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Walking Alone, Walking Together? OSCE-EU Relations in Central Asia

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EXECUTIVE SUMMARY

This Policy Brief examines Organization for Security and Co-operation in Europe (OSCE) and European Union (EU) engagements in Central Asia and assesses their inter-organizational relations. The two organizations have a communality of policy objectives, largely overlapping memberships, and intersecting tasks in this region, including border management, rule of law and including civil society empowerment. Both organizations face increased non-compliance by most host states becoming more self-confident, particularly in the spheres of democracy promotion and human rights. Besides, competing autocratic governance providers – above all China and Russia – skip claiming liberal democratic standards, creating a further barrier to reform. Significant differences of the two organizations are pointed out with regard to institutional design. It is concluded that the EU is far stronger and more cohesive than the OSCE. While it is true that the former encroached the turf of the OSCE in the region, eventually leading to functional overlap and competition, it has also frequently come to rescue what the OSCE had trouble stemming alone given its weaknesses.

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Introduction

In Central Asia, various international institutions (organizations, conventions, regimes…) help forge common action against problems such as terrorism, illegal border crossings, inter-group tensions, human rights violations and water scarcity. Examples include the Shanghai Cooperation Organization (SCO) and the Interstate Commission for Water Coordination (ICWC). Despite numerous declarations of intent with lofty aims announced with great fanfare to excite donors and local publics, the implementation of joint agreements often remains poor. Roy Allison has labelled such initiatives with no or little outcomes "pseudo regionalism."[1]

Beyond the usual suspect "lack of political will," this unsatisfactory state of affairs also hinges on institutional design. Strong institutions such as robust organizations equipped with substantial resources (money, staff, expertise…) and bureaucratic leeway may partially implement themselves or provide significant incentives for host states to comply. This is less so with organizations commanding smaller resources – let alone conventions or regimes not exhibiting agency in the first place. As virtually all organizations in Central Asia cooperate with one another, this raises the question of the nature of their relationships in terms of overlap, division of labor, competition or mutual support.

This Policy Brief examines regional engagements of the Organization for Security and Co-operation in Europe (OSCE) and the European Union (EU). This dyad is crucial given their intersecting tasks in Central Asia, a communality of policy objectives, and largely overlapping memberships. In fact, all EU members are participating states of the OSCE. What these organizations accomplish and how they interact have gained momentum since the second EU Central Asia Strategy of June 2019 advocates closer cooperation with the OSCE, "including at the local level."[2] This comes at a time when both organizations face poor compliance in Central Asia, particularly with democracy and human rights standards – increased adherence in Uzbekistan since 2016 being a notable exception. The present paper depicts the key functions of each organization in Central Asia, explores their relationship, and draws a number of policy implications.

The OSCE and the EU in Central Asia

Pál Dunay described Central Asia as the "best customer" of the OSCE.[3] In the wake of the Tajik civil war 1992-97, the organization engaged in post-conflict rehabilitation and promoted the return of refugees.[4] In June 2010 following ethnic violence in southern Kyrgyzstan, it instigated a third-party-supported process to ease inter-ethnic dialogue.[5] The OSCE High Commissioner on National Minorities (HCNM) has visited the region on several occasions. Police projects strive for greater confidence and inter-communal tolerance. Many OSCE programs in the region are capacity-building and hence follow a long-term approach. Election monitoring and projects for strengthening the media have also been implemented. The OSCE engages with state agencies, but likewise with civil society

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1 Roy Allison, "Blockaden und Anreize: Autoritarismus und Regionale Kooperation", Sonderheft Machtmosaik Zentralasien: Traditionen, Restriktionen, Aspirationen", *Osteuropa* 57, no. 8-9 (2007): 263.

2 European Commission, *Joint Communication to the European Parliament and the Council. The EU and Central Asia: New Opportunities for a Stronger Partnership*, 2019.

3 Pál Dunay, "The OSCEs of Central Asia", *Central Asian Survey* 36, no. 3 (2017): 300-312.

4 Zarifī Hamrokhon, *Tajikistan and the OSCE Regional Security System* (Dushanbe: Irfon, 2013), 213.

5 Organization for Security and Co-operation in Europe, *Mediation and Dialogue Facilitation in the OSCE*, Reference Guide, 2014 http://www.osce.org/secretariat/126646, 20.

organizations. Border-related activities[6] and strategies against terrorism, foreign terrorist fighters and human trafficking have also been developed.[7]

The EU initially provided assistance on energy, nuclear safety, transport and food production.[8] Over time additional schemes were introduced, such as the European Instrument for Democracy and Human Rights (EIDHR).[9] Partnership and Cooperation Agreements (PCA) of Central Asian states with the EU cover areas such as trade, investment and economic cooperation, but likewise include institutionalized political dialogues.[10] In 2002, a Strategy Paper of the Commission mentions "spill-over of the Afghan war,"[11] which aggravated the EU's security interest in the region.[12] As a consequence, the EU Border Management Program for Central Asia (BOMCA) was established.[13] In June 2019 the Council adopted the second EU Central Asia Strategy (the first being from 2007). Regional cooperation among the Central Asian states should be enhanced, with the EU as "a natural supporter of their regional cooperation efforts."[14]

Evolving functions of both organizations in the region came to intersect particularly in the areas of conflict prevention, border management, rule of law, media freedom, civil society empowerment and generally human rights. Since the early 1990s, the OSCE has acquired considerable security expertise in Central Asia through its field missions, while the EU was a late comer in this regard – though one with full pockets: Over time it became the biggest donor in the region. To employ its expanding mandate, Brussels made an effort to soak up required but non-existing expertise particularly from the OSCE with a task profile similar to what the EU envisioned.[15] Functional overlap over time led to complaints in Vienna about the EU encroaching the OSCE's turf.[16]

Despite their communality of objectives, overlapping functions and memberships, the two organizations differ notably in terms of institutional design. Whereas the EU with its security and stabilization acts *beyond* member-state territory, the OSCE embodies a system of cooperative security addressing security challenges *within*. The latter thus has greater difficulty in taking decisions as these affect participating states themselves. This is further aggravated by the strict consensus imperative: OSCE decisions on opening a mission and extending its mandate (at short intervals) must be approved by all 57 participating States, including the host state,

6 Roman Makukha, Penny Satches Brohs and Jonathan Trumble, "Borders and Borderlands: Working across the lines that divide us in Central Asia," in IFSH (ed.), OSCE Yearbook 2013 (Baden-Baden: Nomos, 2014), 85.

7 For comprehensive overviews of the OSCE in Central Asia see: Steve Schlegel, *International organizations and state failure prevention: The dilemma of the OSCE operations in Kyrgyzstan and Tajikistan*, 1998-2017 (Baden-Baden: Nomos, 2019); and Dunay, "The OSCEs", *Central Asian Survey*.

8 Daniel Harangozó, "New Partners, Old Dilemmas: The EU and Central Asia", in *Regional and Bilateral Relations of the European Union*, 139; see also European Commission, TACIS Annual Report 1994, 1995 ed., https://core.ac.uk/download/pdf/10591971.pdf.

9 Fabienne Bossuyt, "The EU's and China's development assistance towards Central Asia: low versus contested impact," *The Journal Eurasian Geography and Economics* 59, no. 5-6 (2019), 5.

10 With Turkmenistan a PCA has been signed, but did not enter into force yet.

11 Quoted from Julian Plottka, "One size fits none: Is there a regional approach to Central Asia?" *L'Europe en Formation* 1, no. 375 (2015), 128.

12 Bossuyt, "The EU's and China's development," 6. See also Epkenhans, footnote 31, 212,

13 Harangozó, "New Partners," 140.

14 For a comprehensive overview of the EU in Central Asia see Olga Alinda Spaiser, *The European Union's Influence in Central Asia: Geopolitical Challenges and Responses* (Lanham et al.: Lexington, 2018).

15 Peter van Ham, "EU-OSCE relations: Partners or rivals in security?" in *The European Union and International Organizations*, ed. Knud Erik Jørgensen (Abingdon: Routledge, 2009), 140.

16 Alyson J.K. Bailes, Jean-Yves Haine and Zdzislaw Lachowski, "Reflections on the OSCE-EU Relationship," in: IFSH (ed.), OSCE Yearbook 2007 (Baden-Baden: Nomos, 2008), 67-68.

in the Permanent Council.[17] Besides, available financial resources differ profoundly. The EU's Multiannual Indicative Programmes for Central Asia in the current period 2014-2020 (including a regional component and bilateral assistance) provide about €143mn per year.[18] This amount is yet to rise within the next Multiannual Indicative Programmes starting in 2021. By contrast, the OSCE has spent merely €20mn per annum of its Unified Budget for Central Asia between 2014 and 2019.[19] The Unified Budget is generally shrinking in real terms given the zero nominal growth policy imposed by several participating states wishing to keep the OSCE civil service on a short leash. Overall, the EU's external relations staff with significant administrative resources and a heap of money stands in sharp contrast to the OSCE administration which must be considered one of the world's weakest international bureaucracies.[20]

OSCE-EU Interaction and Host-State Resistance

OSCE-EU cooperation has grown over time – including in Central Asia. Since the early 1990s, staff of both organizations developed field-level contacts. In 1999 the OSCE adopted the "Platform for Co-operative Security," and in 2002 the Annual Security Review Conference (ASRC) to develop relations and consult with other organizations. In the early 2000s, the EU issued several documents calling for greater cooperation with the OSCE, particularly in conflict prevention where its knowledge was still insufficient.[21] In 2006, participation of the EU in the OSCE had been formalized.[22] The Delegation of the EU to the International Organizations in Vienna usually coordinates the position of all EU members within the OSCE. It participates in all proceedings unless they are beyond the EU's scope. If there is consensus among EU members, the Delegation may even speak on behalf of all. The EU has generally significant leeway to coordinate its policies within the OSCE.[23] In December 2018, the first OSCE-EU annual high-level meeting was held, supposed to improve institutional interaction and co-operation. In financial terms, in 2015 the EU members contributed to more than two thirds of the OSCE's Unified Budget.[24] And the EU Commission has also become a major provider of extra-budgetary funding for OSCE field work.

In host countries, the Heads of OSCE field missions coordinate with EU Delegations. The OSCE also concludes Memoranda of Understanding and cost-sharing agreements to specify the scope of bilateral cooperation

17 Using their vetoes against a prolongation of field mission mandates, in 2009 Russia forced the OSCE to close its Border Monitoring Mission in Georgia, and in 2016 the Azeri government provoked the closure of the OSCE Office in Baku.

18 Daniel Harangozó: New Partners, Old Dilemmas: The EU and Central Asia, in: Regional and Bilateral Relations of the European Union, 141-142.

19 OSCE Annual Reports 2014 (p. 104) and 2019 (p. 97).

20 Knill Christoph, Steffen Eckhard and Stephan Grohs, "Administrative Styles in the European Commission and the OSCE Secretariat: Striking Similarities Despite Different Organizational Settings," *Journal of European Public Policy* 23, no. 7 (2016), 2, 6.

21 Examples are the "EU Programme for the Prevention of Violent Conflicts" of June 2001 and the Council conclusions on "EU-OSCE cooperation in conflict prevention, crisis management and post-conflict rehabilitation" of 2003.

22 Within the "Rules of Procedure" which have been adopted in November 2006 by OSCE Ministers. See Organization for Security and Co-operation in Europe, *Rules of procedure of the organization for security and co-operation in Europe*, Ministerial Council, 2006 ed., https://eeas.europa.eu/sites/eeas/files/rules_of_procedure_en.pdf.

23 Niels van Willigen and Joachim Koops, "The EU's Relationship with NATO and OSCE" in *The SAGE Handbook of European Foreign Policy*, eds. Knud Erik Jørgensen, Åsne Kalland Aarstad, Edith Drieskens, Katie Verlin Laatikainen and Ben Tonra (London: Sage, 2015), 742.

24 Laurence Boisson de Chazournes and Andrzej Gadkowski, "The External Relations of the OSCE," in *The Legal Framework of the OSCE*, eds. Mateja Steinbrück Platise, Carolyn Moser and Anne Peters (Cambridge: Cambridge University Press, 2019), 207.

and related commitments.[25] In mid-2004 both organizations started a number of joint programs in Central Asia with a focus on human rights.[26] EU members have been particularly active in financing activities of the OSCE's Office for Democratic Institutions and Human Rights (ODIHR).[27] Currently, the two also cooperate on a project aimed at ensuring the security and safety of Tajikistan's southern border region with Afghanistan.[28] Besides cooperation the EU contributes to the funding of several OSCE implemented extra-budgetary projects. For example, Brussels supports ODIHR in developing national electoral and human rights institutions.

As governance providers in Central Asia, both organizations face profound difficulties – above all the OSCE. In anti-corruption, governments predominantly pay merely lip service, rather than engaging in substantial reform.[29] Tajikistan and Kyrgyzstan are generally making large efforts at providing just façades to tap donor resources.[30] Particularly during the past years more stable and confident host states have exerted increasing pressure on OSCE field missions aimed at curtailing its human rights, democratization and civil society empowerment mandates.[31] In security sector reform, given its poor funding and strong resistance of host states, the OSCE's efforts are seen as "rather dim."[32]

During the 2000s there was general resentment against the OSCE's alleged bias towards these fields of action.[33] By the middle of the decade, Central Asian foreign ministries demanded to oversee all OSCE Centre's contacts with political actors and make a great portion of OSCE activities conditional on their consent. As a consequence, in July 2006 the OSCE Centre in Tashkent had been downsized to a project co-ordination office with diminished authority in fostering reform.[34] The Tajik government also restricted the organization's field-level scope of action. Kazakhstan had likewise insisted to change the mandate of its OSCE Mission. As one result, from 2015 onwards the latter can no longer engage in trial monitoring.[35] More recently in September 2016, the Kyrgyz government demanded the OSCE Centre in Bishkek to be downgraded to a Program Office with fewer competences, which took effect in January 2017.[36] Although the EU enjoys greater

25 Ibid, 202-207.

26 *van Ham*, "EU-OSCE," 144.

27 Peter van Ham, "EU, NATO, OSCE: interaction, cooperation and confrontation," in *European Security in Transition*, eds. Gunther Hauser and Frank Kernic (Aldershot: Ashgate, 2006), 29.

28 OSCE Annual Security Review Conference, *"Working Session IV: EU Statement on "Making a difference on the ground: The OSCE´s role in early warning, conflict prevention, crisis management, conflict resolution and post conflict rehabilitation,"* https://eeas.europa.eu/sites/eeas/files/asrc_working_session_iv_eu_statement_on_making_a_differnce_on_the_ground.pdf, 3.

29 Interview with OSCE staff from Central Asia, July 2020.

30 Correspondence with Pál Dunay, July 2020.

31 Karolina Kluczewska and Shairbek Dzhuraev, "The EU and Central Asia: The Nuances of an 'Aided' Partnership" in *Managing Security Threats along the EU's Eastern Flanks. New Security Challenges*, ed. Rick Fawn (Cham: Palgrave Macmillan, 2020), 226.

32 Jos Boonstra, Erica Marat and Vera Axyonova, "Security Sector Reform in Kazakhstan, Kyrgyzstan and Tajikistan: What Role for Europe?" EUCAM Working paper 14 (EUCAM, 2013), 15.

33 Criticism had been particularly voiced against the Office for Democratic Institutions and Human Rights (ODIHR) in Warsaw which is responsible for democracy-promotion, including election monitoring, and enjoys comparatively great bureaucratic leeway *vis-à-vis* participating States.

34 Tim Epkenhans, "The OSCE's Dilemma in Central Asia," in IFSH (ed.), OSCE Yearbook 2006 (Baden-Baden: Nomos, 2007), 220; Farkhod Tolipov, "The OSCE in Central Asia: Victim of geopolitics or promoter of democracy? A view from Uzbekistan," Central Asia Policy Briefs, OSCE Academy in Bishkek, http://osce-academy.net/upload/file/Policy_Brief_26.pdf, 8-9.

35 Interview with OSCE staff from Central Asia, July 2020. Trial monitoring is a mechanism enshrined in the CSCE Copenhagen Document of 1990 according to which the institution may observe and gather information on court hearings and procedures to assess their compliance with fair trial standards.

36 Kanykey Bayalieva-Jailobaeva, "What to make of OSCE's status downgrade in Kyrgyzstan", in: New Eastern Europe," *New Eastern Europe*, November 30, 2016 https://neweasterneurope.eu/2016/11/30/what-to-make-of-osce-s-status-downgrade-in-kyrgyzstan/.

leverage, it has likewise lost traction during the past years.[37] Host state resistance has been fueled by competing governance providers, Russia and China in particular, channeling substantial support while disregarding liberal-democratic commitments.[38] One remarkable exception is Uzbekistan since 2016. With the tenure of new President Shavkat Mirziyoyev, Tashkent has become significantly more committed to implementing OSCE priorities and principles.[39]

By and large poor compliance raises the question of how the two organizations should shape their mandates and interact with one another to improve reform outcomes. Given its structural weakness, the OSCE has largely failed to engage Central Asian leaders in critical dialogues.[40] Warkotsch laments “the OSCE’s ineffectiveness in providing tangible material and political incentives.”[41] While the EU has likewise been depicted as a weak norm promoter in the region,[42] compared to the OSCE it does enjoy superior leeway given lesser decision-making constraints, greater resources, and a number of significant incentives. Indeed, Central Asia falls within the “transformation beyond enlargement” category, i.e. absent a membership perspective as a carrot for compliance. Yet potential incentives remain to be tapped, such as easing visa restrictions for select countries. Also, as the region’s largest trading partner the EU – unlike the OSCE – has significant clout through conditioning existing trade access of Kyrgyzstan, Tajikistan and Uzbekistan to the EU market.[43] And with Kazakhstan an Enhanced Partnership and Cooperation Agreement (EPCA) entered into force in March 2020 comprising topics such as cooperation in human rights, democratization, the rule of law, and strengthening the role of civil society. Being the largest investor and lender to Kazakhstan gives the EU also leverage. While the annual human rights and security dialogues introduced in 2012 between the EU and each Central Asian government may have produced better results indeed,[44] they could be boosted up provided that the EU’s available carrots become stricter conditioned on progress in these dialogues and elsewhere. Yet the example of Turkmenistan, least benefiting from EU assistance in Central Asia but still most reform-resistant, shows that conditionality is difficult to apply effectively, particularly when a host is endowed with a wealth of natural resources or if external authoritarian actors with ample resources such as China step in. At the positive extreme, Uzbekistan demonstrates that new generations of leaders can unleash significant domestic change and make host states way more responsive to donor schemes for reform.

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37 Kluczewska and Dzhuraev, “The EU and Central Asia,” 233.

38 Ibid, 233.

39 Correspondence with Pál Dunay, July 2020.

40 Vladimir Shkolnikov, “Missing the big picture? Retrospective on OSCE strategic thinking on Central Asia,” *Helsinki Monitor* 20, no. 4 (2009).

41 Alexander Warkotsch, “The OSCE as an agent of socialisation? International norm Dynamics and political change in Central Asia,” *Europe-Asia Studies* 59, no. 5 (2007).

42 E.g. Igor Savchenko, Andrii Osavoliuk, Kateryna Savchenko, “EU Human Rights Promotion in Central Asia - Between the Dragon and the Bear,” The Wilfried Martens Centre for European Studies, https://martenscentre.eu/sites/default/files/publication-files/ces_policy_brief_-_between_the_dragon_and_the_bear-web-final2.pdf; and Alexander Warkotsch and Richard Youngs, “The limits of EU democracy support: Central Asia and the Gulf Cooperation Council,” in *The European Union’s Broader Neighbourhood: Challenges and opportunities for cooperation beyond the European Neighbourhood Policy*, eds. Sieglinde Gstöhl and Erwan Lannon (London: Routledge, 2011), 192-195.

43 Through the Generalised Scheme of Preferences.

44 Jos Boonstra and Tika Tsertsvadze, “Implementation and review of the European Union-Central Asia Strategy: Recommendations for EU action,” European Parliament, Policy Department, Directorate-General for External Policies, www.europarl.europa.eu/RegData/etudes/IDAN/2016/535019/EXPO_IDA(2016)535019_EN.pdf, 4-6.

Conclusions

OSCE-EU relations in Central Asia are highly unequal in favor of the latter which is by far stronger and more cohesive than the former. The EU encroached on the turf of the OSCE in the region, eventually leading to excessive functional overlap. Yet the relationship cannot be cast in terms of competition and institutional proliferation alone. Given the OSCE's critical underfunding and understaffing, the EU and individual members – representing half of participating states – have frequently come to rescue by way of duplication, subcontracting and extra-budgetary funding, whereof the five hosts and other participating states are skeptical, particularly democratization and human rights. It is no coincidence that the EU reiterates this in its 2019 Central Asia Strategy, calling for cooperation to promote "the principles and commitments of the OSCE" and to "support its field missions."

Given the aforementioned EU strengths it would be misleading to conclude that the OSCE is redundant, however. Its design as a system of cooperative security to which the Central Asian states *belong*, instills a degree of ownership that the EU as an external actor is incapable of generating. This insight is in line with one key finding of the transformation literature that external actors cannot sustainably achieve transformation against the will of host governments. The latter must be convinced that adhering to norms and values not claimed by autocratic external actors offers considerable socio-economic advantages – rather than being coerced into conduct unlikely to endure. Both organizations should make abundantly clear in the five capitals that reliance on autocratic governance providers comes with substantial costs. Particularly the case of China demonstrates that regional unrest has significantly risen over non-transparent assistance schemes sharply contrasting Beijing's "win-win" rhetoric, insufficient sustainability, sometimes excessive debt levels, or money bought silence over religious repression of ethnic Kazakhs and Kyrgyz in China.

Recommendations

- Although EU members are generally more uniform than OSCE participating states as a whole, the former should further enhance their policy coherence in Brussels and Vienna.
- In tandem, regional OSCE/EU efforts should be guided by greater strategic vision, particularly utilizing the annual high-level meetings between the two organizations jumpstarted in 2018.
- Based on their added values, the OSCE and the EU should choose from their combined menu of strategies comprising persuasion, material incentives, and well-dosed pressure, and shape their inter-organizational relations accordingly.
- In dialogues with host states it should be clearly spelt out that adherence to liberal-democratic norms offers considerable socio-economic advantages, whereas dense interaction with autocratic governance providers often comes with major disadvantages.