The OSCE suspension of the Federal Republic of Yugoslavia

Valery Perry

Introduction
The suspension of the Federal Republic of Yugoslavia (FRY) was one of the most difficult, and in some ways, controversial decisions the OSCE has made since its establishment. The decision entailed consideration of several different issues, including the notion of consensus and 'consensus minus one', humanitarian crisis response and responsibility, and national sovereignty. The decision has also forced the OSCE to consider the most effective and appropriate method of dealing with crises occurring within the borders of participating States. As informal discussions regarding the status of the FRY's suspension and possible full-reinstatement into the OSCE have become more frequent in 1998, and in light of the crisis in the Kosovo region of the FRY, a review of the debate leading up to the suspension, the terms of the suspension, and the issues surrounding the re-evaluation of the suspension will provide useful and necessary background information for analysis and decision.

Decision-makers within the OSCE must ask a wide variety of questions pertaining to this issue. Should the OSCE continue the suspension, allowing the FRY's chair at Permanent Council meetings to remain empty, as a statement against the FRY's violations of OSCE principles and norms? Or is this status quo an empty symbol of a flawed past decision that has proven to be ineffective? Should the OSCE continue to speak out against regional atrocities and policies in the absence of authorities from Belgrade? Or would it be more effective to engage FRY representatives in the OSCE forum, so that the concerns and statements made by the participating States reach the appropriate audience?

While immediately relevant to the particular relationship between the

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1 In the Balkans, where nothing is clear-cut or simple, there can be a considerable amount of confusion related to the proper name of the successor states of the former Yugoslavia, particularly concerning the regions of Serbia and Montenegro. Within the OSCE itself there have been no formal statements made regarding the name of this region, though a review of proceedings in past years reveals an unspoken acceptance of certain conventions. Until July 1992 the region of Serbia and Montenegro was referred to in CSCE documentation as 'Yugoslavia.' On 12 July 1992 (at the 13th Committee of Senior Officials Meeting in Helsinki, where the suspension was decided) the reference 'Yugoslavia (Serbia and Montenegro)' appeared for the first time. (It is interesting to note that at this time, the Albanian Delegation asserted that use of this term did not create a precedent.) However, despite the introduction of this new term, it was also noted that the nameplate 'Yugoslavia' would continue to be used at CSCE meetings. In the 1996 Review Meeting Report of the Chairman-in-Office (cio) to the Lisbon Summit (29 November 1996), the term 'Federal Republic of Yugoslavia (Serbia and Montenegro)' was used. In recent documents the term 'Federal Republic of Yugoslavia' has become part of OSCE common usage. In an attempt to simplify matters in this article, the region in question will be called the Federal Republic of Yugoslavia, or the FRY, throughout, unless referring to events where specific use of another term is necessary in a certain context.
OSCE and the FRY, answers to these questions can help to define the nature of the OSCE's role in regional crises on a broader level, while at the same time framing a problem currently faced by many international organizations (IOs). As IOs (such as the UN, Council or Europe, or the OSCE) have increased their membership and expanded their definition of security in the post-Cold War world, how can they begin to build relationships with states that have questionable track records in areas such as human rights or other considerations elemental in the basic principles of these organizations? Should prospective new participants be admitted on a provisional trial basis, with a clear understanding of the expected improvements in human rights records? Or should there be no wavering at all by the international organizations, and a strong message that there are certain norms and principles that must be respected in order to enjoy participation? It is as of yet unclear what the optimal strategy for dealing with this type of state should be, but as the strained relationship between the FRY and the OSCE illustrates, these are questions that reflect immediate IO policy concerns.

Events leading to the suspension

The Conference on Security and Co-operation in Europe (CSCE) began monitoring the deteriorating stability situation in the former Yugoslavia in the 1970s, increasing its attention in the region as the situation worsened in the late 1980s. In addition to expressing its concerns regarding human rights violations, border disputes, and the emerging political power vacuum, the CSCE became involved on the ground in the region through the CSCE Missions in Kosovo, Sandjak and Vojvodina (deployed in September 1992). The CSCE repeatedly expressed its concern in a variety of capacities, through the Chairman-in-Office (CiO), Personal Representatives of the CiO, and through individual CSCE delegations. Throughout its involvement, the CSCE repeatedly called on the parties involved, and especially the authorities in Belgrade, the regional center of power, to resolve their conflicts by peaceful means. The CSCE reiterated the commitment that all CSCE participating States agree to uphold, regarding the protection of minority rights, freedom of movement, and basic human rights. However, it became increasingly clear that consensus on potential CSCE responses would be difficult to achieve without the co-operation of Yugoslavia (Serbia and Montenegro), the offending state, and that such organizational paralysis would not improve the regional situation.

There was an option that allowed the CSCE to take effective action in response to the growing crisis in the Balkans in the absence of agreement by Yugoslavia (Serbia and Montenegro). The provision for 'consensus minus one' was initially agreed upon at the Prague Council Meeting held from 30-31 January 1992. 'Consensus minus one' allows for action to be taken by the CSCE in the absence of consensus, so that one participating State cannot by itself block CSCE actions. This policy cannot be invoked indiscriminately, but can be used in cases of clear violations of CSCE norms and principles. Part 4, Paragraph 16 of the Prague Council Meeting decisions states that 'appropriate