

Some Considerations on the Election of the BSEC Secretary General: The Georgian Perspective

Multilateral diplomacy is an effective leverage to advance the foreign policy interests of a state in the network of international relations. This, similarly, applies to the regional level. Therefore, the Organization of the Black Sea Economic Cooperation (BSEC), despite the mostly justified criticism addressed towards it, in this sense remains in the focus of the attention of its member states.

The negotiations on the establishment of the BSEC were initiated by the President of the Republic of Turkey, Turgut Ozal, before the collapse of the Soviet Union. Initially, the four Black Sea littoral states - Turkey, the Soviet Union, Romania and Bulgaria - took part in the consultations. However, new countries soon appeared on the map of the region and Ministers of Foreign Affairs of 11 states were expected to take part in the respective ceremony when the documents for the establishment of the BSEC were prepared for initialing in February 1992. Six of them - Turkey, Russia, Romania, Bulgaria, Ukraine and Georgia - had access to the Black Sea. The other five - Greece, Albania, Moldova, Armenia and Azerbaijan - expressed their interest to participate in the new multilateral cooperation format within the concept of the Wider Black Sea area.

In the history of Georgia's emerging as an independent state, the BSEC played a rather significant role. Our country traversed quite a difficult path until it was recognized as a subject of international relations. In late 1991 to early 1992, Georgia was in a deep crisis. The country went through a civil war, it was ruled by the Military Council and the issue of recognition was acute. Under these conditions, Georgian diplomats lacked the opportunity to take part in the complicated negotiation process aimed at elaborating the BSEC's constituent documents. In February 1992, the Ministry of Foreign Affairs of Georgia was faced with a difficult dilemma to sign a document about which Georgian diplomats had no idea. The alternative was a rejection to sign which the country could not afford. After all, this was an opportunity for Georgia to sign, together with major regional players, the first multilateral international legal document.

This act ensured the de facto recognition of Georgia by ten states, four of which were its immediate neighbors; the perspective appeared to establish the country within the network of international relations. In Istanbul, the Head of the Georgian Delegation, the Acting Minister of Foreign Affairs, Tedo Japaridze, had the opportunity to conduct a number of important bilateral meetings. He met with the Ministers of Foreign Affairs of Turkey - Hikmet Chetin, Russia - Andrei Kozyrev, Ukraine - Anatoly Zlenko, and other heads of delegations. In the following months, Georgia established diplomatic relations with many countries, including UN Security Council Permanent Members and all of the neighbors while the embassies of Germany, the USA, Turkey, France, Great Britain and Russia were opened in Tbilisi. Thus, the BSEC played an important role in assisting Georgia to establish itself in the network of international relations.

The BSEC today remains the only inclusive international regional organization in the Black Sea area. This reality constitutes its main advantage but also predetermines its disadvantages. The BSEC's attractiveness is found, first of all, in the equal opportunity for all of its member states to declare their foreign policy priorities as well as promote and defend them as well as strengthen interaction with partners and neutralize the actions of opponents. After all, the art of diplomacy implies the ability to expand the space for one's own maneuver while limiting the opponent's capabilities.

The disadvantage of the BSEC is its eclectic nature, the opposing character of the foreign policy agendas of its member states and its main and fundamental problem in the different understandings of the norms and principles of international law. As a result, we experience conflicts, wars in the region and, as an outcome, the severance of diplomatic relations between member states. Of course, under existing circumstances it is quite difficult to expect effective work or tangible results from the organization. Does this mean that it makes no sense to fight for the post of Secretary General of the BSEC Permanent Secretariat? Of course, not. It is imperative to fight, especially when Russia, main problem for regional stability and security, is striving for this goal. Moscow should not be granted the opportunity to occupy the post of the Secretary General for many reasons. Being the main threat in the Black Sea area, Russia cannot speak for the region. Among other things, the post of Secretary General gives access to the world's most important diplomatic tribunes, including the UN and the OSCE.

Romania currently holds the BSEC Chairmanship-in-Office. The Romanian Chairmanship was extended until the end of the year 2020 due to the pandemic. Therefore, the issue of a new Secretary General appointment should be negotiated and agreed in anticipation of a meeting of the BSEC Council of Foreign Ministers which will be held by the end of the year in Romania although COVID-19 problems may lead to a video conference format. In any case, the new BSEC PERMIS Secretary General should enter the office in Istanbul on July 1, 2021. Up to date, three candidates have been nominated for the post of Secretary General: the current Secretary General, Ambassador M. Christides representing Greece, Ambassador V. Zaemsky from the Russian Federation, and the Deputy Minister of Foreign Affairs of Ukraine, Ambassador V. Bodnar. It is unlikely, almost impossible, that a new additional candidate will emerge.

The representative of Greece has minimal chances, if any. Two three-year terms for the Secretary General in the BSEC are considered normal practice - this has already become a tradition. To a certain extent, this is logical since the three-year term of the Secretary General is clearly insufficient. The practical capabilities and abilities of the Secretary General are revealed during the second three-year term. Therefore, with a high degree of probability, the Secretary General, who will take office on July 1, 2021, will serve for two terms until July 1, 2026. In this light, Greece's claims for the third term for Ambassador M. Christides look unconvincing. As it seems, Greece's tactic is to slip between the two more serious candidates in case the votes are distributed in a six to five ratio, excluding the Greek vote. This state of affairs will benefit the current Secretary General. If the negotiating process fails and the Council of Ministers of Foreign Affairs are unable to approve the decision, the Greek candidate will have a chance to extend his term of office in the Secretariat. Perhaps, not for three years but as an extension nonetheless. Now, let us consider the perspectives of the Russian and Ukrainian candidates.

Many factors have to be taken into account in the process of elections in any international organization, both universal and regional. What counts most of all is the authority and the reputation of the country representing the candidate and its place and weight within the network of international relations. With an approximate parity of these components, the personal qualities of the candidates, their professional experience and their career advancement and personal competence, primarily in the area of activities of the organization concerned, come into play. All of the abovementioned factors are relevant as well for the current situation in the BSEC on the eve of the election of the Secretary General. Here is an attempt to analyze the state of affairs.

In recent years, Russia has violated all the rules of the game in international relations that could have been violated by demonstrating complete disrespect for the norms and principles of international law. Russia unleashed two wars in Europe - in 2008 against Georgia and in 2014 against Ukraine. The Kremlin interferes in the internal affairs of other neighbors, including its closest partners. The case of Belarus is a good demonstration of this fact. Russia has become the source of the confidence crisis in the network of international relations. Stubborn attempts to deny the reality, for example, of its participation in combat operations on the territory of Ukraine only aggravate the responsibility of Russia, on the one hand, and, on the other hand, increase the alertness and mistrust of the international community.

Consequently, Russia is under international sanctions in which those imposed by the European Union play a central role. In the current BSEC state of affairs, this is factor of great importance since out of the 12 BSEC member states, three (Greece, Romania and Bulgaria) are members of the European Union, three (Turkey, Serbia and Albania) have candidate status for membership and three (Ukraine, Moldova and Georgia) enjoy the status of associated members. One cannot ignore the fact that Russia also violated the basic documents of the BSEC, primarily the Bosphorus Statement¹ of the Heads of State and Government of June 25, 1992 and the Charter of the organization,² having occupied and annexed parts of the territory of its neighbors - BSEC member states.

As far as Ukraine is concerned, it enjoys a solid indisputable authority in the world community. It is also widely recognized that Ukraine has been providing a significant contribution to the elaboration and implementation of the statutory tasks and goals of the BSEC from the day of its foundation. In particular, the Charter of the Organization itself was prepared during the Ukrainian BSEC Chairmanship-in-Office and signed at the Summit of the Heads of State and Government in Yalta (annexed by Russia in March 2014) on June 5, 1998. Thus, as a member state, Ukraine has undeniable advantages over the Russian Federation. Another important detail is that the representative of Russia, in contrast to Ukraine's, has already served as the BSEC Secretary General (Ambassador Yevgeny Kutovoy, 1992-1995).

A few words about the two main candidates.

Ambassador Vladimir Zaemsky, nominated by the Russian Federation, is a career diplomat who has been in the Russian diplomatic service since 1974. For the past 12 years, Ambassador Zaemsky has held the post of Ambassador Extraordinary and Plenipotentiary to Venezuela (combining in recent years the position of Ambassador to Dominican Republic and Haiti) which is quite important for the Russian Federation as diplomatic relations with Venezuela represent the top foreign policy priority of Russia in Latin America. Ambassador Zaemsky completed his activities in Caracas on February 17, 2020. Apparently, after more than 45 years of his diplomatic career, Ambassador Zaemsky is retiring. Such cases are explained by the Department of Information and Press of the Russian Foreign

¹ <http://www.bsec-organization.org/UploadedDocuments/BsecAtAGlance/1992%20Bosphorus.pdf>

² <http://www.bsec-organization.org/UploadedDocuments/StatutoryDocumentsAgreements/CHARTERFourthEdition.pdf>

Ministry in the following manner: "Diplomats have the right to be in the civil service until the age of 65 when the overwhelming majority of them prefer to retire."³

Ambassador Zaemsky is probably a very experienced and professional diplomat; the problem is that he was focused on Latin America during his long diplomatic career and not on the Black Sea region. His first foreign language is Spanish which, with all due respect, is absolutely irrelevant in the BSEC. With a high degree of probability, it can be assumed that Ambassador Zaemsky visited only one BSEC member state over the past 12 years - Russia. At the same time, as a well-qualified specialist, he is certainly aware of the fact that the problems and the challenges facing the BSEC are varied and numerous as well as that they are mostly associated with the Russian Federation's actions in the region.

In Ambassador Zaemsky's long diplomatic career, there is one particularly interesting period for Georgia - September 2009. The President of Venezuela, Hugo Chavez, announced that his country would recognize the independence of Abkhazia and the so-called South Ossetia during his official visit to Moscow on September 10, 2009. "From now on, we recognize these two republics,"⁴ he said during negotiations with the then Russian President, Dmitry Medvedev. It is clear that this was a well financially motivated decision. Three days later, on September 13, 2009, Hugo Chavez announced that he had agreed to purchase a large variety of Russian weapons and a USD 2.2 billion deal financed by Moscow issued credit for Caracas. It was also announced that Russia paid Venezuela USD 1 billion to obtain the right for Russian companies to have access to Venezuela's oil fields.⁵

Against this background, Vladimir Zaemsky was appointed as the Ambassador Extraordinary and Plenipotentiary to Venezuela on September 12, 2009. I wonder what his role was in the diplomatic game that aimed to prepare the recognition of two separatist regions of Georgia by President Hugo Chavez?

Ambassador Vladimir Zaemsky is probably a successful diplomat by Russian criteria. And the post of the BSEC Secretary General would be a good gift for his long diplomatic career. Other side of the coin is that the opinion of the majority of the BSEC member states on this very issue will most likely base itself on an alternative system of arguments. In general, this is not the first time in the BSEC's history that a retired diplomat has been nominated for the post of the Secretary General. It seems that it would be better for the authority and reputation of the organization if Member States did not treat this very important position as a reward for retired distinguished diplomats.

The candidate of Ukraine, Ambassador Vasil Bodnar, fully meets these criteria. The Deputy Minister of Foreign Affairs was engaged in the problems of the region throughout his career and he worked in two BSEC countries. Ambassador Bodnar served as the Head of the Diplomatic Mission in Istanbul, combining the functions of the Representative of Ukraine to the BSEC. Ambassador Bodnar is well known in the BSEC member states. In terms of personal professional qualities, his advantages over the Russian candidate are obvious.

³ <https://ria.ru/20180713/1524510693.html>

⁴ <https://lenta.ru/news/2009/09/10/recognize/>

⁵ <https://www.kavkaz-uzel.eu/articles/159369/>

A few words about the election procedure for the position of the Secretary General.

It goes without saying that the Secretary General, when enjoying the consensus of the member states, feels more confident and is more decisive in his actions. In the history of the BSEC, there have been cases of intense competition when, as it is currently, three member states put forward their candidacies. This happened in the autumn of 1999 when candidates were nominated by three BSEC member states – Bulgaria (promoting its second term as Secretary General), Romania and Georgia – under the Greek Chairmanship-in-Office. The meeting of the Council of Foreign Affairs in Thessaloniki reached a consensus after an intensive exchange of arguments during the two-day discussions. There were also less dramatic elections but a consensus was always reached in the end. Today, no doubt, this is practically impossible. It is difficult to count on mutual understanding when the region is covered by conflicts and wars, resulting in occupation, annexation, mistrust and, finally, the severance of diplomatic relations. The picture is quite clear: the BSEC Council of Ministers of Foreign Affairs will not be able to reach a consensus this time. Is this an insurmountable obstacle to the appointment of the Secretary General? No, it is not.

Apparently, the founding fathers of the BSEC had envisaged such a development of events and incorporated appropriate mechanisms in the statutory documents of the organization.

Article 18 of the BSEC Charter reads:

«Article 18. Decision-making

The decision-making mechanism is set forth in the Rules of Procedure. The Council shall endeavor to achieve consensus on all issues. On some issues, as defined in the Rules of Procedure, consensus is mandatory»⁶, referring the interpretation of the matter to the Rules of Procedure.

Thus, the decision-making procedure within the BSEC is determined by Articles 11 and 12 of the Rules of Procedure.

«Article 11. Consensus

1.. Consensus shall be understood as the absence of any objection expressed by any Member State and presented by the Latter as constituting an obstacle to the taking of the decision in question.

2. Member States shall decide by consensus on the following subjects: a) admission of new Member States in the BSEC; b) granting and extending of observer status to third states and international organizations; c) establishing dialogue partnership and sectoral dialogue partnership with third parties; d) creation of new organs of the BSEC; defining, modifying and terminating their mandates; and structural mechanisms; e) adoption and modification of the Rules of Procedure; f) adoption of the agenda for the BSEC meetings if the issues included therein require consensus; g) approval of cooperation projects (consensus of States interested); h) financial commitments affecting all Member States.

Article 12. Majority Vote

⁶ <http://bsec-organization.org/UploadedDocuments/StatutoryDocumentsAgreements/CHARTERFourthEdition.pdf>

1. When there is no consensus on issues other than those enumerated in Article 11, they may be put to vote. Decisions shall be made by the 2/3 majority of the Member States present and voting.
2. Recommendations shall be made by the simple majority of the Member States present and voting.
3. In case the required majority vote could not be attained on an issue, the proposal shall be regarded as rejected»⁷.

Article 11, Paragraph 2 of the Rules of Procedure lists the issues requiring a consensus; they are very specific and leave no space for ambiguity. Thus, according to Article 12, Paragraph 1 the Secretary General can be elected by a two-thirds majority of the member states which means eight out of 12 existing votes of the BSEC member states. On the other hand, five member states can block a decision.

The factor of the European Union under the existing circumstances is very important although it is rather unlikely to expect all of the respective countries to adhere to the principle of "European solidarity." Otherwise, there would be no problems at all with the election of the Ukrainian candidate. Nevertheless, Ukraine has an opportunity to ensure the support of the required number of countries. First of all, these are the member states of the Organization for Democracy and Economic Development - GUAM (Georgia, Ukraine, Azerbaijan, Moldova - four votes) as well as Turkey, Romania, Bulgaria and Albania – altogether the necessary eight votes. And this may not be an exhaustive list.

With regard to potential allies in the BSEC Secretary General election process, Ukraine has serious arguments. Just as Ambassador Bodnar possesses such an argument in his personal and professional capacity; on a numerous occasions, while dealing with problems of the region or negotiating in bilateral formats, he has demonstrated credibility and flexibility. Therefore, the Ukrainian candidate has every chance to take the post of the BSEC PERMIS Secretary General on July 1, 2021.

In case of extreme developments, Ukraine should be ready to make a decisive diplomatic demarche. For example, if it becomes impossible to prevent the promotion of the occupying country's diplomat to the position of the BSEC Secretary General (which is very unlikely), Ukraine should be ready to declare the suspension of membership in the organization for the period of his tenure. I really hope that Georgia will be in this demarche together with Ukraine.

⁷ <http://bsec-organization.org/UploadedDocuments/StatutoryDocumentsAgreements/RulesofProcedureFourthEdition.pdf>