

CHRONICLE

Mongolia wants to join the OSCE

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Mongolia wants to become the OSCE's 57th Participating State

Surprisingly, in October Mongolia requested the OSCE chairmanship to become a full-fledged participating state of the organization. Since 2004 Mongolia has been an OSCE Partner for Co-operation which is the official terminology for observer status. The Lithuanian Chairman-in-Office explained that it would conduct consultations with the existing 56 participating states, as the Mongolian admission would require the traditional consensus of all states.

It is interesting that the Mongolian request has not been turned down immediately. According to the official rules which date back as far as 1973, only 'European States, the United States and Canada' are entitled to take part in the organization.¹ In 1992 the then CSCE decided to admit the five former Soviet republics in Central Asia as participating states² which took quite some discussion at the time, because they were not 'European states'. Due to their historical title in the form of having been part of the former USSR and, therefore, having already been part of the CSCE, they were granted access to the organization.

Mongolia cannot invoke any historical title to membership of the OSCE and according to the official rules it would not be eligible for membership. But as a strictly political organization it would not be the first time in its history if it adopts a decision which would contravene its own rules at first sight. Moreover, Mongolia is undoubtedly the most democratic of all Central Asian countries. In contrast to the five former Soviet republics and in spite of some incidental hiccups (such as the unexpected and widespread violence after the parliamentary elections in 2008), Mongolia has developed a strong tradition of relatively free and fair elections with regular changes of power among the various political parties. It has also introduced drastic measures to reform its old-fashioned, Soviet-era police, including community policing, in the past decade.³

Although it is not completely clear why the Mongolian authorities decided to pursue full membership in the OSCE, it is definitely connected to their wish to enhance the international status. Mongolia's rich resources of raw materials, including the very precious rare earth elements, have also put it much more visibly on the world map, as reflected in an increasing number of visits by high-ranking politicians from other countries (such as the US Vice-President Joe Biden in August and the German Chancellor Angela Merkel in October 2011).

Growing concerns about the 2013 OSCE Chairman-in-Office

Internal political developments in Ukraine, which will take over the chairmanship of the OSCE in 2013, are creating increasing concerns within the OSCE community. The country is clearly moving in a strongly authoritarian direction, whereas even signs of paranoia among the political elite are becoming visible.

Ukraine is capably managing itself in the international spotlight by highly controversial criminal proceedings against the former Prime Minister Yulia Tymoshenko for 'abuse of power' which resulted in a seven year prison sentence and a huge fine. The very fact that the present OSCE Chairman-in-Office (the Lithuanian foreign minister) and many Western countries and organizations are expressing serious concerns about the legality of this whole process shows how far Ukraine has apparently derailed itself from the track of the rule of law and justice.

1 Article 54 of the so-called Blue Book of 1973 (the 'Final Recommendations of the Helsinki Consultation').

2 It concerned Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan. Only part of the Kazakh territory is considered to be part of geographical Europe.

3 The OSCE has spent a substantial amount of money in particular on reforming the police in Kyrgyzstan since 2003, but the results so far are quite disappointing.

Tymoshenko narrowly lost the last presidential elections against the current president Viktor Yanukovich with whom she is entangled in a bitter feud. She considers the case against her to be purely politically motivated, although Yanukovich (of course) strongly denies these allegations. It is obvious that Tymoshenko's claims are supported by the OSCE leadership,⁴ the EU and many other countries. The EU even cancelled an official visit by the Ukrainian President to Brussels as a sign of protest against Tymoshenko's treatment.

The process is very remarkable, as Tymoshenko is not accused of corruption or other forms of self-enrichment. The target is decisions which she took in her capacity as the then Prime Minister of the country in entering into a gas deal with the Russians which turned out to be disadvantageous to Ukraine. In other countries this could have political consequences for the person involved, but would definitely not lead to a criminal prosecution. There probably would not be that many leading politicians in the world who could not be prosecuted on this doubtful basis. As a matter of fact, most politicians in the world would probably be behind bars if the Ukrainian example would be followed. Although there will be an appeal procedure, the present political and judicial leadership in the country has been highly successful in damaging the public image of the country almost beyond repair. This case is just one example of the fact that the country is moving quickly in a strongly authoritarian direction and that the rule of law and the protection of human rights are seriously at risk.

At the same time, it can be observed that the political leadership is suffering from almost paranoid fears of attacks by terrorists and internal opposition. At the moment President Yanukovich is surrounded by a security detail of which even the US President would not be ashamed. Also, this phenomenon fits within the picture of an increasingly authoritarian regime.

Since Ukraine is set to become the political leader of the OSCE in 2013, this controversial process only leads to further uneasiness about the question whether the country, or at least the present leadership, is in a position to take on this responsible position.

The Kyrgyz presidential elections

The presidential elections in Kyrgyzstan in October this year resulted in a surprising landslide victory for Almazbek Atambaev who won an impressive 63 per cent of the vote in the first round. Thanks to this victory a run-off was not necessary. Atambaev, a wealthy businessman, acted as Prime Minister in the last cabinet, before he stepped down to run his election campaign. He also played an important role in the interim administration after the ousting, by mass protests, of the previous president Kurmanbek Bakiev in April 2010. Atambaev apparently profited from a high turnout of voters in the northern region of Kyrgyzstan, where he has his main support base among the electorate.

This was the first peaceful transfer of the presidency in Kyrgyzstan. Bakiev's predecessor was also forced to flee the country in 2005 as the result of the so-called Tulip Revolution against his regime. Atambaev takes over the presidential powers from the outgoing interim President Rosa Otunbaeva who had decided not to run for this high post which she had occupied quite successfully after the surprising people's uprising in April 2010.

The newly elected president will have a considerable task in bringing back stability to this small and impoverished country which was the scene of unparalleled ethnic strife in the southern part of the country in June last year

4 See e.g., <http://www.osce.org/cio/83848>.

which resulted in hundreds of thousands of people from Uzbek minority groups fleeing their homes and partially even the country. Moreover, hundreds of people lost their lives in circumstances which have still not been fully clarified and it will take years to repair the damage and to heal the wounds.

According to the OSCE observation mission the elections were relatively free and fair, although serious irregularities were reported from various places in the country. 'Despite flaws with the voters' lists and tabulation processes, we are cautiously optimistic about the future of democracy in Kyrgyzstan. Significant work is still needed at all levels for this country to live up to its commitments to hold democratic elections', said the head of the OSCE observation mission.⁵


The 'Arab Spring' on the OSCE agenda

The impressive developments in various countries in the Middle East and Northern Africa (MENA) continue to draw the attention of the OSCE. This is not surprising, as the outcome of the turmoil in the MENA region has a direct bearing on the security situation in the OSCE region. Moreover, several MENA countries are connected to the OSCE as Partners for Co-operation (Morocco, Algeria, Tunisia, Egypt, Jordan and Israel).

The OSCE continues to offer assistance to the MENA countries, in particular in the areas of election reform, democratization and police reform, but the response so far is muted. The situation in most countries is too fragile and delicate so that invitations for assistance are still largely a topic of discussion only, not of action. The Cairo-based Arab League, for instance, is considering the use of some police manuals which had been produced in the past by the OSCE Secretariat, but even this issue is still at the debating stage.

The impressive events in various MENA countries were intensively discussed at this year's Human Dimension Implementation Meeting (HDIM) which took place from 26 September to 7 October. The HDIM remains the largest human rights conference in Europe, as it brings together around 1,000 governmental and NGO representatives every year. This year also various representatives from MENA countries attended the event.

5 <http://www.osce.org/odihr/elections/84571>.



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Security and Human Rights (formerly Helsinki Monitor) is a journal devoted to issues inspired by the work and principles of the Organization for Security and Cooperation in Europe (OSCE). It looks at the challenge of building security through cooperation across the northern hemisphere, from Vancouver to Vladivostok, as well as how this experience can be applied to other parts of the world. It aims to stimulate thinking on the question of protecting and promoting human rights in a world faced with serious threats to security.

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