Rick Fawn: International Organizations and Internal Conditionality. Making Norms Matter

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Rick Fawn has chosen for this book an interesting point of view which complements greatly the vast literature on international conditionality. As he explains in the introduction, scholars have generally concentrated on external conditionality, i.e. on the way pressure is set by a number of international organizations (UN, NATO, Council of Europe, OSCE) and supra-national actors (like the European Union) to see a range of values and norms, which build their own identity, respected. However, there is little literature on the way these conditions are enforced once States are part of these organisations.

First, literature on the internal conditionality of international organisations (IOs) is rather rare. A number of studies have been looking at the way the European Union puts pressure on Member States which do not commit to its norms, for example, in 2000, when Austria had a far-right party in power. These studies focus mainly on the way EU norms are enforced (or not) after the enlargement towards Central Eastern European countries (especially Romania and Bulgaria in 2007). However, Rick Fawn deliberately decided not to focus on the EU or NATO, which retain a large amount of “material attractiveness” (p. ix). In order to bridge the gap in the literature, he looks at the internal conditionality of two IOs, the Council of Europe and the Organization for Security and Cooperation in Europe (OSCE), which have been less analysed by the literature on the “return to norms” (p. 7). In exploring a slew of representative case studies, the study aims to show that these organisations “can function and succeed against the odds” (p. ix).

Second, there are few studies which look at the way the conditionality of several organisations are combined to put pressure on their candidates, like the studies looking at the way EU and NATO, but also EU, OECD and/or OSCE conditions have mutually supported each other to guide candidates in their integration into the Western community. But we are not aware of analyses which look at internal conditionality where this mutualisation is absent: this is precisely the context that Rick Fawn is looking at when investigating the way internal conditionality operates on resistant Member States of IOs.

In order to do so, he draws from extensive empirical work combining interviews, analyses of primary and secondary documents as well as media articles to construct an analytical framework comprising six stages, which he then mobilizes in a set of
case studies. The six stages are presented as follow (p. 13–19): 1. Determining the core values and norms of the organisations; 2. Value and importance of resistance to IO influence for target countries; 3. Threat to the International Organisation/s from target country/countries’ resistance; 4. Ability of International Organisation/s to compel target government/s; 5. Ability of International Organisation/s to incentivize norms for target government/s; 6. The outcome: determining when and how norms can be made to matter.

Although presented very briefly in the introduction (chapter one, p. 7), five case studies detailed in the subsequent chapters illustrate what the author is interested in examining, namely how internal conditionality operates once IO members start breaching norms which they should respect as members of these international communities. For each case, the various stages of the analytical framework are used to identify how internal conditionality is defined and operates, thus drawing conclusions from practice along the six elements presented above. As the author writes, he has thus chosen to see how “internal conditionality is intended to reflect real world developments and to draw both analytical and normative lessons from that” (p. 15). As “it is thus not meant to be pre-conceived but to be drawn from existing developments” (ibid), the approach adopted can be assimilated to an inductive one. As a specialist of post-communist countries, Fawn uses original material collected in European CoE and OSCE members, and in reluctant members (e.g. in Central Asia), as well as information obtained through a large number of interviews and participation in meetings of these IOs, as stated in the acknowledgements. Unfortunately, references to interviews, even if quoted on an anonymous basis, are missing in the foot notes as well as in the annex. However, this deep insight into the practice, discourse and actions of the IOs and their members allows Fawn to seek for interesting comparisons and conclusions.

A short presentation of the chapters gives an overview of the cases analysed. As an introductory chapter to the empirical framework of analysis, chapter two concentrates on the birth of internal conditionality at the Council of Europe and OSCE. It concisely presents the core norms and values that these two organisations defend, and the means developed over the years to make them respected by their members.

Chapter three looks at the international election observation missions led by the OSCE, which involve more “routinized normative practices” (p. 7). It presents the core role played by the Office for Democratic Institutions and Human Rights (ODIHR) in having electoral norms respected by the OSCE members and reveals contradictions, like the resistance of post-communist States to these missions while, at the same time, inviting them to take place. In the end, the author argues that the OSCE adopts two ways to incentivize norms for the target governments: through responsiveness, on the one hand, and mutual accountability and the fear to be excluded from the OSCE, on the other.

In the fourth chapter of the book, the author analyses the case of the abolition of the death penalty, as promoted by the Council of Europe. He shows how, in the face of the resistance of some post-communist countries to accept one of the Council’s “highest value”, “the Council had to work to get its values accepted” (p. 94). He draws a typology of the post-communist countries in order to highlight the different positions these countries hold between acceptance of and resistance to the ratification of Protocol No. 6 of 1983, which abolishes the use of death penalty in peace time.
The conclusions focus on the most reluctant States, like Albania, Ukraine, Russia and Belarus.

In chapter five, Fawn analyses what he considers as being “the toughest of cases”, i.e. the way the Council of Europe in particular has put pressure on the Russian Federation so that it solves its internal conflict with Chechnya in a non-military way. He argues that despite the fact that Russia claimed that these are internal matters where other States cannot intervene, the Council of Europe managed to have public declarations and activities condemning the breach of Western norms of human rights by one of its members – and thus have some influence (even if limited) on the outcome of this issue.

A further case developed in chapter six is dedicated to Tajikistan and the OSCE, which is analysed as “the subtlest victory of internal conditionality” (p. 167) in a case of “defensive reaction” (p. 7). Indeed, Tajikistan belongs to the countries which “stood with Russia in its attempt to enfeeble the Organization’s human dimension” (p. 167), but the analysis of the various Tajik resistances and the government’s relation to the OSCE (which “offers few tangible benefits”) shows that this country which “feared the OSCE’s normative influences (…) was brought back to those commitments, and the means [of the OSCE] (…) were allowed to operate in practice” (p. 168).

The last case, in the seventh chapter, looks at the role of the Kazakhstan chairmanship of the OSCE, which constitutes “a procedural surprise and opportunity” (p. 7) for “a country that had not fulfilled the most basic democratic and human rights commitments to the Organisation [and] sought to run it” (p. 195). The author suggests that the chairmanship could “earn an even bigger ‘win’ for the Organisation in a region where its normative values mattered least and were being undercut” and thus represents a “multi-layer test case for internal conditionality” (ibid). The conclusion to the chapter is one of the most critical ones in the book on the role of internal conditionality, which, according to the author, “does not mean in itself victory of the conditions applied” and can have “successes and failures” (p. 230).

In the conclusion (chapter eight), Rick Fawn summarizes the results of the various cases regarding breaches and resistance of members of the Council of Europe and of the OSCE. He identifies fourteen lessons from these cases as a matter of generalization, with “possibilities for application to other regional intergovernmental organizations” (p. 237). However, one can regret the absence of more theoretical conclusions or even the sketch of a framework, which could have been drawn out of the rich empirical work done thanks to the clear analytical grid used in each of the cases. This has certainly to do with the general methodological difficulties of tracing “norm diffusion and social learning”, thus of solving “the puzzle of compliance” (p. 248).

All in all, this is a very interesting study that Fawn offers on a less known aspect of conditionality, namely internal conditionality, contrary to most IR studies which focus on external conditionality. One could however object that the author remains optimistic in each of the cases: a core argument of the book is that even if the norms are in the end not (totally) respected by the IOs’ member states under study, the fact that these norms exist and are debated publicly is already a positive step. This can be debated and considered as a way of taking over the core arguments of the IOs which, this way, often justify their activities. However, the author is aware of that in stating in his acknowledgements that “what follows are independent conclusions” (p. ix).
In general, this study published in 2013 is highly timely regarding the current context in Ukraine, where a member of these organizations, Russia, tends to support a political situation which contradicts the core rules of the Council of Europe and in particular of the OSCE. The Budapest Document, which is mentioned in chapter 2 (p. 46), although the content is not detailed in the book, is indeed one of the core agreements discussed about the Ukrainian war which started in 2014. This case would therefore represent an interesting study to be investigated along the analytical framework proposed by the author, as it would show that the respect of IOs norms and international law has a lot to do with what actors make of them.