Mongolia wants to join the OSCE

Arie Bloed

1. 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. In 1992 the then CSCE decided to admit the five former Soviet republics in Central Asia as participating states 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.

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2 Article 54 of the so-called Blue Book of 1973 (the ‘Final Recommendations of the Helsinki Consultation’).

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

4 The OSCE has spent a substantial amount of money in particular on reforming the police in
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 their 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).

2. **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.

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, 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

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5 Kyrgyzstan since 2003, but the results so far are quite disappointing.

See e.g. http://www.osce.org/cio/83848.