result that conferences ended without any agreement on key matters. This was especially obvious in 2014, when the people of Crimea, upon referendum, decided to join Russia. As a result, the Euro-Atlantic group of states claimed that Russia illegally annexed Crimea, and a new stalemate ensued. The second wave of disagreements happened in 2017, when the consensus on prolonging the mandates of the four OSCE institutions could not be reached for six months (Secretary General, ODHIR Director, High Commissioner for Minorities and Media Envoy). The new persons had to be appointed at the end of the year because the work of the OSCE was almost paralyzed. Also, the process of nomination of the candidate countries for the future presidency (OSCE chair) experienced a lot of controversy. The gap is evident when it comes to the 2024 presidency. In December 2002, Poland will hand over its mandate to North Macedonia, which will lead the OSCE in 2023. But what will happen in 2024? Nobody knows. Namely, a few years ago, Estonia and Finland jointly proposed to chair the organization, Estonia in 2024 and Finland in 2025. But consensus was somehow made only regarding Finland's nomination in 2025. Estonia was not approved as a candidate for the presidency in 2024. Moreover, in the context of the new confrontations in Ukraine, it is unlikely that either of these two countries will be able to ascend the throne of the OSCE chairmanship. The Permanent Council is the third most important body in the OSCE decision-making system. They meet weekly in Vienna as a regular body and provide a framework for continuous political dialogue and decision-making by the permanent representatives of the participating states. Apart from regular meetings, the PC practices special and extraordinary meetings when needed. Sessions are convened and chaired by the Chairperson-in-Office or his/her representative. The Permanent Council is made up of delegates, mostly ambassadors, from the 57 participating states, 11 OSCE Partners for Cooperation envoys, representatives from the OSCE Parliamentary Assembly, and, on occasion, coordinators from the OSCE executive structures. The Permanent Council, as high executive and the most operational body, decides promptly and automatically, through the so-called "silence procedure", and directs the

activities of numerous institutions, subsidiary bodies, working groups, and the OSCE's mechanisms for action, especially field missions. Although it usually decides by consensus, the Permanent Council in very few situations resorts to the consensus minus one rule, which was introduced in 1992 (to prevent Yugoslavia from voting against its own suspension). The rules of procedure of this body explicitly state that the Chairperson-in-Office should set the meeting agenda list exclusively on the basis of consensus. But from the beginning of the conflict in Ukraine, several times the agenda was defined by the Chairperson in the Office or by the Secretary-General, bypassing the consensus procedure. In spite of often tough dialogue, irresponsible attitudes and opposing arguments, the Permanent Council plenary meetings are still going on without interruption or pause. The Forum for Security Co-operation, as the fourth and autonomous decision-making body, now suffers the consequences of a huge division among the main security actors in Europe. It is almost impossible to monitor and check the implementation of a series of arms control treaties. Unfortunately, its weekly meeting has no impact on military stability and security at the moment. In a formal sense, the Chairperson-in-Office, i.e., the OSCE Chair, as the Minister of Foreign Affairs of the host country, also belongs to the circle of decision-making bodies. He/she should have a very important role in the one-year period, especially in designing a political approach to the crucial problems and reaching consensus on sensible items. The OSCE Chair is authorized to coordinate the decision-making process and set the OSCE's priorities during its year in office. In practice, however, it was surpassed by the OSCE Secretary General, who has led the organization since its inception. The Secretary General in fact took over the second position in the whole organization, providing that his/her mandate lasts three years and is usually extended to the next six years. Finally, there is the Troika, as an *ad hoc* body which consists of representatives of the current, preceding, and future OSCE Chairs. It may have some influence on making a decision, but only in an indirect way.

Intertwining of regional, transcontinental, and global OSCE ambitions

As we have already noticed, the OSCE has no Statute nor a Foundation act. Its ambivalent position deprives the OSCE of recognition as a full-flagged international organization. There is one important segment missing – the capacity of legal personality in international relations. The basic document, the Helsinki Final Act, represents nothing more than a solemn

diplomatic statement. Nevertheless, the non-existence of its legislative wording, did not limit its political influence. The Final Act possesses both very strong political power and high moral significance. That influence surpasses and exceeds its regional European affiliation and reaches the shores of all five world oceans. The participating countries obliged themselves to adhere to the Helsinki ten principles (Decalogue). The OSCE sees itself as the world's largest regional security organization. But is such a definition quite correct in all its aspects? First, it is completely true that the OSCE is the greatest regional political structure, both in Europe and around the globe. With 57 countries engaged and 11 involved as partners for cooperation, it outnumbers NATO (30), the European Union (27), the Council of Europe (46) and other European organizations, and also the African Union (55) and the Organization of American States (35). Second, the OSCE is no longer a bearing pillar of the European security architecture. The main security issues (military and political) have passed into the hands of more influential international subjects. The OSCE has evolved into an instrument for crisis management. Third, the OSCE's legal position is incomplete; hence it cannot be treated in an indisputable way as an international organization. Finally, is the OSCE really a regional European organization? The OSCE conducts numerous activities and gathers even 68 countries located on five continents (Europe, North America, Asia, Africa, and Oceania), of which 57 are located on the territory of the three first mentioned continents and have the status of participant. This makes the OSCE both a Euro-Atlantic and an Eurasian organization. None of the OSCE documents explains the framework and borders of the European region. Where does it begin and where does it end? The OSCE is more of a transcontinental organization than a regional one, though it occasionally expresses its global ambitions in a timid manner. In its early stages, in 1992, the OSCE (then, the CSCE) proclaimed itself to be "a regional arrangement in the sense of Chapter VIII of the Charter of the United Nations". But from the point of view of Chapter VIII, it is hard to say that the Helsinki Final Act possesses the legislative constitutive power of a regional agreement or of an agreement or institution. Only regional arrangements concluded among parties that possess international legal personality can enable them to appear as the UN representative in a specific area with the goal of implementing the UN's principles at the local level. Dealing with the maintenance of peace and security at the regional level is the general goal of each regional arrangement, but Paragraphs 2 and 3 of Article 52 limit agencies' goal to an effort "to achieve pacific settlement of local disputes through such a regional arrangement" (Article 52, Pars.1, 2 and 3, UN Charter). The introduction of

peaceful settlement of disputes, not only as rights, but also as obligations of regional organizations, according to the UN Charter, is also one of the basic differences between the concept of the League of Nations and the United Nations in terms of the role and tasks of regional organizations. In this way, under certain conditions and in such situations, they are integrated into the system of work of the universal organization, participating in its activities (Pindić, 1978, p. 71). The United Nations General Assembly has granted observer status to a number of such regional organizations, including the Organization of American States (OAS) in 1948, the League of Arab States (LAS) in 1950, the Organization of African Unity (OAU) in 1965, and the European Economic Community (EEC) in 1974. Unlike the OSCE, the above-mentioned regional arrangements really deal with local issues and are dedicated to the peaceful resolution of disputes. In contrast to them, the OSCE has articulated global strategic goals and stepped far beyond the framework of peaceful settlement of disputes. The whole political and geographic space from Tokyo to Vancouver has become intertwined and incorporated into the OSCE agenda with a multitude of instruments and mechanisms. The political and strategic ambitions of the OSCE, which were set under Euro-Atlantic influence, prevent any local dispute and are becoming more universal every day. It is no longer a matter of UN goals' implementation at the local European level by the OSCE but an endeavor of the OSCE and related Euro-Atlantic organizations to compete with the UN's system of collective security or to bypass it. This has resulted in the overlapping of the UN and OSCE's competencies and activities, as well as their collision, intersection, and even opposition. Fortunately for the OSCE, the UN Charter does not explain the notion of a region and the scope of regional activities in a geographical sense. In spite of this formal lack, the readiness of the OSCE to get closer to the UN was materialized in October 1993, when the UN General Assembly granted observer status to the OSCE. From that moment, the cooperation between UN institutions and OSCE institutions was constantly advancing, but with some divergences which remained hidden behind the public scene.

Controversies, imbalances, and partialities in some other areas

In addition to the previously mentioned, there are some other characteristics related to the organization, institutional structure, and mode of operation of the OSCE that deserve critical consideration. However, much more space and time are needed for explanations of all controversies, imbalances, and partialities, so we will limit ourselves to a few. Geostrategic

imbalance is one of the most important indicators of imbalances and shortcomings in the work of the OSCE. The OSCE's center of action, which ran along the lines of separating the Eastern and Western blocs in Europe during the Cold War era, has been relocated to the border with Russia in recent years. The OSCE has territorially expanded to the borders of China, approaching Mongolia, the Republic of Korea, and Japan. Through the Mediterranean group of countries, it is also capable of influencing the politics conducted in North Africa. Finally, its eyes and ambitions are turned towards the last remaining continent. The concept of European security was essentially built over the line that separated two opposing parties in the Cold War confrontation, namely the border between the two military-political blocs. So, the OSCE is constructed as a Euro-centric organization, with a focus on the problems existing in the heart of Europe. Although the United States and Russia may be viewed as external forces, both countries (the United States as a whole and Russia, for the most part) participate equally, because the security of the European continent is dependent on their relations and willingness to maintain peace in Europe. It would therefore be unrealistic to renounce their involvement. At first, only the presence of Canada could be questioned, but now that the OSCE has entered and engaged deeply in Asia, such a question has no sense. The internal political imbalance of the OSCE is also visible. Upon the disintegration of three federal socialistic states in Europe and the emergence of many new states, as their legal successors, the border of the Western military-political and economic bloc was moved further towards the East. The OSCE also found itself shaped by dominant pro-Western political influence. Its policies, activities, and values were largely designed according to the interests of the Euro-Atlantic group of countries. For that reason, no single OSCE mission has been established on the west side of the OSCE "territory", in spite of huge crises in its area. So we can ask: why the OSCE did not send some special mission to explore, control, and help prevent conflict in the Basque Country in Spain, Belfast in Northern Ireland, the territory of the Turkish Republic of Northern Cyprus, or some other zones? It also deserves to be considered why political crises in the United States, and even in France, regardless of whether they were related to elections or racial conflicts, never attracted the attention of the OSCE. These crises were followed by excessive use of force and even casualties, but have never been evaluated or analyzed by the OSCE. What to say if we know that three times in the last twenty years, the elections in the US were full of incidents, omissions, and confrontations, and followed by candidates' claims of huge irregularities and frauds? The whole world saw that election votes were counted several

times and the results changed or their official proclamation postponed for months. And there is no guarantee that the same will occur during the next elections. We believe that such things require OSCE action, such as sending an observation mission and human rights reporters or observers to investigate the situation. Should the OSCE close its eyes again? Therefore, the question is how far the OSCE can expand and adapt to the values of the Western world exclusively without losing the status of a regional organization and diminishing the ability to respect the interests and needs of other participants in the process. The imbalance in action and in terrestrial engagement has led to the impression that the OSCE has been transformed into a gigantic human rights organization or an exclusive and powerful instrument for the protection of human rights, the promotion of democracy and individual freedoms. The OSCE aspires to influence the internal affairs of countries that are cooperating with it, not just the participants. Regarding the military component of the OSCE engagement, there is a narrow space for its control of conventional weapons, while its economic component of work is reduced to environmental activities. It is hard to ignore that the OSCE's support for the rights of the LGBT community overcomes its duty to protect the rights of the poor and unemployed population, or migrants. This imbalance also has a financial dimension, which manifests in two ways: through collecting funds and through spending funds. The list of percentages of countries' contributions to the OSCE Budget has not been changed for a long time, but the economic position and financial situation in a significant number of participating states have changed up or down. Field missions have become the main beneficiary of annual budget funds. The largest part of the budget goes to their work (which occasionally reaches over 200 million euros and most often varies between 150 and 180 million). The share of a mission's costs within the budget has reached between 70 and 80 percent in recent decades, depending on the number and size of missions. Deficiencies in fund raising and exaggeration in spending have caused many difficulties and delays in the adoption of the annual budget. The decision of a temporary budget has become one of the frequent characteristics of the OSCE. The imbalance between security producers and consumers has been noticeable since the beginning of the institutionalization of the security process in Europe. Within the OSCE, there is an unwritten and invisible division between countries that create and fulfill international obligations. The first are the providers, and the latter are the recipients of security. For decades, the group of countries from Southeast and Eastern Europe, the Caucasus, and Central Asia have been transformed into security consumers, while the leading countries of the Euro-Atlantic group have

become the main security producers. It seems that the division between security exporters and importers has long been cemented and that it will never be subject to change. It is obvious that the OSCE never deployed its ground mission in some countries after their entry into NATO or the EU. Double standards are one of a few but very sensitive phenomena in OSCE practice. The OSCE did not feel the need to send an observation mission, or at least a research mission, to verify the results of the US elections in the fall of 2000, although for a long period it was not clear who won the elections. The OSCE unfortunately had neither a comment nor a word of criticism. On the other hand, large observation missions with over 1,500 observers were sent to Ukraine and Russia in advance, and many observation missions to Serbia over the years. Numerous controversies regarding the OSCE missions refer to the way of their introduction, the circumstances in which they are established, the ambiguity of their chief nominations and decision-making process during engagement of the mission, problems with the extension of mandates, the absence of sufficient control of missions, the lack of an exit strategy, and a number of other related issues.

THE OSCE AND SERBIA

Historic review

The Republic of Serbia has a long history of relations with the OSCE, together with the other ex-YU republics, generated by the SFRY. At one time, as the leader of the Non-Aligned Movement, as a strong and stable state, Yugoslavia was the initiator, proposer, and participant in the entire European security process. It made a significant contribution to shaping the Helsinki Final Act and was a founding member of the CSCE. Later, when the common state fell into crisis and after the beginning of the secession process, Yugoslavia was the first subject of the security engagement of the OSCE and was suspended from its work for a long time. After the definitive separation of individual republics and the proclamation of new states, the Republic of Serbia, as a newly created international legal entity, applied for admission to the OSCE in 2000 and, a year later, became part of it. In some ways, it could be said that relations have both had their ups and downs, but now they are making continuous progress. Figuratively speaking, for both parties, it was a long journey from the stars to the thorns and back. In accordance with internal political and social changes and more determined to join the European Union, the Republic of Serbia is today committed to

cooperation with the OSCE, especially when it comes to the process of reform and achieving high democratic standards, reconciliation in the region and resolving other issues. It does this through partnership and successful cooperation, primarily with two OSCE missions on its territory – the OSCE Mission to Serbia and the OSCE Mission in Kosovo – but also with other missions in the region. The OSCE Mission to Serbia (OMIS) was established on January 11, 2001. The activities of the Mission are realized through partnership with the state bodies of the Republic of Serbia and are focused on four program areas: 1) rule of law and human rights; 2) police reform; 3) democratization; and 4) development of the media. The mission is engaged in advising on drafting and implementing laws, reform strategies, and action plans; supporting the strengthening of democratic institutions; encouraging dialogue at the national and regional levels on refugees and displaced persons; and supporting the development of regional cooperation and reconciliation. The OSCE Mission to Serbia works closely with independent institutions and the non-governmental sector in the country (OSCE-Serbia, 2022). This activity covers as many as 23 different areas. The OSCE Mission in Kosovo (OMIK) was established on July 1, 1999, as the third pillar of the international presence in Kosovo and Metohija established by UN Security Council Resolution 1244. This mission, in a status-neutral manner and through cooperation with other international organizations and institutions, contributes to a multiethnic democratic society and aims to respect human rights, build institutions, and promote democracy. The Mission implements its activities through three main programs: 1. The Human Rights and Communities Program; 2. The Democratization Program; and 3. The Public Security Program. It is the second largest OSCE field mission (Ministry of Foreign Affairs of Serbia, 2022).

SERBIAN OSCE PRESIDENCY IN 2015 AND ITS SPECIFICS

In 2015, Serbia chaired the Organization for Security and Cooperation in Europe. It took over the presidency from Switzerland and handed it over to Germany in 2016. Serbia's chairmanship of the OSCE has been an extremely complex task in difficult international circumstances, given that the OSCE has a special role in resolving the Ukrainian crisis. All 57 participating countries and 11 partners rated Serbia's activities as the OSCE President successful. Due to such engagement, Serbia succeeds in improving its position and increasing its reputation in international relations. The presidency of Serbia had a number of specifics, which we will outline here.

Submitting a candidacy in tandem

The first specificity was a new method of submitting candidacy based on a common platform. Namely, Switzerland and Serbia came up in October 2011 with the idea of a joint presidency for two consecutive years. The joint candidacy was accepted on February 10, 2012, by the Permanent Council in Vienna. Never before has the idea of a coordinated two-year presidency by two different countries been put into practice. The two countries then drafted a detailed and concise plan of joint work. On that unique platform, Switzerland was assigned to chair the organization in 2014 and Serbia in 2015. Given the fact that the concept of common ground for a two-year presidency had never been tested nor experienced, the launching of an innovative proposal by Switzerland and Serbia carried a certain risk of non-acceptance. It is known that within the OSCE system, the position of chairman does not come automatically or by rotation. It is subject to verification, which begins with consensus and finishes with voting. So the final decision is uncertain until the last minute. The acceptance of such a proposal submitted by Switzerland and Serbia is even more important, providing that candidacy requires consensus, i.e., that none of the 57 members would oppose it. Of course, another risk was the question of whether such an “in bloc” presidency would be fruitful or would cause damage to the general OSCE work as an institution.

The coherence of the two-year presidency despite great differences

Another peculiarity is that the merger of the two-country presidency and the appearance of their twin roles was quite unusual and has come as a precedent. The differences between them were considerable. On the one hand, Serbia was a country that produced a “surplus of history” over centuries, while on the other hand, Switzerland walked through history without huge suffering, numerous victims, and frequent turbulence. Not to mention enormous economic differences. Nevertheless, full coherence has been achieved, both at a general and at an operational level. The ministries of the two countries planned and conducted joint staff training and the exchange of competent diplomats. In addition, there was an established network of government and NGOs institutions aimed at preparing for joint activities. Serbia and Switzerland, in their two-year consultations on all important issues, also included Germany as the future chairman. Working as a team, they also formed a platform for overcoming differences among member countries, which were frequent during the whole two-year period.

Thanks to that, the handover of the bandmaster baton between the two countries passed smoothly. What's more, oscillations were avoided when the focus of activities was not transferred from one area of politics to another, and disharmony appeared when less important issues were brought to the forefront. Ten presidencies did not succumb to external pressure to push under the carpet some burning issue or to favor the interests of one or another group of countries at the expense of others.

The importance of granting the presidency to Serbia in a great jubilee year

The third specificity was granting the OSCE chair to the Republic of Serbia just in time for its jubilee. In 2015, the OSCE commemorated 40 years of its establishment, and Serbia came to the throne. It did not happen by accident. Due to the fact that Serbia's candidacy was approved in 2012, it is obvious that the organization intended to honor Serbia with the presidency at its 40th anniversary. The weight of such a political decision was well weighed in advance. At that time, the OSCE was very well informed on all of Serbia's internal and external concerns. As for Serbian economic difficulties, it was thought that introducing some restrictions and "tightening the belt" would not cause any serious problems. But the existence of the huge differences regarding the treatment of "Kosovo" abroad brought at least two risks: increasing pressure on Serbia to change its attitudes and pushing this issue to the forefront of the OESC's work. Both situations could further deepen the gap between those countries that are pro or contra the Serbian approach. On the one hand, it was very well known that UN Security Council Resolution 1244 guaranteed Serbia's territorial integrity, but on the other hand, it was known that the majority of the OSCE countries supported the act of illegal secession of this province from its home country. Some countries feared that the "Kosovo case" could develop in the same direction as the still unsolved "Cyprus problem" (lasting since 1974). However, thanks to the diplomatic formula "dialogue between Belgrade and Pristine", the Serbian government has avoided the risk of falling into the trap of a long-term "frozen conflict". It has thus demonstrated diplomatic ability, intellectual capacity, and political will to apply the OSCE's high democratic, humane, and security principles in practice. The appointment of Serbia to preside/chair the OSCE in 2015 was perceived as a definitive signal that Serbia had become an acceptable and responsible "player" on the European political scene, who can be trusted.

The effect is equally positive, despite the discrepancy in capacities

Given that Serbia is a small country, that its GDP at the time was only about 35 billion euros, and that the Ministry of Foreign Affairs has less than a thousand employees, it is normal that the total number of people engaged in the Serbian mission to Vienna and headquarters in Belgrade was significantly smaller than in the case of Switzerland. Regarding population, Switzerland has only one million more residents than Serbia, but its GDP is 15 times higher. Also, the number of employees in its Federal Ministry of Foreign Affairs is significantly greater than the number of staff in the Serbian MFA. An even bigger difference existed between Serbia and its successor, Germany, which “took over” the OSCE chairmanship in 2016. However, the fact that Serbia led the OSCE during the time between two strong countries’ presidency does not mean that it was passive or in the shadow of two others. Moreover, if we know that Switzerland in 2014 engaged much more capacity, staff, and funds than Serbia in 2015, then it follows that Serbia, with a smaller professional team and fewer resources, has achieved the same scope of coverage and activities within all three OSCE “baskets”. Namely, Serbia maintained the same level of employment of all working bodies, maintained the same rhythm of meetings of forums and decision-making bodies, and proved the same level of efficiency in executing the decisions of the previous Ministerial Conference. Finally, Serbia spent four million euros from the OSCE budget during its presidency. Switzerland, on the other hand, spent 16 million. We left to reader to asses: If one with a minor capacity can produce as much as the other with a greater capacity, then who achieved more?

Exceptional efficiency in reconciling the OSCE Budget

During the period in which Serbia held the presidency, no proposal for a decision of the Permanent Council was rejected, which is the result of the previously reached political consensus. Of course, the issue of the OSCE Budget does not fall into the category of political issues, but it certainly has a political dimension. Whenever international relations fell into a crisis, the budget decision could not be made in time. This has been happening for years, even when it comes to the budget for the Swiss Presidency in 2014. The problem has been solved through an interim budget, which would often last until the middle of the term. However, when the Budget for 2015, which will be chaired by Serbia, was adopted, it was highly efficient and everything was completed ahead of schedule. The budget for 2015 amounted to 141.1

million euros and was almost nine million euros less than the previous year (Vasić, 2016, p. 23-25).

High efficiency in the OSCE Budget balancing

During the period of the Serbian presidency of the OSCE, no proposal for a decision of the Permanent Council was rejected, which is the result of the previous Serbian engagement in reaching political consensus. Of course, the issue of the OSCE Budget does not fall into the category of political issues, but it certainly has a political dimension. Whenever international relations enter into a crisis, the budget decision cannot be approved in a timely manner. This has been happening for years, even in the period of the Swiss Presidency in 2014. The problem was bridged through a provisional decision, i.e., postponed for several months. However, when the budget proposal for 2015, which affects Serbia, came on the agenda, it was approved with high efficiency and within the scheduled time line. The budget for 2015 amounted to 141.1 million euros and was almost nine million euros less than the previous year (Vasić, 2016, p. 23-25).

CONCLUSIONS

Generally speaking, the OSCE has made a significant contribution to maintaining peace in Europe, especially during the Cold War period. After that, the European Union, NATO, the G-7, and the UN Security Council took the lead in security matters. In some cases, the OSCE demonstrated high efficiency, but in some others it failed. The overall OSCE role during its 47 years of existence should not be overestimated or underestimated. Its position and results oscillate from time to time but mainly depend on the balance of power in the world. Apart from that, its imperfect nature makes it difficult to cope with the problems of this imperfect world. One of its deficiencies is a lack of international legal personality. At the same time, the decline of the OSCE's political influence in international relations is a consequence of the strengthening of other international factors but also of the internal crisis that the OSCE has been crossing over years. For decades, the OSCE has failed to keep pace with changes in the world nor to create a more advanced vision of European security, in line with huge changes on the international stage. It also suffers from numerous contradictions, which we discussed in this paper. The biggest discrepancy that affects the OSCE arises from the US and western countries' determination to keep the OSCE

only as a forum for dialogue and continuous Russian efforts to transform the OSCE into a classic international organization, with appropriate statutes, capacities, and instruments of core security. The continuous strengthening of the European Union and the expansion of NATO resulted in their overwhelming the OSCE role in dealing with the most important political, military, and economic issues of European security. In other words, Euro-Atlantic influence has become predominant in the OSCE, so the OSCE redirected its activities to the "third basket" of the Helsinki Final Act. The institutions and mechanisms developed by the OSCE have experienced a number of changes, but they have also had serious inconsistencies. Transmitting the focus of activities to crisis management has enabled the OSCE to continue its relevance and participation in the timely implementation of certain segments of European security. Of course, to the extent those other organizations allowed its engagement. The OSCE field activists have grown into the most efficient instrument for conflict prevention and pacification of crises in the OSCE area. For that reason, the field activities spend between 70% and 80% of the OSCE annual budget. Their work necessitates separate analysis and a critical approach, despite the fact that the OSCE has yet to invent a better tool for crisis management and peaceful dispute resolution. The preventive diplomacy capacities of the OSCE remain its comparative strengths. The OSCE's low-cost and low-risk style of intervention is combined with significant potential for improvement in a tense situation. Moreover, because of the inclusive nature of its membership and the requirements for consensus, the OSCE is not viewed as a threat to the interests of participant states in a potential conflict situation. Contrasted are situations in which one or more of the OSCE members views the use of force as the only means for conflict resolution or achieving its goals (IFPA, 1997, p. 205). Why is the collective dialog that the OSCE encourages and conducts so important? Collective debate on international relations and politics is an important contribution of international organizations to the goal of establishing a world order. Great dialog is not a saving tool for all the problems. It does not change the fact that final responsibility for the determination of world affairs rests with the greater number of countries. Such a debate, on its own, will not eliminate mass and disorder. However, human experience teaches us that the kind of order for which humanity strives can only be established and maintained through the process of debate (Raki, 2009, p. 83). Although the new balance of power in the world has long ago imposed the need to shape a new concept and structure of European security, there is still no readiness inside and outside the OSCE to start with talks. The latest occurrence regarding Ukraine in 2022

has radically returned Europe to a situation similar to that of the epoch of the Cold War. The ongoing armed conflicts have distanced the main actors in European security and cut off their communication. The pyramid of European security, which reached four continents, collapsed like a tower of cards. In this new political vacuum, the OSCE was the unique security organization that prolonged its activities and preserved space for discussion among all relevant parties. Although it did not become a bastion of European security, the OSCE at least proved again to be the most appropriate organization for renewing dialogue on security matters among the participant countries, as being acceptable to all parties (Vasić, 2016, p. 25). There is no doubt that the OSCE is facing the greatest challenges nowadays. In parallel with the security problems that have shaken Europe and threaten the world, the OSCE has to deal with the greatest internal crisis in its history. Fortunately, there are only two things in its favor. First, no state has requested its dissolution. Secondly, at this moment, the OSCE is the only European political organization that has not closed its doors to Russia. Thus, the OSCE today remains the only forum for East-West dialogue, as it was between 1973 and 1975. Although it failed to maintain an objective approach regarding the long-lasting crisis in Ukraine and the Baltic countries, it did not exhaust its own potential for peaceful engagement and mediation in conflict. Upon the termination of the Russian “special operation” in Ukraine, we cannot see any other European actor that could be entrusted with the task of maintaining peace in the area. Another is the question of whether the OSCE will be able to play an important role in Europe in the future without transformation into a full-flagged international organization, with an original structure and the task of implementing the principles of the UN Charter in Europe.

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