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Preface

The OSCE grew significantly in prominence during 2014, achieving a level of international recognition it had not known for years – though the circumstances under which this occurred were dramatic, to say the least. Maidan, the Crimea, Donetsk and Luhansk – these are the names that stand for Europe’s greatest crisis since the end of the Cold War. “What started as a national political crisis in Ukraine has developed into a crisis that threatens European security. [...] The risks of further escalation and of misjudgements represent the greatest danger for European security for more than 20 years.”¹

The OSCE, which, during the course of the conflict, became the “most important multilateral actor”,² owes this status upgrade primarily to its rapid reaction – under the Chairmanship of Switzerland – to events in Ukraine. However, it already possessed the necessary prerequisites: its character as a forum for dialogue, and particularly for security dialogue; its inclusive set of participants; its comprehensive concept of security; not to mention the fact that the OSCE – in contrast to other actors – was not seen as directly or indirectly involved in the conflict. Moreover, particularly since 2011, the OSCE has expanded its instruments for systematic early warning and rapid crisis reaction, dialogue facilitation, mediation, and mediation support.³

The OSCE commenced intensive monitoring and mediation efforts as early as February.⁴ On 24 February, the Chairperson-in-Office (CiO), Didier Burkhalter, appointed the Swiss diplomat Tim Guldemann as his Personal Envoy. Ambassador Guldemann was charged with leading and co-ordinating the Organization’s activities in Ukraine and visited Kyiv for the first time in February and Crimea in early March. Also in March, the OSCE High Commissioner on National Minorities (HCNM), Astrid Thors, and the OSCE Representative on Freedom of the Media (RFOM), Dunja Mijatović, made their first visits to Kyiv and Crimea to see the situation in person. At the end of

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- 1 Wolfgang Ischinger, Die Ukraine-Krise und die Sicherheit Europas [The Ukraine Crisis and the Security of Europe], in: *FAZ.NET*, 31 August 2014, at: <http://www.faz.net/aktuell/politik/die-gegenwart/ukraine-die-ukraine-krise-und-die-sicherheit-europas-13128147.html> (author’s translation).
 - 2 Zentrum für internationale Friedenseinsätze, *Die OSZE und der Waffenstillstand in der Ukraine: Vermitteln, Beobachten, Überwachen* [The OSCE and the Ceasefire in Ukraine: Mediation, Observation, Monitoring], at: http://www.zif-berlin.org/fileadmin/uploads/analyse/dokumente/veroeffentlichungen/ZIF_kompakt_OSZE_Ukraine_Waffenstillstand.pdf.
 - 3 Cf. Claus Neukirch, Early Warning and Early Action – Current Developments in OSCE Conflict Prevention Activities, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2013*, Baden-Baden 2014, pp. 123-133.
 - 4 Regularly updated reports, fact sheets, and a timeline of the OSCE’s response to the crisis can be found at: <http://www.osce.org>.

March, the OSCE dispatched 15 international experts for four weeks to Odessa, Kharkiv/Luhansk, Dnepropetrovsk, Donetsk, and Lviv as part of a special “National Dialogue Project” organized by the OSCE Project Coordinator in Ukraine. They were tasked with holding discussions with representatives of state institutions, local authorities, and NGOs to determine where further measures should be undertaken for mediation and confidence-building between the various population groups, and to gather information on political, humanitarian, and minority-related questions, in particular.

Several OSCE States sent unarmed military observers to Ukraine as early as 5 March 2014. They worked in small teams to monitor and report on military activities in the south and east of the country. They were, however, refused entry to Crimea. While the activities of these military observers were formally governed by bilateral arrangements – they acted in the name of their country of origin and on invitation of Ukraine – Ukraine requested OSCE participating States, OSCE Partners for Co-operation, and the OSCE Conflict Prevention Centre (CPC) with reference to Chapter III of the Vienna Document. Chapter III is entitled “Risk Reduction” and authorizes “voluntary hosting of visits to dispel concerns about military activities” (Article 18) on invitation of the affected state. By 20 March, a total of 30 participating States had dispatched 56 unarmed military and civilian observers to Ukraine. Since then, smaller inspection teams consisting of unarmed military experts have also been present in the country to continue verification measures under the Vienna Document in both Ukraine and Russia.

The heart of the OSCE’s observation activity in Ukraine is the OSCE Special Monitoring Mission to Ukraine (SMM), whose deployment was agreed by all 57 participating States in the Permanent Council on 21 March 2014⁵ – a decision that CiO Burkhalter called a “milestone”.⁶ The first advance groups arrived in Ukraine on 22 March. The SMM, which initially consisted of 100 civilian monitors, currently numbers around 380 observers from over 40 OSCE States, and has the option of expansion to 500 monitors. In collaboration with the OSCE executive structures, including the HCNM, the Office for Democratic Institutions and Human Rights (ODIHR), and the RFOM, as well as the United Nations, the Council of Europe, and other relevant actors of the international community, the mission’s aims are to gather information and report on the security situation in the area of operation, report on specific incidents or reports of incidents and determine the facts, monitor respect for human rights and fundamental freedoms, including the rights of persons belonging to national minorities, establish contacts with

5 Organization for Security and Co-operation in Europe, Permanent Council, *Decision No. 1117, Deployment of an OSCE Special Monitoring Mission to Ukraine*, PC.DEC/1117, 21 March 2014.

6 Schweizerische Eidgenossenschaft/OSCE Switzerland 2014, *A Roadmap for concrete steps forward: The OSCE as an inclusive platform and impartial actor for stability in Ukraine, Bern, 12 May 2014 – Brussels, 12 May 2014, Speech by the President of the Swiss Confederation, Mr Didier Burkhalter, at the Foreign Affairs Council of the European Union*, CIO.GAL/78/14, 12 May 2014, p. 1.

local, regional, and national authorities, civil society, ethnic and religious groups, local communities, and the local population, and facilitate dialogue on the ground.⁷ The mission's original six-month mandate, which covered the territory of Ukraine as a whole, was extended in July 2014 beyond September to March 2015. Since September 2014, the mission's tasks have also included monitoring the ceasefire.

On 30 July 2014, a mission consisting of 16 unarmed observers began its work at the Russian checkpoints at Donetsk (not to be confused with the Ukrainian city of the same name) and Gukovo. Their deployment was agreed by the Permanent Council on 24 July 2014 on the basis of a joint declaration ("Berlin Declaration") by the foreign ministers of Ukraine, Russia, France, and Germany of 2 July⁸ and on invitation of the Russian foreign minister. The mission is tasked, while upholding the principles of impartiality and transparency, with round-the-clock monitoring and reporting on the situation at the checkpoints and movements across the border.⁹ The mandate of the mission was most recently extended in December 2014 until 23 March 2015.

On 7 May, the OSCE Chairperson-in-Office appointed the Swiss diplomat Heidi Tagliavini as his Special Representative in the Trilateral Contact Group – one of the most important mediation instruments, which was established in May and is composed of high-level representatives of Ukraine, Russia, and the OSCE. As of June, representatives of the pro-Russian separatists also participated in the talks. The Trilateral Contact Group is to meet regularly to enable dialogue between the Ukrainian and Russian governments and seek diplomatic means for resolving the conflict. A second important mediation instrument, a series of high-level Round Tables in the run-up to the presidential elections in May, was part of a roadmap drafted by the Swiss Chairmanship, which aimed at implementing the "Geneva Declaration"¹⁰ published by the representatives of the EU, the USA, Ukraine, and Russia at the Geneva crisis meeting on 17 April. The roadmap stipulated the immediate commencement of high-level dialogue, to include representatives of the Ukrainian government and the Ukrainian parliament as well as representatives of the regions. The Round Tables were moderated by former Ukrainian

7 Cf. *Decision No. 1117, Deployment of an OSCE Special Monitoring Mission to Ukraine*, cited above (Note 5).

8 Cf. Auswärtiges Amt, *Joint Declaration by the Foreign Ministers of Ukraine, Russia, France and Germany*, 2 July 2014, press release, at: http://www.auswaertiges-amt.de/DE/Infoservice/Presse/Meldungen/2014/140702_Statement.html.

9 Cf. Organization for Security and Co-operation in Europe, Permanent Council, *Decision No. 1130, Deployment of OSCE Observers to two Russian Checkpoints on the Russian-Ukrainian Border*, PC.DEC/1130, 24 July 2014.

10 The Geneva Statement contains the first concrete steps for the de-escalation of tension and the restoration of the security of the population in eastern Ukraine. These include the renunciation of violence by all sides, the disarmament of all illegal armed groups, and the immediate commencement of a broad national dialogue that should reach all regions and political constituencies of Ukraine, cf. European Union External Action, *Joint Statement, Geneva Statement on Ukraine*, Genf, 17 April 2014, at: http://www.eas.europa.eu/statements/docs/2014/140417_01_en.pdf.

presidents Leonid Kuchma and Leonid Kravchuk. Wolfgang Ischinger was named co-moderator as the representative of the OSCE.¹¹ Topics covered in the talks should include the status of the Russian language and the federalization of Ukraine. Three Round Tables were held in Kyiv, Kharkiv, and Mykolaiv in May.

At a meeting in Minsk on 5 September, the Trilateral Contact Group agreed on a twelve-point protocol, which was also signed by the representatives of the separatists, and which called for, among other things, an immediate ceasefire by both sides, decentralization of power in the form of temporary local self-government in certain districts of Donetsk and Luhansk, and the removal of illegal military formations, military equipment, and militants and mercenaries from the territory of Ukraine. In addition, the OSCE was given the task of monitoring the ceasefire.¹² On September 19, the protocol was given more specific detail by the Trilateral Contact Group's "Minsk Memorandum", whose key provision was the establishment of a 15-kilometre no-fire and security zone on either side of the – as yet unclearly defined – "line of contact" between the conflict parties; this is also to be monitored by the OSCE.¹³

Further measures taken by the OSCE to deal with the Ukraine crisis include a Human Rights Assessment Mission, which was carried out by ODIHR and the HCNM in eastern Ukraine and Crimea in March and April 2014.¹⁴

In addition, both ODIHR and the OSCE Parliamentary Assembly (PA) sent election observation missions to monitor the presidential elections on 25 May (with 100 long-term observers deployed in March who were joined by 900 short-term observers a week before polling day, this was ODIHR's largest election observation mission in its history) and the parliamentary elections on 26 October 2014.¹⁵ In each case, the observers from ODIHR and the PA worked together with observers from the parliamentary assemblies of the

11 Cf. *A Roadmap for concrete steps forward: The OSCE as an inclusive platform and impartial actor for stability in Ukraine*, cited above (Note 6), pp. 2-3.

12 The Russian-language original of the protocol is available at: <http://www.osce.org/home/123257>; a detailed description of the contents in English can be found at: <http://www.bbc.com/news/world-europe-29162903>.

13 The original Russian text of the Memorandum can be found at: <http://www.osce.org/home/123806>; details in English are available at: <http://www.bbc.com/news/world-europe-29290246>.

14 The final report of this mission was published on 12 May. OSCE HCNM/OSCE ODIHR, *Human Rights Assessment Mission in Ukraine, Human Rights and Minority Rights Situation, ODIHR HRAM: 6 March – 1 April 2014, HCNM HRAM: 8 March – 17 April*, The Hague/Warsaw, 12 May 2014, at: <http://www.osce.org/odihr/118454>.

15 Cf. OSCE Office for Democratic Institutions and Human Rights, *Ukraine, Early Presidential Election, 25 May 2014, OSCE/ODIHR Election Observation Mission, Final Report*, Warsaw, 30 June 2014, at: www.osce.org/odihr/elections/ukraine/120549, and OSCE Office for Democratic Institutions and Human Rights, *Ukraine, Early Parliamentary Elections, 26 October 2014, OSCE/ODIHR Election Observation Mission, Final Report*, Warsaw, 19 December 2014, at: www.osce.org/odihr/elections/ukraine/132556.

Council of Europe and NATO and the representatives of the European Parliament on election day.

Finally, special attention should be paid to the constant tireless and intensive personal engagement of the Chairperson-in-Office and the OSCE Secretary General, Ambassador Lamberto Zannier, who traveled extensively and participated in many discussions in parallel to the measures detailed above.

The Helsinki +40 Process, which was launched with high expectations, was originally supposed to be the only special focus section of this year's OSCE Yearbook. The aim of the process was, in view of the 40th anniversary in 2015 of the signing of the Helsinki Final Act "to take stock, define priorities, and generate momentum for future work towards a vision of a security community. In broader terms, the Helsinki +40 Process can be considered as an opportunity to demonstrate the relevance of the Organization's basic values and principles in the 21st century."¹⁶ There can currently be no thought of forging a visionary security community; against the background of the war in Ukraine, the Helsinki Process has come to a virtual standstill. In its place, the conflict itself has come to occupy the centre not only of international attention, but also of political debate within the OSCE. However, it is precisely with regard to the Ukraine conflict that the OSCE has proved its relevance. We have therefore chosen to retain the original special focus on Helsinki +40 and to discuss it in view of the Ukraine crisis. In addition, we have created a second special focus section to deal with the Ukraine conflict itself. The conflict is also reflected in nearly every contribution in the Yearbook.

Prior to this, Reinhard Mutz and Götz Neuneck remember Jonathan Dean, a long-serving member of the OSCE Yearbook's international editorial board. Ambassador Dean, who died in January 2014, was respected by all who knew him as not only a competent expert, witness to historical events, and active shaper of international relations, but a warm and reliable friend.

The special focus section on "The OSCE and European Security: Focus on Helsinki +40 against the Background of the Ukraine Conflict" opens with a contribution that describes vividly both the enormous challenges of 2014 from the point of view of the Swiss Chairmanship and the OSCE's reaction to them. We are deeply grateful to Ambassador Heidi Grau for this. While the 40th anniversary of the Helsinki Final Act provides a natural milestone for a historical retrospective, Marianne von Grünigen and Hans-Jörg Renk, who together have witnessed all the key events in the Helsinki Process down the years, ask whether forty years of the Helsinki Final Act is something we should be celebrating. As if by way of an answer, former Russian Foreign

16 Marcel Peško, The Helsinki +40 Process: A Chance to Assess the Relevance of the OSCE's Comprehensive Security Model in the 21st Century, in: *OSCE Yearbook 2013*, cited above (Note 3), pp. 23-36, here: p. 24.

Minister Igor Ivanov argues that the OSCE remains as vital for Europe now as it was 40 years ago, while next year's Chairperson-in-Office, Ivica Dačić, lays out the Serbian Chairmanship's intentions for 2015. Fred Tanner brings together the Yearbook's two key topics for this year, considering the repercussions of the Ukraine crisis for the Helsinki +40 Process in detail. Jafar Usmanov undertakes a case study of Helsinki +40's approach to fieldwork with respect to the OSCE Presence in Tajikistan and the structural transformation of the OSCE field operations in recent years and concludes with a call to continue investigating the form of a potential "fourth generation" of OSCE field operations. In the final contribution to the special focus section, Lamberto Zannier, the OSCE's Secretary General, then discusses the OSCE's role as a regional arrangement under Chapter VIII of the UN Charter. Also in the chapter on the OSCE and European Security, Steven Pifer reviews recent developments in US-Russia relations, continuing the discussion that began in the OSCE Yearbook 2013.¹⁷ In his cautiously optimistic contribution, Pifer sounds out areas where the two countries' interests may converge so that communication and co-operation remain possible in the future.

Most of the section on conflict prevention and dispute settlement is dedicated to the Ukraine crisis as the second key focus of the 2014 OSCE Yearbook. In his contribution, Claus Neukirch, Deputy Director of the Conflict Prevention Centre for Operations Service of the OSCE Secretariat and therefore largely responsible for planning the Special Monitoring Mission to Ukraine, looks into the operational challenges the OSCE faced when deploying the mission, as well as the new horizons this operation opened up for the Organization, with a particular emphasis on the preparedness, flexibility, and high motivation of all the staff involved. Graeme P. Herd provides a detailed analysis of the strategic struggle between Russia and Ukraine. With the annexation of Crimea and the covert interference in the armed conflict in eastern Ukraine at the latest, the Russian leadership must face the accusation of having breached international norms. Though there can be no excuses for this, there are explanations for Moscow's behaviour, which can be found in several cases of unilateral action on the part of the West perceived by Russia as humiliating.¹⁸ Tatyana Parkhalina considers explanations of this kind, laying out Russia's motivations and sensitivities. Iryna Solonenko then outlines the development of Ukrainian civil society since the Orange Revolution and its role in the crisis. And finally, Pál Dunay asks why the OSCE experienced such a rise in prominence during the Ukraine crisis and what lessons can be learned for European and Euro-Atlantic Security.

Outside the special focus section, P. Terrence Hopmann also concentrates on the OSCE's practical activities in conflict prevention and dispute

17 See Victor Mizin, Russian-US Relations: Beyond the Reset Policy, in: *OSCE Yearbook 2013*, cited above (Note 3), pp. 37-51.

18 Cf. e.g. Reinhard Mutz, Die Krimkrise und der Wortbruch des Westens [The Crimea Crisis and the West's Broken Promises], in: *Blätter für deutsche und internationale Politik* 4/2014, pp. 5-10.

settlement, considering the recent work of the Minsk Group on the Nagorno-Karabakh conflict.

In the section on developments in specific participating States and the states' commitment to multilateralism, Hendrik Meurs analyses how the government in Turkmenistan frames its legitimacy to maintain power, and Graeme Currie considers why the referendum on Scottish independence failed. Finally, Adiyasuren Jamiyandagva outlines the desires and expectations of Mongolia, the OSCE's newest participating State.

With regard to the OSCE's human dimension, Francesco Marchesano looks at the bone of contention between the Russian Federation and ODIHR over election observation. In the politico-military dimension, consideration of the likely consequences of the Ukraine conflict led initially to resignation and fear that progress or a revival of arms control had receded into the distance; yet a different perspective soon emerged: In this regard, Rüdiger Lüdeking writes that "in the crisis, the OSCE has proven that it is able to act" and that "the use of the Organization's arms-control instruments for the co-operative creation of an objective overview of the situation and for de-escalation has played a central role", and concludes that "in view of the growing tensions in East-West relations and the elevated risk [...] that conflicts will again be resolved by military means, it is all the more urgent that arms-control policy efforts are strengthened at precisely this time."

In the section on organizational aspects of the OSCE, Shairbek Juraev discusses the contribution of the OSCE Academy in Bishkek to comprehensive security in Central Asia.

Finally, turning to the OSCE's relations with external organizations and the wider world, Sebastian Schiek asks whether the Afghanistan conflict can be considered a power resource for Central Asia, while Loïc Simonet looks at the OSCE Mediterranean Partnership four years after the "Arab Spring". Last but not least, Dimitar Paunov assesses the success of co-operation between the EU and the OSCE.

The brief overview above of the OSCE's mediation and observation efforts since February 2014 not only demonstrates the OSCE's ability to act in a grave crisis, but also show what a rich variety of conflict-management instruments the Organization currently has in its repertoire. Whether the OSCE can, in the long run, fulfil the expectations placed in it as a result of its rapid response nonetheless remains uncertain. The Ukraine crisis underlines the Organization's relevance and strengths, but it also reveals its limits. The ceasefire agreed in September remains highly fragile. Fierce fighting continues to break out regularly in the affected regions. According to a report by the Office of the UN High Commissioner for Human Rights, between 6 September and 31 October, in the first eight weeks following the cessation of fighting, an average of 13 people were killed each day, and grave human-

rights violations continue to be committed.¹⁹ The OSCE observers themselves also face danger, while key elements of the Minsk agreements remain unclear, including the issues of the line of contact and the precise nature of the special status of the breakaway regions.

That the OSCE is only as strong and can only achieve so much as its participating States allow is a commonplace. With a few exceptions, it can only apply even its tried-and-tested mechanisms and instruments for monitoring and political mediation when all the participating States are in agreement. The OSCE has few if any effective means of exerting pressure or providing economic incentives to tangibly influence heavily armed conflict parties unwilling to compromise. However, it is precisely the need for unanimity among the participating States that raises the OSCE's legitimacy as a multilateral and international actor. Thus, Russia's agreement to the deployment of the SMM and the stationing of a monitoring mission at two Russian checkpoints signals that Moscow's interest in common European security, in co-operation, and finally in maintaining dialogue on security issues has not been totally extinguished.

Perhaps it will take a combination of demonstrations of politico-military resolve, economic sanctions, and political dialogue to finally achieve a breakthrough. But even if a sustainable political resolution remains a distant prospect under a fragile ceasefire, "there is no alternative to the policy of resolving the Ukraine crisis by means of negotiations, even if this requires reserves of perseverance".²⁰

19 Cf. Office of the United Nations High Commissioner for Human Rights, *Report on the human rights situation in Ukraine*, 15 November 2014, executive summary, pp. 4-7, at: http://www.ohchr.org/Documents/Countries/UA/OHCHR_seventh_reportUkraine20.11.14.pdf.

20 Ambassador Hansjörg Eiff, cited in: Boris Georgievski, Eiff: "Russland will seine Position in Südosteuropa stärken" [Eiff: "Russia Wants to Strengthen Its Position in South-Eastern Europe"], *Deutsche Welle*, 23 November 2014, at: <http://www.dw.de/eiff-russland-will-seine-position-in-s%C3%BCdosteuropa-st%C3%A4rken/a-18078920>.