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UNISCI Discussion Papers

MATCHING WORDS WITH ACTIONS: RUSSIA, CHECHNYA AND THE OSCE – A RELATIONSHIP EMBEDDED IN AMBIGUITY

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Introduction

The post-Cold War instability in the former Soviet space allowed an enlarged involvement of the Organisation for Security and Cooperation in Europe (OSCE) as a promoter of dialogue and confidence in the area. Focusing on conflict prevention, crisis management and post-conflict rehabilitation as preferential areas of activity and embracing 55 states, the OSCE is the widest European security organisation, usually described as ranging from Vancouver to Vladivostok. This enlarged membership, including all former Soviet republics, has made it a privileged forum to address problems in the area, particularly through the deployment of field missions.

The organisation's activity in the former Soviet space is affected by the Russian positioning within and towards the organisation. While the OSCE has to promote its own principles and conciliatory procedures it also has to conciliate these principles, to which Russia became committed, with Russian aspirations and national interests, which in several instances have become irreconcilable goals.

This article aims at analysing the OSCE-Russia relationship in the context of the Chechen problem, addressing its cooperative versus competitive dimensions and framing it in the broad formulation of Russian policy. To which extent is the OSCE role in the area strengthened or downgraded by the Russian Federation? Does the OSCE in some way constrain Russian actions in Chechnya, a self-proclaimed republic within the Russian Federation? How does the balancing of commitments and interests takes place? In searching answers for these questions, this article envisages to shed light on the complex OSCE-Russia relationship, particularly with regard to the Chechen problem, suggesting possible ways ahead.

¹ *Las opiniones expresadas en estos artículos son propias de sus autores. Estos artículos no reflejan necesariamente la opinión de UNISCI.* The views expressed in these articles are those of the authors. These articles do not necessarily reflect the views of UNISCI.



1. The “ups-and-downs” of a complex relationship

The Russian position within and towards the OSCE has been ambiguous. Russia has at times been cooperative and sought the strengthening of the OSCE, to the extent of expecting to raise the organisation's status to that of primacy among other international organisations (particularly to the detriment of NATO). At other times, Moscow has revealed distrust for a powerful OSCE and has limited the organisation's reach and decision-making power. This ambiguity has been clear with regard to the OSCE activities in the former Soviet area, and in particular pertaining the organisation's involvement in Chechnya. Politico-military, strategic and economic considerations sustain the Russian position. In addition, the formulation of Russian domestic and foreign policy directly impacts in its relationship with the OSCE, either strengthening the organisation or blocking its activities.

At Istanbul in 1999, the OSCE states adopted the “Charter for European Security”², understood as the “backbone” of the organisation. Resulting from a Russian suggestion, it should contribute to the development of civil societies based on common values and a comprehensive understanding of security, setting the OSCE competencies and potential in the alphabet soup of European organisations. However, Russian military intervention in Chechnya in 1999 and the violent combats that followed raised concerns in the west as regards the proclaimed democratic orientation of the Russian Federation as well as of its peaceful efforts to resolve disputes. Moreover, at the same meeting much “inventive diplomacy” and long hours of negotiation were needed for Russia to accept the OSCE right of intervention, in particular as regards Chechnya. This bargaining demonstrates how easily Moscow dismisses western criticism and how the western unwillingness to impose sanctions on the Russian Federation reveals the limited western ability to affect the policies of strategically relevant states.

The 11 September 2001 terrorist attacks in the United States have had wide repercussions, particularly regarding the global fight against terrorism. Russia was not an exception, and very much welcomed this international effort, offering its contribution and finding here legitimacy to its interventionist approach in the Chechen affair. In this context, Foreign Minister Igor Ivanov argued the OSCE was entering a new phase and that it “should play a far more prominent role in the security architecture of Europe and find adequate answers to the current security threats, mainly terrorism and organised crime”.³ However, Ivanov clarified that the OSCE could only be effective if it took into account the interests of all participating states, criticising selective approaches as undermining the basic principles of the organisation's functioning. In January 2004, the OSCE-Russia relationship was described as “frosty”. While Russia accused the organisation of double-standards regarding the way it treated the issues as “west of Vienna or east of Vienna”, the OSCE states increasingly blamed Moscow for not complying with its obligations, making it largely responsible for the organisation's inability to resolve a number of long-lasting problems.

The lack of consensus on a final document at the last two Ministerial Meetings of the OSCE (Maastricht in December 2003 and Sofia in December 2004) owing to Russian intransigence over the inclusion of any allusion to its unfulfilled commitment of withdrawing Russian military forces from Moldova and Georgia, is an example. Moscow's intransigence, particularly in the case of Georgia, relates to Russian complaints about Chechen terrorist

² *OSCE Charter for European Security*, Istanbul, SUM.DOC/1/99, November 1999.

³ “OSCE: Security issues dominate meeting between Mr. Ivanov and Mr. Geoana in Moscow”, OSCE Press Release, 23 October 2001.



operations being conducted from its neighbour country, despite Georgian claims against such accusations. By not allowing the adoption of a political document at the most important yearly meeting of the organisation, the Russian Federation has clearly shown the disregard for the OSCE every time the adoption of a decision within its institutional framing might directly impinge upon its interests. However, “the objective of defusing divisions among participating states should not be achieved at the expense of downgrading monitoring standards or softening existing OSCE commitments”.⁴

Nevertheless, and despite the rhetoric, Russian representatives continued to affirm their support to the OSCE, regarding the organisation as “an indispensable pillar of the new all-European security architecture, with common values and norms of behaviour for all states”.⁵ Contradictory statements and positions which render further complexity to an already complex relationship. The “Russian malaise” within the OSCE has been clear, as demonstrated by the gradual downgrading of the organisation within Russian politics, matched by the reverse affirmation of Russian interests and of a powerful image of the country, incarnated by President Vladimir Putin: the realist, pragmatic and sometimes assertive character of the Kremlin’s politics at work. The main criticisms pertain the OSCE’s concentration on the Caucasus and Central Asia as well as the organisation’s inefficiency and appliance of double standards. Thus, the pragmatism associated to the Putin administration has not been enlarged to the Russia-OSCE relationship, which continues to suffer from the “love-hate” dichotomy, as made clear in the Chechen affair.

Despite not being an independent republic in the former Soviet area, Chechen secessionism within the Russian Federation means a source of instability in the already unstable Caucasus. Eliciting a repressive reaction from Moscow, accompanied by measures to appease the international community, such as allowing OSCE involvement, the case of Chechnya is a good example of how the ambiguities in the OSCE-Russia relationship affect and are a reflex of the difficulties in bridging commitments and interests.

1.1. Chechnya, Russia and the OSCE

In 1991, Dzhokar Dudayev and his supporters seized power in the republic of Chechnya by military means. The Russian government never recognised the Chechen independence or the election of Dudayev as Chechnya’s President (October 1991) and ultimately intervened in the republic to restore order, leading to the outbreak of armed conflict in December 1994. Between 1994 and 1996 Russian military and Chechen separatists were involved in violent combats. Besides intending to avoid the success of the separatist attempt, the Russian incursion in the republic had two main goals: the desire to control Caucasian oilfields and pipeline routes (especially in the oil rich and industrialised Sunzha valley), and a way of diverting attention from internal politics. The Chechen rebels pursued independence from the Russian Federation as a nationalist goal against a mal-functioning administration and with the aim of ameliorating the general living conditions in the republic.

⁴ Victor-Yves Ghébal, “The Russian factor in OSCE crisis: A fair examination”, *Helsinki Monitor*, Vol. 16, No. 3, 2005, p. 187.

⁵ “Russian Federation is ‘strong advocate’ of OSCE cause”, Interview with Alexander Alekseyev, Head of Delegation of the Russian Federation to the OSCE from August 2001 to early 2004. *OSCE Magazine*, Vol. 1, No. 2 (May 2004), p. 17.



It was in this context of instability that the OSCE states decided in April 1995 on the deployment of the Assistance Group to Chechnya, with Russian consent.⁶ The OSCE mandate included two main dimensions involving human activities and a crisis management role. The Group was entrusted of promoting respect for human rights and fundamental freedoms, fostering democratic institutions and processes, assisting in the preparation of possible new constitutional arrangements and monitoring elections, ensuring the safe return of refugees and displaced persons, and facilitating the delivery of humanitarian aid. As concerns its crisis management role, the OSCE Group would become engaged in mediation activities together with the Russian Federation and the local authorities aiming at the promotion of a peaceful resolution of the crisis and the stabilisation of the situation. This should be accomplished through dialogue, respect for the territorial integrity of Russia and in accordance with OSCE principles. In the pursuit of its tasks, the Group would enjoy freedom of movement and be allowed to freely establish relations with civilian and military representatives as well as individual members wishing to contact the Group.

The OSCE Group in Chechnya faced many restraints to its actuation, derived both from endogenous and exogenous factors. Inner constraints relate to the proper functioning of the mission in the field, with a strength of six people and a broad mandate to implement. In addition, not always the relationship between the mission members and the local authorities as well as with the Russian Federation was positive, rendering its work more difficult. Misinterpretation of the mission's mandate, and personal threats to OSCE officers, including attacks against the Group's premises in Grozny in the fall of 1995 and in August 1998, are example. These led to the Group's withdrawal from Chechnya in view of the high level of insecurity, which prevented the mission from pursuing the tasks envisaged in its mandate. This latent tension was evinced in the parties' perceptions about the OSCE's involvement.

At first the Chechen authorities demonstrated satisfaction with the Assistance Group's activities, expressing interest in the support the Group could offer with regard to post-conflict rehabilitation, in particular the reconstruction of the economy and infrastructures, and the training of public officials. However, soon this positive attitude gave place to harsh criticism. While the Chechens welcomed the OSCE presence as a way of internationalising their cause, they criticised the organisation for supporting a solution which respects the territorial integrity of the Russian Federation, thus not precluding independence for the region. Moreover, the OSCE's lack of visible action and of clear criticism towards Russian human rights violations in the republic has enraged the Chechen leadership.⁷ In 1997 the OSCE personnel was ordered out of the republic by the Chechens, after the Head of the OSCE Group, Tim Guldiman, having made a comment about Chechnya still being part of the Russian Federation. A tense situation that worsened with the resumption of armed hostility in 1999, not guaranteeing safety conditions for the mission members.

The second Chechen war, as it became known, implied more difficulties to the OSCE involvement. While during the first war, the OSCE facilitation and mediation efforts produced visible results, the same cannot be said after 1999, with increasing constraints being placed on the organisation's decision-making and implementation efforts, particularly by Moscow. For example, in the summer of 1995 the OSCE was successfully involved in the negotiations for the release of over a thousand people in Budenovsk, made hostages by the Chechen rebel

⁶ 16th OSCE Permanent Council (PC) Meeting, PC.DEC/35, 11 April 1995; 14th PC Meeting, PC.DEC/31, 29 March 1995.

⁷ Roman Khalilov: "A Deadly Silence", in <http://www.ichkeria.org/a/2002/2/com2702-en23940.html>, 27 February 2002.



Shamil Basaev in a local hospital over demands for the resumption of negotiations regarding the conflicting situation in Chechnya; or even more regarding assistance in the negotiations leading to the August 1996 Khasaviurt Agreements which paved the way for presidential and parliamentary elections in the republic. Ballots that the OSCE monitored and which reportedly were consistent with international standards, and in which Aslan Maskhadov was elected and recognised as Chechen president, including by the Russian authorities. Nevertheless, Maskhadov's inability to impose rule and order, and the chaotic situation that ensued in the republic led to Russian armed intervention in 1999, triggering a new conflict still unresolved.

The crisis management activities of the OSCE Group have thus encountered many difficulties, resulting from the limited power of persuasion of the OSCE along with reluctance from the parties to allow flexibility in their irreconcilable positions. While the Chechens demand independence, Russia refuses to confer them such status. In addition, Russia has imposed many restrictions on the OSCE's mediation role. Russian acquiescence to the deployment of the OSCE Group in Chechnya was a demonstration of the Russian desire to appease the international community while enhancing the OSCE's role in the European security framework. However, when confronted with the implementation of the mission's mandate, Russia was less cooperative, particularly after 1999. Moscow rejected the OSCE involvement in the process of conflict resolution, though the Group's mandate clearly stated its role as a mediator. Russia wanted the OSCE Group to concentrate on the distribution of humanitarian aid and the resettlement of refugees, leaving aside the political settlement of the conflict.

Repeated calls both from the Assistance Group and from the OSCE headquarters for the ceasing of hostilities, the conduct of negotiations and the finding of a political solution to the conflict have met Russian resistance. While negotiations with Chechen officials have taken place, Moscow continues to argue that the separatists are terrorists and that unless they surrender their armaments there cannot be a solution. "I would like to stress here that a lasting peace in the Chechen republic and so-called peace talks with the bandits are not the same thing, and I would ask everyone to make no mistake about that. There will be no talks with bandits and murderers. We want peace and a political solution to the situation in Chechnya. To achieve this, there has to be complete elimination of the gangs, eradication of the terrorists or their prosecution".⁸ Later, this idea was reinforced. Nikolai Britvin, Deputy Representative for Southern Russia argued that "those people, including the OSCE, who are talking today about the necessity for political dialogue with the insurgent leaders are either short-sighted or have ulterior motives".⁹ According to Russian Foreign Ministry sources, "the OSCE can play a certain positive role in resolving the [Chechen] conflict, but only after the 'anti-terrorist' operation in Chechnya has been brought to a successful conclusion".¹⁰ For the Russian government, the Chechen issue is an internal matter; international mediation between a state and one of its "subjects" does not make sense. It is fighting terrorism in Chechnya as it would in any town in the Russian Federation. September 11 further added to these claims, perpetuating the discourse. Defence Minister Sergei Ivanov has argued that "whoever hopes we will start negotiations, let them go and start negotiating with Osama bin Laden or Mullah

⁸ Boris Yeltsin's speech at the OSCE Istanbul Summit, 18 November 1999.

⁹ *OSCE Newsletter*, Vol. 9, No. 2, February 2002, p. 17.

¹⁰ "Moscow equivocal on OSCE Chechen role", *Radio Free Europe/Radio Liberty (RFE/RL)*, 24 November 1999.



Omar". A statement further sustained by Putin's remark that "Russia does not negotiate with terrorists; it destroys them".¹¹

Despite Russian claims, given the proportions the conflict has assumed, namely the displacement of thousands of Chechens, the OSCE considers the situation a matter of international concern, as evinced in Istanbul and other meetings, where Russia was not spared criticism. The OSCE states clearly condemned all forms of terrorism, but underscored the need for respecting OSCE norms, particularly with regard to international standards on human rights and humanitarian law. Moreover, the OSCE has repeatedly asked its member states not to use the fight against terrorism as an excuse for human rights violations. If Russian goals of fighting terrorism are legitimate, the means are by far exceeding the needs, which has been a cause of concern for the international community. Nevertheless, despite repeated appeals for the cessation of violence and violations in Chechnya, the international community has remained mostly inactive. Pressure over Moscow should focus not only on human rights, but also encompass concrete measures, such as economic sanctions while these infringements persist. However, the west does not seem willing to put real pressure on Moscow, opting instead for a minimal commitment relationship where a good understanding with Russia is understood as best serving everyone's interests. "Even during the first war against Chechnya in 1995, the west routinely transferred billions of dollars and practically paid for the military operations – a capital political mistake and a crude moral violation".¹²

Despite this western posture, Moscow has charged the OSCE states, including western countries, of applying double-standards, i.e. of addressing similar issues with different tools. "The functional and geographical imbalances of OSCE activities are no longer acceptable to Russia, nor are the double standards in relation to the problems of Chechen terrorism and terrorism in other regions of the world".¹³ However, this double standards matter also applies to Moscow, which has been playing the OSCE card at its will, making the bets according to its own interests. The adoption within the OSCE framework of the Code of Conduct on Politico-Military Aspects of Security¹⁴ and its almost immediate violation by Russia is an example of how Russia gambles with the OSCE, not always in a positive sense.

Only a few days after the adoption of the document, Russia invaded Chechnya, clearly violating the provisions contained in paragraph 36.¹⁵ The Code sets the principles guiding the role of the armed forces in democratic societies and ruling relations among states in the military field, thus making the link between the politico-military sphere and the normative standards of the human dimension of the OSCE. It should be understood as a monitoring and investigative instrument to uncover violation of the OSCE principles, since non-compliance may indicate an uncooperative spirit, as in the case of the Russian intervention in Chechnya. Russia justified intervention as the normal processing of OSCE principles. According to the Russian arguments, the Code allowed states not to tolerate armed criminal gangs operating within their territory outside of the regularly constituted authorities. From the moment these forces ran out of the control of the Chechen authorities, then the resort to armed force was

¹¹ Ivanov and Putin cited in Dmitri Litvinovich, "Russia: the dead and the missing", *Transitions*, 10 February 2004.

¹² "The west pays and keeps silent", *Sueddeutsche Zeitung*, 19 October 1999.

¹³ Russian Foreign Minister Ivanov address at the OSCE 9th Ministerial Council, Bucharest, 4 December 2001.

¹⁴ "Code of Conduct on Politico-Military Aspects of Security", *Budapest Document 1994*, Budapest Decisions, chapter IV.

¹⁵ "If recourse to force cannot be avoided in performing internal security missions, each participating state will ensure that its use must be commensurate with the needs for enforcement. The armed forces will take due care to avoid injury to civilians or their property", Code of Conduct, section VIII, paragraph 36.



legitimate. According to Russian officials, since Chechnya was a Russian internal matter there was no need or reason for international involvement. The Russian interpretation revealed the appliance of the Code in a distorted way, in order not to contradict Russian interests. Due to the associated misinterpretation, the Russian positioning raised consternation, since the Code was sanctioning the violation of agreed norms and allowing the use of force as the primary means to resolve problems, which were clearly contradictory aims to those formulated in the Code.

Russian criticism has also focused on the international information with regard to the humanitarian situation in Chechnya, which carries an “automatic minus sign for Russia”.¹⁶ The OSCE has maintained pressure regarding human violations in the republic stressing these at the organisation’s meetings. However, its silent reply to Russian official comments such as “we do not need external observers” clearly demonstrates the extent to which Russia limits the OSCE involvement and action in places like Chechnya. Nevertheless, both OSCE and independent reports coming from the republic continuously stress arbitrary detentions during raids, looting, physical abuse of villagers, extra-judicial executions, beatings, torture and other barbaric and inhumane acts committed by Russian and pro-Russian forces in the republic.¹⁷

With the amelioration of conditions in the field, eventually allowing minimum security guarantees for international observers, the OSCE has maintained pressure on the Russian Federation for the return of its observers to the field. In April 2000 Russia agreed on the return of the OSCE Assistance Group to work within the framework of its 1995 mandate, with special emphasis on humanitarian projects, in collaboration with the Special Representative of the Russian President for Human Rights. The Group would also concentrate on economic and environmental problems and offered support to facilitate a political solution. Nevertheless, by the end of 2000 there were no explicit moves to allow the return of the OSCE officers. Negotiations restarted in March 2001, and the Russian Ministry of Justice was made responsible for providing the necessary security guarantees. The Assistance Group was allowed to return to Chechnya in June 2001 (to Znamenskoye, in the northern part of the country). With the aim of pursuing the principles stated in its 1995 mandate, the Group’s return was understood as a major breakthrough. In the words of Chairman Mircea Geoana, “an important phase of our effort has ended. The most difficult is yet to come. The OSCE Assistance Group stands ready to facilitate a political settlement of the crisis”.¹⁸ Once the OSCE office was reopened, the Group started receiving requests for assistance concerning missing people and engaged in the delivery of humanitarian aid, besides the implementation of projects, particularly directed at children and young people with the aim of supporting the post-conflict social, psychological and professional rehabilitation of victims.

However, despite the Russian consent to the Group’s return, Moscow has shown discontent towards the OSCE approach as “stirring up passions on the subject of the separatist republic instead of handling useful humanitarian projects”. Moreover, Russia wanted the OSCE mission to be withdrawn from Chechnya by the end of 2002, and that the Group’s activity should be confined to the coordination of humanitarian assistance, including the

¹⁶ N. P. Koshman, Deputy Chairman of the Government of the Russian Federation and its Plenipotentiary Representative in the Chechen Republic address to the OSCE Permanent Council. *OSCE Newsletter*, Vol. 7, No. 3, March 2000, p. 10.

¹⁷ “Russian Federation/Chechnya: Human rights concerns for the 61st Session of the United Nations Commission on Human Rights”, Human Rights Watch; Brian G. Williams, “Chechnya: an open wound”, *Transitions*, 31 July 2004; Alexander Cherkasov and Tanya Lokshina, “Chechnya: 10 years of armed conflict”, *Helsinki Monitor*, Vol. 16, No. 2 (2005), p. 144.

¹⁸ “OSCE back in Chechnya: A major breakthrough”, OSCE Press Release, 15 June 2001.



return of displaced persons. According to Russian sources, the political component of the OSCE Group mandate had been fulfilled in its entirety.¹⁹ The restrictions imposed on the Group's activity reveal the contradictions in Russian policy-making. While accepting the OSCE's involvement to appease the international community and possibly prevent other international organisations from taking the lead, Russia objects to a relevant role of the OSCE in the field, since it interferes directly with its activities and restrictive policies in the area.

The lack of agreement between the OSCE states and Russia on the renovation of the Assistance Group's mandate led to the cessation of its activities on 31 December 2002 (the OSCE office was closed the following March). Basically, Moscow wanted to narrow the Group's tasks, limiting its activities to humanitarian, economic and environmental issues. The Russian arguments found resistance in the OSCE consensus formula, preventing the reach of agreement and leading to the end of the Group's activities in the republic, regretted by OSCE officials. "It is important for the OSCE to have a presence in Chechnya, with a broad mandate (...). If the OSCE can continue its work in Chechnya in a way that is acceptable to all parties, this can contribute to reducing instability, insecurity and lawlessness".²⁰ A position not shared by Russian officials. In the words of Russian Foreign Minister Igor Ivanov, "the OSCE failed to assess the new reality in the breakaway republic, where the situation is returning to normal", adding that Moscow was preparing a referendum on a new constitution and new presidential elections in the Chechen republic.²¹

Showing a cooperative stance, the Russian authorities invited a team of experts from the OSCE and the Council of Europe to visit the republic and assess the preparations for the referendum, regarded as a "testimony to the openness of Russia for constructive cooperation with international organisations in Chechnya".²² Despite considering the referendum as a first step for the resolution of the conflict through political reconciliation, the OSCE drew attention to the fact that "deep scepticism" prevailed among members of civil society, not constituting a favourable indicator. With regard to the referendum's results, the OSCE was lukewarm on the vote, saying it remained uncertain whether it would bring peace, demonstrating a cautious approach.²³ The October 2003 presidential election, which the OSCE did not monitor due to the many illegalities involving the process, resulting in more than 80% of the votes favourable to Akhmed Kadyrov, the new pro-Kremlin Chechen President, seemed to point at Moscow's option for an imposed settlement.²⁴ And in fact, Kadyrov's policy of "Chechenisation" was characterised by the operation of militias and the usual brutal practices of murders, kidnaps and generalised terror. While managing to impose some order in the republic, the situation is far from "normality" and comments about the crisis belonging to the past²⁵ sound over-optimistic. The assassination of Akhmed Kadyrov on 9 May 2004 is not a good augury. By

¹⁹ Attachment to PC.DEC/454/Corr.2, Interpretative Statement by the delegation of the Russian Federation under paragraph 79 (chapter 6) of the Final Recommendations of the Helsinki Consultations/Corrected reissue.

²⁰ OSCE Chairman-in-Office Jaap de Hoop Scheffer cited in "OSCE Chairman regrets end of OSCE mandate in Chechnya", OSCE Press Release, 3 January 2003.

²¹ "Caucasus: OSCE closes Chechnya mission with little protest", *RFE/RL*, 5 January 2003.

²² "On the trip made to Russia by OSCE ODIHR and Council of Europe experts to assess preparations for a referendum in Chechnya", Ministry of Foreign Affairs of the Russian Federation, Daily News Bulletin, 4 March 2003.

²³ Preliminary Statement of the Joint Assessment Mission – OSCE ODIHR and Council of Europe – To the Chechen Republic of the Russian Federation, 3 March 2003.

²⁴ "Chechnya: elections go according to Kremlin's plan", *RFE/RL*, 6 October 2003; "Russia and Chechnya: Vote for the devil", *The Economist*, 11 October 2003.

²⁵ "Russian Federation is 'strong advocate' of OSCE cause", Interview with Alexander Alekseyev, Head of Delegation of the Russian Federation to the OSCE from August 2001 to early 2004. *OSCE Magazine*, Vol. 1, No. 2 (May 2004), p. 18.



the end of August 2004, Alu Alkhanov was elected Chechen President, in a non-transparent ballot with the tacit approval of the Kremlin. An unknown leader and submissive to Moscow, the election of Alkhanov does not promise substantial changes in the political (mis)dealings of the problem. In addition, the discourse about normalisation does not allow room for international involvement, with Moscow repeatedly stressing the war is over, and that the incidents and squeamishness taking place from time to time are just normal and falling within the competencies and experience of the local authorities.

The Chechens did not demonstrate discontent towards the ending of the OSCE activities in the republic arguing the Group was inactive and that repeated complaints from the Chechen side against human rights abuses were ignored. For example, when addressed by Chechen Foreign Minister Ilyas Akhmadov to send observers to Chechen villages attacked by Russian forces, in order to witness the level of destruction and the disrespect for human rights, the OSCE Group stayed still and remained silent. This inaction generated wide criticism. “No real-politic factors, however sound they are, can justify the fact that the OSCE and the Council of Europe, whose officers are situated less than 50 kilometres from those helpless civilians (...), refused to visit the ‘mopped-up’ towns. The international community seems to have forgotten that a silence is a tacit consent, and that a consent, even a tacit one, is still an approval”.²⁶ Comments about “[t]he myth of the OSCE presence [being] finally over – thank God”,²⁷ added to criticism. The Chairman of the Committee of National Salvation, an NGO in the republic, who argued that there is no sense in having “such a poorly functioning, invisible, inactive organisation in Chechnya”,²⁸ shared these concerns. Nevertheless, and despite the difficult conditions in the field, the OSCE has been trying to renegotiate with Russia its return. The organisation would like to engage in a long-term programme of technical cooperation, addressing the real needs of the republic, based on its expertise and experience. Talks have not produced visible results though, since Russia sees no point in a renewed involvement of the organisation due to its lack of financial means for rebuilding and rehabilitation.

The prospects for the settlement of the conflict in Chechnya are not bright. In fact, Moscow does not seem eager to grant independence, nor even a broad and encompassing autonomous status to the Chechen leadership, based on an agreement acceptable to both sides. According to Russian sources, a solution will only be possible through the establishment of local institutions according to the approved Constitution, the conferring of dynamism on the economy, reducing unemployment (above 70%) and poverty, and restructuring basic infrastructures to allow normality in daily life. The situation has changed and as most of the population is willing for peace, though a difficult and slow process, including corruption and other illicit activities that thwart progress, Russia will find the necessary grass roots support for the implementation of the principles and processes overwhelmingly approved by referendum in the republic.²⁹ Therefore, the Russian position remains inflexible with regard to eventual negotiations with the secessionists on the framing of an open dialogue and the consideration of different options at the negotiations table. The elimination of Maskhadov is an evidence of this approach. The imposed solution remains on the top of the agenda. The existence within the Russian Federation of many groups seeking autonomy might justify the

²⁶ Khalilov, *op. cit.*

²⁷ “Caucasus: OSCE closes Chechnya mission with little protest”, *RFE/RL*, 5 January 2003.

²⁸ Ruslan Badalov, Chairman of the Committee of National Salvation cited in “Caucasus: OSCE closes Chechnya mission with little protest”, *RFE/RL*, 5 January 2003.

²⁹ Interview with Dmitry Sokolov, Political Counselor to the Russian Ambassador, Embassy of the Russian Federation, Lisbon, 25 February 2005.



Russian hard stance in order not to open precedents encouraging secessionist movements impossible to keep down afterwards.

The OSCE efforts at the settlement are limited. The political character of the organisation's decisions and its non-enforcing nature mean the OSCE Group might facilitate the conduct of dialogue, but has no concrete ways of pressuring the parties for reaching an agreement and for assuring compliance with the agreed measures. Probably only in the face of mutual exhaustion of the parties could the OSCE Group play a more significant role with regard to the settlement of the conflict, not letting neither side "lose their face" by accepting a compromise, acting then as an international guarantor. Proposals regarding a settlement on the basis of the Swiss cantons model have been put forward. This would allow political representation of the different groups, implying participation and dialogue, and eventually reducing competition for power and the radicalisation of positions in such a fragmented society. The goal would be to establish and define relationships between the cantons, and afterwards between these and Russia. This could reveal an interesting approach to overcome the protracted character of the Chechen war. However, the Russian Federation has adopted a tough posture both regarding negotiations with so-called "terrorists", and towards the direct involvement of the OSCE in the field. The many constraints imposed on the organisation have led to the hampering of its efforts in the republic and ended in the retreat of the OSCE onsite activities.

2. From words to actions: an assessment

Today the OSCE is no longer regarded by Russia as the only vehicle for institutional dialogue with western organisations, as the example of the establishment of bilateral dialogue with NATO reveals. This might be detrimental regarding collaboration on the new security agenda, including the international fight against terrorism and organised crime. Nevertheless, there has been a tendency to favour the OSCE, which Russia sees as the primary instrument to pursue its aims of minimising the role of outsiders in the former Soviet area. However, if the Russian attempts to increase the role of the OSCE are mostly motivated by the desire to obtain legitimacy for its activities in the former Soviet space, then the Russian pro-OSCE orientation might be questioned.

The Russian attitude towards the OSCE has not always been cooperative, shifting according to national interests and pressures, and in the end reflecting Russian policy-making contradictions. Moscow is one of the principal defenders of the OSCE, but at the same time one of its most controversial participants. In places like Chechnya, Russia wants the OSCE's blessing but not its interference or supervision. Thus, Russia fights with ambiguity. Moscow has sanctioned OSCE involvement in the former Soviet Union through the consensus voting procedure in the organisation. This is justified by the need for international legitimacy and by the fact that vetoing the deployment of OSCE missions, the Russian Federation would be regarded with much suspicion by the other participating states. The OSCE, which has internationally recognised legitimacy for maintaining peace and security, has been influential in the former Soviet republics through its direct involvement, including preventive diplomacy, mediation and monitoring activities. This enlarged involvement has suggested Russian discontent, leading to efforts at limiting the detailing and reach of OSCE decisions. "When left to face Russia in what the latter considers its ex-Soviet sphere of influence... the OSCE is consistently failing in its tasks. The OSCE is being largely paralysed by its consensus rules,



which give Russia effective veto power over the organization's decisions".³⁰ This has in fact been a severe constraint to the OSCE functioning, with Russia clearly limiting the organisation's functioning, by disregarding its norms and standards, and by raising obstacles to its already tough decision-making process, to the point of the question being formulated: is the OSCE still alive?³¹

Perceiving OSCE activity as an attempt to downgrade Russian involvement and influence in neighbouring countries, Russia has argued in favour of increased OSCE involvement in other areas outside the former Soviet Union. President Putin and Foreign Minister Ivanov have emphasised that the OSCE should treat crisis situations in the whole OSCE area in a balanced way.³² This has been a recurrent argument with Russian representatives criticising the OSCE of "biased and politicised approaches, geographical imbalances and a division between 'equal' and 'more equal' nations".³³

Moscow will continue to pursue its own interests, with OSCE cooperation when possible and in competition with it when necessary. The ambiguous Russian position towards the OSCE creates contradictions in its own policies, since the limits imposed by Russia on OSCE normal activity add more to the organisation's limitations in becoming the basic structure of a pan-European security framework, as previously envisaged by Russia. If Russia blocks the OSCE when its interests are at stake, Russia will have a free-hand in those cases, and the OSCE will be excluded, with fundamental consequences for the organisation's credibility and reach, and for European security in general.

The limits imposed by the Russian Federation on OSCE activity have been clear not only at the decision-making level but also in the field. In Vienna, Russia has many times prevented the adoption of decisions with precise and clear wording, allowing only vague formulations. The general wording of the field missions' mandates is an example. While allowing ample scope for action, in terms of the projects to be implemented and programs to be developed, it also allowed room for criticisms about out-of-the-mandate initiatives, whenever the OSCE was dealing with critical issues, such as the political negotiations (now a non-option) or even the human rights situation in Chechnya. Delicate issues as regard Russian "divide-and-rule" policies and its economic and political interests in the near abroad (the Caucasus is an example), have not been openly debated in Vienna. Participating states have to address in a responsible manner even the most delicate issues, otherwise if they remain attached only to broad and general considerations, it will be hard for the organisation to respond to the real problems. Again, internal constraints to the organisation's working have prevented further decision-making and action by the OSCE, a limitation visible in the lack of consensus for a return of the OSCE to the field in Chechnya.

However, the Russian veto right over OSCE activities is not unlimited. The Russian Federation may exercise it at the decision-making level of the organisation in Vienna with possible effects in the field, but there are OSCE areas where Russia's veto is limited. The OSCE agreements and norms are examples. The Russian Federation may create obstacles, but it cannot ignore or alter the existence of these norms and mechanisms, to which it voluntarily became subject. Their continuous violation is certainly a source of distrust and discredit

³⁰ "Will this OSCE guard dog ever bark?", *Wall Street Journal*, 15 November 2002.

³¹ "Is the OSCE still alive?", *Wall Street Journal*, 5 November 2004.

³² "OSCE to reopen office for Assistance Group to Chechnya", OSCE Press Release, 15 April 2000.

³³ "Russian Federation is 'strong advocate' of OSCE cause", interview with Alexander Alekseyev, Head of Delegation of the Russian Federation to the OSCE from August 2001 to early 2004, *OSCE Magazine*, Vol. 1, No. 2 (May 2004), p. 18.



which the Kremlin must take into account. The Russian Federation and the OSCE have engaged in a “marriage of convenience”.³⁴ Russia needs the OSCE as an impartial internationally accepted mediator, and the OSCE provides an alternative to Russian-appointed intermediaries who would certainly be viewed with suspicion by Russian neighbours. Russia’s rhetoric as regards strengthening the OSCE as a collective security framework and its cooperation with the OSCE in the resolution of conflicts is fundamental to avoid not only possible Russian hegemonic ambitions, but also any Russian feelings of exclusion. In this context, Russia has been balancing the advantages and costs of its more or less commitment within the OSCE, in order not to question its position in the former Soviet Union area, while simultaneously obtaining legitimacy and the western community’s sanctioning for its actions in the neighbouring republics. Therefore, the “give-and-take-away” game that has become common in the OSCE-Russia relationship, evinced in the case of Chechnya.

Russian relations towards the OSCE are, and will probably remain, both competitive and cooperative according to Russian interests. Russia’s cooperative character may be influenced by the economic aid it is receiving from the west and to avoid discredit among its OSCE counterparts in the former Soviet area. Nevertheless, these factors have not revealed themselves as sufficiently strong to counter Russian activities, at times incongruent with the Helsinki principles, such as the armed intervention in Chechnya. The success of OSCE operations in the former Soviet space is a test to the organisation’s ability to pursue its goals, but it is simultaneously a test to the Russian willingness to become fully integrated in the international community. The pragmatic and realist policies of Vladimir Putin, which seemed to bring renewed attempts to solve many of the frozen conflicts in the former Soviet area, resulted in failure. The protracted character of the Chechen hostilities is an example. Uncertainty prevails and the course of Russian politics is still not clear. The OSCE, though not anymore in the field, will continue to monitor events in the republic, either criticising or applauding Russia according to its political moves and regarding its level of commitment to the organisation’s norms and principles. As regards the search for a political solution, most probably it is not so much a question of finding a new formula for an old problem, but more of applying political will, resolute action and balanced approaches, in other words, the old question of the need for political willingness and true commitment as fundamental ingredients for the resolution of old and new problems.

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³⁴ Michael Mihalka, “A marriage of convenience: The OSCE and Russia in Nagorno-Karabakh and Chechnya”, *Helsinki Monitor*, Vol. 7, No. 2 (1996), p. 15.



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