



# ASSESSMENT OF POLAND'S CHAIRMANSHIP OF THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE 2022

edited by Michał Dulak

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<b>5</b>	<b>Introduction and Methodological Assumptions</b>
	<b>I</b>
<b>8</b>	<b>The relevance of the OSCE to Euro-Atlantic security in the 21<sup>st</sup> century</b> Agnieszka Nitszke
<b>17</b>	<b>II</b> <b>Organisation for security and cooperation in Europe and the russian-ukrainian conflict after 2014</b> Olesia Tkachuk
<b>28</b>	<b>III</b> <b>Polish chairmanship of the OSCE in 2022</b>
<b>29</b>	<b>3.1.</b> <b>Methodology for the assessment of the Polish Chairmanship of the OSCE in 2022</b> Michał Dulak
<b>35</b>	<b>3.2.</b> <b>Chairmanship of the OSCE – institutional and historical context</b> Michał Dulak, Yevhenii Portnyi
<b>50</b>	<b>3.3.</b> <b>Programme and objectives of the chairmanship</b> Wiktor Kęsy, Yevhenii Portnyi
<b>70</b>	<b>3.4.</b> <b>Course of Chairmanship and programme implementation</b> Yevhenii Portnyi, Wiktor Kęsy
<b>101</b>	<b>3.5.</b> <b>Ministerial Council 1<sup>st</sup>–2<sup>nd</sup> December 2022</b> Michał Dulak

# INTRODUCTION AND METHODOLOGICAL ASSUMPTIONS

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The Organization for Security and Co-operation in Europe is not a popular subject of research and analysis. This is partly due to the greater importance of other regional organizations that secure peace, and partly because the OSCE itself has failed to prove its usefulness in resolving conflicts between its members. One can also look at this issue from another angle: the OSCE has become a slave to its own method, namely building trust and security based on good will and consensus. When some OSCE states use these principles to avoid accountability for actions inconsistent with international law, the organization is paralyzed.

In this context,, the question arises of why conduct a study of the OSCE institutions if the analysis of the whole does not bring any new cognitive benefits? When planning this report at the turn of 2021 and 2022, two reasons convinced us to consider the subject of the Poland's Chairmanship of the OSCE. First, it is relatively rare for a given country to take over the helm of this organization. In 2022, Poland was among several countries that took over the OSCE chairmanship for the second time after 1990. The last time Poland chaired the OSCE was in 1998. For this reason, it can be assumed that each chairmanship takes place in different political conditions. It is interesting then what specifically influences success or failure in running the OSCE. Second, ministries of foreign affairs are responsible for the implementation of the OSCE chairmanship, and therefore it is an opportunity to verify how efficient a country's diplomacy is in the difficult environment of multilateral relations.

On 24 February 2022, an additional premise appeared that dominated the first two. As a result of Russia's attack on Ukraine, the two OSCE members found themselves at war. Therefore, it was natural for the organization to

make efforts to stop this aggression as soon as possible. For these reasons, the analysis of how Poland will manage the OSCE policy in such a situation has become particularly interesting.

The purpose of the study, presented in this report, was to assess Poland's activities during the annual OSCE chairmanship between January and December 2022. Due to the lack of scientific and expert discussions summarizing the Polish OSCE chairmanship, the authors of the report also want to provide a detailed description of the events organized by Poland in 2022.

This study was part of the project entitled 'Poland's regional position in times of global tensions and rivalry: challenges for Euro-Atlantic security' financed by the Ministry of Foreign Affairs within the "Public Diplomacy 2022" competition. The project was implemented by Fundacja Lepsza Polska (Better Poland Foundation) in cooperation with the Polski Ośrodek Naukowy Uniwersytetu Jagiellońskiego (Polish Research Center of Jagiellonian University).

Due to formal requirements, the project had to end in mid-December. We know that a full assessment of the activities of the Poland's Chairmanship is not possible at the moment. Some of the consequences and effects of political initiatives are visible only in retrospect. Due to this, a maximally objective analysis is possible. Therefore, the report is also a contribution to further research on the effectiveness of Poland's and the OSCE activities undertaken in 2022 to maintain peace and security in Central and Eastern Europe. In the coming months, a publication will be published that will expand some of the topics covered in the report.

In the first chapter entitled "The relevance of the OSCE to Euro-Atlantic security in the 21<sup>st</sup> century", Agnieszka Nitksze, Ph.D. answers the questions about the institutional evolution of the OSCE since 1995, and whether institutional and organizational changes have improved the functioning of the OSCE in its various dimensions - political and military, human and economic. The second chapter is devoted to the role of the OSCE in the Russian-Ukrainian conflict, which has been ongoing since 2014. Olesia Tkachuk, Ph.D. in the text entitled "Organization for Security and Cooperation in Europe and the Russian-Ukrainian conflict after 2014" presents an analysis of the initiatives taken by the OSCE to resolve the conflict in Ukraine. The research in this part of the report was based on historical, institutional and legal analysis. They are based on formal documents of OSCE institutions, Russian-language sources, and those published in Ukrainian, as well as research and expert analyses.

The third chapter is entirely devoted to the summary of the Polish OSCE chairmanship in 2022. The authors of individual subchapters answer the following research questions: How has Poland prepared for the OSCE Chairmanship? What was the program of the Poland's Chairmanship in the OSCE? Has it changed after Russia's attack on Ukraine in February

2022? What has Poland managed to achieve from the initial assumptions of the OSCE Chairmanship programme? What actions has Poland taken to provide peace and security in the region of Central and Eastern Europe? The study conducted for the purpose of this part of the report uses the analysis of the secondary data, as well as data obtained from interviews with diplomats and employees of the Ministry of Foreign Affairs of the Republic of Poland and the Permanent Mission of the Republic of Poland to the OSCE responsible for the implementation of the activities of the Poland's OSCE Chairmanship in three dimensions: political and military, human and economic and environmental. A total of 12 people were interviewed, four at the Permanent Representation in Vienna (September 14, 2022) and eight at the Ministry of Foreign Affairs in Warsaw (September 19, 2022).

In the first sub-chapter of the third part of the report, Michał Dulak, Ph.D. presents the methodology for the evaluation of the Poland's Chairmanship. The second sub-chapter, written by Michał Dulak, Ph.D. and Yevhenii Portnyi contains an analysis of the historical and institutional context of the Polish presidency. In the third sub-chapter, Wiktor Kęsy and Yevhenii Portnyi discuss the program of the Poland's OSCE Chairmanship following the assessment criteria adopted in the report. In the last chapter of Yevhenia Portnyi and Wiktor Kęsy, they present an extensive overview of the activities carried out by the Poland's diplomacy between January and December 2022, and also provide an assessment of Chairmanship achievements, taking into account the context of the war in Ukraine.

Michał Dulak

## THE RELEVANCE OF THE OSCE TO EURO-ATLANTIC SECURITY IN THE 21<sup>ST</sup> CENTURY

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The architecture of security in the Euro-Atlantic area has undergone numerous changes since the end of the Cold War which have been linked either to the transformation of the military blocs and other organisations, or to the emergence of new non-state threats, such as terrorism motivated by radical Islam, or threats in cyberspace, and finally, hybrid threats, combining old elements with new ones. In this increasingly complex and constantly transforming setup, the only permanent organisation over the last almost 30 years has been the Organisation for Security and Cooperation in Europe (OSCE) which brings together 57 states in the area from ‘Vancouver to Vladivostok’ linking fully democratic states with those where these standards are not fully upheld. The aim of the analysis is to examine whether the OSCE is capable of being an effective guarantor of security in the Euro-Atlantic area and how the institutional evolution of the Conference on Security and Cooperation in Europe (CSCE) into the OSCE that began in the 1990s has affected this, and how the changes commenced at that time have affected the various dimensions of cooperation, i.e. political, military, economic, environmental and human. The paper will discuss the institutional and doctrinal evolution of the OSCE from the late 1980s and early 1990s onwards which defines the contemporary framework of the functioning of the organisation, followed by a presentation of the organisational structure formed at that time and the mechanisms of cooperation which are the de facto principles constituting cooperation between states. Finally, the position of the NATO and the EU, i.e. the two most important political (and politico-military) organisations in Europe towards the role of the OSCE in the creation of a security space in Europe will be indicated.



## Institutionalisation of the OSCE

The political transformations that took place in the late 1980s and early 1990s in Central and Eastern Europe and their consequences, which led to the collapse of the Soviet Union and the end of the Cold War, necessitated a reconstruction of the security architecture in international terms, particularly in Europe. One of the direct consequences of the changes was the dissolution of the Warsaw Pact which had been a military and defence alliance under the leadership and de facto political and military control of the Soviet Union. After 1989, its continued existence was no longer justified. Formally, the Warsaw Pact was dissolved in 1991. The countries of the Central and Eastern European region then found themselves in a security vacuum. At the beginning of the 1990s the idea of declaring neutrality by the country, with the CSCE as the international guarantor, emerged, also in Polish foreign and security policy. However, it was quickly recognised that the Conference did not have the capacity to guarantee military security and the idea was discarded.<sup>1</sup> This did not mean, however, that the idea was abandoned altogether, and it was later used by Russian diplomacy as one of the options for guaranteeing security for the Central and Eastern European states that were to formally remain neutral. Russia thus wanted to use the CSCE as an instrument to block NATO's eastward enlargement. These attempts failed, and the Central European states achieved their goal by becoming part of the Euro-Atlantic community, which was confirmed by their acceptance into the ranks of NATO and the European Union. Thus, the peculiar 'grey zone' of security that came about after the dissolution of the Warsaw Pact was eliminated. Another important consequence of the end of the Cold War, in the context of the creation of a security space in Europe, was the process of transformation of the Conference on Security and Cooperation in Europe which led to its partial institutionalisation in the mid-1990s, the formal manifestation of which was the transformation of the Conference into the Organisation for Security

and Cooperation in Europe. Before this happened, however, a process of change in the CSCE programme had already begun in the late 1980s and early 1990s in the face of the changes taking place. One of the most important points in the material development of the CSCE/OSCE was the Paris Conference of 19<sup>th</sup>– 21<sup>st</sup> November 1990 which resulted in the adoption of the **Charter of Paris for a New Europe**. This was a strictly political document marking a new stage in the history of post-war Europe which was to provide the basis for partnership relations between states from both sides of the former Iron Curtain.

Three main parts of this document can be identified, the first, the most comprehensive and important entitled 'A New Era of Democracy, Peace and Unity' referred to guarantees for democratic principles and human rights in the broadest sense; the second, 'Guidelines for the Future', focused on security understood comprehensively, not only in military terms, where confidence-building measures were mentioned, but also in an internal approach identifying terrorism or economic problems as threats; the third part, 'New Structures and Institutions of the CSCE Process', referred directly to the transformation process towards a stronger institutionalisation of the Conference.<sup>2</sup> The Ministerial Council (made up of Foreign Ministers), the Committee of High Representatives (now the High Council), the Centre for Conflict Prevention (now the Forum for Security Cooperation), the Office for Free Elections (now the Office for Democratic Institutions and Human Rights) and the Secretariat were established.<sup>3</sup> As a result, a framework was created for an organisational structure that was to offer a guarantee of more effective cooperation while maintaining the existing flexible model. At the beginning of April 1991, the institutional structure was extended to include the Parliamentary Assembly. The following years saw changes adapting the structure to the needs of the developing cooperation.

<sup>1</sup> R. Zięba, *Główne kierunki polityki zagranicznej Polski po zimnej wojnie*, Warszawa 2010, pp. 80-81.

<sup>2</sup> Charter of Paris for a New Europe, <https://www.osce.org/files/f/documents/0/6/39516.pdf>, pp. 1-29.

<sup>3</sup> *Ibidem*, pp. 15-29. The document also specifies the issues of cost-sharing for the maintenance of the CSCE as well as the outlines of the work schedule for the following years.

Generally, among the institutions and structures within the OSCE today a number of decision-making ones can be distinguished, and these include some bodies of a political nature. Among these, a special role is played by the Summits, i.e. meetings of Heads of State or Government where the most important issues for further cooperation are agreed. Unfortunately, this format does not have a finely defined timetable for meetings, and due to the numerous tensions in relations between the countries that make up the Organisation, meetings have become extremely rare – the last one took place in 2010, in Astana.<sup>4</sup> In this situation, the work of the OSCE is primarily the responsibility of the Ministerial Council, which has both decision-making and management powers. It is assisted by the Permanent Council which is made up of the permanent representatives of the States to the Organisation who meet regularly once a week. One of the most important bodies in the entire OSCE structure is the Chairman. This position is held by the Minister of Foreign Affairs of the State holding the Presidency in a particular year. They are responsible for preparing the programme of the Presidency and the agenda of meetings of the various thematic dimensions of the Organisation. They are a kind of coordinator within the framework of the multilateral diplomacy. The OSCE follows the Troika format for the Presidency, which means that the preceding, current and succeeding Presidencies, called Chairmanships, agree on the highlights of their respective agendas in order to maintain continuity in the work of the organisation. For this reason, the Troika is also counted as a political body of the OSCE. The Parliamentary Assembly is composed of representatives of national parliaments and serves as a forum for the exchange of views on current issues dealt with by the Organisation. The last body included in this category is the Forum on Security Cooperation dealing on an ongoing basis (weekly sessions) with topics related to the identification of threats and conflicts that may affect the level of international security. This is followed by the executive structures, which include the Secretariat and the Secretary-General of the Organisation as well as the Office for Democratic Institutions and

Human Rights, the Representative on Freedom of the Media and the High Commissioner on National Minorities. At the third organisational level there are field structures which help to create spaces of stability and security within the Organisation. Four areas are distinguished, i.e. South-Eastern Europe, Eastern Europe, the Caucasus and Central Asia. The last level in the organisational structure of the OSCE consists of the Joint Consultative Group in charge of the implementation and compliance with the Conventional Armed Forces Treaty, the Open Skies Consultative Commission and the Conciliation and Arbitration Tribunal which, however, did not commence its operation.

The organisational structure outlined above is an important component, but it is only by defining the objectives of the organisation and the accomplishment thereof that its functionality can be assessed. The previously mentioned process of transformation of the OSCE into the Organisation also included a material component in addition to the institutional development. Undoubtedly, the achievements of the OSCE in this regard include the so-called **mechanisms**, i.e. sets of rules and procedures, which were intended to create a space of stability and security within the area of the Organisation. The first mechanism, the so-called **Vienna Mechanism**, was established at the 1989 Vienna Review Conference and dealt with the human dimension of cooperation within the Conference. It provided for a four-stage procedure in which, at the beginning, states exchange information on the human dimension and respond to requests for information from other states. In the second stage, there is the possibility of bilateral meetings at the request of interested states to examine and resolve specific cases relating to the human dimension. In the third stage, all the participating States are notified of the cases in the human dimension that are being processed. In the final stage, the discussion of cases in the CSCE/OSCE fora takes place. It is noteworthy that the Vienna Mechanism has been used on many occasions and has served, among other things, to protect minority rights,

<sup>4</sup> Information in this section of the article is given after the official OSCE website: <https://www.osce.org> (accessed: 1-12 October 2022).

thanks to which tensions between states could be successfully de-escalated in some cases. Given its effectiveness, it was decided to strengthen it. This happened at the Human Dimension Review Conference in Moscow in 1991, and the mechanism was subsequently modified at the Ministerial Council meeting in Rome in 1993. The main change concerns the possibility of setting up ad hoc missions composed of independent experts to deal with a reported case on the spot. Each state has the right to designate up to a maximum of six persons to be experts for a period of three to six years. The **Moscow Mechanism** provides for five possible options. In the first one, the state concerned voluntarily requests the establishment of a mission of up to three experts to carry out an inspection in its territory. The mission then presents its conclusions within three weeks and the state concerned should communicate within a further two weeks what measures it has taken or intends to take in relation to the situation under investigation. Another option provides that one state may request that a mission be established in another state. If the other state agrees, then the mission operates as in option one. However, the next options, the third and fourth, appear to be the most problematic. Option three is triggered when a state suspected of human rights violations does not agree to the establishment of a mission. It is then possible to establish a rapporteurs' mission, which can be appointed with the support of a minimum of six States (apart from the requesting State), and the consent of the requested State is not required for its establishment. The task of the rapporteurs is to examine the objective circumstances and present their conclusions to the parties concerned. In the fourth option, if a state considers that a 'particularly serious threat' has arisen in another state, then a rapporteurs' mission can be established upon request supported by nine other states. The last, fifth option provides for the possibility of establishing an expert or rapporteur mission by the Permanent Council. The Moscow Mechanism, like the Vienna one before it, has been used on many occasions although there have also been cases of obstruction, such as in 1993 when the special rapporteurs' mission that was supposed to investigate the situation in Montenegro and Serbia were not granted visas to enter Serbia.

Further mechanisms are related to the politico-military dimension of the Organisation. The original **Risk Reduction Mechanism** was developed at the Conference on Confidence- and Security Building Measures and was included in the concluding document of the 1990 Vienna Conference. In subsequent years, it was modified and clarified in the 1999 Charter for European Security. It currently comprises three procedures. Firstly, a **consultation and cooperation mechanism for unusual military activities** which is triggered when worrying military build-up occurs which was not planned or previously reported to other participants. A state that considers such activities to be a threat to its own security can ask for an explanation from the state on whose territory such military build-up is taking place, and a response should be provided within 48 hours. If this does not happen, the State concerned can request a meeting, and if the matter is not clarified even in this way, in the last phase it is possible to request a meeting of all the States of the Organisation to resolve the situation. Another mechanism concerns the organisation of visits to **dispel concerns about military activities**. It presupposes that a state conducting military exercises on its territory voluntarily invites observers from other states to manifest the lack of ill-will and malicious intent. The third mechanism is intended to facilitate **cooperation on hazardous incidents of a military nature**. Any State in whose territory such a situation occurs should inform and provide explanations to the other States through the contact points established for this purpose, and thus avoid misunderstandings and potential escalation. The organisation has also developed and uses two early warning mechanisms. The first of them is the so-called **Berlin Mechanism**, adopted in June 1991 at the Berlin meeting of the CSCE Council Ministers of Foreign Affairs. It is of a general nature and can be activated in the event of serious disturbances threatening peace, security and stability. Each state has the right to request clarification from other states if it considers that such a situation has arisen. The requested State should respond within a maximum of 48 hours. The establishment of the Permanent Council has rendered the Berlin Mechanism irrelevant as the handling and assessment of emergencies is the responsibility of this very body without the need to formally activa-

te the mechanism. The second mechanism is the **mechanism of early warning and preventive action** established in 1992 at the Helsinki Conference. It provides for the possibility to inform the High Council of situations that have the potential to develop into conflicts, including armed conflicts. The right to make such a notification is available to, among others, states directly involved in the dispute in question or a group of at least 11 states not directly involved in the particular situation.

The last category of mechanisms includes two instruments related to peaceful methods of settling disputes. The first is the so-called **Valletta Mechanism** defined in 1991 and slightly revised and simplified in Stockholm a year later. Unfortunately, this mechanism has never been activated, which is probably due to the weaknesses contained in its very design. As a matter of fact, it presupposes the establishment of commissions of experts to resolve disputes, but without giving their verdicts binding force on the parties. In addition, there is a catalogue of matters excluded from the mechanism which includes some of the key issues most often leading to conflict, such as territorial integrity, sovereignty in the broad sense and defence issues. The second mechanism stems from the OSCE **Convention on Conciliation and Arbitration** adopted at the 1992 Stockholm Ministerial Conference. The document is not binding on all members of the Organisation, but only on the signatory states. It envisaged the establishment of a Conciliation and Arbitration Tribunal, which is to be very flexible in nature and composed of conciliators and arbitrators who form conciliation commissions or arbitral tribunals set up on an ad hoc basis, and whose verdicts are to be binding on the parties who requested the settlement of the dispute. However, as mentioned earlier, the Tribunal is a dead institution.

In 1992, the Helsinki Summit recognised the CSCE as a regional agreement under Chapter VIII of the UN Charter. This meant that the Conference was given a special status and position to create an area of security and stability by developing peaceful methods of dispute resolution. Following the dissolution of the Warsaw Pact and the collapse of the Soviet Union, it became necessary to establish new rules for co-

operation within the Conference between the main actors, including NATO and Russia together with the Commonwealth of Independent States.

The CSCE developed a number of principles that helped maintain peace and security during the Cold War. These included, firstly, the principle of indivisible security, meaning that the security of all participants is linked, and a breach in the security of one state may have negative consequences for the others; secondly, the principle of comprehensive security, combining all the aspects, i.e. military, economic, human and environmental; thirdly, the principle of cooperative security, understood primarily as cooperation between participants, but also with external actors, in particular international organisations at various levels, e.g. the UN, and over time, from the 1990s onwards, also with the EU and NATO. After the collapse of communism, for a short period of the first half of the 1990s, it seemed that the concept of the combined three principles would mark a new form of cooperation where they would no longer regulate tense inter-block relations and prevent conflicts, but would be used in positive terms, as an element of deeper cooperation and joint problem solving.

Further institutional and legal changes to the OSCE were defined on the basis of the Charter on European Security signed at the Istanbul Summit of the Organisation on 18<sup>th</sup>–19<sup>th</sup> November 1999. The Charter was agreed in new circumstances which were linked to the historic eastward enlargement of NATO. The political tensions associated with this process set a new framework for cooperation. The Charter focuses on threats to civilian security, including those arising from the internal situation in the individual countries, and places a strong emphasis on issues relating to the human dimension. During the Summit a revision of the Treaty on Conventional Armed Forces in Europe was additionally signed, which directly addressed military-to-military issues and envisaged further arms reductions while politically guaranteeing that there would be no increase in military capabilities in the Kaliningrad region and Belarus. The Istanbul Summit also agreed the Vienna Document on Confidence- and Security Building Measures in the military field.<sup>5</sup>

<sup>5</sup> Istanbul Document 1999, <https://www.osce.org/files/f/documents/6/5/39569.pdf> (accessed: 12 October 2022).

## OSCE in the 21<sup>st</sup> century

Despite a number of measures taken in the 1990s, the OSCE failed to actively prevent the escalation of conflicts in the former Yugoslavia. The main burden and responsibility for conflict resolution was assumed by the UN and NATO. Therefore, the beginning of the 21<sup>st</sup> century marked a further marginalisation of the OSCE. The 'open-door' strategy pursued by NATO as well as the successive enlargements of the EU and changes in that organisation, including the development of the Common Security and Defence Policy, and, on the other hand, the gradual reorientation of the policy of the Russian Federation towards rebuilding its position as hegemon in the post-Soviet area, were not conducive to the development of new security strategies within the OSCE. An attempt to renew cooperation and give it a new impetus came at the end of the first decade of the 21<sup>st</sup> century. In 2008, during the Finnish presidency, a debate began which was continued by the Greek presidency under the name of the Corfu Process. Russia believed that the unipolar system that had developed after the collapse of the Soviet Union had to give way to a new polycentric model of international cooperation. In doing so, it pointed to the weaknesses of the OSCE system, including new security threats of a non-state nature and therefore more difficult to identify and combat, as well as the excessive frag-

mentation within the Organisation itself in the form of an ever-increasing number of regional agreements between selected OSCE participants, resulting in their involvement in diverse projects. The purpose of the Corfu Process was to prepare a reform of the OSCE to make it more functional and responsive to emerging challenges. At the Astana Summit in 2010, leaders of the OSCE States set a mandate for further work on the reform. The Ministerial Council identified eight areas on which the Corfu Process was to work, i.e. the implementation of all OSCE standards, principles and commitments; the role of the OSCE in early warning, conflict prevention and resolution, crisis management and post-conflict reconstruction; the role of arms control and confidence and security systems in building trust in a changing security environment; transnational and multidimensional threats and challenges; economic and environmental challenges; human rights and fundamental freedoms, as well as democracy and the rule of law; enhancing the effectiveness of the OSCE; and interaction with other organisations and institutions building on the 1999 Cooperative Security Platform.<sup>6</sup> This process could not be completed as further conflicts emerged in the following years, including the most serious one related to Russian aggression against sovereign Ukraine in 2014.

## Perception of the role of the OSCE for transatlantic security by the EU and NATO

In the context of building a space of security and stability in Europe, NATO is of particular importance, being not only a military alliance but also a community of Western values. In the 1990s, when negotiations on NATO enlargement were underway, the Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation of 27<sup>th</sup> May 1997 was drafted<sup>7</sup> in which reference was made to the concept of indivisible security of the Euro-Atlantic community. It was indicated that NATO and

Russia would work together to strengthen the OSCE as an instrument of preventive diplomacy. The role of the OSCE was to prevent the renewal of Cold War divisions in Europe. The agreement helped to develop the OSCE Charter for European Security, but hopes for a permanent warming of relations between NATO and Russia proved to be a false dawn. The further expansion<sup>7</sup> of NATO to include the former communist bloc countries and the rise of Russia's imperialist policies led to an escalation of tensions that the

<sup>6</sup> Restoring trust: the Corfu Process, <https://www.osce.org/mc/87193> (accessed: 12 October 2022).

<sup>7</sup> Akt podstawowy o stosunkach dwustronnych, współpracy i bezpieczeństwie między NATO i Federacją Rosyjską, Paryż 27 maja 1997 r., <http://libr.sejm.gov.pl/tek01/txt/nato/z4s5.html> (accessed: 12 October 2022).

OSCE was unable to effectively prevent. This is by no means to say that NATO does not see the potential of the Organisation. With the increase in incidents involving, among other things, violations of NATO countries' airspace by Russian aircraft, NATO saw an opportunity to use some OSCE instruments. One of these was the Panel of Eminent Personalities on European Security set up in 2014 by the then OSCE Troika.<sup>8</sup> Within the OSCE, it would also be possible to discuss risky military instruments more widely by reviving the Vienna Document. At a time of heightened tension in relations with Russia, particularly in the period after the 2014, i.e. the annexation of Crimea and the first phase of the war in Ukraine (but before 24<sup>th</sup> February 2022), NATO, saw the OSCE as a forum for relations with Russia when other channels of contact and dialogue were failing.

It is important to look at the role attributed to the Organisation by the EU which both historically but also today has an interest in developing this cooperation for the sake of its own security which is largely dependent on the situation on its external borders or in its wider neighbourhood (e.g. the Caucasus). There are direct references to the OSCE in the treaties underpinning the functioning of the European Union, which demonstrates the importance the Union attaches to this organisation. Article 21(2)(c) of the Treaty on European Union states that the Union's action on the international scene shall be aimed at maintaining peace and security in accordance with the principles of the Helsinki Final Act and the objectives of the Charter of Paris.<sup>9</sup> Article 220 of the

Treaty on the Functioning of the European Union stipulates that the Union must establish all appropriate forms of cooperation with other organisations, including the OSCE, and that the High Representative and the European Commission shall be responsible for maintaining them.<sup>10</sup> It is worth noting the role of the European Parliament in creating relations with the OSCE. In its resolution of 11<sup>th</sup> November 2010 on strengthening the OSCE<sup>11</sup> a multi-faceted analysis of the strengths and weaknesses of the organisation was presented and directions for potential changes were identified. It focused on all three dimensions of the OSCE. It was recognised that the most important challenge for the politico-military cooperation is the continued work on the system of limiting conventional armed forces and ensuring that the solutions already adopted are respected. With regard to the economic and environmental dimension, energy-related issues were given particular importance as one of the most important areas of cooperation. And regarding the human dimension, the importance of free elections and other democratic processes and procedures was emphasised. In 2010 The EP had a cautious but optimistic attitude towards the possibilities of reforming the OSCE. It welcomed with hope the Corfu Process which had begun several months earlier. An appeal was made for steps to be taken to strengthen the OSCE, especially in terms of its capacity to manage crises in its area, inter alia by increasing the flexibility of the decision-making process, e.g. by giving new powers to the Secretary General or the Chairperson and/or the Troika.<sup>12</sup>

## Conclusions

As already mentioned, one of the reasons for the loss of relevance of the OSCE was the enlargement processes of NATO and the EU. The security community thus created constitutes a viable and, most importantly, a functional system with a full spectrum of guaran-

tees for the security of its participants. Even if not all states are members of both organisations at the same time, membership of a minimum one already provides sufficient security. The OSCE, due to its nature and size, does not have such integration possibi-

<sup>8</sup> L. Simonet, V. Tuomala, *Jak OBWE pomaga ograniczyć ryzykowne incydenty wojskowe?*, <https://www.nato.int/docu/review/pl/articles/2016/11/02/jak-obwe-pomaga-ograniczyc-ryzykowne-incydenty-wojskowe/index.html> (accessed: 12 October 2022).

<sup>9</sup> Traktat o Unii Europejskiej, Dz.U. UE C 115 z 9 maja 2008 r., pp. 28-29.

<sup>10</sup> Traktat o funkcjonowaniu Unii Europejskiej, Dz.U. UE C 326 z 26 października 2012 r., p. 147.

<sup>11</sup> Wzmocnienie OBWE - rola Unii Europejskiej, Rezolucja Parlamentu Europejskiego z dnia 11 listopada 2010 r. w sprawie wzmocnienia OBWE – roli UE, P7\_TA(2010)0399, pp. 1-9.

<sup>12</sup> Ibidem, p. 8.

lities, as it brings together many states with unstable statehood and unresolved neighbourhood disputes. For this reason, the role and functions of the OSCE cannot be completely depreciated. Admittedly, from the perspective of the Euro-Atlantic community the role of the OSCE is not directly relevant; however, for the other participants it is a forum for dialogue and a component of a pluralistic security community.

Problems with the functionality and effectiveness of the organisation also arise from internal constraints. The decision of states not to adopt a statute and not to give the Organisation an international legal personality in the process of institutionalisation was justified in the 1990s during a period of relative relaxation and a cooperative attitude of states, but as tensions increased, this proved to be a serious constraint. As a result, in the 21<sup>st</sup> century the Organisation operates on the principles set out in the 20<sup>th</sup> century and for the circumstances of that time.

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Zięba R., *Główne kierunki polityki zagranicznej Polski po zimnej wojnie*, Warszawa 2010



# ORGANISATION FOR SECURITY AND COOPERATION IN EUROPE AND THE RUSSIAN-UKRAINIAN CONFLICT AFTER 2014

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## Introduction

The violation of Ukraine's sovereignty and territorial integrity by the Russian Federation in 2014 through its annexation of Crimea in violation of the principles of international law and its support for separatists in eastern Ukraine who in April 2014 declared the creation of the 'Donetsk People's Republic' (DPR) and the 'Luhansk People's Republic' (LPR), has had far-reaching consequences. On the one hand, this has led to increased instability and security risks in the European continent while, on the other hand, it has given rise to the need to assess the role and activities of the individual international organisations in maintaining peace and security in Europe as well as globally. One such regional grouping is the Organisation for Security and Cooperation in Europe (OSCE). The analysis of its activities in the context of the resolution of the Russian-Ukrainian armed conflict is motivated by two considerations. Firstly, both parties to the conflict are member states of the OSCE and are thus bound by the principles underpinning the organisation's functioning, such as refraining from the threat or use of force, inviolability of borders, territorial integrity of states, peaceful settlement of disputes, non-interference in internal affairs, etc.<sup>1</sup> Secondly, on 24<sup>th</sup> February 2022, there was a full-scale invasion of Ukraine by Russia, preceded by an increase in tension in the region as a result of the build-up of Russian military forces near the Ukrainian border. This raises the question of the effectiveness

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<sup>1</sup> *Conference on Security and Co-operation in Europe. Final Act, Helsinki 1975*, <https://www.osce.org/files/f/documents/5/c/39501.pdf>, pp. 3-8 (accessed: 26 October 2022).

of the mechanisms and procedures developed over 47 years first under the Conference on Security and Cooperation in Europe (CSCE) and later on under the OSCE. Therefore, the aim of this article is to analyse the organisation's ability to prevent and resolve crisis situations threatening peace and security in Europe

based on the example of the Russian-Ukrainian armed conflict. Furthermore, the author will attempt to define the problems in the implementation of the main tasks of the OSCE as well as to identify the prospects for further development of the organisation.

## (Un)exploited OSCE opportunities for the resolution of the Donbass conflict 2014-2021

Following the destabilisation of the internal situation in Ukraine in 2014 the Organisation for Security and Cooperation in Europe undertook a series of measures falling within the thematic scope of the three baskets of the CSCE Final Act signed on 1<sup>st</sup> August 1975<sup>2</sup> the objective of which was to settle the conflict and strengthen Ukraine as a sovereign, democratic and secure state. On the one hand, the OSCE's activities consisted of implementing projects on, inter alia, the protection of human rights (including the rights of national minorities), supporting internal reforms, countering the threat of unexploded ordnance, ensuring media freedom and the safety of journalists working in crisis situations, protecting the environment, monitoring the conduct of presidential and parliamentary elections, and establishing a contact between Ukrainian and Russian parliamentarians.<sup>3</sup> On the other hand, the organisation took steps to reduce tensions and reach a ceasefire agreement between the conflicting parties. It should be emphasised here that the issue of stabilising the situation and settling the conflict was complicated for two reasons. Firstly, on 16 March 2014, a referendum on the status of Crimea was held in the territory of the Autonomous Republic of Crimea and the special city of Sevastopol, in which, according to the orga-

nisers, 96.8% of voters at a turnout of 83.1% were in favour of incorporating it into the Russian Federation as a federal entity.<sup>4</sup> However, the results of the vote were not recognised by Western institutions, including by the OSCE. Neither did they send their representatives to observe the referendum so as not to recognise its legitimacy.<sup>5</sup> Nevertheless, shortly after the above results were made known, the independence of the Crimean peninsula was declared, and on 21<sup>st</sup> March President Vladimir Putin signed a law on its incorporation into Russia.<sup>6</sup> Consequently, the question of establishing a mission or taking other stabilisation measures by the international community in the Crimean area was effectively impossible as it would have led to a conflict with Moscow.<sup>7</sup>

Secondly, in May 2014, following the organisation of referendums similar to the one in Crimea, independence was proclaimed by the self-proclaimed authorities of the DPR and the LPR which then asked to join the Russian Federation. However, unlike Crimea, Moscow did not take an annexation decision. Thus, a situation arose in which two quasi-state entities without international recognition emerged in the Ukrainian territory. Russia's involvement in the conflict, in turn, was unofficial as Moscow from the

<sup>2</sup> The author has in mind the first three parts (baskets) of the CSCE Final Act, i.e. (1) security issues in Europe; (2) cooperation in the economic, scientific, technical and environmental spheres; (3) cooperation in the humanitarian and other fields (including respect for human rights, development of people-to-people contacts, cultural exchanges, education). Cf. *Ibidem*, pp. 3-58 (accessed: 26 October 2022).

<sup>3</sup> See further in *OSCE Project Co-ordinator in Ukraine (closed)*, <https://www.osce.org/project-coordinator-in-ukraine-closed> (accessed: 26 October 2022); *OSCE response to the crisis in and around Ukraine*, <https://www.osce.org/files/f/documents/a/3/125575.pdf>, pp. 1-8 (accessed: 26 October 2022).

<sup>4</sup> T. A. Olszański, A. Sarna, A. Wierzbowska-Miazga, *Konsekwencje aneksji Krymu*, Analizy OSW, 19.03.2014, <https://www.osw.waw.pl/pl/publikacje/analizy/2014-03-19/konsekwencje-aneksji-krymu> (accessed: 26 October 2022).

<sup>5</sup> *OSCE Chair says Crimean referendum in its current form is illegal and calls for alternative ways to address the Crimean issue*, <https://www.osce.org/cio/116313> (accessed: 26 October 2022).

<sup>6</sup> *Подписаны законы о принятии Крыма и Севастополя в состав России*, <http://kremlin.ru/events/president/news/20625> (accessed: 26 October 2022).

<sup>7</sup> M. Nataneek, *Działalność misji specjalnej OBWE na Ukrainie – sukces, porażka czy impuls do reform?*, *Polityka i Społeczeństwo*, 2019, no. 4 (17), p. 155.

outset described the situation in the Donbass as an 'intra-Ukrainian conflict' emphasising that the Russian Federation was not conducting any military activity in the Ukrainian territory.<sup>8</sup> This therefore gave rise to some difficulties in activating procedures developed within the CSCE/OSCE process for the prevention and peaceful resolution of conflicts between member states (e.g. the Valletta Mechanism or the Berlin Mechanism, both developed in 1991).<sup>9</sup>

When analysing the actions taken by the OSCE in response to the developments in Ukraine between November 2013 and February 2014 (before the then President Viktor Yanukovich left the country), it should be stated that the organisation was quite passive. Indeed, it did not engage in mediation between the opposition and the forces in power. Eventually, an agreement to stabilise the situation in the country was reached on 21<sup>st</sup> February 2014 with the support of the Weimar Triangle states which confirmed its content with their signatures.<sup>10</sup> Nevertheless, just a few days later, on 24<sup>th</sup> February, Didier Burkhalter, President and Foreign Minister of Switzerland holding the OSCE Chairmanship at the time, appointed Swiss diplomat Tim Guldemann as OSCE Special Envoy to Ukraine. He made several visits to the country (including Crimea<sup>11</sup>) to assess the situation. In addition, a roadmap to de-escalate the conflict was drawn up in early May 2014.<sup>12</sup> It was based on the following four thematic blocks: refraining from violence, disarmament, national dialogue, and creating the conditions for free and fair presidential elections.<sup>13</sup> It also included the initiation of national dialogue roundtables to foster stability in the country. In 2014, three roundtables co-moderated by the OSCE represen-

tative, German diplomat Wolfgang Ischinger were organised on 14<sup>th</sup> May in Kiev, 17<sup>th</sup> May in Kharkiv and 21<sup>st</sup> May in Nikolaev.<sup>14</sup>

In March 2014 Ukraine invoked the confidence and security-building measures in Europe envisaged in the 2011 Vienna Document (Chapter III)<sup>15</sup> asking OSCE Member States and Partners and the OSCE Centre for Conflict Prevention to send their representatives to the territory of Ukraine from 5<sup>th</sup> to 12<sup>th</sup> March under the mechanism of voluntary hosting of visits. These were intended to dispel concerns about unusual military activities (an extension of the verification visit to 20<sup>th</sup> March was later requested to check the southern and eastern parts of the country). In response to Ukraine's request, the OSCE sent a group of 56 unarmed civilian and military representatives from 30 member states to the country. The group attempted to visit Crimea on several occasions, but was unable to pass through the checkpoints at the administrative border. Nevertheless, based on its observations, the group concluded that it was unable to dispel concerns about unusual military activities on the peninsula. After 20<sup>th</sup> March 2014, smaller observation teams consisting of unarmed military experts representing their respective countries visited Ukraine. They were engaged in analysing the situation in terms of military security. From 25<sup>th</sup> April to 3<sup>rd</sup> May 2014, members of one of the teams led by the Bundeswehr Verification Centre were held hostage by pro-Russian separatists. Apart from this, 26 OSCE member states decided to send military inspectors to the territory of Ukraine under Chapters IX (Compliance and Verification) and X (Regional Measures) of the Vienna Document. In total, they carried out 25 verification activities. In addition,

<sup>8</sup> Комментарий официального представителя МИД России А. К. Лукашевича в связи с „озабоченностью” властей Украины в отношении российской военной деятельности „на территории Украины”, <https://rus.rusemb.org.uk/fnapr/3149> (accessed: 28.10.2022).

<sup>9</sup> M. Nataneek, op. cit., pp. 156-157. See further on these mechanisms: *OSCE Mechanisms & Procedures. Summary/Compendium*, <https://www.osce.org/files/f/documents/e/e/34427.pdf>, pp. 16-32, 55-170 (accessed: 28 October 2022).

<sup>10</sup> Угода про врегулювання кризи в Україні, <https://www.pravda.com.ua/articles/2014/02/21/7015533/> (accessed: 28 October 2022).

<sup>11</sup> Personal Envoy Guldemann says situation in Crimea calm but very tense, <https://www.osce.org/cio/116181> (accessed: 28 October 2022).

<sup>12</sup> M. Nataneek, op. cit., p. 157; *OSCE response to the crisis in and around Ukraine*, op. cit., p. 1 (accessed: 1 November 2022).

<sup>13</sup> Swiss Chairperson-in-Office receives positive responses to OSCE Roadmap, says implementation is well underway, <https://www.osce.org/cio/118479> (accessed: 1 November 2022).

<sup>14</sup> Ibidem; M. Nataneek, op. cit., p. 157; *OSCE response to the crisis in and around Ukraine*, op. cit., p. 1 (accessed: 1 November 2022).

<sup>15</sup> The Vienna Document on Confidence and Security-Building Measures in Europe was adopted in November 1990 and was updated several times, in 1992, 1994, 1999 and 2011. Its Chapter III Risk Reduction provides for three mechanisms: (1) consultation and cooperation in the face of unusual military activities; (2) cooperation in the face of dangerous incidents of a military nature; (3) voluntary hosting of visits to dispel anxiety in the face of military activities. Cf. Z. Lachowski, *Kryzys reżimu zaufania i bezpieczeństwa w kontekście konfliktu na Ukrainie*, *Bezpieczeństwo Narodowe*, 2014, no. 3, pp. 58-60, 69.

14 countries, i.e. Belgium, Estonia, Finland, France, Germany, Latvia, the Netherlands, Norway, Poland, Sweden, Switzerland, Turkey, Ukraine and the United States organised 11 verification activities in Russia. Moreover, Canada, Estonia, Ukraine and the United States made 19 requests to the Russian Federation under the Consultation and Cooperation Mechanism against unusual military activities. Similar requests were also made by Moscow to Kiev. Based on them, three joint meetings of the Forum for Security Cooperation and the OSCE Permanent Council were convened on 7<sup>th</sup>, 17<sup>th</sup> and 30<sup>th</sup> April 2014.<sup>16</sup> In assessing the effectiveness of the above-mentioned measures, it is important to note the dismissive attitude of the Russian authorities towards the OSCE manifested e.g. by the fact that Moscow ignored the above-mentioned April meetings. Furthermore, some delegations (including the US) stressed that Russia was carrying out military operations with forces the numbers of which exceeded the thresholds established in the Vienna Document for notification and observation. However, the Russian Federation did not fulfil its notification obligation. It further argued that the requests made to it under the Consultation and Cooperation Mechanism in the face of unusual military activities were ‘unjustified.’<sup>17</sup>

The efforts of the OSCE to resolve the Russian-Ukrainian conflict also involved the establishment of a Special Monitoring Mission to Ukraine pursuant to the Permanent Council Decision No. 1117 of 21<sup>st</sup> March 2014. It was initially established for a period of six months, but was extended several times – until 31<sup>st</sup> March 2022. On that date its mandate expired as Russia did not agree to another extension. During the eight years of the operation of the mission, it gradually grew in size (from 100 to more than 1,000 people) and budget (from approx. EUR

1m to EUR 105.5m), which was intended to ensure that it could be effective in performing its tasks, such as collecting information and preparing reports on the situation in the conflict area; drafting reports on incidents and events concerning alleged violations of basic principles and commitments made within the OSCE framework; monitoring respect for human rights and fundamental freedoms, including the rights of national minorities; establishing contacts with local, regional and central authorities, civil society, ethnic and religious groups and local residents; promoting dialogue in the conflict area to reduce social and ethnic tensions; reporting on any restrictions on the mission’s freedom of movement and other factors hindering the fulfilment of the mission’s mandate; and coordinating the work of OSCE institutions and developing cooperation with other international organisations. It is worth mentioning that the mandate of the mission covered the entire territory of Ukraine, including Crimea, and its headquarters was located in Kyiv. In carrying out their tasks, unarmed civilian observers prepared three types of reports (daily, situational and thematic) in which they reported in great detail on the situation in the combat zone.<sup>18</sup> In doing so, they often experienced various difficulties, e.g. improvised road barriers, immediate danger to health or life, destruction of property and restriction of freedom of movement in the Ukrainian territory.<sup>19</sup>

An important component in the involvement of the organisation in the restoration of peace and stability in Ukraine was also the appointment of the Swiss diplomat Heidi Tagliavini<sup>20</sup> as Representative of the OSCE to the Tripartite Contact Group which also included delegates from Ukraine (Leonid Kuchma) and Russia (Mikhail Zurabov).<sup>21</sup> During its meeting in Minsk on 5<sup>th</sup> September 2014 a ceasefire agreement was ad-

<sup>16</sup> *OSCE response to the crisis in and around Ukraine*, op. cit., pp. 7-8 (accessed: 1 November 2022).

<sup>17</sup> Z. Lachowski, op. cit., pp. 69-70.

<sup>18</sup> O. Tkachuk, *Specjalna misja monitorująca OBWE na Ukrainie – cele i problemy w ich realizacji*, *Zeszyty Naukowe Towarzystwa Doktorantów UJ*, 2017, no. 18 (3), pp. 114-121; M. Natanek, op. cit., pp. 158-164; *Decision No. 1117. Deployment of an OSCE Special Monitoring Mission to Ukraine*, Doc. OSCE PC.DEC/117, PC Journal No. 991, Vienna 21 March 2014, pp. 1-2.

<sup>19</sup> O. Tkachuk, op. cit., pp. 121-122.

<sup>20</sup> Heidi Tagliavini held her position until June 2015 after which she was replaced by Martin Sajdik who in turn represented the OSCE in the Tripartite Contact Group until 2020 after which he handed over his responsibilities to Heidi Grau. In mid-2021, Mikko Kinnunen took over her tasks. Cf. *Sajdik appointed OSCE special representative on Ukraine*, <https://www.kyivpost.com/article/content/war-against-ukraine/sajdik-appointed-osce-special-representative-on-ukraine-391734.html> (accessed: 1 November 2022); *OSCE Chair Lajčák appoints Heidi Grau as Special Representative of the OSCE Chairperson-in-Office in Ukraine and in the Trilateral Contact Group*, <https://www.osce.org/chairmanship/441233> (accessed: 1 November 2022); *OSCE Chairperson Linde appoints Mikko Kinnunen as Special Representative of the OSCE Chairperson-in-Office in Ukraine and in the Trilateral Contact Group*, <https://www.osce.org/chairmanship/493345> (accessed: 1 November 2022).

<sup>21</sup> M. Natanek, op. cit., p. 157.

opted. Apart from the participants of this group, representatives of the separatist republics (Aleksandr Zakharchenko and Igor Plotnitsky) put their signatures to the agreement.<sup>22</sup> At the next meeting between the Contact Group and representatives of the separatist movements in Minsk on 19<sup>th</sup> September 2014, a memorandum was drawn up in which the parties agreed, inter alia, to stop military formations in their juxtaposition, establish a weapons-free zone of 30 kilometre width and introduce a ban on deployment of heavy weapons and military equipment.<sup>23</sup> Because of the non-compliance with the above agreements and the continuation of hostilities, the Package of Measures for the Implementation of the Minsk Agreements of 5<sup>th</sup> and 19<sup>th</sup> September 2014 was signed in Minsk on 12<sup>th</sup> February 2015. It provided for, inter alia, a ceasefire, the withdrawal of heavy military equipment, and adopting permanent legislation on the special status of certain areas of the Donetsk and Luhansk regions.<sup>24</sup> The package of measures was drafted by the leaders of Ukraine, Russia, Germany and France (during a meeting in the Normandy Four format) and signed by the above-mentioned participants of the Contact Group and two representatives of the separatist republics.<sup>25</sup> Regarding the tasks of the OSCE as defined in the February document, these include monitoring the ceasefire and the withdrawal of troops; supervising the withdrawal of all foreign armed formations,

military equipment as well as mercenaries and warriors from Ukrainian territory; continuous monitoring of the Russian-Ukrainian border; and monitoring of local elections in the Donetsk and Luhansk regions by the Office for Democratic Institutions and Human Rights.<sup>26</sup>

Also worth mentioning is the OSCE Monitoring Mission at the two border crossings between Ukraine and Russia, i.e. in Gukov and Donetsk, which was established by the OSCE Permanent Council on 24<sup>th</sup> July 2014. The main objective of the mission, established on Moscow's initiative for a period of three months (it was later extended several times until 30<sup>th</sup> September 2021), was to monitor and report on the situation at the designated checkpoints. Reports published on a weekly basis included information on the crossing of the border by Russian 'humanitarian convoys', unidentified and unarmed persons in military uniforms, and exports of coal from Ukraine to Russia. The mandate of the mission was severely limited territorially as it only covered the area of the border crossings (300–400 m).<sup>27</sup> In this context, it is noticeable that it was used exploitatively for Moscow's purposes. Mirosław Natanek characterised the mission as follows: 'the OSCE observers in Gukov and Donetsk see and report exactly what Russia allows them, and only what the Federation wants to show.'<sup>28</sup>

## OSCE and the full-scale Russian invasion of Ukraine in 2022

In the subsequent years of the conflict in the Donbass, the intensity of the fighting between the parties began to decrease. There even began to appear voices

that it was another frozen conflict or a low-intensity conflict in the post-Soviet space, used by Russia to pursue its own political interests.<sup>29</sup> Furthermore,

<sup>22</sup> *Протокол по итогам консультаций Трёхсторонней контактной группы относительно совместных шагов, направленных на имплементацию Мирного плана Президента Украины П. Порошенко и инициатив Президента России В. Путина*, <https://www.osce.org/files/f/documents/a/a/123258.pdf>, pp. 1-2 (accessed: 1 November 2022).

<sup>23</sup> *Меморандум об исполнении положений Протокола по итогам консультаций Трёхсторонней контактной группы относительно совместных шагов, направленных на имплементацию Мирного плана Президента Украины П. Порошенко и инициатив Президента России В. Путина*, <https://www.osce.org/files/f/documents/a/a/123807.pdf>, pp. 1-2 (accessed: 1 November 2022).

<sup>24</sup> *Комплекс мер по выполнению Минских соглашений*, <https://www.osce.org/files/f/documents/5/b/140221.pdf>, pp. 1-4 (accessed: 2 November 2022).

<sup>25</sup> A. Gladii, *Konflikt zbrojny w Donbasie w latach 2014/2015 – rozłam wewnętrzny czy ukraińsko-rosyjska wojna? Scenariusze dalszego rozwoju konfliktu*, „Przegląd Strategiczny”, 2017, no. 10, pp. 108-109.

<sup>26</sup> Sz. Kardaś, W. Konończuk, *Mińsk 2 – kruchy rozejm zamiast trwałego pokoju*, Analizy OSW, 12.02.2015, <https://www.osw.waw.pl/pl/publikacje/analizy/2015-02-12/minsk-2-kruchy-rozejm-zamiast-trwalego-pokoju> (accessed: 2 November 2022).

<sup>27</sup> K. Spyrydonowa, *OBWE a Ukraina. Sprawdzian stabilności ogólnoeuropejskiego systemu bezpieczeństwa*, Politeja, 2015, no. 2 (34/1), p. 264.

<sup>28</sup> M. Natanek, op. cit., p. 164.

<sup>29</sup> K. Nieczypor, *Gra pozorów. Impas w sprawie wojny w Donbasie*, Komentarze OSW, 23.12.2020, <https://www.osw.waw.pl/pl/publikacje/>

on 21<sup>st</sup> July 2020, members of the Trilateral Contact Group signed an agreement on a complete and comprehensive ceasefire in the Donbass (which entered into force on 27<sup>th</sup> July 2020). It contributed to a significant decrease in the number of shellings and killed soldiers on the Ukrainian side although there were still violations of the July agreements after its conclusion.<sup>30</sup> Nevertheless, already in 2021 there was a significant deterioration of the security situation in Ukraine. On the one hand, this was linked to a significant Russian military build-up close to the Ukrainian border, first in the spring and then in the autumn of 2021.<sup>31</sup> This raised serious concerns in the international community including the OSCE, which called on the Kremlin to 'de-escalate, withdraw and fully respect Ukraine's territorial integrity.'<sup>32</sup> On the other hand, the July 2020 agreement was increasingly violated. The fighting in the Donbass intensified leading to an increase in civilian casualties.<sup>33</sup> Despite these factors and emerging information about the high probability of military aggression by the Russian Federation against Ukraine, the OSCE did not take any active preventive measures. It was only in February 2022 that the Ukrainian side, on the basis of Chapter III of the Vienna Document, activated the consultation and cooperation mechanism in the face of unusual military activities demanding that Russia provide information on military activities in the border areas and Crimea. As the Russian side failed to provide explanations, Ukraine's Foreign Minister Dmytro Kuleba announced the convening of a con-

ference of the OSCE states (including the Russian Federation) to discuss the Russian military deployment and build-up along the border with Ukraine and in Crimea. This took place on 15<sup>th</sup> February 2022.<sup>34</sup> As might have been expected, Russia did not appear at the conference stating that Ukraine's invocation of the risk reduction measures set out in the Vienna Document was a 'provocation.'<sup>35</sup>

On 21<sup>st</sup> February 2022, in a televised address, President Vladimir Putin recognised the independence of the DPR and the LPR within the borders of the Donetsk and Luhansk regions, i.e. borders extending beyond the line of clashes that were underway then.<sup>36</sup> Three days later, on 24<sup>th</sup> February, Russia launched a full-scale invasion of Ukraine, announcing the conduct of a 'special military operation' for the 'demilitarisation and denationalisation of Ukraine.'<sup>37</sup> In response to these actions, a number of OSCE bodies issued a series of statements condemning Russian recognition of the independence of the two separatist republics in the Ukrainian territory and calling for an immediate cessation of hostilities and return to diplomatic measures.<sup>38</sup> Furthermore, during the eight months of the Russian-Ukrainian war, the 'Moscow Mechanism' on the human dimension, developed as part of the CSCE/OBCE process in 1991, was triggered three times.<sup>39</sup> On its basis expert missions were set up and presented three reports, on 13<sup>th</sup> April and 14<sup>th</sup> July (both entitled 'War Crimes and Crimes against Humanity Committed in Ukraine since

komentarze-osw/2020-12-23/gra-pozorow-impas-w-sprawie-wojny-w-donbasie (accessed: 2 November 2022).

<sup>30</sup> *Rozejm w Donbasie działa? Mniej żołnierzy ginie*, <https://defence24.pl/geopolityka/rozejm-w-donbasie-dziala-mniej-zolnierzy-ginie> (accessed: 3 November 2022).

<sup>31</sup> R. Pickrell (oprac. A. Hugues), *Zdjęcia satelitarne rosyjskich wojsk gromadzących się przy granicy z Ukrainą*, <https://businessinsider.com.pl/technologie/nowe-technologie/wojna-rosja-vs-ukraina-zdjecia-satelitarne-pokazujace-koncentracje-wojsk-rosyjskich/81z0lpt> (accessed: 3 November 2022).

<sup>32</sup> *Parliamentary security committee leaders warn against escalation in Ukraine conflict*, <https://www.osce.org/parliamentary-assembly/482990> (accessed: 3 November 2022).

<sup>33</sup> *OSCE SMM Chief Monitor briefs Permanent Council*, <https://www.osce.org/special-monitoring-mission-to-ukraine/500434> (accessed: 3 November 2022).

<sup>34</sup> B. Bodalska, *Ukraina pilnie zwołuje spotkanie ws. rosyjskich wojsk na swoich granicach*, <https://www.euractiv.pl/section/bezpieczenstwo-i-obrona/news/kuleba-posiedzenie-dokument-wiedenski-obwe-wojsko-granica-rosja-ukraina/> (accessed: 4 November 2022).

<sup>35</sup> *U.S. Statement for the Meeting Under Vienna Document Chapter III 16.2*, <https://osce.usmission.gov/u-s-statement-for-the-meeting-under-vienna-document-chapter-iii-16-2/> (accessed: 4 November 2022).

<sup>36</sup> M. Menkiszak, *Rosja: uznanie niepodległości Donbasu*, *Analizy OSW*, 22.02.2022, <https://www.osw.waw.pl/pl/publikacje/analizy/2022-02-22/rosja-uznanie-niepodleglosci-donbasu> (accessed: 4 November 2022).

<sup>37</sup> A. M. Dyner, A. Legucka, M. Piechowska, *Rosyjski atak na Ukrainę*, *PISM*, 24.02.2022, <https://www.pism.pl/publikacje/rosyjski-atak-na-ukraine> (accessed: 4 November 2022).

<sup>38</sup> *Joint statement by OSCE Chairman-in-Office Rau, Secretary General Schmid, OSCE Parliamentary Assembly President Cederfelt and Secretary General Montella on Russia's recognition of certain areas of Ukraine's Donetsk and Luhansk oblasts as independent*, <https://www.osce.org/chairmanship/512686> (accessed: 4 November 2022); *OSCE parliamentarians condemn Russian military action in Ukraine, call for de-escalation at Vienna Winter Meeting*, <https://www.osce.org/parliamentary-assembly/512938> (accessed: 4 November 2022).

<sup>39</sup> P. Grudziński, *KBWE/OBWE wobec problemów pokoju i bezpieczeństwa regionalnego*, Warszawa 2002, pp. 230-233.

24<sup>th</sup> February 2022'), and on 22<sup>nd</sup> September ('Report on Russia's Legal and Administrative Practice in Light of its OSCE Human Dimension Commitments'). In the first two reports, the authors pointed to their finding of violations of the norms of international humanitarian law by the Russian armed forces.<sup>40</sup> The third report stated that, inter alia, that laws are frequently adopted and amended in the Russian Federation in order to limit the room for manoeuvre for civil society; the ultimate goal of the authorities' action is to create a monolithic society based on a certain understanding of 'Russianness' that was developed in the pre-modern period; the main strategy of the Russian authorities is based on intimidation.<sup>41</sup> It is worth emphasising here that Moscow refused to cooperate with experts within the framework of the above mechanism. Among the countries that did not support its activation in all three cases were also Belarus, Turkmenistan, Azerbaijan, Kazakhstan, Kyrgyzstan, Armenia, Tajikistan, Uzbekistan and Mongolia. In addition, there was a lack of support for the September mission from Hungary and Serbia, among others.<sup>42</sup>

On 6<sup>th</sup> July 2022, during the Polish Chairmanship of the OSCE, a resolution of the OSCE Parliamentary Assembly entitled 'The Russian Federation's war

of aggression against Ukraine and its people, and its threat to security across the OSCE region' was unanimously adopted. In it the Russian Federation's violation of the principles of international law and the Helsinki Final Act was once again condemned along with Belarus' complicity in the war while stressing that Vladimir Putin bears direct responsibility for the violence and the destruction wrought. It reaffirmed that the OSCE Parliamentary Assembly rejects denials and false claims justifying Russia's violation of the principles of the Final Act. It also called on Moscow to immediately cease hostilities and withdraw troops from the Ukrainian territory. The resolution, while not directly mentioning that genocide had occurred in Ukraine, cited the definition of 'genocide' in the 1951 Convention on the Prevention and Punishment of the Crime of Genocide. In addition, it asked OSCE states to explore the possibility of deploying OSCE field operations in Ukraine with a mandate that would include support for a wide range of humanitarian and security needs of the population.<sup>43</sup>

## Conclusion

Based on the above considerations, the following conclusions can be drawn. Firstly, the OSCE's capabilities in conflict prevention need to be refined as the mechanisms developed back in the 20<sup>th</sup> century for confidence- and security-building measures are characterised by rather low effectiveness. Using the example of the Russian-Ukrainian conflict analysed herein we can see that the procedures established

in the Vienna Document have been disregarded by Russia or used as means of accomplishing its own purposes, and therefore the ongoing debate on its updating, which should take into account some possibilities to enforce the commitments made by the Member States, is justified. Another problem with the implementation of new solutions (as well as the activation of particular mechanisms or the taking of

<sup>40</sup> *Report of the OSCE Moscow Mechanism's mission of experts entitled 'Report On Violations Of International Humanitarian And Human Rights Law, War Crimes And Crimes Against Humanity Committed In Ukraine Since 24 February 2022'*, <https://www.osce.org/files/f/documents/f/a/515868.pdf>, pp. 93-94 (accessed: 4 November 2022); *Report of the OSCE Moscow Mechanism's mission of experts entitled 'Report on Violations of International Humanitarian and Human Rights Law, War Crimes and Crimes Against Humanity Committed in Ukraine (1 April – 25 June 2022)'*, <https://www.osce.org/files/f/documents/3/e/522616.pdf>, pp. 114-115 (accessed: 4 November 2022).

<sup>41</sup> *Report on Russia's Legal and Administrative Practice in Light of its OSCE Human Dimension Commitments*, <https://www.osce.org/files/f/documents/7/5/526720.pdf>, pp. 1-122 (accessed: 4 November 2022).

<sup>42</sup> *Ibidem*, p. 5; *Report of the OSCE Moscow Mechanism's mission of experts entitled 'Report On Violations Of International Humanitarian And Human Rights Law, War Crimes And Crimes Against Humanity Committed In Ukraine Since 24 February 2022'*, op. cit., p. 4.

<sup>43</sup> *Birmingham Declaration and Resolutions adopted by the OSCE Parliamentary Assembly at the Twenty-Ninth Annual Session*, Birmingham, 2-6 July 2022, <https://www.oscepa.org/en/documents/annual-sessions/2022-birmingham/4409-birmingham-declaration-eng/file>, pp. 22-27 (accessed: 5 November 2022).

specific actions, such as the extension of the monitoring mission's mandate in Ukraine) is that it is frequently hindered by Moscow and countries supporting its policies. Secondly, the decision-making mechanism of the OSCE needs to be improved as under the current conditions, despite the implementation of the 'consensus minus one' or 'consensus minus two' principles, there is still a high risk that countries supporting Russia's actions for various reasons (e.g. political, economic or military) will veto important decisions. Thirdly, there are also doubts about the mechanism for peaceful settlement of disputes between the OSCE states which involves the establishment of the Conciliation and Arbitration Tribunal the operation of which is based on the Convention on Conciliation and Arbitration within the OSCE drawn up in Stockholm on 15<sup>th</sup> December 1992 because not all member states have ratified this agreement, e.g. Russia is not a party to the Convention.<sup>44</sup> Despite the above problems, the OSCE is an important platform for dialogue involving both European countries (including Russia) and the USA and Canada. It enables discussions on security threats and ways to address them. It would therefore be ineffective to exclude Russia (as well as Belarus) from the organisation.

The involvement of the OSCE in the post-2014 settlement of the Russian-Ukrainian conflict, despite emerging difficulties, has also had positive effects, such as the detailed information provided by the OSCE Special Monitoring Mission on the situation in the conflict area or the ceasefire agreement reached by the Trilateral Contact Group. Nevertheless, following the launching of a full-scale invasion of Ukraine by Russia in February 2022, the previously established mechanisms for cooperation between the parties to the conflict ceased to function. This therefore necessitates a search for new instruments that would contribute to stabilising the situation in the region and restoring peace.

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<sup>44</sup> *Court of Conciliation and Arbitration*, <https://www.osce.org/files/f/documents/e/9/459919.pdf>, p. 2 (accessed: 5 November 2022).



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POLISH CHAIRMANSHIP  
OF THE OSCE  
IN 2022

### **3.1. METHODOLOGY FOR THE ASSESSMENT OF THE POLISH CHAIRMANSHIP OF THE OSCE IN 2022**

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#### **3.1. Methodology for the assessment of the Polish Chairmanship of the OSCE in 2022**

In the 1990s the Organisation for Security and Cooperation in Europe (OSCE) was an important organisation that contributed to the stabilisation of the international environment in the area of Europe after the end of the Cold War. Of particular importance was the development of confidence- and security-building measures contained in the 1990 Vienna Document. The Conference on Security and Cooperation in Europe (CSCE) process, which in the second half of the 1970s and throughout the 1980s revolved around review meetings of politicians and experts in the areas covered by the various baskets of the CSCE Final Act, was instrumental in this.

With the development of multilateralism in the Euro-Atlantic area and the establishment of new international organisations responsible for the security of their members, the OSCE was losing relevance. The lack of willingness of the OSCE participating States to structurally strengthen the organisation also contributed to this. The 57-member organisation, whose tasks cover such important issues as disarmament, the protection of human rights and the promotion of democracy and the rule of law, had a budget of EUR 138.2m in 2021.<sup>1</sup> For a comparison, the Council of Europe had a budget of EUR 477m in 2022.<sup>2</sup> Another of the reasons that led to a decline in the relevance of the OSCE is its ineffectiveness in mitigating conflicts in the territories of the participating States. This is a direct result of the decision-making paralysis that results from the exploitation of the mechanisms and principles governing the OSCE by some states (mainly Russia) for their own benefit. However, sometimes, it is precisely because of the aforementioned dysfunctionality that the OSCE attracts the attention of policy-makers, researchers and even ordinary citizens. This is particularly evident in situations where new conflicts arise, such as in 2014 after Russia's annexation of Crimea or in 2022 after Russia's attack on Ukraine.

The above-described condition of the OSCE justifies undertaking a structured assessment of the effectiveness of the organisation itself and also of its institutions. As a rule, when dealing with a hierarchical administrative structure, the individual

## Political evaluation

It is carried out by parties and their members. The debate in this respect is obviously between the opposition and the government, mainly in the parliament and in programme documents of the parties. In the first case, the main opportunity for the political assessment of the OSCE Chairmanship

components of which are guided by specific objectives and have specific tools for this purpose, policy evaluation mechanisms are used in such a situation. In such cases, evaluation can be carried out in terms of the effectiveness of the decision-making processes (process evaluation), the outputs produced, e.g. legislation (outcome evaluation), the impact evaluation or the economic effectiveness of the measures taken (cost-benefit evaluation).<sup>3</sup> However, not all cases of political activities can be evaluated according to these criteria. One such institution is the rotating Chairmanship held by the foreign minister of a country in the OSCE. The Presidency of this organisation cannot be compared with the Presidency of the EU, primarily because the OSCE does not have the ability to create universally binding laws for its members. Therefore, in the case of the OSCE Chairman-in-Office, it is actually their diplomatic skills including the adaptability to changing events that should be assessed. The question then arises as to what criteria should be used to assess a country's Chairmanship of the OSCE.

Taking into account the determinants of the OSCE described in the previous chapters as well as experience in assessing presidencies in other organisations,<sup>4</sup> our opinion is that an assessment of the diplomatic activity of an OSCE Chairmanship can be made from four perspectives, i.e. political, expert, social and systemic. The aim of this report is to focus only on the last one.

is the plenary discussion around the MFA's annual information on the state's foreign policy assumptions, but also the discussions during the sittings of the parliamentary committees, especially the foreign affairs committees in both chambers of the parliament.<sup>5</sup> In order to gather the necessary

<sup>1</sup> *Decision no. 1413. Approval of the 2021 unified budget*, OSCE Permanent Council, 18 August 2021, <https://www.osce.org/files/f/ documents/0/1/497680.pdf> (accessed: 27 November 2022).

<sup>2</sup> *Budget*, Council of Europe, <https://www.coe.int/en/web/about-us/budget> (accessed: 27 November 2022).

<sup>3</sup> S. Z. Theodoulou, Ch. Kofinis, *The Art of the Game: Understanding American Public Policy Making*, Thomson Wadsworth, 2004, s. 193-194.

<sup>4</sup> K. Szczerski (red.), *Skuteczność polskiej prezydencji w Unii Europejskiej. Założone cele i ich realizacja*, Kraków 2012.

<sup>5</sup> An example here might be the meeting of the Foreign Affairs Committee of the Polish Sejm of the third term when the profile of Poland's OSCE Chairmanship in 1998 was discussed, see *Stenogram z posiedzenia sejmowej Komisji Spraw Zagranicznych (nr 44)*, 19 January 1999 r., Biuletyn nr 1248/III, <https://orka.sejm.gov.pl/Biuletyn.nsf/0/1A5369B959450939C1256B73003641C9?OpenDocument> (accessed: 27 November 2022).

information, MPs and senators often use interpellations addressed to the leadership of the Ministry of Foreign Affairs.<sup>6</sup> Political assessments are made by

politicians in party programmes, but also in op-ed articles in the press or interviews, or longer expert essays.

## Expert evaluation

It is carried out by broadly understood expert communities gathered in various types of institutions and think-tank centres. Bearing in mind the low public profile of the OSCE itself, it can be argued that expert evaluation is the most common in the public space. This is also influenced by the very nature of think-tanks the purpose of which is to respond in real time

to political events. In Poland, so far, the topic of the country's OSCE Chairmanship has only been taken up by few expert centres, and mainly at the beginning of the year when the Presidency began. These were the Polish Institute of International Affairs,<sup>7</sup> the Institute of New Europe<sup>8</sup> and the Institute of Central Europe.<sup>9</sup>

## Social evaluation

It is carried out, or basically should be carried out, by the public (e.g. through opinion polls on foreign policy) and by civil society organisations dealing with human rights issues. Due to the 'specialised' nature of the OSCE, it is likely that such an evaluation does not

take place on a wider scale or to the visible extent in Poland. One may try to find some traces of public interest in the issue of Poland's Chairmanship of the OSCE using online tools such as Google Trends.

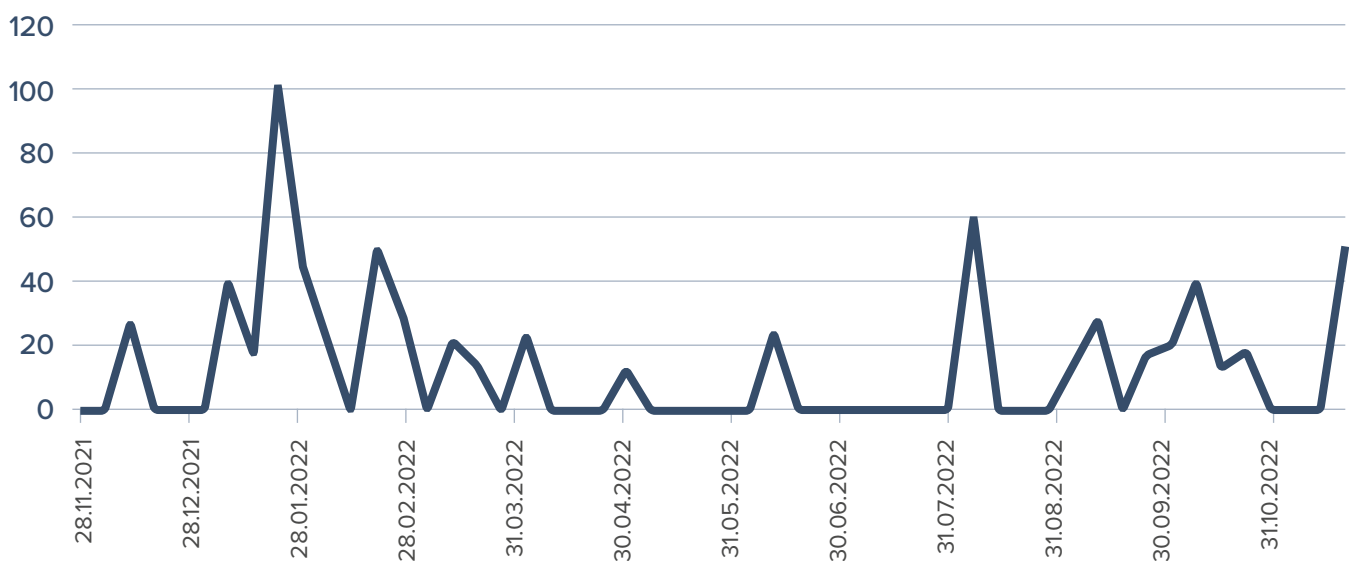


Figure 1. Search interest for the keywords 'Poland' and 'OSCE' on the Internet in the last 12 months

Source: Google Trends

<sup>6</sup> For example, an interpellation by MP Michał Wypij in the ninth term of the Polish Sejm, see *Odpowiedź na interpelację nr 30390 w sprawie polskiego przewodnictwa w OBWE*, Warszawa, 2 lutego 2022, <https://www.sejm.gov.pl/sejm9.nsf/InterpelacjaTresc.xsp?key=CBAJM8> (accessed: 27 November 2022).

<sup>7</sup> Ł. Kulesa, *Polska obejmuje przewodnictwo w OBWE*, „Komentarz PISM”, nr 4/2022, 14 January 2022, <https://www.pism.pl/publikacje/polska-obejmuje-przewodnictwo-w-obwe> (accessed: 27 November 2022).

<sup>8</sup> A. Olech, *Przewodnictwo Polski w OBWE – rok szans i próby sił*, Instytut Nowej Europy, 5 January 2022, <https://ine.org.pl/przewodnictwo-polski-w-obwe-rok-szans-i-proby-sil/> (accessed: 27 November 2022).

<sup>9</sup> D. Szacawa, *OBWE w przededniu przewodnictwa Polski: trudna współpraca w środowisku (nie)bezpieczeństwa*, Komentarze IEŚ, no. 490 (2/2022), 5 January 2022, <https://ies.lublin.pl/komentarze/obwe-w-przededniu-przewodnictwa-polski-trudna-wspolpraca-w-srodowisku-niebezpieczenstwa/> (accessed: 27 November 2022).

After typing the keywords 'Poland' and 'OSCE' into the search engine, it can be seen that the highest interest in these keywords was in January, i.e. when our country commenced its Chairmanship. In recent months, these two keywords were only three more times searched more frequently on the Internet. The increased interest in this case can be explained by the following events which also echoed in the media. The first time when the Polish Chairmanship of the OSCE attracted public attention on the internet was at the time of the Russian attack on Ukraine at the end of February 2022; the second time was

at the beginning of August when Minister of Foreign Affairs Zbigniew Rau, together with OSCE Secretary General Helga Schmid, visited Kyiv where the launch of a EUR 30m special support programme for Ukraine was announced. The third time when the combination of these two keywords appeared was at the end of November when it was announced that Poland would not grant visas to the Russian delegation to the OSCE Parliamentary Assembly meeting and refused to allow Sergey Lavrov to attend the OSCE Ministerial Council meeting in Lodz in early December.

## Systemic evaluation

Of the previously mentioned possible perspectives for evaluating Poland's OSCE Chairmanship, it is the systemic evaluation that, in our opinion, opens up the most opportunities to examine the issue of interest to us by research methods. Having knowledge of the place of the Chairmanship is in the institutional

system of the OSCE, we look at how a particular state plays this role using a variety of institutional and diplomatic tools. It is therefore necessary to identify some objective criteria for the systemic evaluation to describe and explain how the OSCE Chairmanship has performed.

### 3.1.2. Criteria for systemic evaluation of Poland's OSCE Chairmanship

#### Relevance criterion

It relates to the general question of how relevant the planned objectives are to the problems and challenges faced by the states in the European region at a particular time. Therefore, in assessing the Polish Chairmanship, but also any other Chairmanship in the OSCE, it is necessary to consider the nature of the objectives we are dealing with and what their wording means. In the first case, it is an attempt to systematise the objectives according to the categories of specificity, novelty and timing. Our analysis of the programme of Poland's OSCE Chairmanship attempts to answer the following research questions which also make it possible to define the type of objectives themselves:

- whether the objective is general or precise (leaving no room for loose interpretation);
- whether the objective is new or has arisen before (e.g. during the presidency of another coun-

try, in other foreign policy situations with Polish leadership);

- whether the objective can be achieved in the short term or not, which makes the objective a long-term one.

Here, it is also important to bear in mind the state's flexible approach to formulating the content of the agenda, which may be a sign of rationality and a strong awareness of the changeability of the determinants of the international environment.

Next, a substantive analysis of the content of the objectives of the Chairmanship will clarify other aspects relating to the assessment of the relevance of the diplomatic efforts being undertaken. Therefore, in the part of the report where we analyse the content of the programme, we will also determine whether the objectives respond to the real problems and chal-



allenges of the organisation and, more broadly, of the Euro-Atlantic area; whether the OSCE has the competence and tools to address a particular problem;

## Effectiveness criterion

When considering this criterion, we try to consider whether the right actions were chosen to achieve the objectives or whether the actions taken provide a chance of achieving the objectives. These questions therefore relate to the course of the Chairmanship, the events that took place during this period and the various types of initiatives that were aimed at implementing the agenda of the country holding the OSCE Chairmanship in the particular year. Using this criterion, we will seek to answer the following three research questions:

### **a) What were the objective determinants of the Chairmanship with regard to objective x?**

This will refer, on the one hand, to what the OSCE has already achieved to date with regard to the objective in question (historical context) while, on the other hand, the objective determinants may also indicate the impact of current international developments on the activities of the OSCE and its Member States in the same objective/dimension.

### **b) What diplomatic means/methods has the Chairmanship used in pursuit of the objective in question?**

Since the OSCE Chairmanship is a diplomatic endeavour, attention should be paid to the means/methods used by the Chairmanship to achieve specific objectives or other undertakings for which it was responsible during the year in question. Means/methods are understood here as e.g. diplomatic visits of the Chairman-in-Office, conferences, but also cooperation with other OSCE institutions. The description of the means/methods should also include the resources involved (e.g. special representatives of the Chairman or financial resources if identifiable). The answer to this question should also include an attempt to interpret to what extent the means/methods used were in line with the adopted chairmanship model.

and whether the objectives continue the activities undertaken by previous Chairmanships to show the institutional continuity of the OSCE Chairmanship.

### **c) What was the result of the action taken by the Chairmanship?**

The answer to this question should indicate the extent to which the country holding the Chairmanship was successful, through the measures taken, in achieving the objectives. Such an approach will make it possible not only to verify the implementation of previously adopted objectives included in the programme of the Chairmanship, but it will also provide an opportunity to include in the analysis the situation when objectives changed. Such a change may have been caused by various factors. In the case of the Polish Chairmanship, one such factor was undoubtedly the Russian attack on Ukraine on 24<sup>th</sup> February 2022. The diplomatic reality in which the OSCE Chairmanship is embedded is characterised by adaptability, and therefore it is reasonable that the effectiveness criterion should take into account the process of transformation of objectives during the Chairmanship.

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## **3.2. CHAIRMANSHIP OF THE OSCE – INSTITUTIONAL AND HISTORICAL CONTEXT**

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The Organisation for Security and Cooperation in Europe (OSCE) is noteworthy in many respects. Taking into account the process of the Conference on Cooperation and Security in Europe (CSCE) initiated in 1975, the OSCE has been working for peace and security in the Euro-Atlantic area for 47 years. The OSCE is also one of the largest organisations, both in terms of the number of members, 57 states, and the population of the area it covers, about 1.2 billion people. Interestingly, this is an area limited to the Northern Hemisphere only. Apart from the UN, the OSCE is also the only organisation where representatives of the US and Russia discuss security issues at the same table. For these reasons, the role of the OSCE Chairmanship is of great political importance. One can even hear terms for the Chairmanship such as ‘the country representing the Northern Hemisphere’ or ‘the public face of the OSCE’.

However, it is the particular situation of the OSCE Chairmanship that must be taken into account when describing and assessing the OSCE Chairmanship. The organisation, so diverse in terms of the interests of the states, whose principles of operation were forged in the era of the fading of the Cold War, is today in crisis, in a situation of uncertainty and tensions in which the world found itself at the threshold of the second decade of the 21<sup>st</sup> century. Moreover, its

mechanisms are being used against the principles on which it was built. Therefore, taking a close look at the OSCE Chairmanship, its history, the inter-institutional relations, and how Poland approached fulfilling this role in 2022, a landmark year for the OSCE itself and the world, is not only an exceptionally interesting prospect, but even a scholarly obligation for researchers of international relations and political sciences.

### 3.2.1. Evolution of the Chairmanship against the background of the CSCE/OSCE institutionalisation process

Towards the end of the 20<sup>th</sup> century and in the first decades of the 21<sup>st</sup> century the OSCE lost its importance at the expense of organisations such as NATO or the EU, and as a result has been forgotten in the broader consciousness of contemporary societies. The reasons for this situation are numerous (Agnieszka Nitszke writes more about them in Chapter I), but this also has consequences for the effectiveness of the activities undertaken by the OSCE institutions and for the intensity of the involvement of the member states of the organisation (the so-called participating states). Of all the OSCE structures, it is the Chairmanship that most visibly struggles with these dilemmas.

The origin of the OSCE Chairmanship institution dates back to the early 1990s when the process of transforming the Conference on Security and Cooperation in Europe (CSCE) into the organisation we know today began. The formal framework for the chairmanship was set out by the Heads of State or Government in the Paris Charter for a New Europe signed on 21<sup>st</sup> November 1990. However, these provisions were very general and referred to the chairmanship of the two institutions set up at the Paris Conference, i.e. the Council, consisting of ministers for foreign affairs, and the Committee of Senior Officials. In the first

case, it was specified that ‘the Chair throughout each meeting of the Council will be taken by the representative of the host country.’<sup>1</sup> In turn, each meeting of the Committee of Senior Officials preparing Council meetings ‘will be chaired by a representative of the State whose Foreign Minister had been Chairman at the preceding Council meeting’.<sup>2</sup> According to the German diplomat Wilhelm Höynck, who served as the first Secretary-General of the CSCE/OSCE from 1993 to 1996, the CSCE participating states followed the model of the rotating presidency in the European Communities.<sup>3</sup> In the case of the CSCE, as also shown by the provisions of the Paris Charter for a New Europe referenced above, the formal rules guiding the presidency were more general. For this reason, the role of the chairmanship was clarified in subsequent years. This was highlighted by the discussions at the first Council meeting in Berlin in 1991 and the subsequent one in Prague in 1992 which emphasised the growing need for a rapid CSCE response to the conflict in Yugoslavia.<sup>4</sup> The formal definition of the chairmanship was formulated on 10<sup>th</sup> July 1992 in the document summarising the meeting of Heads of State or Government in Helsinki. It was then that the term used to this day, Chairman-in-Office, first appeared. Firstly, it was stated that he would be responsible, on behalf of the Council and the Committee

<sup>1</sup> ‘The Chair throughout each meeting of the Council will be taken by the representative of the host country’, Para I.A.5, *Charter of Paris for a New Europe*, <https://www.osce.org/files/f/documents/0/6/39516.pdf>, p. 15.

<sup>2</sup> ‘Each meeting of the Committee will be chaired by a representative of the State whose Foreign Minister had been Chairman at the preceding Council meeting’, Para I.B.4, *Charter of Paris for a New Europe*, op. cit., p. 16.

<sup>3</sup> *Taking turns at the helm. The CSCE/OSCE Chairmanship through the years*, OSCE Magazine, issue 4, December 2009, p. 20, <https://www.osce.org/files/f/documents/6/4/40322.pdf> (accessed: 11 November 2022).

<sup>4</sup> *Ibidem*

of Senior Officials, for the co-ordination of and consultation on current CSCE business.<sup>5</sup> Secondly, it would be the Chairman-in-Office's responsibility to communicate decisions to the CSCE institutions and to give them such advice regarding those decisions as may be required.<sup>6</sup> Thirdly, the Chairman-in-Office would be assisted in the above-mentioned tasks by the preceding and succeeding Chairmen, ad hoc steering groups and personal representatives, if necessary.<sup>7</sup> The Chairmanship was thus equipped with instruments with which it can actively influence the direction of the CSCE.

The Chairman-in-Office together with the preceding and succeeding Chairmen were to act jointly as a troika. In this arrangement, however, it would be the Foreign Minister of the state currently holding the Chairmanship who would be responsible for the activities of the troika, and would report on its activities to the Council and the Committee of Senior Officials.<sup>8</sup> Ad hoc steering groups could be set up by the Council or the Committee of Senior Officials on the recommendation of the Chairman-in-Office. They could deal with individual cases, particularly in the areas of conflict prevention, crisis management and dispute resolution. The number of states that were part of the group was limited, but the troika states were included in each case.<sup>9</sup> Personal representatives of the Chairman-in-Office could be appointed by them on their own responsibility in crisis or conflict situations. Their mandate had to be clearly and precisely defined. The Chairman-in-Office was obliged to inform the Committee of Senior Officials of their intention to appoint a personal representative and of their mandate.<sup>10</sup> The Helsinki decision of the Heads of State or Government also required the

Chairman-in-Office to report on the activities of their personal representatives as well as ad hoc steering groups.

At the subsequent summit held in Budapest on 5<sup>th</sup>–6<sup>th</sup> December 1994, a number of important institutional decisions were made to facilitate the transformation of the CSCE into the OSCE on 1<sup>st</sup> January 1995. However, no significant changes were introduced with regard to the institution of the chairmanship. The executive role of the Chairman-in-Office, who can appoint his representatives and who is supported by the Troika and the OSCE Secretary-General, was confirmed.<sup>11</sup> This meant that the instrument of ad hoc steering groups was abandoned. The term of the chairmanship was set at one calendar year.<sup>12</sup> Furthermore, the Chairman-in-Office was to continue to maintain contacts and active dialogue with the Parliamentary Assembly of the OSCE informing it of the activities of the OSCE/OSCE. In a situation where the Parliamentary Assembly of the OSCE develops recommendations on a particular issue, the Chairman-in-Office will seek to bring them to the attention of the Permanent Council, a new OSCE body composed of permanent representatives of the participating states.<sup>13</sup>

<sup>5</sup> 'The Chairman-in-Office will be responsible on behalf of the Council/CSO for the co-ordination of and consultation on current CSCE business', Para I.12, *CSCE Helsinki Document 1992. The Challenges of Change*, Helsinki 9-10 July 1992, <https://www.osce.org/files/f/documents/7/c/39530.pdf> (accessed: 11 November 2022).

<sup>6</sup> 'The Chairman-in-Office will be requested to communicate Council and CSO decisions to the CSCE institutions and to give them such advice regarding those decisions as may be required', Para I.13, *CSCE Helsinki Document 1992. The Challenges of Change*, op. cit.

<sup>7</sup> 'In carrying out entrusted tasks, the Chairman-in-Office may be assisted, inter alia, by: the preceding and succeeding Chairmen, operating together as a Troika; ad hoc steering groups; personal representatives, if necessary', Para I.14, *CSCE Helsinki Document 1992. The Challenges of Change*, op. cit.

<sup>8</sup> Para I.15, *CSCE Helsinki Document 1992. The Challenges of Change*, op. cit.

<sup>9</sup> Para I.16-I.21, *CSCE Helsinki Document 1992. The Challenges of Change*, op. cit.

<sup>10</sup> Para I.22, *CSCE Helsinki Document 1992. The Challenges of Change*, op. cit.

<sup>11</sup> Para I. 19-I.20, *CSCE Budapest Document 1994. Towards a Genuine Partnership in a New Era*, <https://www.osce.org/files/f/documents/5/1/39554.pdf> (accessed: 11 November 2022), s. 3.

<sup>12</sup> Para I.19, *CSCE Budapest Document 1994. Towards a Genuine Partnership in a New Era*, op. cit.

<sup>13</sup> Para I.24, *CSCE Budapest Document 1994. Towards a Genuine Partnership in a New Era*, op. cit.

## 3.2.2. Powers of the OSCE Chairman-in-Office

An important moment that consolidated the practice of the Chairmanship up to that time was Decision No. 8 of the Porto Ministerial Council Meeting on 6<sup>th</sup>–7<sup>th</sup> December 2002.<sup>14</sup> The intention of the foreign ministers of the OSCE participating States was to streamline the methods used by the Chairman-in-Office at the dawn of the 21<sup>st</sup> century in such a way as to be consistent with the experience gained over the previous decade. Firstly, the calendar of the Chairmanship was clarified in Portugal. It is to last for one calendar year (from 1<sup>st</sup> January to 31<sup>st</sup> December) and be held by the country to be designated by either the Heads of State or Government or the Ministerial Council. Decision on this matter must be made two years before the commencement of the term of the Chairmanship. Secondly, the OSCE Presidency was clarified in terms of who is responsible for it. It is the responsibility of the foreign minister

of the elected state, the so-called Chairman-in-Office, together with their staff, of whom only the Chairman of the Permanent Council is specifically mentioned in the declaration. Thirdly, OSCE Foreign Ministers meeting in Porto defined a catalogue of Chairmanship powers. Based on these, four main functions of the OSCE Chairmanship can be distinguished, i.e. coordinating, representation and political leadership (these were pointed out by Victor-Yves Ghebali) as well as a creative function.<sup>15</sup> Of these, the dominant function is the coordinating one, which stems from the consensual mode of decision-making in the OSCE and refers to the horizontal principles indicated by the Ministerial Council in Porto stating that the actions of the Chairmanship must not conflict with positions agreed by all participating states and that in its activities the Presidency takes into account the whole spectrum of opinions of the participating states.<sup>16</sup>

### Coordinating function

The country holding the OSCE Chairmanship coordinates and reports on its activities to the OSCE Heads of State or Government meeting at the Summits, the Ministerial Council, the Permanent Council and their subsidiary bodies.

Furthermore, the Chairmanship-in-Office is responsible, on behalf of the Ministerial Council and the Permanent Council, for coordinating and consulting OSCE current affairs with other participating States. For this purpose it may use both formal and informal channels of consultation and dialogue as well as a variety of open-ended working groups. Among these, one in particular, the Preparatory Committee of the Permanent Council, has been identified. It should be used by the Chairmanship-in-Office for 'focused, informal political consultations on topical issues of interest to the participating States, including regular briefings by the Chairmanship-in-Office on its activities.'<sup>17</sup> During the discussions

at meetings of the Preparatory Committee of the Permanent Council, which is tasked with preparing decisions for the Permanent Council, issues arising in other subsidiary bodies operating in the OSCE will also be discussed.

Apart from coordinating activities taking place at the level of the aforementioned Working Groups, including in the Preparatory Committee of the Permanent Council, this function is carried out primarily in relations with the Permanent Council and the OSCE Secretariat. The responsibilities of the Chairmanship towards the former institution consist of providing it with drafts, reports and other review materials for consideration, as well as making recommendations on specific issues requiring special attention or decisions of the OSCE participating States. The OSCE Secretariat receives from the Chairmanship-in-Office opinions and decisions adopted by the Heads of State or Government,

<sup>14</sup> *Decision No. 8. Role of the OSCE Chairmanship-in-Office (MC(10).DEC/8)*, Tenth Meeting of the Ministerial Council, Porto, 6 and 7 December 2002, s. 48-49, <https://www.osce.org/files/f/documents/b/f/40521.pdf> (accessed: 19 November 2022).

<sup>15</sup> V.Y. Ghebali, *Is the OSCE Chairmanship still a relevant institution?*, Helsinki Monitor, 2002, no. 13(3), pp. 201-203, <https://heinonline.org/HOL/LandingPage?handle=hein.journals/helsnk13&div=32&id=&page=> (accessed: 19 November 2022)

<sup>16</sup> Para 2, *Decision No. 8. Role of the OSCE Chairmanship-in-Office...*, op. cit., p. 48.

<sup>17</sup> Para 2b, *Decision No. 8. Role of the OSCE Chairmanship-in-Office...*, op. cit., p. 48.

the Ministerial Council and the Permanent Council. If the situation so requires, the Presidency also transmits the said decisions to the institutions

## Creative function

The appointment of functionaries to various posts in the OSCE is closely linked to the coordination powers of the Chairmanship. The Chairman-in-Office has the right to appoint personal representatives in situations of crisis, outbreak of conflict or in order to ensure better coordination of the efforts of the participating States in specific areas. Their mandate must be clearly defined and covers the duration of the Chairmanship, i.e. one calendar year.<sup>18</sup>

However, the exercise of this function is subject to the previously mentioned principle that any action of the Chairmanship-in-Office must not contradict positions agreed by all the OSCE participating States. Therefore, when appointing a personal representa-

## Representation function

In the decision adopted in Porto in December 2002, the Foreign Ministers of the OSCE participating States made laconic reference to the representational function of the Chairmanship. At the time, it was stated that the country leading the work of the OSCE in a particular year is responsible for the external representation of the organisation. At the same time, it was emphasised that in performing this task the Chairmanship-in-Office must consult with other OSCE states and act in accordance with the outcome of these consultations.

It should therefore be noted that the independence of the Chairmanship-in-Office in representing the OSCE is limited. In accordance with the Porto de-

## Political leadership function

If we agree that the role of the Chairman-in-Office is more than just the day-to-day administration of the organisation, questions arise as to what characteri-

and field missions administered by the OSCE Secretariat giving them all the necessary advice and guidance with regard to their activities.

ative related to a specific issue, the Chairmanship-in-Office must consult the participating States in advance through the Preparatory Committee of the Permanent Council 'regarding the creation, the designation and the mandate of such a representative.'<sup>19</sup> In dealing urgently with a crisis or conflict, the requirement for a prior consultation with other States in creating and designating the mandate of a personal representative is relaxed. The Chairmanship-in-Office should, as far as time permits, consult in advance with the participating States through the Preparatory Committee of the Permanent Council as well as on a bilateral basis with any OSCE State whose interests relate to the issues covered by the mandate of the personal representative.

decisions, the Chairman-in-Office is accompanied by the Secretary-General to whom, where appropriate, representative tasks are delegated, in particular in order to maintain effective and continuous working relations with other international organisations and institutions. Thus, a *de facto* dual leadership has been created in the OSCE.<sup>20</sup> This raises questions about the essence of the last-named function of the OSCE Chairmanship, i.e. the political leadership function.

ses political leadership in the case of the OSCE and to what extent the country holding the Chairmanship can exert its influence on the functioning of the

<sup>18</sup> Para 2h, *Decision No. 8. Role of the OSCE Chairmanship-in-Office...*, op. cit., p. 49.

<sup>19</sup> *Ibidem*

<sup>20</sup> W. Kemp, *The OSCE Chairmanship: Captain or Figurehead?*, "Security and Human Rights", 2009, vol. 20(1), p. 9.

OSCE. The only mention found in Decision No. 8 of the Ministerial Council of December 2002 and directly referring to the political leadership function concerns the fact that the country holding the OSCE Chairmanship chairs the meetings of the Heads of State or Government (Summits), of the Ministerial Council, the Permanent Council, and of their subsidiary bodies.<sup>21</sup> Therefore, in search of information on what the political is all about we need to refer to the informal practices or rules used by the OSCE Chairmanship countries. These have either emerged as an established way of doing things for successive Presidencies or are a consequence of the interactions the Chairmanship has with other OSCE institutions and bodies.

According to David Galbreath, the Chairman-in-Office is 'the most prominent representative of the OSCE.'<sup>22</sup> This description may indicate that this author sees the Foreign Minister of the OSCE Chairmanship country as the 'first among equals' (*primus inter pares*). This interpretation seems to concur with the consensual nature of the OSCE itself as well as indicating the strong position of other institutions in the structure of the organisation. At the same time, such a position of the Chairmanship is defined by its tasks. Galbreath points to two. Firstly, the Chairman-in-Office is responsible for maintaining the exchange of information between the various OSCE institutions. Secondly, for a period of one year, they dictate the agenda of the OSCE.<sup>23</sup>

Jonas Tallberg emphasises that although the discretionary powers of the OSCE Chairmanship country are limited by the requirement of consensus, it still enjoys a great deal of freedom in shaping the outcome of the OSCE decisions by managing the agenda of the organisation and performing the function of a representative.<sup>24</sup> In the second case, the impact of the Chairmanship on the OSCE is seen in its ability to issue instructions to field missions and make public statements on behalf of the organisation

itself. Of particular importance to Tallberg, however, is the power to set the political agenda of the organisation. This is an independent competence of the Chairmanship country for the implementation of which it is responsible.<sup>25</sup> It should be noted, however, that in practice the role of the Chairmanship in setting the political agenda of the Presidency is not as independent as Tallberg describes. The country holding the OSCE Chairmanship must not bring about a situation where the programme is contested by the participating states. It must therefore take into account such issues that either arise from activities that are taken on a cyclical basis within the various dimensions or were already dealt with by previous Chairmanships.

The performance of the political leadership function is influenced primarily by the Foreign Minister themselves being the Chairman-in-Office of the OSCE. It is not so much their personal qualities that play a role here, but above all their commitment to the organisation. A personal interest in the conduct of the Chairmanship should streamline the implementation of the programme agenda and minimise delays in this regard caused by the slowness of the administration. The trait in question should also be compatible with the role of the agenda-setter for the organisation as it enables the most effective use of the position of the Chairman-in-Office.<sup>26</sup> Of course, the Chairman-in-Office's full freedom of diplomatic initiative is prevented by the principle of consensual decision-making in the OSCE. It reduces the role of the Chairman-in-Office to be a broker between the participating States who, during a period of relative calm in the OSCE area, merely ensures a sense of equal influence among the states that are members of the organisation. However, in crisis situations, visits to conflict regions, appropriate personnel decisions related to the appointment of personal representatives or special envoys of the Chairman-in-Office, as well as diplomatic visits to countries involved in conflicts will allow the Foreign Minister performing the

<sup>21</sup> Para 2a, *Decision No. 8. Role of the OSCE Chairmanship-in-Office...*, op. cit., p. 48.

<sup>22</sup> D. Galbreath, *The Organization for Security and Co-operation in Europe*, Routledge: London & New York, 2007, p. 49.

<sup>23</sup> *Ibidem*

<sup>24</sup> Tallberg, *The Power of the Chair: Formal Leadership in International Cooperation*, "International Studies Quarterly", 2010, vol. 54(1), p. 258.

<sup>25</sup> *Ibidem*

<sup>26</sup> D. Galbreath, op. cit., p. 50; K. Tudyka, *The Dutch Chairmanship: From Porto to Maastricht*, [in:] Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2004, 2005*, pp. 433-445; E. Bakker, B. Bomert, *Challenges for the OSCE - A Dutch Perspective*, [w:] Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2003, 2004*, pp. 51-59.



function of the Chairman-in-Office to assume greater political responsibility and thus increase the importance of the function itself.

The political importance of leading the OSCE is reinforced by the functioning within the organisation of the solution called the Troika. This is a structure formed by three Foreign Ministers working together, the current, preceding and succeeding ones. Decision No. 8, taken by the Ministerial Council in Porto in December 2002, explicitly states that the heads of diplomacy of the country that handed over the Chairmanship and the one that will take over the Chairmanship next are obliged to support the current Foreign Minister leading the OSCE.<sup>27</sup> The establishment of the Troika in such a format was intended to steer the foreign policy of the state towards accomplishing the objectives of the OSCE. Above all, however, regardless of the extent to which the Chairman-in-Office cooperates within the framework of the Troika, its existence allows to maintain institutional memory and increase the chance of continuity in the tasks undertaken by successive OSCE Chairmanship countries. As Galbreath put it, 'together, the Chairman-in-Office as part of the Troika, bring political coherence and stability to the OSCE.'<sup>28</sup>

It seems, however, that the key to explaining what the political leadership exercised by the Chairman-in-Office consists of is to understand the relations taking place between them and the OSCE Secretariat. Walter Kemp illustrated this relation by attributing the role of a general to the Chairman-in-Office and that of a secretary to the Secretariat. He thus referred to their commonly accepted roles, the political and administrative one, respectively.<sup>29</sup>

Kemp's description, although simplified, suggests that the relation between these two institutions should be based on mutual support. Otherwise it leads to failure.<sup>30</sup> This cooperation is thus necessitated by

utilitarian considerations. As Kemp points out, many of the day-to-day tasks of the OSCE are operational in nature and thus are coordinated either by specialised units of the Secretariat or the Conflict Prevention Centre.<sup>31</sup> Therefore, in order for the organisation to achieve high efficiency, there must be a division of tasks between the Secretariat and the Chairman-in-Office.<sup>32</sup> What the cooperation between the two institutions is to consist of is partly defined by Decision No. 8 of the Ministerial Council made in Porto in 2002, and partly the result of practice and the openness of states to different forms of cooperation.

In accordance with the Porto decisions, the Chairman-in-Office takes advantage of expert, advisory, substantive, and technical support from the Secretariat, which may include, as required, sharing basic information and analyses; providing advice; and preparing draft decisions, draft statements and summaries of documentations. Such support does not in any way detract from the responsibilities of the Chairman-in-Office.<sup>33</sup> Cooperation also works the other way round. The OSCE Chairman-in-Office provides the Secretariat with the necessary information to build institutional memory and promote continuity in the conduct of OSCE business. This is facilitated by the different terms of office of the institutions concerned. The Chairman-in-Office is elected on a rotating basis for a period of one calendar year while the Secretary General is elected for three years with the possibility of a further three-year extension.<sup>34</sup>

On the other hand, examples of cooperation between the two institutions in question that emerged in practice include the use by the Chairman-in-Office of the press and information services of the Secretariat (e.g. Slovenia in 2005) or the placement of people from the Chairman's team in the Secretariat to better pre-

<sup>27</sup> Para 3, *Decision No. 8. Role of the OSCE Chairmanship-in-Office...*, op. cit., p. 49.

<sup>28</sup> D. Galbreath, op. cit., p. 50.

<sup>29</sup> W. Kemp, op. cit., p. 9.

<sup>30</sup> W. Kemp., op. cit., p. 10.

<sup>31</sup> A body of the OSCE located in the Secretariat, tasked with facilitating political dialogue between states, assisting in the implementation of confidence- and security-building measures, supporting the day-to-day work of field operations, providing advice and analyses on issues related to conflict cycle. The Centre also supports negotiations, mediation and dialogue aimed at crisis and conflict prevention and resolution.

<sup>32</sup> W. Kemp., op. cit., p. 10.

<sup>33</sup> Para 3, *Decision No. 8. Role of the OSCE Chairmanship-in-Office...*, op. cit., p. 49.

<sup>34</sup> <https://www.osce.org/sg>

pare staff for the term of Presidency.<sup>35</sup> These examples can also be explained by the small size of the countries and thus the limited resources that can be transferred exclusively to the OSCE for the period

of the Chairmanship. Nevertheless, the effect is that cooperation is enforced to stabilise the day-to-day functioning of an organisation such as the OSCE.

### 3.2.3. Poland's OSCE Chairmanship – historical experience

In 1998 Poland held the Chairmanship of the OSCE for the first time. The late 1990s was a time when the international community made efforts to stabilise and democratise the newly established states in the Western Balkans and tried to bring about a peaceful solution to the growing conflicts between Belgrade and Pristina. Issues of respect for human rights were also commonplace, and so was the reliable observation of elections in the former Soviet republics, especially in Belarus, as well as the preservation of peace in Chechnya.

During a session of the Foreign Affairs Committee of the Sejm of the Republic of Poland (19<sup>th</sup> January 1999) devoted to, inter alia, summing up the Polish Chairmanship of the OSCE, the Minister of Foreign Affairs Bronisław Geremek, being then the Chairman-in-Office of the organisation, set out a number of Poland's objectives for the period of the Chairmanship. These included 'adapting the organisation to new tasks in a system of collective security, increasing the activity of the organisation in the field of preventive diplomacy, and revitalising the human dimension in the profile of OSCE activities.'<sup>36</sup>

The greatest challenge to European security during the Polish Chairmanship was the tension in the Serbian province of Kosovo where bloody clashes took place between the Kosovo Liberation Army and the federal police and army. The OSCE was actively involved in seeking a solution to the conflict by po-

litical means. The achievement of the organisation that can be seen as the greatest in this respect was the establishment of the OSCE Verification Mission in Kosovo in October 1998 to oversee compliance by all the parties to the conflict with UN Security Council Resolution 1199. The legal basis was an agreement signed by the OSCE Chairman-in-Office and the Foreign Minister of the Federal Republic of Yugoslavia.<sup>37</sup> In 1999 the mission was first transformed into a task force and then into a permanent OSCE Mission in Kosovo which is still operating today.<sup>38</sup>

The successes of the Polish Chairmanship also include the achievement of progress in work on the Charter for European Security. The document was intended to define the role and place of the OSCE in the system of European security in the coming 21<sup>st</sup> century and to strengthen the competencies of the organisation in terms of crisis prevention.<sup>39</sup>

Furthermore, members of the Sejm Committee on Foreign Affairs gave a positive assessment of the actions of Polish diplomats in the context of preventing the Russian Federation from using the OSCE to create a system of collective security in Europe as an alternative to the North Atlantic Alliance. During the Chairmanship, the Polish diplomacy demonstrated a high level of professionalism, directing the work of such a complex organisation the operation of which is based on the principle of consensus.

<sup>35</sup> W. Kemp., op. cit., pp. 10-11.

<sup>36</sup> *Posiedzenie Komisji Spraw Zagranicznych pod przewodnictwem posła Czesława Bieleckiego z dnia 19 stycznia 1999 r.*, strona internetowa Sejmu Rzeczypospolitej Polskiej, <http://orka.sejm.gov.pl/Biuletyn.nsf/0/1A5369B959450939C1256B73003641C9?OpenDocument> (accessed: 10 November 2022); OSCE Chairman-in-Office outlines 1998 priorities, OSCE website, <https://www.osce.org/cio/52581> (accessed: 10 November 2022).

<sup>37</sup> *OSCE Kosovo Verification Mission to be established*, <https://www.osce.org/pc/52642> (accessed: 10 November 2022).

<sup>38</sup> *OSCE Kosovo Verification Mission / OSCE Task Force for Kosovo (closed)*, <https://www.osce.org/kvm-closed> (accessed: 10 November 2022).

<sup>39</sup> The Charter was signed at the Summit of Heads of State or Government in Istanbul in November 1999. Participating States committed themselves to taking concrete steps to ensure sustainable peace and development in Europe in the 21<sup>st</sup> century (e.g. the creation of a platform for cooperation with other international institutions and organisations and the establishment of a Rapid Assessment Team and an Operations Centre as the organisational and substantive back-up for OSCE field missions). For more on this topic cf. *OSCE Summit adopts Charter for European Security*, <https://www.osce.org/mc/52246> (accessed: 10 November 2022).

The Chairmanship took place at a time full of challenges relating to the transformation of the states of Central and Eastern Europe and the emergence of

many new flashpoints in the Balkans and the post-Soviet area, but it was nevertheless highly valued by the other participating States.<sup>40</sup>

### 3.2.4. Poland's Chairmanship of the OSCE in 2022 – preparations and organisation

Holding the position of the Chairmanship-in-Office more than once in such a large organisation is rare. Nonetheless, Poland in 2022 found itself among a handful of countries that have held the Chairmanship of the OSCE for the second time after 1990.<sup>41</sup> The first time was in 1998, i.e. 24 years ago, which means that the experience related to organising such an event has long since faded. However, in recent years Poland has presided over several international organisations, e.g. in the second half of 2011 Poland assumed the Presidency of the EU, hosted the NATO summit in Warsaw in 2016, chaired the Berlin Process in 2019 and sat on the UN Security Council in 2018–2019. The experience gained during that time provided an important rationale for the leadership of the Polish Ministry of Foreign Affairs to put forward Poland's candidacy for the 2022 OSCE Chairmanship in autumn 2019.<sup>42</sup> The decision to do so was made during the Ministerial Council meeting in Bratislava on 5<sup>th</sup> December 2019.<sup>43</sup> Organisational preparations on the part of Poland began as of the beginning of 2020. At that time, Ambassador Adam Halacinski began his mission at the Permanent Representation of Poland to the OSCE with the task of carrying out the preparations in Vienna and then the Chairmanship itself in 2022.<sup>44</sup>

The first step in the preparations was to consider possible concepts for conducting the Chairmanship. To this end, consultations were launched with diplomats from the countries that had already headed the operation of the OSCE as well as among repre-

sentatives of the Troika countries, i.e. Albania and Sweden. In practice, Poland was faced with a choice between a model in which the centre of directing the day-to-day affairs of the Chairman-in-Office is located in the capital of the country concerned, or in which the centre is located in Vienna, at the permanent representation of the country holding the Presidency.<sup>45</sup> The first model was used by, among others, Sweden in 2021. In it the Ministry of Foreign Affairs is responsible for managing the day-to-day affairs of the OSCE, including the conduct of consultations and the preparation of the agenda for meetings of the various OSCE bodies. The Permanent Representation only has an executive function. In the second model, greater discretion is left to the team of the Chairman-in-Office in Vienna, precisely because this is where the weekly meetings and ongoing consultations take place which are crucial to the effective implementation of the OSCE Chairmanship programme. The role of the foreign ministries in this case boils down to ensuring that the Chairmanship is properly carried out with regard to substantive matters and organisation. However, cooperation on current affairs is based on the equivalence of the two centres of chairmanship management and flexibility in coordinating matters depending on the issues that appear on the agenda:

*'We adopted a model in which both Vienna and Warsaw are involved, both politically and substantively. That is to say, the Chairman's decision-making impulses can be generated both from Vienna and*

<sup>40</sup> *Posiedzenie Komisji Spraw Zagranicznych pod przewodnictwem posła Czesława Bieleckiego z dnia 19 stycznia 1999 r.*, op. cit.

<sup>41</sup> Apart from Poland, the OSCE has twice been chaired by Germany (1991 and 2016), Sweden (1993 and 2021), Austria (2000 and 2017), Switzerland (1996 and 2014) and Italy (1994 and 2018). Czechoslovakia (1992) and Slovakia (2019) can also be included in this group. During 1992, Jozef Moravčík, later Minister of Foreign Affairs and Prime Minister of Slovakia, became the Chairman-in-Office. See <https://www.osce.org/chairmanship/former-chairpersons-in-office> (accessed: 24 November 2022).

<sup>42</sup> Interview with a Permanent Representative of Poland to the OSCE – Vienna, 14 September 2022

<sup>43</sup> *Decision no. 1/19. OSCE Chairmanship in the years 2021 and 2022*, OSCE Ministerial Council, Bratislava, 5 December 2019, <https://www.osce.org/files/f/documents/f/e/441308.pdf> (accessed: 24 November 2022).

<sup>44</sup> Interview with a Permanent Representative of Poland to the OSCE – Vienna, 14 September 2022

<sup>45</sup> Ibidem

Warsaw. There is no exclusion of either one or the other centre. And this also works well in our case because there are issues that are discussed in great detail at the Vienna level and coordinated in Vienna... And then he [the Permanent Representative – author's note] discusses the topic with the Director [Office for Poland's OSCE Chairmanship 2022 – author's note] and on this basis certain recommendations are made to the Minister. But it can also be the other way round, i.e. we have certain interests at the level of Warsaw, we make a reconnaissance in Vienna, consult with Vienna and again a package of recommendations is drawn up for the Minister. This works in two ways. Vienna primarily serves the working groups that work out the entire OSCE agenda, and again, signals – or rather, these impulses, concerning what is happening in a given dimension,

## Role of the Permanent Representation of the Republic of Poland to the OSCE

A very important issue for the smooth operation of the Chairmanship carried out on the basis of the second model discussed is the relationship between the Foreign Minister who is the face of the OSCE for a particular calendar year and the Permanent Representative in Vienna who manages the work of the diplomatic mission to the OSCE. Describing the issue, Poland's ambassador to the organisation pointed to the high degree of flexibility in managing that was chosen during the Polish chairmanship:

*'In our case, we relied on the political guidelines of the minister and the ministry, a strong general mandate for action was created for the representation in Vienna, and we were left with considerable freedom to make decisions within this mandate. If there are any doubts, the verification takes place in a quick and short consultation process, in some cases involving the chairman personally, i.e. the Minister of Foreign Affairs.'*<sup>46</sup>

The second issue that Poland had to address in order to efficiently prepare for and carry out the OSCE

*be it political, military, economic or human – can be transmitted from the Warsaw level because we have, for example, a priority in the human dimension of freedom of religion or belief, which is promoted both on the UN agenda and in the EU, and we can consequently introduce them to the OSCE. It can also be the other way round, i.e. it is in our interest, with like-minded countries, to promote topic X at OSCE level, which has not been prioritised in other fora or in Warsaw, and then this signal is passed on by Vienna to us. It is quite a flexible structure; we rather listen to both sides.'*<sup>46</sup>

Poland opted for the second model, not only for pragmatic reasons, but also for financial and personnel reasons.<sup>47</sup>

Chairmanship in 2022 was the construction of an appropriate organisational structure. This involved on the one hand strengthening the staff of the Permanent Representation to the OSCE, and on the other hand, adapting the Polish Ministry of Foreign Affairs to the new tasks.

In the case of the diplomatic post in Vienna, not only was the number of Polish staff increased, but seconded staff from the representations of other countries were also included:

*'The post before the Chairmanship had a total of six diplomats. However, in the year of the Chairmanship and three months before, the number was doubled as far as diplomats from the Ministry of Foreign Affairs are concerned. In the end, it was three times the normal number because we adopted the model previously used by other diplomatic missions, that is the so-called secondments, which means that diplomats or experts delegated by other OSCE countries were included in the Vienna Chairmanship team.'*<sup>49</sup>

<sup>46</sup> Interview MSZ2 – Warsaw, 19 September 2022

<sup>47</sup> Ibidem

<sup>48</sup> Ibidem

<sup>49</sup> Ibidem

The involvement of these seconded diplomats from the missions of other OSCE participating States in the work of the Chairmanship stems from the practice developed in the organisation, but also has certain advantages. Firstly, it facilitates cooperation within the Troika, and secondly, it allows gaining a greater understanding by other states of the motivations and activities undertaken by the Polish Chairmanship. In the case of Poland, the seconded experts specialised in conflict areas dealt with by the OSCE (e.g. Nagorno-Karabakh and Transnistria).<sup>50</sup> The presence of diplomats and experts from other countries in the Polish team also influenced the way the work of the Permanent Representation was organised, especially as regards communication procedures. For the duration of the Chairmanship, officials in the Polish representation to the OSCE sent press analyses to the Ministry of Foreign Affairs written in English rather than in Polish as was usually the case.<sup>51</sup>

Another important task of the Permanent Representation of the Republic of Poland to the OSCE during the period of preparations, especially in its early stages, was to plan the schedule of the Chairmanship. There are a number of fixed items in the calendar of each Presidency. These include meetings of OSCE bodies working on a continuous basis, such as the Permanent Council and the Forum on Security Cooperation, but also regular consultations as part of the work of the statutory bodies with other OSCE states. Already during the Polish Chairmanship, the weekly work schedule of the Permanent Representative of the Republic of Poland to the OSCE and his team was as follows:<sup>52</sup>

- Monday and Tuesday – meetings of the Polish Chairmanship within the framework of political dialogues with other countries participating in the OSCE in various configurations (e.g. EU countries, Western Balkans, single meetings e.g. with Ukraine, regional configurations with Asian or Mediterranean partners).

- Wednesday – lower intensity of diplomatic activity, but on this day materials are prepared in the delegation for the Ambassador for the Permanent Council meeting.
- Thursday – Standing Council meetings which often stretch into Friday.

Apart from the permanent items, there appear in the Chairmanship calendar events related to managing emergencies or crises. Some of these are possible to include in the work of the Chairman-in-Office as they have been happening for some time already. This was the case with the issue of the Treaty on Open Skies from which the US withdrew in November 2020 and Russia in December 2021. Even if such events do not directly touch on the tasks of the Chairmanship itself, they nevertheless affect the political determinants of the course of Chairmanship and the planning of the work.<sup>53</sup> Some events, however, cannot be provided for in the calendar. In the case of Poland, the situation that radically redefined the plans of the OSCE Chairmanship was the Russian attack on Ukraine on 24<sup>th</sup> February 2022. This forced both the Permanent Representation and the Ministry of Foreign Affairs to adapt the agenda to the new situation on a day-by-day basis while in the case of meetings; a general decision was taken to focus each meeting on matters concerning Ukraine.<sup>54</sup>

Although the peak period of the Covid-19 pandemic had passed, Poland also had to take into account in its preparations the risk that there would be a need to switch to a remote working mode. Certain solutions, such as online deliberations, informal consultations using various means of communication, or even Ministerial Council deliberations in a hybrid mode were already introduced by the Albanian Chairmanship in 2020. Based on this experience, Poland was prepared to reintroduce a hybrid or exclusively remote model of deliberation in case of a threat, too.<sup>55</sup>

<sup>50</sup> Interview SPRP2 – Vienna, 14 September 2022; Interview SPRP3 – Vienna, 14 September 2022

<sup>51</sup> Ibidem

<sup>52</sup> Ibidem

<sup>53</sup> Interview with a Permanent Representative of Poland to the OSCE – Vienna, 14 September 2022

<sup>54</sup> Interview SPRP2 – Vienna, 14 September 2022; Interview SPRP3 – Vienna, 14 September 2022

<sup>55</sup> Interview with a Permanent Representative of Poland to the OSCE – Vienna, 14 September 2022

## Role of the Ministry of Foreign Affairs

The model of the OSCE Chairmanship chosen by Poland assigned certain tasks to the Ministry of Foreign Affairs, such as ensuring the substantive and organisational preparation of the activities of the Chairman-in-Office. The first decision on adjusting the structure of the Ministry of Foreign Affairs was the establishment on 16th September 2020 of the post of Plenipotentiary of the Minister of Foreign Affairs for the organisation of the Chairmanship of the Republic of Poland in the Organisation for Security and Cooperation in Europe in 2022.<sup>56</sup> This post was held from September 2020 to November 2021 by Bogusław Winid, former Polish Ambassador to the UN. The Plenipotentiary's tasks included:

- coordinating the preparation and course of the Chairmanship including the organisation of the Ministerial Council in Poland as well as other events related to the Chairmanship;
- developing the programme and schedule of the Chairmanship;
- preparing materials for the Minister for Foreign Affairs and the activities within the framework of the Chairmanship;
- promotional and media support for the Chairmanship;
- coordinating the cooperation between the Ministry of Foreign Affairs and other offices and institutions on matters relating to the preparation and organisation of the Chairmanship.

The Plenipotentiary reported directly to the Minister for Foreign Affairs who appointed him and had the power to dismiss him. Support in the implementation of the above-mentioned tasks was provided to the Plenipotentiary by departments of the Ministry

of Foreign Affairs and other subordinate entities in accordance with their thematic competence.

The establishment of a separate position for the Plenipotentiary and, in addition, locating it in the Ministry of Foreign Affairs, was the result of the experience of 2019 when Poland presided over the so-called Berlin Process.<sup>57</sup> At that time, the function of plenipotentiary in charge of activities in this initiative was entrusted to the Undersecretary of State in the Ministry of Foreign Affairs, but he reported directly to the Prime Minister. This had the effect of complicating the structure of financial management and decision-making.<sup>58</sup> In the case of the chairmanship of the OSCE, it was decided to give maximum flexibility to the entire organisational and decision-making structure.<sup>59</sup> A further step in this direction was Regulation No. 11 of the Minister of Foreign Affairs of 20<sup>th</sup> July 2021.<sup>60</sup> It provided the basis for establishing the Office for Poland's OSCE Chairmanship 2022 (BOBWE) within the structure of the Ministry of Foreign Affairs while and the tasks of the Plenipotentiary were redefined. Such issues as drafting the programme and schedule of the Chairmanship, organising events related to the Chairmanship, preparing materials for the Minister of Foreign Affairs, and providing promotional and media support were transferred to the BOBWE which was headed by the Plenipotentiary.

Thus, five months before the beginning of the Chairmanship, a key entity was created at the Ministry of Foreign Affairs which together with the Permanent Representation of Poland to the OSCE was to provide direct support to the Minister of Foreign Affairs in 2022. During the Presidency, the BOBWE had eight staff members and, in addition to the tasks specified in Regulation No. 11, carried out

<sup>56</sup> Zarządzenie nr 27 Ministra Spraw Zagranicznych z dnia 16 września 2020 r. w sprawie Pełnomocnika Ministra Spraw Zagranicznych do spraw organizacji Przewodnictwa Rzeczypospolitej Polskiej w Organizacji Bezpieczeństwa i Współpracy w Europie w 2022 r., Dz. Urz. MSZ z 2020 r. poz. 45

<sup>57</sup> A political initiative bringing together some EU countries and the UK on the one hand, and the Western Balkan countries on the other, with the aim of promoting regional cooperation.

<sup>58</sup> Interview MSZ3 – Warsaw, 19 September 2022

<sup>59</sup> Interview MSZ2 – Warsaw, 19 September 2022

<sup>60</sup> Zarządzenie Nr 11 Ministra Spraw Zagranicznych z dnia 20 lipca 2021 r. zmieniające zarządzenie w sprawie Pełnomocnika Ministra Spraw Zagranicznych do spraw organizacji Przewodnictwa Rzeczypospolitej Polskiej w Organizacji Bezpieczeństwa i Współpracy w Europie w 2022 r., Dz. Urz. MSZ z 2021 r. poz. 32.

day-to-day tasks of key importance for streamlining the decision-making process related to the activities of the OSCE Chairman-in-Office:

*'We, as an office, provide the direct support and organisational, coordinating, executive background for the Minister of Foreign Affairs as the Chairman of the OSCE. [There is – author's note] in it, of course, a whole variety of tasks, sub-tasks and activities that we perform, but it more or less boils down to a few points. For instance, the preparation of substantive documents for the Minister as the Chairman, the coordination of the political message and these substantive materials primarily within the structure of the Ministry of Foreign Affairs, sometimes in rarer cases also within the public administration.'*<sup>61</sup>

Thus, an important thread appeared in the structure of the Chairmanship's organisation which touches upon the principle adopted by Poland of flexible shaping of structures of coordination, namely cooperation between the Chairmanship Office (BOBWE) and the substantive departments of the Ministry of Foreign Affairs. The increased effectiveness of this cooperation was ensured by the task force, an informal structure within the Ministry of Foreign Affairs set up to provide substantive support to the Chairman-in-Office. It comprised substantive staff from some selected departments of the Ministry who could also provide information to OSCE institutions and states within with scope of their thematic competencies.<sup>62</sup> The task force itself worked on a permanent basis, but the activity of the individual persons depended on what was happening at the time and on what the Chairman-in-Office was working on.<sup>63</sup> The BOBWE together with the task force comprised about 20 people.<sup>64</sup> Depending on the issue, both entities tried to be flexible in carrying out their assigned task (e.g. drafting documents or preparing visits). Sometimes, it was the BOBWE that took the initiative to coordinate a particular issue, and sometimes the matter was taken over by the substantive department.

<sup>61</sup> Interview MSZ1 – Warsaw, 19 September 2022

<sup>62</sup> Interview MSZ2 – Warsaw, 19 September 2022

<sup>63</sup> Interview MSZ1 – Warsaw, 19 September 2022

<sup>64</sup> Ibidem

<sup>65</sup> Interview MSZ2 – Warsaw, 19 September 2022

<sup>66</sup> Interview MSZ1 – Warsaw, 19 September 2022

<sup>67</sup> Ibidem

In this way, it was also possible to adapt on an ongoing basis to such obstacles as an excessive workload of a department that was also performing tasks not related to the OSCE.<sup>65</sup> The cooperation between the BOBWE and the departments was similar in the case of preparing speeches for the Foreign Minister. In such situations, the Office monitored the wider context of the functioning of the Chairmanship:

*'Some departments have more expertise on specific issues and it is their responsibility to prepare the Minister's speeches; sometimes this is our role, or sometimes it is a joint action. We use and rely very heavily on the experts' skills that are in the departments or offices. On the other hand, we have this broader political view, taking into account the priorities of the OSCE, what is happening in Vienna, things that people might sometimes not see.'*<sup>66</sup>

Interestingly, when designing a flexible structure for the coordination of Poland's OSCE Chairmanship, it was not expected that it would also work in the conditions of crisis management in the organisation which Poland encountered after Russia's attack on Ukraine on 24<sup>th</sup> February 2022. The organisational solutions developed in 2020 and 2021 proved versatile enough to allow the Chairmanship to smoothly adapt to the changed agenda and mode of work of the OSCE institutions.<sup>67</sup>

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## 3.3. PROGRAMME AND OBJECTIVES OF THE CHAIRMANSHIP

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### 3.3.1. Political and military dimension

#### OBJECTIVE 1.

#### **Contribute to the diplomatic efforts of the Normandy Format and the Tripartite Contact Group**

The conflict in Ukraine has been going on with varying intensity for eight years. The annexation of Crimea took place in March 2014 while hostilities in the Donbass began in the spring of that year. In 2021, there was a sharp increase in tensions in the region. The reason for this was that Russia organised unannounced armed forces exercises in regions bordering Ukraine and in the occupied territories. It was feared at the time that the large-scale concentration of Russian troops on the border with Ukraine was the first step towards a full-scale invasion. However, open warfare did not occur at that point. The conclusion can be drawn that the Russian authorities were testing the reaction of Western countries to a possible escalation.

The objective was formulated back in 2021, but its particular timeliness was confirmed by the Russian Federation's attack on Ukraine on 24<sup>th</sup> February 2022 which caused the biggest security crisis in Europe since the Yugoslav Wars – and perhaps even since the Second World War.

This objective was operationalised by listing in the programme of the Polish Chairmanship the specific platforms and tools by means of which Poland intended to take diplomatic actions. These were:

- **Normandy Format** – a mechanism for the political settlement of the conflict in Donbass, operating in the form of summits between the leaders of Germany, France, Ukraine and Russia. The last summit meeting took place in Paris in December 2019.<sup>1</sup>
- **Tripartite Contact Group** – this group comprises representatives of Ukraine, Russia and the OSCE, specifically the Special Representative of the OSCE Chairperson-in-Office in Ukraine and the Tripartite Contact Group.
- **OSCE Special Monitoring Mission to Ukraine** – the main tool that the OSCE had at its disposal in the conflict in Ukraine. The mandate of the mission comprised 24-hour monitoring of the situation in the conflict-affected areas, building trust between the parties to the conflict, assisting in the process of demining and rebuilding infrastructure in the Donbass, and facilitating the safe delivery of humanitarian aid.
- The programme of the Polish Chairmanship also mentions the **Minsk Agreements** of February 2015 which were intended to serve as the legal basis for a peaceful resolution of the conflict in Donbass, were also mentioned in the. However, on 22<sup>nd</sup> February 2022, Russian President Vladimir Putin stated that these agreements had lost their *raison d'être*<sup>2</sup> – the day before, Russia had recognised the independence of the self-proclaimed Donbass republics, in clear violation of the Minsk Agreements<sup>3</sup>.

With regard to the presence of the objective described here in the programmes of the previous presidencies, provisions on the pursuit of participation

in attempts at a peaceful resolution of the conflict in Ukraine were also included in the programmes of two previous presidencies, i.e. those of Sweden (2021) and Albania (2020). The Polish Chairmanship therefore decided to continue the OSCE's efforts in this key area for international security. It is also worth emphasising that supporting the territorial integrity and sovereignty of the post-Soviet republics in Eastern Europe is part of the broader context of Poland's main foreign policy priorities.

Helping to prevent and resolve conflicts is one of the basic tasks that falls within the remit of the OSCE. The organisation applies a comprehensive approach in matters of crisis management and response. The OSCE has a number of field missions as well as a Conflict Prevention Centre, established in 1990, which prepares analyses and provides policy advice to the Secretary-General, the Chairman and the participating states<sup>4</sup>. In the case of the conflict in Ukraine, the problem became the violent escalation as a result of the full-scale invasion by Russia in February 2022. The effectiveness of the OSCE in applying the above-mentioned tools for the peaceful resolution of the conflict in Ukraine was largely dependent on the goodwill of the conflicting parties. Under the conditions of full-scale hostilities, the organisation was deprived of most of the diplomatic mechanisms developed that far.

On the eve of Russia's attack on Ukraine, Vladimir Putin *de facto* terminated the Minsk Agreements. In effect, the activities of the OSCE Special Monitoring Mission to Ukraine were interrupted. Just over a month later, on 31<sup>st</sup> March 2022, the mission's mandate expired as Russia did not express support for its extension. As a result of these events, the Tripartite Contact Group effectively ceased to operate.

Given the specific nature of the conflicts in the area of the former Soviet Union and the unprecedented escalation caused by the Russian invasion, the ob-

<sup>1</sup> OSCE Chair welcomes Normandy Four Summit as important contribution towards the resolution of the conflict in eastern Ukraine, Organizacja Bezpieczeństwa i Współpracy w Europie, <https://www.osce.org/chairmanship/441811> (accessed: 1 November 2022).

<sup>2</sup> Vladimir Putin answered media questions, strona internetowa Prezydenta Federacji Rosyjskiej, <http://en.kremlin.ru/events/president/news/67838> (accessed: 1 November 2022).

<sup>3</sup> Signing of documents recognising Donetsk and Lugansk People's Republics, strona internetowa Prezydenta Federacji Rosyjskiej, <http://en.kremlin.ru/events/president/news/67829> (accessed: 1 November 2022).

<sup>4</sup> Conflict prevention and resolution, Organizacja Bezpieczeństwa i Współpracy w Europie, <https://www.osce.org/secretariat/conflict-prevention> (accessed: 1 November 2022).

jective under consideration is of a decidedly long-term nature. On the one hand, the OSCE, in cooperation with international organisations, is to take ad hoc measures to stop further bloodshed and accelerate a peaceful resolution of the conflict. On the other hand, even assuming a large-scale cessation of hostilities in the near future, a comprehensive set-

tlement of the conflict will take much longer than the one-year Chairmanship. The OSCE involvement will be needed, inter alia, in the process of demining the war zones, implementing confidence-building measures and creating the necessary conditions for a lasting peace.

## OBJECTIVE 2.

### **Work together with the Minsk Group to find a comprehensive and satisfactory solution to the conflict between Armenia and Azerbaijan**

The Nagorno-Karabakh conflict remains a topical issue as demonstrated by the escalation of the frozen conflict taking place in March/April 2022. De-escalation of the tensions in the region as well as the pursuit of a satisfactory solution between Yerevan and Baku remains a valid problem to be solved. The choice of such a formulated objective at a moment of strong tension with a key member of the Minsk Group, such as Russia, may pose additional risks to the effectiveness of the work of this format.

The main tool of the OSCE with regard to the Karabakh conflict remains the Minsk Group, whose co-chairs are France, Russia and the United States, and which includes, in addition to Armenia and Azerbaijan, seven more European countries, i.e. Finland, Belarus, Italy, Portugal, the Netherlands, Germany and Sweden. The Minsk Group acts as a mediator in the dispute; however, its correct operation requires the voluntary agreement of the parties to the dispute, which can be problematic to achieve due to the public pressure in both countries<sup>5</sup>. In addition, it is worth mentioning here Azerbaijan's assertive policy which gained even more strength with the Russian invasion of Ukraine. Azerbaijan does not recognise the Minsk Group, which shows Baku's lack of interest in resolving the conflict using this format. This direction of Azerbaijani policy creates a serious obstacle for OSCE activities in the South Caucasus region.

In its programme, Poland emphasises support for the Minsk Group as the main way to achieve the objective, but does not specify more detailed tools that would prove useful in the pursuit of a solution to the conflict. Therefore, the wording of this objective is quite general.

As the conflict between Armenia and Azerbaijan goes back more than three decades and has been interrupted several times only to start again soon, the development of a comprehensive and satisfactory solution, as indicated in the programme of the Polish Chairmanship, goes beyond the term of one Chairmanship. Thus, it should be recognised that this objective remains a long-term one.

The topic of Nagorno-Karabakh also appeared in the programmes of the previous presidencies, both Swedish and Albanian. It remains one of the leading issues that the Organisation for Security and Cooperation in Europe has had to deal with virtually since its inception. Established in 1994 at a summit in Budapest, the Minsk Group has been working since 1995 to create a space for dialogue between the disputing parties.

<sup>5</sup> A. Legieć, *Perspektywy rozwiązania konfliktu o Górski Karabach*, Polski Instytut Spraw Międzynarodowych, [https://pism.pl/publikacje/Perspektywy\\_rozwiazania\\_konfliktu\\_o\\_Gorski\\_Karabach\\_](https://pism.pl/publikacje/Perspektywy_rozwiazania_konfliktu_o_Gorski_Karabach_), (accessed: 1 November 2022).

### OBJECTIVE 3.

## **Make every effort to accelerate the process towards a peaceful and lasting solution to the conflict in Georgia**

Armed conflicts in Abkhazia and South Ossetia erupted in the early 1990s against the backdrop of the collapse of the Soviet Union. Another clash between Georgian government troops and combined Russian and separatist forces occurred in August 2008 (the so-called Five-Day War). Following the end of hostilities, Russia recognised the independence of the two self-proclaimed republics, which significantly hampered attempts at a diplomatic settlement of the conflict. It is worth noting that since 2008 the situation in Abkhazia and South Ossetia has remained relatively calm, especially when compared with other unresolved armed conflicts in the post-Soviet area (Ukraine, Nagorno-Karabakh and Transnistria). However, as long as the question of the status of the two regions remains unresolved, there is a high risk of re-escalation with difficult-to-predict consequences. Of extreme concern are the ongoing discussions in South Ossetia about holding a referendum on joining Russia which once again resumed in spring 2022<sup>6</sup>. Furthermore, the so-called creeping occupation is a major threat. This involves expanding the 'borders' of the self-proclaimed republics by gradually occupying more villages in the territory of Georgia<sup>7</sup>. The Russian border guards, who supervise the whole process, justify these actions with the need to demarcate the border.

The objective of the Polish Chairmanship under discussion was formulated in a precise manner. The Polish Chairmanship recognised the crucial importance of the Geneva International Discussions (GID). According to the programme, Poland hopes to effectively use this platform to find a long-term solution to the conflict in Georgia. The GID is a multilateral mediation forum that was established under the agreements of 2008 ending the Russo-Georgian War. The participants in the GID are Georgia, Russia, the US and Abkhazia as well as South Ossetia (dele-

gations from both the separatists and the official local authorities in exile in Tbilisi take part in the work of the forum). The OSCE, UN and EU act as co-chairs of the GID.

This objective has been on the OSCE's agenda for many years and has been a regular feature of successive presidencies' agendas. It is noteworthy, however, that unlike the programme of the Swedish Chairmanship (2021), the document drafted by Poland does not mention the Incident Prevention and Response Mechanisms (IPRMs). The launching of this mechanism in February 2009 remains the biggest success of the GID negotiations so far.

The search for a peaceful solution to the conflict in Georgia falls within the remit of the OSCE. Since the early 1990s, the organisation, operating under the name of the CSCE back then, has been taking an active part in diplomatic efforts to ease tensions in the region in collaboration with the UN and the EU. In 1992, the OSCE Mission to Georgia was established. Its mandate included promoting dialogue between the parties to the conflict, organising round tables, monitoring the activities of peacekeeping forces in the region and investigating ceasefire violations. The OSCE Mission to Georgia worked towards the resolution of the Georgian-Ossetian conflict while the UN Monitoring Mission to Georgia provided oversight of the implementation of the ceasefire agreement between Georgia and the Abkhazia. The successes that the international community, including the OSCE, managed to achieve during its several years of activity were squandered because of the Russo-Georgian War in 2008. As a result of Russia's veto, the mandates of the OSCE and UN missions in Georgia were not renewed and they were therefore closed in 2009.

<sup>6</sup> *Georgia's separatist South Ossetia region to hold referendum on joining Russia*, France 24, <https://www.france24.com/en/europe/20220513-georgia-s-separatist-south-ossetia-region-to-hold-referendum-on-joining-russia> (accessed: 1 November 2022); *South Ossetia shelves plan for referendum to join Russia*, Deutsche Welle, <https://www.dw.com/en/south-ossetia-shelves-plan-for-referendum-to-join-russia/a-61982164> (accessed: 1 November 2022).

<sup>7</sup> N. Chibchiuri, *Georgia: Creeping Occupation Continues*, The Institute for War & Peace Reporting, <https://iwpr.net/global-voices/georgia-creeping-occupation-continues> (accessed: 1 November 2022).

Achieving the objective is only possible in the long term, well beyond the one calendar year in which the country holding the OSCE Chairmanship performs its activities. The Geneva International Talks, listed in the programme of the Polish Chairmanship, play an important role in maintaining the political dialogue. It is the only forum of this kind to bring together all interested parties in the conflict between Georgia and the separatist areas. Its importance is increased by the fact that Georgia broke off diplomatic relations with Moscow after Russia recognised the independence of the self-proclaimed republics. The GID therefore remains one of the few channels of communication between Georgia and Russia.

#### OBJECTIVE 4.

### **Support progress in resolving the Transnistria issue through stronger dialogue and confidence-building measures**

The problem of Transnistria has remained topical since the early 1990s so the objective itself is also topical. This is indicated, among other things, by the way in which third countries looked at the Moldovan-Ukrainian border area in connection with the outbreak of the war in Ukraine on 24<sup>th</sup> February 2022. Transnistria has remained de facto politically independent from Chisinau for 30 years and no efforts have led to a significant change in this state of affairs.

As a method of resolving the Transnistrian issue, the Polish Chairmanship suggests supporting the Transnistrian peace process in the 5+2 format (the so-called Transnistrian Settlement Process). This is a mechanism similar to the Geneva International Talks taking place in connection with the situation in Georgia. However, it is hard to talk about specific methods of action here so the objective can hardly be described as specific.

The problem of Transnistria appeared on the agenda of both the Swedish and the Albanian Chairmanship, which means that its solving is not a new objective for the OSCE. The organisation has been working for years to resolve the complex situation in Moldova, including through monitoring missions.

Nevertheless, in the 14 years when the GID operated its participants demonstrated a lack of ability to forge a broader political compromise. Despite the fact that as many as 55 meetings of the GID have already taken place, many of the contentious issues that were under discussion for years have still not been resolved. What is more, the attitudes of the individual participants in the forum towards certain topics have become noticeably rigid<sup>8</sup>. Maintaining the existing platforms and mechanisms (GID and IPRM) is essential for the stability in the region. However, they are insufficient to find a lasting solution to the conflict in Georgia, which will only be possible once the status of Abkhazia and South Ossetia is settled.

The main tool of the Chairmanship could be the OSCE mission to Moldova which has been operating since 1993 and whose primary task remains preparing the ground for dialogue as well as supporting and encouraging both sides to enter into negotiations or mediation with the participation of OSCE representatives.

This objective can confidently be described as long-term, not only because of the very nature of such talks and mediation, which often need more than a year, but also because of the fact that the OSCE has been dealing with the Transnistrian problem for almost three decades.

<sup>8</sup> N. Macharashvili, E. Basilaia, N. Samkharade, *Assessing the EU's conflict prevention and peacebuilding interventions in Georgia*, Tbilisi 2017, pp. 35-36.

## OBJECTIVE 5.

### **Ensure enforcement and strengthening of the existing arms control instruments**

Global trends show continued growth in defence spending. In 2021, global military spending reached a record high of USD 2.1 trillion<sup>9</sup>. At the same time, this was the seventh consecutive year during which there was an increase in this spending. The expiration of the Intermediate-Range Nuclear Forces Treaty (INF) from 1987 also demonstrates the lack of trust between the nuclear powers. Under current conditions when the security situation is noticeably deteriorating, reminiscent of the Cold War era, attempts to strengthen arms control instruments are particularly timely.

The objective was defined in a concrete and clear manner. The Polish Chairmanship intends to foster the enforcement and strengthening of existing arms control instruments. This is to consist, firstly, in ensuring the comprehensive implementation of the Vienna Document and, secondly, in its modernisation. The Vienna Document is a set of formal and legal agreements concluded in the 1990s and subsequently amended several times (most recently in 2011). According to this document, OSCE participating states undertook to regularly exchange information on their armed forces, major weapons systems and equipment.

The subject of arms control and confidence-building measures was an important part of the programmes of the previous Presidencies. Thus, the programme

## OBJECTIVE 6.

### **Combat hybrid threats by strengthening dialogue on military transparency**

Hybrid threats are a serious problem as demonstrated by the conflicts in Georgia in 2008 and in Ukraine in 2014 and 2022. The latter also proved that this problem remains unresolved. Attacks based on hitting an entity on multiple levels are nowadays a phenomenon that can be described as the 'norm' when it comes to the conduct of conflicts.

developed by Poland does not differ much in this respect from the previous three Presidencies.

The OSCE has several platforms through which the organisation can develop confidence and security building measures between participating states. These include:

- OSCE Forum on Security Cooperation which is responsible for building confidence by promoting transparency and openness, creating a conducive environment for dialogue as well as providing trainings and legal advice;
- OSCE Structured Dialogue which brings together senior officials and ambassadors of participating countries who meet in informal working groups to discuss divergences and overcome disagreements in the political and military sphere.

Discussions on amending the Vienna Document had been undertaken several times in previous years. However, these failed due to opposition from Russia which regarded such proposals as a hostile policy of the Western states. The lack of the required consensus and political will means that strengthening existing arms control instruments remains a very distant prospect.

The main reason is the effectiveness of hybrid wars. They remain a problem that most states are unable to adequately respond to or defend against.

The Polish Chairmanship of the OSCE has made it clear in its programme what it will strive for in terms of hybrid threats. The main priority is to increase

<sup>9</sup> *World military expenditure passes \$2 trillion for first time*, Stockholm International Peace Research Institute, <https://www.sipri.org/media/press-release/2022/world-military-expenditure-passes-2-trillion-first-time> (dostęp: 1.11.2022).

military transparency to counter hybrid threats, on the assumption that the knowledge of the combat capabilities will greatly facilitate the identification of hybrid activities and their ‘authors.’

Hybrid threats did not appear on the agendas of the two previous presidencies. This may be due to the fact that during the Swedish and Albanian presidencies the threat of another hybrid war within the OSCE was not as prominent as in the second half of 2021 when Russia started manoeuvres on the Russian-Ukrainian border.

## OBJECTIVE 7.

### **Fully involve women in peace and security through the implementation of the Women, Peace and Security Agenda**

The Chairmanship points to the need for greater involvement of women in decision-making processes in order to reduce gender disparity and promote gender equality through further implementation of the UN Women, Peace and Security Agenda. As the Polish Chairmanship has formulated the objective in a very blunt manner by introducing the name of the UN agenda, this initiative can be considered as specific because the United Nations has included very specific priorities in it.

The objective of implementing the Women, Peace and Security Agenda to increase the involvement of women is nothing new as it appeared in the programmes of previous presidencies.<sup>10</sup> This agenda, adopted by the UN by Resolution 1325 in 2000, mainly concerns the protection of human rights with a special focus on women, the fight against discrimination, the protection of women and girls during and after armed conflict, and increasing the involvement of women in peace processes.<sup>11</sup> There are no major differences between the Polish and Swedish concepts in this respect, which is dictated by the nature of the objective. Poland and Sweden in their programmes linked the implementation of

Increasing dialogue on hybrid threats and military transparency is an objective that can be achieved in the short term because the semantic layer assumes only a resumption and continuation of activities, not a successful conclusion.

the Women, Peace and Security Agenda to the need for gender equality and also to the OSCE concept of comprehensive security.<sup>12</sup>

As this objective, just like objective 6, assumes only a continuation of actions initiated by previous Presidencies rather than achieving success and ‘closing the case’; it can thus be concluded that it is achievable within one year of the Chairmanship provided that nothing halts the process during the Chairmanship.

<sup>10</sup> *Programme of the Swedish OSCE Chairpersonship 2021*, Organizacja Bezpieczeństwa i Współpracy w Europie, <https://www.osce.org/chairmanship/476278> (accessed: 1 November 2022), p. 9.

<sup>11</sup> *Agenda ONZ „Kobiety, pokój i bezpieczeństwo”*, strona internetowa Ministerstwa Finansów - Krajowa Administracja Skarbowa, <https://www.gov.pl/web/kas/agenda-kobiety-pokoj-i-bezpieczenstwo>, (accessed: 3 November 2022)

<sup>12</sup> *Programme of the Swedish OSCE Chairpersonship 2021*, op. cit., p. 9.



## OBJECTIVE 8.

### **Increase international cooperation and public awareness to combat cyber threats**

The evolution of cyberspace, accompanied by new threats, remains a serious problem for countries inadequately protected against them. The number of hacking attacks in OSCE participating states has not decreased since the beginning of the year, which means that the problem is still a serious threat to global security.<sup>13</sup>

The issue of cyber security has appeared on the agendas of previous presidencies, both Swedish and Albanian. Thus, it is not a new problem, especially if one considers the historical cases of cyberattacks against private targets and the sta-

tes themselves, their systems and infrastructure. Attacks on Estonia, Latvia, the United States as well as Poland are only a fraction of the cases that have occurred over the years.

In its OSCE Chairmanship programme Poland indicates some paths to increasing cyber resilience that should be followed, but does not disclose specific tools to enable or enhance security in the cyber sector. It only mentions that this is to be done through raising public awareness. Therefore, this objective should be considered to be long-term in nature.

## OBJECTIVE 9.

### **Continue efforts to strengthen the OSCE counter-terrorism toolkit**

Although both the number of terrorist attacks and fatalities in Europe has decreased significantly in recent years, the phenomenon has not been fully eradicated and therein lies great destructive potential. Between 2015 and 2017, there was a sharp increase in the number of fatalities from terrorist attacks in Europe.<sup>14</sup> However, the impact of terrorism and violent extremism on security in Europe has been reduced in subsequent years. For example, in 2021 EU Member States saw a record low number of terrorist attacks (15) and fatalities (2).<sup>15</sup> Nevertheless, the Taliban takeover in Afghanistan and the activation of Islamic State organisational cells in sub-Saharan Africa may pose a threat to the stability of the OSCE area in the future.

The way in which the objective of the Polish Chairmanship was formulated leaves much room for interpretation. On the one hand, the Polish Chairmanship rightly points to the need to develop holistic and well-financed counter-terrorism measu-

res. But on the other hand, it does not specify how it intends to strengthen the OSCE toolkit in this regard. The specific actions that are planned to be taken have not been mentioned. Nor do we know with which platforms or on the basis of which legal acts Poland will pursue this objective.

Combating terrorism and violent extremism is not new to the OSCE agenda. However, it should be noted that, unlike the 2021 Swedish Chairmanship programme which only superficially mentioned terrorism as one of the current threats, Poland devoted much more space to it, singling out counter-terrorism as a separate objective of the Chairmanship.

The OSCE has the tools and the necessary organisational structure to effectively counter terrorist threats. Of key importance in this respect is the Department of Transnational Threats of the OSCE Secretariat with the task of combating terrorist financing, countering the use of the Internet for ter-

<sup>13</sup> A. Lauriusz, *W 2021 roku liczba cyberataków wzrosła aż o 50%! W Polsce hakerzy atakują głównie bankowość i sektor rządowo-wojskowy*, IT Reseller, <https://itreseller.com.pl/w-2021-roku-liczba-cyberatakow-wzroslo-o-50-proc-w-polsce-hakerzy-atakujaja-glownie-bankowosc-i-sektor-rzadowo-wojskowy/>, (accessed: 1 November 2022)

<sup>14</sup> *Number of failed, foiled or completed terrorist attacks in the European Union (EU) from 2010 to 2021, by affiliation*, Statista, <https://www.statista.com/statistics/746562/number-of-arrested-terror-suspects-in-the-european-union-eu/> (accessed: 1 November 2022).

<sup>15</sup> *Number of fatalities due to terrorist attacks in the European Union from 2010 to 2021*, Statista, <https://www.statista.com/statistics/1178596/number-of-fatalities-from-terrorism-eu/> (accessed: 1 November 2022).

rorist purposes, preventing violent extremism and radicalisation, and helping to protect critical infrastructure from terrorist attacks. The Department and its various organisational units, in cooperation with the UN and OSCE field missions, conduct multi-year training programmes to enhance the competence of officials of the OSCE participating States. In addition, the Department works to enhance cooperation

between government agencies and the private sector to combat terrorist threats.

Considering the fact that the activities of terrorist organisations are increasingly moving into the online space where it is very easy to conduct recruitment campaigns, this objective should be considered as long-term.

### 3.3.2. Economic and environmental dimension

#### OBJECTIVE 1.

#### **Ensure sustained recovery and continued modernisation of economies; stimulate discussion on effective ways to mitigate the effects of pandemics; transition towards a green economy**

Sustainable economic development is essential for the stability of the OSCE area. The outbreak of the COVID-19 pandemic has negatively affected the system of global economic connections revealing a high degree of international interdependence. Governments introduced various types of restrictions to protect the lives and health of citizens at the expense of the economy. Therefore, discussions on how to strengthen the resilience of economies are still relevant today.

The programme aptly identifies the most important challenges of an economic nature faced by countries in the OSCE area. In the programme of the Chairmanship, Poland mentions a number of activities designed to help achieve the assumed objective (e.g. promoting employment and competitiveness and stimulating the development of new technologies). Particular emphasis is placed on the issue of climate change, which involves the need to seek efficient energy solutions and sustainable use of natural resources. Coordinated global action, multilateral cooperation and solidarity are the principles on which sustainable economic recovery is intended to be ensured.

Economic development is an important priority of the OSCE. However, it is worth noting that Poland has devoted far more attention to economic issues than the previous two Presidencies. Moreover, the unique-

ness of the Polish approach lies in linking plans to overcome the negative effects of the pandemic with long-term modernisation and increasing resilience to similar challenges in the future, and in making a successful transition dependent on progress in the greening of the economy.

The primary and most important platform through which the OSCE pursues its objectives in this area is the annual OSCE Economic and Environmental Forum which brings together over 600 participants. These include representatives of governments, business communities, international organisations and civil society. The Forum is designed to promote political dialogue on economic and environmental security issues. Practical proposals for solutions to common challenges are also developed. The organisation of the Forum is overseen by the current Chairmanship and the Office of the Co-ordinator of OSCE Economic and Environmental Activities. The Office and the OSCE field missions are responsible for, inter alia, supporting national economic reform plans, conducting trainings to raise civil society's awareness of the effects of climate change, promoting cross-border cooperation on environmental issues and facilitating the exchange of good practices in the sustainable management of natural resources. Furthermore, the Chairmanship and the Office prepare an annual Economic and Environmental Dimension

Implementation Meeting which assesses progress towards the economic and environmental objectives to which the participating countries have committed and identifies priorities for future work. Furthermore, there is a specialised Economic and Environmental Committee within the Permanent Council.

## OBJECTIVE 2.

### **Continue discussions on good governance, countering corruption and women's economic empowerment**

The smooth functioning of state institutions and the effective fight against corruption remain a significant challenge for many countries in the OSCE area. This is especially true for the countries of Central Asia, Eastern Europe and the Western Balkans which still deal with this kind of problem very poorly as indicated by the Corruption Perceptions Index.<sup>16</sup> As far as the economic empowerment of women is concerned, this is an important step towards social equality.

The objective was formulated in a very general, even laconic manner. It only declared the intention to continue the work of previous OSCE Chairmanships and stated that the objective should be analysed in the broader context of economic recovery.

These issues regularly appeared in the programmes of previous Presidencies. A noticeable difference is that both the Albanian (2020) and Swedish (2021) programmes treated the promotion of good governance and the fight against corruption on the one hand and the empowerment of women (equality) on the other as separate objectives. In the Polish programme, however, they were combined into one. In addition, previous Presidencies were much more precise in describing their plans in this regard.

The OSCE's strategy to promote good governance is based on three pillars, i.e. assisting in the fight against corruption, money laundering and terrorist

financing.<sup>17</sup> Given the complexity of international economic processes and the scale of contemporary global challenges in this area, achieving sustainable economic stability will only be possible in the long term.

A key role in achieving these objectives is played by the aforementioned Office of the Co-ordinator of OSCE Economic and Environmental Activities. The remit of the Office includes organising the exchange of best practices; providing trainings for representatives of governments, the private sector and civil society; developing recommendations for policy-makers; and developing information-sharing mechanisms to improve the fight against money laundering and terrorist financing. In pursuing these objectives, the Office cooperates with OSCE field missions and other international organisations (UN, OECD, Council of Europe and International Anti-Corruption Academy). Women's empowerment is promoted within the OSCE by the Senior Gender Advisor and the Office for Democratic Institutions and Human Rights. This topic occasionally becomes the focus of the OSCE Economic and Environmental Forum (e.g. during the Swedish Presidency in 2021<sup>18</sup>).

The objective under discussion is undoubtedly of a long-term nature. Everyone at the OSCE is aware that ensuring the smooth functioning of public institutions and zero tolerance for corruption involves the need for continuous preventive action. Moreover, given the deep-rooted social inequalities in some OSCE regions, the effective empowerment of women requires a well-considered and far-sighted action strategy.

<sup>16</sup> *Corruption Perceptions Index*, Transparency International, <https://www.transparency.org/en/cpi/2021> (accessed: 1 November 2022).

<sup>17</sup> *Good governance*, Organizacja Bezpieczeństwa i Współpracy w Europie, <https://www.osce.org/good-governance> (accessed: 1 November 2022).

<sup>18</sup> *Concluding Meeting of the 29th OSCE Economic and Environmental Forum*, Organizacja Bezpieczeństwa i Współpracy w Europie, [https://www.osce.org/event/29th\\_eef\\_2021](https://www.osce.org/event/29th_eef_2021) (accessed: 1 November 2022).

### OBJECTIVE 3.

#### **Encourage further debate on the new challenges of the digital age**

There is no doubt about the fact that we are witnessing an ongoing scientific and technological revolution which is fundamentally changing the existing lifestyles and influencing the global security environment. Moreover, the outbreak of the COVID-19 pandemic has significantly accelerated the global digitalisation processes. Taking account of the role of new technologies in strategic planning will be critical to the success of the OSCE in achieving its objectives.

The Polish programme rightly highlights the impact of digital transformation on security in the broadest sense. Attention is also drawn to the fact that in the pandemic environment new technologies have raised additional questions about the opportunities and risks of digital transformation. Although the background to the problem was outlined in a concise yet comprehensive manner, there is a lack of detail on the specific steps that the Polish OSCE Chairmanship intends to take in order to intensify the debate on the new challenges of the digital age.

The issue of digital transformation was included in the programmes of previous Presidencies. Sweden, for example, linked the topic of new technologies with respect for human rights.<sup>19</sup> Albania, on the other hand, stressed the need for closer collaboration between cyber security experts and policy makers.<sup>20</sup>

### OBJECTIVE 4.

#### **Explore possibilities for developing the relations and practical cooperation between OSCE and international partners**

Ensuring effective cooperation with international partners is particularly desirable in a globalised environment. The implementation of the organisation's main tasks, which are multifaceted in nature, would be significantly hampered if it were not for the OSCE's openness to cooperation at various levels

By developing cooperation with NGOs, the public and private sectors, the academic community, civil society and politicians from different countries, the OSCE encourages the use of innovative digital tools to increase transparency and accountability in public administration at national and local levels. The Office of the Co-ordinator of OSCE Economic and Environmental Activities organises workshops, training seminars and meetings with experts on the challenges of the digital age. The OSCE promotes the use of new technologies as part of building good governance. An important factor in fostering these objectives is the active presence of OSCE representatives in the field. It is also noteworthy that the OSCE Parliamentary Assembly appointed a Special Representative on Digital Agenda in January 2022 thus confirming the increasing importance attached to digital transformation within the OSCE.

Given the long-term nature of the processes involved in digitalisation, this objective will certainly also be pursued by future Presidencies. Furthermore, there is a need for a comprehensive strategy with which the OSCE will undertake sustained efforts to implement new technologies in the public administration of the participating states.

with other international organisations (both governmental and non-governmental).

The OSCE maintains ongoing contacts and develops cooperation with a large number of international, regional and sub-regional organisations. The OSCE considers the most important international partners to be:

<sup>19</sup> *Programme of the Swedish OSCE Chairpersonship 2021*, op. cit., p. 11.

<sup>20</sup> *Programme of the Albanian OSCE Chairmanship 2020*, Organizacja Bezpieczeństwa i Współpracy w Europie, <https://www.osce.org/chairmanship/443530> (accessed: 1 November 2022), p. 9.

- United Nations (cooperation concerns, inter alia, the environmental and economic aspects of security and conflict prevention);
- European Union (fight against corruption and work for reforms of public administration and justice);
- Council of Europe (election observation and protection of human rights);
- North Atlantic Alliance (counter-terrorism and cyber threats, border management, and disarmament issues).

In addition, the OSCE cooperates with international financial (World Bank and International Monetary Fund), economic (World Trade Organisation and Organisation for Economic Cooperation and Development) and humanitarian (International Committee of the Red Cross and International Organisation for Migration) organisations. The OSCE is also developing contacts with regional organisations, such as the Commonwealth of Independent States, GUAM, Collective Security Treaty Organisation, Council of the Baltic Sea States, etc.

Furthermore, the OSCE is open to strengthening relations with non-governmental organisations (NGOs) as evidenced by the fact that such organisations were welcome to participate in some OSCE meetings on an equal footing with the participating states.<sup>21</sup> The OSCE has for years been involved in

## OBJECTIVE 5.

### **Strive to promote constructive dialogue with Mediterranean and Asian partners**

The OSCE has 57 participating states located in three parts of the world (North America, Europe and Asia). It is therefore the world's largest regional organisation dealing with security issues. There is no doubt that the stability of such a vast area clearly depends on the internal situation in the neighbouring states. Therefore, deepening the dialogue with the neighbours is essential for the security of the OSCE.

developing recommendations to governments on standards for the proper functioning of NGOs.

Given the above, the implementation of this objective undeniably falls within the remit of the OSCE.

Poland has declared that it sees great potential for cooperation with international governmental and non-governmental organisations. However, it was not explicitly specified which organisations were meant. Neither does the programme mention any examples of international partners that Poland intends to develop relations and practical cooperation with during its OSCE Chairmanship. Instead, multilateralism was mentioned as the best way to achieve this objective.

The Albanian and Swedish Presidency programmes also announced a plan to strengthen cooperation with organisations representing civil society and with other international partners. However, the previous programmes made it clear that the United Nations and the European Union were referred to in the first instance.<sup>22</sup>

The development of relations and practical cooperation with international partners requires continuous efforts to develop a sense of common interest. The fulfilment of this objective is likely to be continued by future OSCE Presidencies.

The Mediterranean Partners for Co-operation with OSCE include Algeria, Egypt, Israel, Morocco and Tunisia (these countries have maintained close contacts with the CSCE/OSCE since the Helsinki Process in the first half of the 1970s) and Jordan (it joined the Partnership in 1998). The history of the OSCE Asian Partnership for Cooperation dates back to the early 1990s when Japan was granted the status of a CSCE Partner in 1992. The Partnership was subsequently expanded to include the following coun-

<sup>21</sup> *Non-Governmental Participation in the OSCE*, strona internetowa US Commission on Security and Cooperation in Europe, <https://www.csce.gov/international-impact/publications/non-governmental-participation-osce> (accessed: 1 November 2022).

<sup>22</sup> *Programme of the Swedish OSCE Chairpersonship 2021*, op. cit., p. 9; *Programme of the Albanian OSCE Chairmanship 2020*, op. cit., p. 9.

tries: the Republic of Korea in 1994, Thailand in 2000, Afghanistan in 2003 and Australia in 2009. Mongolia has been a partner of the OSCE since 2004 and was granted OSCE membership status in 2012.

The objective of the Polish Chairmanship of the OSCE in question has been outlined very vaguely. Only the desire to continue cooperation with the Mediterranean and Asian partners was declared. Poland did not, however, specify what exact steps the Presidency would take to achieve this objective.

This objective appears from time to time in the programmes of various countries holding the presidency. Provisions on the need to strengthen cooperation with the Asian and Mediterranean partners were included e.g. in the Italian (2018) and Albanian (2020) programmes<sup>23</sup>. In contrast, Slovakia (2019) and Sweden (2021) did not include this issue in their programmes. Nonetheless, it should be mentioned that cooperation between the OSCE and the partner countries has been very intense over the years and has brought tangible benefits for Euro-Atlantic security.

Representatives of the Partner States take an active part in the functioning of the OSCE:

- they participate in meetings of the Permanent Council, the OSCE Forum on Security Cooperation and the annual meeting of the Ministerial Council;
- they are invited to the main events organised under the three dimensions of the OSCE (the Annual Security Review Conference, the Economic and Environmental Forum and the Human Dimension Review Meeting);
- they can be sent as observers to OSCE election monitoring missions and other OSCE field missions<sup>24</sup>.

Since 1994, the Contact Group with Mediterranean Partners has been operating, chaired by the co-

untry among the three that is to hold the presidency of the whole OSCE in the coming year. And the Contact Group with Asian Partners has been in place since 2003. The work of this group is chaired by the country that held the Presidency of the OSCE during the previous calendar year.

Within each of the groups, annual conferences are held which provide an opportunity to exchange experiences and views on security issues in the broadest sense in the OSCE region and in the partner states. To date, there have been 28 OSCE Mediterranean Conferences<sup>25</sup> and 23 OSCE Asian Conferences<sup>26</sup>.

An important event in the history of the Asian Partnership was the Madrid Ministerial Council (2007) when, in view of the deteriorating situation in Afghanistan, it was decided to increase the OSCE involvement in international efforts to strengthen border security, to combat terrorism, small arms and drug trafficking as well as human smuggling in this country. In addition, the Partnership Fund was established in 2007 to support practical cooperation activities and promote greater involvement of Mediterranean and Asian partners in the OSCE activities. Projects funded by the Partnership Fund include border and migration management, counter-terrorism, promoting gender equality, tolerance and non-discrimination, assisting in the preparation of democratic elections, combating human trafficking and addressing environmental challenges.

In summary, the CSCE/OSCE cooperation with the Asian and especially Mediterranean partners has been ongoing for several decades. During this time it has been successfully institutionalised and consolidated. It can be assumed with a high degree of certainty that the objective of promoting constructive dialogue with foreign partners of the OSCE will be pursued not only by Poland, but also by subsequent Presidencies.

<sup>23</sup> *Programme of the Italian OSCE Chairmanship 2018*, Organizacja Bezpieczeństwa i Współpracy w Europie, <https://www.osce.org/chairmanship/405179> (accessed: 1 November 2022); *Programme of the Albanian OSCE Chairmanship 2020*, op. cit., p. 9.

<sup>24</sup> *Factsheet on OSCE Partners for Co-operation*, Organizacja Bezpieczeństwa i Współpracy w Europie, <https://www.osce.org/partners-for-cooperation/77951> (accessed: 1 November 2022).

<sup>25</sup> *2021 OSCE Mediterranean Conference*, Organizacja Bezpieczeństwa i Współpracy w Europie, <https://www.osce.org/event/2021-osce-mediterranean-conference> (accessed: 1 November 2022); *2022 OSCE Mediterranean Conference to take place in Jordan*, Organizacja Bezpieczeństwa i Współpracy w Europie, <https://www.osce.org/partners-for-cooperation/mediterranean/529491> (accessed: 1 November 2022).

<sup>26</sup> *2019 OSCE Asian Conference*, Organizacja Bezpieczeństwa i Współpracy w Europie, <https://www.osce.org/partners-for-cooperation/asian/426836> (accessed: 1 November 2022); *2022 OSCE Asian Conference*, Organizacja Bezpieczeństwa i Współpracy w Europie, <https://www.osce.org/partners-for-cooperation/asian/519060> (accessed: 1 November 2022).

## OBJECTIVE 6.

### **Promote inter-parliamentary dialogue and the fundamental contribution of the OSCE Parliamentary Assembly with a view to enhancing political involvement in the OSCE activities**

Continuation of the dialogue at the parliamentary level between the participating states may be a way to ease the rapidly increasing tensions in the OSCE area. The Parliamentary Assembly of the OSCE brings together more than 300 parliamentarians from 57 states. In present times the Assembly is expected to endeavour, as never before, to fulfil its duty, namely to be a platform where the participating states focus on developing principles of long-term peace based on mutual respect for the existing standards within the OSCE.

The objective is described in general terms, leaving much room for interpretation. The programme expresses the desire to support inter-parliamentary dialogue, but does not specify what it will consist in and in what form the Polish Chairmanship will support the activities of the OSCE Parliamentary Assembly.

In recent years, only Albania, holding the Presidency in 2020, included this objective in its programme.

One should be aware that it is the Parliamentary Assembly, and not the Presidency, that has the competence to support the dialogue between the OSCE and the participating states at the parliamentary level. Nevertheless, the Chairmanship is in a position to positively influence the development of the inter-parliamentary dialogue within the OSCE by maintaining constant cooperation and close ties with the Parliamentary Assembly.

The objective will only be achievable in the long term, which goes beyond the timeframe of the Polish Chairmanship of the OSCE, and therefore the successful accomplishment of this objective will depend primarily on the degree of interest of the future Presidencies in the subject.

## 3.3.3. Human dimension

### OBJECTIVE 1.

#### **Safeguard the principles and commitments of the organisation, human rights, promote democratic institutions and uphold the OSCE's concept of comprehensive security**

This objective is formulated in very general terms, and it is difficult to infer more from it than that the Presidency plans to continue the smooth functioning of the organisation, and to base its activities on the concept of comprehensive OSCE security. The concept itself is mainly founded on the cooperation of the participating states in building security in the area of operation of the organisation in three dimensions, i.e. political and military, economic and environmental, and human. Maintaining this concept is essentially tantamount to upholding the principles of the organisation as a whole. The programme itself lacks further detail on what tools the Chairmanship could use to achieve this objective.

Maintaining the OSCE's concept of comprehensive security appeared in the Swedish Presidency's programme, which is of course logical given the very nature of the objective.

This objective is mainly about maintaining the status quo and continuing the correct level of functioning of the organisation, which is difficult to assess in terms of the temporal aspect of the objective. As this objective can be accomplished within a year, it can be described as short term.

## OBJECTIVE 2.

### **Facilitate discussions on human rights and freedom of religion and belief**

The freedom to hold one's own beliefs and religion is one of the main pillars on which individual rights are based in the modern world. However, respect for these rights remains a serious problem among many states, even some OSCE members. Differences of religion sometimes lead to intra-state disputes that last for many years and for which it is difficult to find a solution. The OSCE regions where such tendencies are particularly evident are the Balkans (Bosnia and Herzegovina, and Kosovo) and the Southern Caucasus (Armenia and Azerbaijan). As the conflict between Armenia and Azerbaijan, one of the pillars of which was religious differences, was 'unfrozen' in late March and early April, the objective of the Polish Presidency in question can be confidently described as topical. The problem of persecution because of beliefs is also pressing. This is evidenced, among other things, by the wave of arrests that took place in the Russian Federation after the invasion of Ukraine began, the victims of which were mainly people who expressed unflattering opinions about the authorities and the invasion. There were bizarre situations in which even children were arrested<sup>27</sup>.

The objective outlined above, however, is quite general in nature. It does not present any methods of ac-

tion that the OSCE could take to increase security and respect for the rights of citizens in the OSCE region.

The issue of freedom of religion and belief did not appear on previous OSCE Presidency agendas and is therefore a fairly new challenge presented to the organisation by the Chairmanship.

The objective of improving dialogue on personal freedoms appears to be achievable within the year of the Presidency; of course, everything depends on the will of the states that allow violations of these rights in their territories.

The OSCE's main tool for achieving this objective remains the Office for Democratic Institutions and Human Rights (ODIHR) which monitors and protects human rights. However, the ODIHR does not have the tools for enforcing the provisions so cooperation in such a case is necessary. A useful tool, especially in building dialogue is the OSCE Parliamentary Assembly where issues relating to human rights and freedom of belief can be raised in the discussion that is mentioned in the objective. It is worth bearing in mind, however, that due to the frequency with which this body convenes (once a year), the achievement of the objective with its help alone may not be complete.

## OBJECTIVE 3.

### **Strive to improve the conditions of the most vulnerable – children and the disabled**

Due to the aforementioned vulnerability, the living conditions of children and people with disabilities left without special care are usually not sufficient for them to live normal life or even to survive. This is a topical problem that has been present in the world for a very long time. The topicality of the objective can be evidenced by the fact that it has been repeatedly raised in international fora. While serving

as a non-permanent member of the UN Security Council in 2018, Poland came up with an initiative to discuss the problem of child soldiers that occurs in many poorly developed countries, such as Chad or Sudan<sup>28</sup>. A more recent example is the use of children for purely military purposes within the Russian Federation. Primary school pupils were mobilised to work with sewing warm clothing for the army fi-

<sup>27</sup> *Antywojenny plakat i kwiaty. W Moskwie zatrzymano matki z kilkuletnimi dziećmi*, TVN24,

<https://tvn24.pl/swiat/rosja-zaatakowala-ukraine-kilkuletnie-dzieci-aresztowane-w-moskwie-za-udzial-w-antywojennym-protescie-5619886> (accessed: 3 November 2022).

<sup>28</sup> *Rada Bezpieczeństwa ONZ o problemie dzieci-żołnierzy. Polska inicjatywa*, Defence24, <https://defence24.pl/geopolityka/rada-bezpieczenstwa-onz-o-problemie-dzieci-zolnierzy-polska-inicjatywa> (accessed: 3 November 2022).



ghting in Ukraine in view of the coming winter<sup>29</sup>. Anti-terrorism drills are also being used in Russia in schools without the knowledge of either the pupils or the teachers<sup>30</sup>. The issue of people with disabilities is also prominent in connection with the Russian invasion of Ukraine. In the process of tightening the mobilisation regulations in Russia, there occurred some absurd situations in which people with disabilities were victims of conscription<sup>31</sup>. 'Measures to improve the conditions of the most vulnerable' are framed very enigmatically. The chairmanship does not give details of the tools it intends to use to achieve the objective or the methods by which it will pursue it. The issue of the disabled and children was not addressed in the two previous OSCE Chairmanships' programmes, i.e. either Swedish or Albanian.

#### OBJECTIVE 4. Increase participation of youth organisations in OSCE events

At first glance, increasing the inclusiveness of the organisation does not appear to be an extremely pressing issue. However, this objective appeared repeatedly in chairmanship programmes over the years. This is due to the nature of the organisation itself, one of whose fundamental principles is the promotion and protection of freedom. Support for grassroots initiatives may serve to strengthen the values on which the organisation is based, such as freedom or democracy which is also promoted by the OSCE.

In the programme of the Polish Chairmanship, specific methods of achieving the above objective are presented. The Presidency envisages including young people's initiatives in OSCE discussions as well as facilitating the activities of youth organisations at OSCE events.

The objective is to focus its actions with the weakest and most vulnerable in mind so the very nature of the objective suggests taking action to protect the rights and improve the conditions of the aforementioned groups, which is achievable within a year; it is thus a short-term objective.

In this case it is difficult to specify a single body that could carry out this task. The most appropriate here would seem to be the Office for Democratic Institutions and Human Rights, whose remit includes, inter alia, monitoring the observance of human rights and also supporting measures to help states improve their level of security of the rights of individuals. However, as written above, effective action by the ODIHR presupposes cooperation with the authorities of the state where the problems in question occur.

Previous Chairmanships addressed the issue of OSCE inclusiveness to varying degrees. The Albanian Chairmanship recognised the role of youth in peace and security initiatives as an essential component of the organisation's operation. Youth involvement was identified as important for building a culture of dialogue, peaceful coexistence, justice and reconciliation. Albania also pointed out that the voice of youth is an essential precondition for democratic processes<sup>32</sup>. The Swedish Chairmanship, on the other hand, did not put forward any ideas for including the voice of young people in the processes within the organisation<sup>33</sup>.

Due to the very nature of the objective in question, it is difficult to describe it as long- or short-term. On the one hand, the Presidency could organise a number of events during the year at which the involvement of the 'voice of the young' would

<sup>29</sup> *Dzieci szyją ubrania dla rosyjskich żołnierzy. "Ciepło naszych rąk dla obrońców Ojczyzny"*, Polsat News <https://www.polsatnews.pl/wiadomosc/2022-11-01/dzieci-szyja-ubrania-dla-rosyjskich-zolnierzy-cieplo-naszyc-rak-dla-obroncow-ojczyzny/> (accessed: 3 November 2022).

<sup>30</sup> *Rosja. Żołnierze w maskach otworzyli w szkole ogień i brali zakładników. Nie uprzedzili, że to ćwiczenia*, Gazeta.pl, <https://wiadomosci.gazeta.pl/wiadomosci/7,114881,29052712,rosja-szokujace-cwiczenia-antyterrorystyczne-w-szkole-dzieci.html> (accessed: 3 November 2022).

<sup>31</sup> *Rosja uszczelnia przepisy o mobilizacji. Poborowi przejdą badania medyczne*, Money.pl, <https://www.money.pl/gospodarka/rosja-uszczelnia-przepisy-o-mobilizacji-poborowi-przejdą-badania-medyczne-6822132545526624a.html> (accessed: 3 November 2022).

<sup>32</sup> *Programme of the Albanian OSCE Chairmanship 2020*, op. cit., p. 9

<sup>33</sup> *Programme of the Swedish OSCE Chairpersonship 2021*, op. cit.

be the main theme. The OSCE could take initiatives to include representatives of youth organisations as observers at some of its summits. On the other

hand, increasing the inclusiveness of the organisation will certainly require action in the longer time-frame.

## OBJECTIVE 5.

### **Support the OSCE's autonomous institutions in their downstream tasks**

The declaration of support for the autonomous OSCE institutions is of a continuing nature. Institutions such as the Office for Democratic Institutions and Human Rights, the OSCE High Commissioner on National Minorities or the OSCE Representative on Freedom of the Media, despite their autonomy, should act in consultation with the Chairperson-in-Office in order to coordinate their activities and fulfil their mandate in line with the direction of the organisation's activity.

The wording of the objective is a rather general narrative. The Chairmanship does not state the nature of the support that the aforementioned institutions would receive. This wording of the objective makes it possible to provide support in a flexible manner, without considering only specific aspects of the activities of the lower-level institutions.

Cooperation with OSCE institutions appeared in previous programmes, which is also necessitated by the 'nature' of the objective which is de facto to pursue the proper functioning of the organisation. The Swedish Chairmanship identified the activities of these institutions as key to supporting the participating states in fulfilling the organisation's resolutions<sup>34</sup>.

It is difficult to speak here of specific tools to strengthen cooperation with OSCE institutions. The objective mainly speaks of coordination between the Chairperson-in-Office and the autonomous institutions with a view to making them more coherent. The success of these initiatives will therefore depend on the determination of the Chairmanship to take action on an ongoing basis.

## OBJECTIVE 6.

### **Pursue cooperation with civil society organisations and increase their participation in OSCE events**

Cooperation with civil society organisations to promote human rights is a timeless priority for the OSCE which, despite being repeatedly mentioned in previous years, is still relevant.

The Presidency does not, however, indicate specific tools to enhance such cooperation. It merely states that the way to achieve greater cooperation with CSOs will be through greater promotion of them and recognition of their contribution to action for human rights.

The concept of cooperation with civil society organisations was also present in previous OSCE Chairmanships. Sweden and Slovakia devoted only little attention to the issue of OSCE cooperation with civil society organisations. The passages on this topic were worded as declarations of continued cooperation, but they did not provide any detailed information<sup>35</sup>. The Albanian Chairmanship took a slightly broader approach to this theme. The key role of these organisations in the control and promotion of rights and fundamental freedoms in the OSCE region was acknowledged. Albania declared the need

<sup>34</sup> *Programme of the Swedish OSCE Chairmanship 2021*, op. cit., p. 6

<sup>35</sup> *Programme of the Swedish OSCE Chairmanship*, op. cit.

*Programme of the Slovak OSCE Chairmanship 2019*, Organizacja Bezpieczeństwa i Współpracy w Europie, <https://www.osce.org/files/SK%20OSCE%202019%20Chair%20Priorities%20Booklet.pdf>, (accessed: 1 November 2022).

for a dialogue of trust and cooperation between the Chairmanship and the organisations<sup>36</sup>. The pursuit of cooperation, understood as a process is able to be accomplished within a year. It is a short-term objective assuming the continuation of certain activities and maintaining their form in line with the concepts of previous Presidencies.

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<sup>36</sup> *Programme of the Albanian OSCE Chairmanship 2020*, op. cit.

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*Rosja uszczelnia przepisy o mobilizacji. Poborowi przejdą badania medyczne*, Money.pl, <https://www.money.pl/gospodarka/rosja-uszczelnia-przepisy-o-mobilizacji-poborowi-przejda-badania-medyczne-6822132545526624a.html>

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## 3.4. COURSE OF CHAIRMANSHIP AND PROGRAMME IMPLEMENTATION

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The aim of this part of the report is to present the activities undertaken by the Polish Chairmanship of the OSCE during 2022. Our original intention was also to assess to what extent it was possible to accomplish the objectives included in the programme of the Chairmanship in practice. However, Russia's attack on Ukraine on 24<sup>th</sup> February 2022 had an unprecedented impact on the organisation itself and forced participating States to have recourse to unconventional behaviours. Until we interviewed officials and diplomats working in the Ministry of Foreign Affairs of the Republic of Poland and in the Permanent Representation of the Republic of Poland to the OSCE, we had only guessed that implementing the programme of the Polish Chairmanship would be very difficult, if possible at all. After the talks we received confirmation of these suppositions. Therefore, the structure of this chapter departs from the pattern of analysis presented in the previous chapter in which we presented the assumptions of the Polish Chairmanship objective by objective. Nonetheless, we endeavour to provide a reliable account of what has actually happened in the various dimensions of the OSCE bearing in mind that some of the originally planned activities have either receded into the background or disappeared from the agenda altogether making room for the most important issue, namely stopping Russia's aggressive actions in Ukraine.

## 3.4.1. Politico-military dimension

### Contribution to the diplomatic efforts of the Normandy Format and the Tripartite Contact Group in accordance with the Minsk agreements

#### *Objective determinants*

The objective formulated by Poland maintains the spirit of the programmes of previous Chairmanships. Emphasis was placed on the OSCE mechanisms developed in the past years in Ukraine (e.g. the Tripartite Contact Group). In its programme, Poland also stressed the crucial importance of maintaining the presence of the OSCE Special Monitoring Mission to Ukraine (SMM). However, given the consensual nature of decision-making in the OSCE, maintaining the operational capacity of the OSCE on the ground was only possible if all participating States expressed goodwill.

In preparation for the invasion of Ukraine, the Russian Federation wanted to reduce the OSCE presence in the country. In this context, an important step was Russia's refusal to extend the mandate of the OSCE Observer Mission at the Russian checkpoints Gukovo and Donetsk at the section of the Russian-Ukrainian border in the Luhansk region that was not controlled by Kyiv<sup>1</sup>. As a result, the mission, which had been operating since July 2014, was closed in September 2021<sup>2</sup>. In this way Moscow prevented the implementation (in fact, a violation took place) of point four of the Minsk Protocol (the so-called Minsk-1) of 5<sup>th</sup> September 2014.<sup>3</sup>

In November 2021, alarming news began to emerge regarding Russia's military build-up along the state border with Ukraine. Concerns about Russia's unusual activity in the vicinity of Ukraine were raised by representatives of the Ministries of Defence and Foreign Affairs in the United States and Western Europe<sup>4</sup>. Over time, the potential outbreak of a new armed conflict between Russia and Ukraine increasingly became a topic of intense discussion in international forums including the OSCE. At the first meeting of the OSCE Permanent Council under the Chairmanship of Poland, held on 13<sup>th</sup> January 2022, the representative of the European Union to the OSCE accused Russia of developing military infrastructure on the border with Ukraine<sup>5</sup> while the US Ambassador to the OSCE condemned 'Russian threats against Ukraine'<sup>6</sup>. Meanwhile, Russia's Permanent Representative demanded that the other participating States seriously reflect on Russia's draft security guarantees which were published by the Russian Foreign Ministry in December 2021.<sup>7</sup> The draft treaties between Russia and the USA (8 points)<sup>8</sup> and between Russia and the North Atlantic Alliance (9 points)<sup>9</sup> were drawn up in the spirit of the Yalta Conference as they envisaged a new division of Europe into spheres of influence in which Eastern

<sup>1</sup> *Planned Closure of the OSCE Border Observer Mission*, US Department of State website, <https://www.state.gov/planned-closure-of-the-osce-border-observer-mission/> (accessed: 16 November 2022).

<sup>2</sup> *OSCE Observer Mission at the Russian Checkpoints Gukovo and Donetsk (discontinued)*, OSCE website, <https://www.osce.org/observer-mission-at-russian-checkpoints-gukovo-and-donetsk-discontinued> (accessed: 16 November 2022).

<sup>3</sup> *Protocol on the results of consultations of the Trilateral Contact Group, signed in Minsk, 5 September 2014*, OSCE website, <https://www.osce.org/home/123257> (accessed: 16 November 2022).

<sup>4</sup> J. Gotkowska, P. Żochowski, *Rosyjska aktywność wojskowa wokół Ukrainy – próba rekonstrukcji narracji*, strona internetowa Ośrodka Studiów Wschodnich, <https://www.osw.waw.pl/pl/publikacje/analizy/2021-11-19/rosyjska-aktywnosc-wojskowa-wokol-ukrainy-proba-rekonstrukcji> (accessed: 17 November 2022).

<sup>5</sup> *Statement by the French EU Presidency in response to the address by OSCE Chairman-in-Office and Minister for Foreign Affairs of Poland Zbigniew Rau at the OSCE Permanent Council, Vienna, 13 January 2022*, OSCE website, <https://www.osce.org/permanent-council/512185> (accessed: 17 November 2022).

<sup>6</sup> *Statement by the Delegation of the United States of America in response to the address by OSCE Chairman-in-Office and Minister for Foreign Affairs of Poland Zbigniew Rau at the OSCE Permanent Council, Vienna, 13 January 2022*, OSCE website, <https://www.osce.org/permanent-council/512197> (accessed: 17 November 2022).

<sup>7</sup> *Statement by the Delegation of the Russian Federation on the European security challenges and Russian proposals for long-term legally binding guarantees by Russia on its western borders*, OSCE website, <https://www.osce.org/permanent-council/512194> (accessed: 17 November 2022).

<sup>8</sup> *Treaty between The United States of America and the Russian Federation on security guarantees*, website of the Ministry of Foreign Affairs of the Russian Federation, [https://mid.ru/ru/foreign\\_policy/rso/nato/1790818/?lang=en](https://mid.ru/ru/foreign_policy/rso/nato/1790818/?lang=en) (accessed: 17 November 2022).

<sup>9</sup> *Agreement on measures to ensure the security of The Russian Federation and member States of the North Atlantic Treaty Organization*, website of the Ministry of Foreign Affairs of the Russian Federation, [https://mid.ru/ru/foreign\\_policy/rso/nato/1790803/?lang=en&clear\\_cache=Y](https://mid.ru/ru/foreign_policy/rso/nato/1790803/?lang=en&clear_cache=Y) (accessed: 17 November 2022).

Europe, the Southern Caucasus and Central Asia would be recognised as the area of responsibility of the Russian Federation. Russian demands on NATO for a documented abandonment of the possibility of expanding the alliance eastwards and the de facto dismantling of the entire NATO military infrastructure in the countries that joined after 1997 were unacceptable to the United States and its European allies.

### **Renewed OSCE European Security Dialogue**

In response to Russia's expression of dissatisfaction with the security situation in Europe at the time, the OSCE Chairman-in-Office, Zbigniew Rau, launched an initiative entitled Renewed OSCE European Security Dialogue (RESD)<sup>10</sup>. In this way, the Polish Chairmanship wanted to:

*'...to channel the Russian frustration and some concerns of some of the participating States on security issues into a peaceful dialogue. To create a parallel process within the OSCE where all doubts, reservations and concerns could be discussed.'*<sup>11</sup>

Against the backdrop of rapidly growing tensions between Russia and Ukraine, Minister Rau made his first official visit as the OSCE Chairman, first to Ukraine (11<sup>th</sup> February)<sup>12</sup> and then to Russia (15<sup>th</sup> February)<sup>13</sup>. During his talks with his counterparts in Kyiv<sup>14</sup> and Moscow, the OSCE Chairman-in-Office had the opportunity, among other things, to emphasise the benefits to European security from active involvement in the RESD. While in Moscow, Minister Zbigniew Rau also highlighted the need to continue the dialogue based on the risk reduction mechanisms currently existing in the OSCE. Although the RESD received very positive assessments from the other participating States, Russia did not express any special interest in the Polish initiative:

*'...the concept of having to sit down and talk was there. We had no positive feedback from the Russian*

*side. The Minister made a visit to Moscow; it was already the end game where we thought it was the last chance... Minister Lavrov played to the end, he did not say 'no.' He said that he didn't like it, that it was all over, but we didn't feel that he was completely rejecting it. Now we already know that unfortunately this decision [to launch a full-scale invasion of Ukraine – author's note] had already been made'<sup>15</sup>.*

Russia treated the OSCE as a secondary platform, and preferred to conduct direct dialogue primarily with the US and NATO representatives. Russian diplomacy attempted to re-establish a system in which the most important decisions on European security would be taken in a small elite circle (a return to the concert of powers). Moscow's demands for a revision of the security system in Europe mainly boiled down to a desire to make the post-Soviet area, and above all Ukraine, its zone of exclusive influence. In this connection, Poland defended the principle that 'no talks about Ukraine without Ukraine.' By proposing the creation of the RESD, the Polish Chairmanship wanted to counter Russian attempts to objectify Ukraine. Polish diplomats saw the OSCE as the right place where it is worth discussing with the Russians<sup>16</sup>. From this point of view, of a crucial importance was also the fact that not only Western countries and Russia are present in the OSCE, but also Ukraine and Georgia (the integration of both these countries into Euro-Atlantic structures was seen by Moscow as a threat to its security). Nevertheless, the launch of open Russian military aggression against Ukraine put an end to Polish attempts to activate the RESD:

*'...the reality we have is war. Russia has additionally occupied part of Ukraine's territory. It is difficult to imagine that we now sit down at the table, agree to this status quo that we have now, and talk about new security guarantees. At the moment, it seems to*

<sup>10</sup> OSCE Chairman-in-Office launches Renewed OSCE European Security Dialogue, OSCE website, <https://www.osce.org/chairmanship/511651> (accessed: 17 November 2022).

<sup>11</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>12</sup> OSCE Chairman-in-Office Rau concludes visit to Ukraine, OSCE website, <https://www.osce.org/chairmanship/512002> (accessed: 17 November 2022).

<sup>13</sup> OSCE Chairman-in-Office Zbigniew Rau concludes his visit to Moscow, OSCE website, <https://www.osce.org/chairmanship/512311> (accessed: 17 November 2022).

<sup>14</sup> During his visit to Ukraine, Minister Z. Rau also met with President Volodymyr Zelenski.

<sup>15</sup> Interview MSZ2 – Warsaw, 19 September 2022.

<sup>16</sup> Ibidem.



us that it is not possible to put the RESD somewhere on that table again”<sup>17</sup>.

It is quite possible that the RESD will be a good reference point for future chairmanships, e.g. that of North Macedonia, which will take over the OSCE Chairmanship in 2023. However, Russia should abandon its aggressive policy towards its neighbours as it is currently not a reliable partner with which to have a constructive dialogue<sup>18</sup>.

### **Impact of the war on the OSCE presence in Ukraine**

The outbreak of a full-scale war naturally affected the functioning of the OSCE mechanisms in Ukraine. In fact, the Tripartite Contact Group (TCG), in which the OSCE was represented by the Special Representative of the Chairman-in-Office, ceased to exist<sup>19</sup>. The last meeting of the TCG took place on 9th February 2022<sup>20</sup>. Furthermore, after Russia recognised the independence of the self-proclaimed republics in the Donbass, President Vladimir Putin actually terminated the Minsk agreements claiming that they had ceased to exist under the current conditions<sup>21</sup>. It is worth adding that the Minsk agreements were concluded in 2014–2015 with the mediation of the OSCE and provided an internationally recognised legal basis for the settlement of the armed conflict in the Donbass over a period of seven years.

As for the Special Monitoring Mission to Ukraine (the largest OSCE field mission), members of its international team of more than 800 people have left the Ukrainian territory. Taking place under critically difficult conditions, the evacuation was successfully completed on 7<sup>th</sup> March<sup>22</sup> – all team mem-

bers could be brought out safely<sup>23</sup>. On the same day, the mission suspended the publication of its daily reports. On the other hand, of the 450-plus national staff, one person was killed as a result of Russian shelling<sup>24</sup>, and several more were detained in the occupied territories: two staff members were later released<sup>25</sup>, two were sentenced to 13 years in prison, and one is still in custody (has not yet been sentenced). The Chairman-in-Office and the Secretary-General regularly call for the unconditional release of all unlawfully detained members of the mission<sup>26</sup>. The OSCE Secretariat has also made attempts to make direct contact with the Russians, but without success<sup>27</sup>.

Another serious blow to the presence of the OSCE in Ukraine was the temporary cessation of the office of the OSCE Project Co-ordinator in Ukraine (PCU) which since 1999 had been supporting the government and local authorities in the implementation of judicial and education reforms, assisting the development of civil society and independent media, and engaging in the broadly understood promotion of human rights in Ukraine. The Project Co-ordinator resumed the activities in Ukraine at the beginning of April, i.e. after a 1.5-month break. The office was opened in the Transcarpathian region in the west of the country<sup>28</sup>.

### **Polish Chairmanship in the face of Russia’s invasion of Ukraine**

Faced with Russia’s violation of Ukraine’s sovereignty and territorial integrity as a result of first recognising the independence of the self-proclaimed republics in

<sup>17</sup> Ibidem.

<sup>18</sup> Ibidem.

<sup>19</sup> Interview MSZ4 – Warsaw, 19 September 2022.

<sup>20</sup> Press Statement of Special Representative Kinnunen after the regular Meeting of Trilateral Contact Group on 9 February 2022, OSCE website, <https://www.osce.org/chairmanship/511771> (accessed: 22 November 2022).

<sup>21</sup> Minsk agreements cease to exist – Putin, Russian News Agency TASS website, <https://tass.com/world/1408591> (accessed: 22 November 2022).

<sup>22</sup> OSCE Special Monitoring Mission to Ukraine (SMM) Daily Report 54/2022 issued on 7 March 2022, OSCE website, <https://www.osce.org/special-monitoring-mission-to-ukraine/513424> (accessed: 22 November 2022).

<sup>23</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>24</sup> OSCE mourns death of National Mission Member of the OSCE Special Monitoring Mission to Ukraine, OSCE website, <https://www.osce.org/chairmanship/513280> (accessed: 22 November 2022).

<sup>25</sup> S. Liechtenstein, Fate of OSCE personnel detained in separatist-controlled areas of eastern Ukraine hangs by a thread, The Security and Human Rights Monitor website, <https://www.shrmonitor.org/fate-of-osce-personnel-detained-in-separatist-controlled-areas-of-eastern-ukraine-hangs-by-a-thread/> (accessed: 22 November 2022).

<sup>26</sup> OSCE Chairman-in-Office and Secretary General condemn sentencing of OSCE Mission members Petrov and Shabanov in Luhansk, demand their immediate release, OSCE website, <https://www.osce.org/chairmanship/526251> (accessed: 22 November 2022).

<sup>27</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>28</sup> OSCE Troika meets with Ukrainian Foreign Minister, expresses strong support to Ukraine and calls on Russia to immediately stop its military attack, OSCE website, <https://www.osce.org/chairmanship/515391> (accessed: 22 November 2022).

the Donbass (21<sup>st</sup> February) and then a full-scale invasion (24<sup>th</sup> February), Poland took a principled stand. The Polish Chairmanship convened two extraordinary meetings of the OSCE Permanent Council with an enhanced composition at which the Chairman-in-Office Zbigniew Rau<sup>29</sup>, the Secretary General Helga Schmid and representatives of almost all OSCE participating States criticised the actions of the Russian Federation while supporting the invaded Ukraine<sup>30</sup>.

In terms of diplomatic action, throughout its year in office at the OSCE, Poland kept the issue of the war in Ukraine at the highest level of priority. In March, Minister Zbigniew Rau and Secretary General Helga Schmid strongly condemned the violence used by Russian armed forces against civilians in Ukraine, in particular the bombing of the Drama Theatre in Mariupol where hundreds of civilians, including children, were hiding<sup>31</sup>. In April, a meeting took place between the foreign ministers of the countries representing the OSCE Troika (Sweden, Poland and North Macedonia) and their Ukrainian counterpart in Rzeszow. The diplomats deplored the harrowing reports from Bucha and other towns in the Kyiv region that began to emerge after the withdrawal of Russian troops from the area<sup>32</sup>. The Troika Foreign Ministers also visited the reception centre for refugees in Mlynny and met with representatives of the Polish Border Guard<sup>33</sup>. On 24<sup>th</sup> August, the Chairman-in-Office issued a statement highlighting the cruel nature of the Russian attacks on Ukraine including the deliberate shelling of Ukrainian critical infrastructure<sup>34</sup>. Minister Zbigniew Rau placed particular em-

phasis on the impact of the military action on the life and health of the civilian population (the humanitarian dimension of war) and condemned Russia's so-called 'filtration operations' in the occupied territories which resulted in the forced deportation of Ukrainian citizens to Russia<sup>35</sup>. In September, representatives of the OSCE, Chairman-in-Office Zbigniew Rau, Secretary-General Helga Schmid and President of the OSCE Parliamentary Assembly (PA) Margareta Cederfelt, stated that the organisation would not recognise the results of the illegal referenda to be held in four Ukrainian regions (Donetsk, Luhansk, Zaporozhye and Kherson)<sup>36</sup>. Following the announcement of Russia's annexation of these territories (30th September), the same OSCE leaders declared that such actions were a flagrant violation of the founding principles of the organisation<sup>37</sup>. And in October, the foreign ministers of the Troika member states, as well as the Secretary General and the President of the PA condemned the brutalisation of Russian shelling of Ukraine's civilian infrastructure in response to the Russian army's failures at the front<sup>38</sup>.

*'This is the leading aspect of our Chairmanship: to stay focused and avoid this fatigue [on the subject of Ukraine – author's note] so that things can be kept at a high level all the time. Unfortunately, it is so – this is a sad statement - that these new revelations of Russian crimes do not allow people to forget [about the war – author's note] and move on. Whether with or without our involvement... This also makes it easy to keep the Ukrainian topic on the agenda'<sup>39</sup>.*

<sup>29</sup> At the first meeting, held on 22 February, Poland was represented by Deputy Foreign Minister Marcin Przydacz.

<sup>30</sup> *Special OSCE Permanent Council meeting held following Russian decision to recognize parts of Donetsk and Luhansk regions of Ukraine as independent*, OSCE website, <https://www.osce.org/chairmanship/512857> (accessed: 24 November 2022); *The Reinforced Meeting of the OSCE Permanent Council at the Ministerial Level*, OSCE website, <https://www.osce.org/chairmanship/512974> (accessed: 24 November 2022).

<sup>31</sup> *OSCE Chairman-in-Office and Secretary General condemn bombing of Mariupol and ongoing violence against civilians throughout Ukraine*, OSCE website, <https://www.osce.org/chairmanship/514171> (accessed: 24 November 2022).

<sup>32</sup> S. Zaręba, M. Piechowska, *Masakra w Buczy. Rosyjskie zbrodnie na Kijowszczyźnie*, website of the Polish Institute of International Affairs, <https://www.pism.pl/publikacje/masakra-w-buczy-rosyjskie-zbrodnie-na-kijowszczyznie> (accessed: 1 December 2022).

<sup>33</sup> *OSCE Troika meets with Ukrainian Foreign Minister, expresses strong support to Ukraine and calls on Russia to immediately stop its military attack*, OSCE website, <https://www.osce.org/chairmanship/515391> (accessed: 24 November 2022).

<sup>34</sup> 24 August is a symbolic date as this day marks exactly six months since the outbreak of full-scale war and 31 years since Ukraine declared its independence.

<sup>35</sup> *OSCE Chairman-in-Office calls on Russian Federation to immediately stop war against Ukraine, stresses civilian population must be protected*, OSCE website, <https://www.osce.org/chairmanship/524454> (accessed: 24 November 2022).

<sup>36</sup> *OSCE heads condemn plan to hold illegal "referenda" in occupied territories of Ukraine*, OSCE website, <https://www.osce.org/chairmanship/526432> (accessed: 24 November 2022).

<sup>37</sup> *OSCE Chairman-in-Office Rau, Parliamentary Assembly President Cederfelt, OSCE Secretary General Schmid and OSCE PA Secretary General Montella condemn Russia's illegal annexation of Ukrainian territory*, OSCE website, <https://www.osce.org/chairmanship/527109> (accessed: 24 November 2022).

<sup>38</sup> *OSCE Troika, Secretary General, OSCE PA President and Secretary General strenuously condemn Russia's attacks in Ukraine's civilian centres*, OSCE website, <https://www.osce.org/parliamentary-assembly/528465> (accessed: 24 November 2022).

<sup>39</sup> Interview MSZ1 – Warsaw, 19 September 2022.

The Polish Chairmanship unequivocally took the side of Ukraine. This can be considered a very bold and unprecedented approach as in the OSCE the Chairmanship is usually expected to adopt the position of a neutral arbiter<sup>40</sup>. Poland, on the other hand, did not seek to maintain an equal distance from the perpetrator and the victim:

*‘...we adopted, both morally and politically, the decision to take sides, and we are openly working to promote the political, economic and military interests of the Ukrainian side, which is the aggrieved party in this conflict.’<sup>41</sup>*

The conduct of the Polish Chairmanship enjoyed the approval of the majority of the participating States forming the so-called ‘Like-Minded Group’. Its support was of key importance, e.g. in the course of making the decision on the application of the Moscow Mechanism and the collection of extra-budgetary funds for the implementation of the initiatives of the Polish Chairmanship<sup>42</sup>.

### **No business as usual**

Polish diplomats were guided by the principle of ‘no business as usual’ which points to the recognition that it is impossible in these conditions to pursue the existing agenda of the OSCE as if nothing had happened. The brutality and scale of the Russian invasion completely changed the situation in the region. After the outbreak of war, Poland as the OSCE Chairmanship country did not hold talks on European security with the Russian side as it considered negotiations with the aggressor during the still ongoing hostilities unacceptable. A return to normal dialogue with Moscow would only be acceptable if the Russians showed respect for the basic principles of the OSCE and renounced their aggressive policy towards their neighbours.

*‘...there is no agreement on our part on this “business as usual” in the sense of negotiating or dialogue with Russia on the issue of, for example, Ukraine’s security until the war is over and until Ukraine achieves its strategic goals which boil down to the OSCE principles of territorial integrity, sovereignty, independence and so on’<sup>43</sup>.*

The OSCE Chairman-in-Office raised the issue of Russia’s unprovoked military aggression against Ukraine at all major events organised by the organisation, such as the OSCE Annual Security Review Conference in June<sup>44</sup> and the OSCE’s annual cyber/ICT security conference in October<sup>45</sup>.

### **Expanding the issue of the war in Ukraine to the second and third dimensions of the OSCE**

The creativity and initiative of the Polish Chairmanship, however, consisted in raising the topic of the war in Ukraine in all possible fields of the OSCE, not limiting it only to the politico-military dimension, but extending it to the economic and environmental, and human dimensions<sup>46</sup>. The impact of the war triggered by Russia on the global economy and the condition of the environment was discussed at the 30<sup>th</sup> OSCE Economic and Environmental Forum in Prague in September<sup>47</sup>. In turn, the 10-day Warsaw Human Dimension Conference, organised by the Polish Chairmanship in cooperation with the OSCE’s Office for Democratic Institutions and Human Rights (ODIHR) in late September and early October, discussed the impact of the war in Ukraine on human rights, human trafficking and the migration crisis<sup>48</sup>.

Furthermore, a month before the outbreak of the full-scale war, Minister of National Defence Mariusz Blaszczak held a telephone consultation on behalf of the Chairman-in-Office Zbigniew Rau with US Secretary of State Antony Blinken, NATO Secretary General Jens Stoltenberg and the High

<sup>40</sup> Interview with the Permanent Representative of Poland to the OSCE – Vienna, 14 September 2022.

<sup>41</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>42</sup> Ibidem.

<sup>43</sup> Ibidem.

<sup>44</sup> OSCE Annual Security Review Conference takes places against backdrop of war on Ukraine, OSCE website, <https://www.osce.org/chairmanship/521527> (accessed: 26 November 2022).

<sup>45</sup> Doroczna konferencja OBWE poświęcona kwestiom cyberbezpieczeństwa, website of the Ministry of Foreign Affairs of the Republic of Poland, <https://www.gov.pl/web/dyplomacja/doroczna-konferencja-obwe-poswiecona-kwestiom-cyberbezpieczenstwa> (accessed: 26 November 2022).

<sup>46</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>47</sup> Technological innovation and transition to green energy crucial for sustainable economic recovery after pandemic – OSCE 2022 Forum in Prague, OSCE website, <https://www.osce.org/chairmanship/525495> (accessed: 26 November 2022).

<sup>48</sup> Human Dimension Conference concludes in Warsaw, OSCE website, <https://www.osce.org/chairmanship/528399> (accessed: 26 November 2022).

Representative of the European Union for Foreign Affairs and Security Policy Josep Borrell amid growing tension over Ukraine<sup>49</sup>. Russia's aggression against Ukraine was also the focus of a series of meetings between the Chairman-in-Office and top UN officials during his two-day visit to New York in March<sup>50</sup>. The Russian invasion also dominated the agenda of the meeting between the Personal Representatives of the OSCE Chairman-in-Office and the Special Representative of the Council of Europe in April<sup>51</sup>.

### **Closure of SMM and PCU**

The decisive stance of the Polish Chairmanship on the war provoked the expected reaction from Russia. Poland was methodically accused of losing its neutrality in balancing different political emphases and of 'Ukrainianising' the OSCE agenda<sup>52</sup>. Taking advantage of the anachronistic nature of decision-making in the OSCE (the organisation is a slave to the principle of consensus), Russia sought to eliminate any OSCE presence in Ukraine and, incidentally, to politically 'punish' the Polish Chairmanship by blocking key decisions from the perspective of the organisation's smooth functioning<sup>53</sup>. One consequence of such Russian actions was the failure to agree the budget of the organisation<sup>54</sup>. The greatest repercussion of Russia's intransigence, however, was the blocking of the extension of the mandates of the Special Monitoring Mission and the OSCE Project Coordinator in Ukraine. In the absence of a consensus (due to Russian obstructionism), which in the case of the SMM was to be reached by the end

of March<sup>55</sup>, the Chairman-in-Office and the Secretary-General in a joint statement of 28<sup>th</sup> April announced that immediate steps would be taken to close the OSCE Special Monitoring Mission to Ukraine<sup>56</sup>. For the same reason, i.e. the failure of the Russian Federation to agree to an extension of its mandate, the Chairman-in-Office and the Secretary-General had to initiate in June the procedure to close the office of the OSCE Project Co-ordinator in Ukraine<sup>57</sup>.

The Special Monitoring Mission (SMM) deployed in Ukraine in 2014 breathed new life into the OSCE significantly strengthening its international authority. Under the conditions of the termination of the SMM and the PCU, which had been in place for 23 years<sup>58</sup>, and the start of military aggression by one participating State against another, the question arose as to the sense of preserving the organisation as such. Thus, the strategic objective of the Polish Chairmanship, and at the same time a question of existential importance for the organisation, became finding alternative ways of preserving the OSCE presence in Ukraine<sup>59</sup>.

### **Support Programme for Ukraine**

The outline of such an alternative was presented by the Chairman-in-Office and the Secretary-General during an official visit to Ukraine in early August. Minister Rau announced the launch of a EUR 30m Support Programme for Ukraine (SPU)<sup>60</sup>. This amount was allocated for a period of three years<sup>61</sup>. The launch of the support programme demon-

<sup>49</sup> *Joint consultations of the Polish OSCE Chairmanship, the European Union, NATO and the United States*, website of the Ministry of Foreign Affairs of the Republic of Poland, <https://www.gov.pl/web/osce/joint-consultations-of-the-polish-osce-chairmanship-the-european-union-nato-and-the-united-states> (accessed: 26 November 2022).

<sup>50</sup> *OSCE Chairman-in-Office Zbigniew Rau calls for stronger UN-OSCE co-operation to address global security challenges*, OSCE website, <https://www.osce.org/chairmanship/514018> (accessed: 26 November 2022).

<sup>51</sup> *Special Representatives of OSCE Chairman-in-Office conclude visit to Council of Europe*, OSCE website, <https://www.osce.org/chairmanship/516183> (accessed: 26 November 2022).

<sup>52</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>53</sup> Interview SPRP1 – Vienna, 14 September 2022.

<sup>54</sup> Interview with the Permanent Representative of Poland to the OSCE – Vienna, 14 September 2022.

<sup>55</sup> *Chairman-in-Office and Secretary General expressed regret that no consensus reached on extension of mandate of Special Monitoring Mission to Ukraine*, OSCE website, <https://www.osce.org/chairmanship/514958> (accessed: 26 November 2022).

<sup>56</sup> *OSCE Chairman-in-Office and Secretary General announce upcoming closure of Special Monitoring Mission to Ukraine*, OSCE website, <https://www.osce.org/chairmanship/516933> (accessed: 26 November 2022).

<sup>57</sup> *OSCE Chairman-in-Office and Secretary General announce upcoming closure of Project Co-ordinator in Ukraine*, OSCE website, <https://www.osce.org/chairmanship/521779> (accessed: 26 November 2022).

<sup>58</sup> The procedures for the closure of the Office of the Project Coordinator and the OSCE Special Monitoring Mission to Ukraine were finally completed in October. See *OSCE Chairman-in-Office and Secretary General praise work by field operations in Ukraine*, OSCE website, <https://www.osce.org/chairmanship/530039> (accessed: 26 November 2022).

<sup>59</sup> Interview SPRP1 – Vienna, 14 September 2022.

<sup>60</sup> *Przewodniczący OBWE Zbigniew Rau przebywał z wizytą na Ukrainie*, website of the Ministry of Foreign Affairs of the Republic of Poland, <https://www.gov.pl/web/dyplomacja/przewodniczacy-obwe-zbigniew-rau-przebywal-z-wizyta-na-ukrainie> (accessed: 27 November 2022).

<sup>61</sup> Interview SPRP1 – Vienna, 14 September 2022.

strates the flexibility and innovation of the Polish Chairmanship. According to the formula developed in cooperation between the Chairmanship and the OSCE Secretariat, the SPU is to be financed with extra-budgetary funds<sup>62</sup>, i.e. voluntary contributions from donors from among the OSCE participating States<sup>63</sup>. The extra-budgetary nature of the programme's financing under OSCE rules does not require consensus, and therefore Russia is not in a position to block this initiative<sup>64</sup>. Poland found itself in a double role in this situation: firstly, it is one of the SPU donors, and secondly, due to its role as the OSCE Chairmanship State, it was actively involved in working out the structure of this programme. Although when it comes strictly to the selection of projects to be implemented under the SPU, the OSCE Secretariat plays a key role in this process<sup>65</sup>.

It took several months to work out the legal framework of the support programme for Ukraine. As a result, it was launched on 1st November<sup>66</sup>. The SPU comprises the implementation of 23 projects in the fields of mine clearance, countering the risks of natural disasters and the risks of environmental disasters caused by war, and long-term support for the reform of Ukraine's political institutions and civil society<sup>67</sup>. The SPU was established on the basis of the long-standing experience of the Office of the OSCE Project Coordinator in Ukraine and is largely a continuation of such activities, but adapted to the reality of the war<sup>68</sup>. Furthermore, the Chairman-in-Office Zbigniew Rau appointed Ambassador Henrik Villadsen, the former OSCE Project Coordinator in Ukraine, as Special Representative in charge of coordinating the support programme for Ukraine.

<sup>62</sup> Interview MSZ2 – Warsaw, 19 September 2022.

<sup>63</sup> Among the donors were Member States of the European Union, the United States and Norway, see Interview with the Permanent Representative of Poland to the OSCE – Vienna, 14 September 2022.

<sup>64</sup> Interview MSZ4 – Warsaw, 19 September 2022.

<sup>65</sup> Interview SPRP1 – Vienna, 14 September 2022.

<sup>66</sup> That is, the day after the final closure of the office of the OSCE Project Coordinator and Special Monitoring Mission to Ukraine. See *OSCE Chairman-in-Office and Secretary General praise work by field operations in Ukraine*, OSCE website, <https://www.osce.org/chairmanship/530039> (accessed: 27 November 2022). It is quite possible that this is not a coincidence, but a conscious effort to demonstrate the continuity of the OSCE presence in Ukraine.

<sup>67</sup> *New donor-funded Support Programme for Ukraine*, OSCE website, <https://www.osce.org/chairmanship/530219> (accessed: 27 November 2022)

<sup>68</sup> Interview SPRP1 – Vienna, 14 September 2022.

<sup>69</sup> Ibidem; Interview with the Permanent Representative of Poland to the OSCE – Vienna, 14 September 2022..

<sup>70</sup> S. Liechtenstein, *Russia blocks holding of OSCE human rights conference, diplomats say*, The Security and Human Rights Monitor website, <https://www.shrmonitor.org/russia-blocks-holding-of-osce-human-rights-conference-diplomats-say/> (accessed: 27 November 2022).

<sup>71</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>72</sup> A subject of concern for some diplomats involved in the OSCE is the possible blocking by Russia of the mandates of OSCE field missions in the Balkans, which would lead to a serious institutional crisis for the organisation. Mobilising extra-budgetary resources is one of the few ways to counter Russian blackmail. See Interview SPRP1 – Vienna, 14 September 2022.

Mechanisms operating on similar principles were launched in the past in the Caucasus and Central Asia, but they were not so politically motivated and had much less funding<sup>69</sup>. Therefore, the application of this solution by the Secretariat and the Polish Chairmanship in the situation of a crisis of the OSCE presence in Ukraine can certainly be considered as an innovative and unconventional measure. The same solution was applied by the Polish Chairmanship to the OSCE's Human Dimension Implementation Review Meetings which according to the OSCE rules should be held annually in Warsaw (ODIHR headquarters). However, due to the pandemic (2020) and the position of Russia (2021-2022), which reportedly demanded that the topic of combating resurgent neo-Nazism in some OSCE participating States be included in the meeting agenda<sup>70</sup>, the third dimension review meetings were not held. This situation was a symptom of the crisis and dysfunctionality of the organisation. On the other hand, the sense of initiative and ambition of the Polish Chairmanship involved the political decision of the Chairman-in-Office, made in agreement with the ODIHR and the like-minded states, to organise the above-mentioned Warsaw Human Dimension Conference which, in terms of content and participation, referred to a traditional review meeting<sup>71</sup>. Due to the extra-budgetary financing of the conference, Russia was not able to block it.

The model developed by Poland for dealing with the torpedoing of the OSCE structures by Russia may serve the next Chairmen-in-Office should Russia continue its strategy of abusing the principle of consensus in the OSCE for its particular political goals<sup>72</sup>.

## Accelerating the process towards a peaceful and lasting solution to the conflict in Georgia

Like previous OSCE Chairmanship countries, Poland highlighted in its programme the key role of the Geneva International Discussions (GID) in achieving peace and stability in Georgia. The uniqueness of this mechanism lies in its inclusiveness. This is the only forum that brings together all stakeholders. GID meetings are held four times a year<sup>73</sup>. Despite the fact that plans to continue negotiations in this format were declared in the programme of the Polish Chairmanship, the implementation thereof was largely prevented after the outbreak of war. The Russian aggression against Ukraine fundamentally affected Poland's approach to leading the work of the organisation. The Polish Chairmanship was aware that the GID could be used politically by Russia to spread disinformation and an anti-Western propaganda narrative and to avoid diplomatic isolation caused by the war. A principled decision was therefore made to temporarily suspend the Geneva International Discussions in accordance with the principle of 'no business as usual'.<sup>74</sup>

Nevertheless, regular meetings were held within the framework of the Incident Prevention and Response Mechanisms (IPRM) in the town of Ergneti which lies on the demarcation line separating the territories occupied by Russia and the South Ossetian separatists from the rest of the country<sup>75</sup>. The mechanism, established in 2009, is a platform for ensuring a rapid and effective response to security incidents in order to reduce the risk of unintended conflict

escalation. Within the framework of the IPRM such issues are discussed as criminal activity, detention of citizens, setting rules for crossing administrative borders, providing humanitarian assistance to conflict-affected civilians, etc.<sup>76</sup>. The IPRM meetings in Ergneti are attended by representatives of the Georgian government, self-proclaimed South Ossetia and the Border Guard of Russia co-managing the 'borders' of South Ossetia<sup>77</sup>. These meetings take place with the mediation of the Head of the EU Monitoring Mission to Georgia (currently Marek Szczygieł) and the Special Representative of the OSCE Chairman-in-Office (currently Viorel Moșanu)<sup>78</sup>. The EU Monitoring Mission also operates a hotline between the participants in the Mechanism<sup>79</sup>.

An important component of each Chairmanship is made up of the Chairman-in-Office's foreign visits. Minister Rau's visit to the South Caucasus took place in late March and early April. During his stay in Georgia, the Chairman-in-Office met with the President, the Prime Minister, the Minister of Foreign Affairs and the First Deputy Speaker of the Georgian Parliament. Zbigniew Rau reaffirmed the OSCE's support for Georgia, which is expressed through the involvement of the organisation in the functioning of diplomatic mechanisms such as the GID and IPRM. The Chairman-in-Office also thanked the Georgian partners for their contribution to the attempts at peaceful resolution of conflicts in the region, including the Peaceful Neighbourhood

<sup>73</sup> This concerns the United States, the Russian Federation, Georgia and representatives of Abkhazia and South Ossetia (both those recognised by Tbilisi and the international community and those with Russian backing). Three international organisations act as co-chairs of the GID: OSCE, UN and EU. See *Geneva International Discussions*, website of the Office of the Minister of State for Reconciliation and Civil Equality, <https://smr.gov.ge/en/page/26/geneva-international-discussions> (accessed: 30 November 2022).

<sup>74</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>75</sup> The second IPRM, which was organised in the city of Gali (Abkhazia), has remained suspended since 2018. Representatives from Georgia, self-proclaimed Abkhazia and Russia attended IPRM meetings in Gali. *IPRM Meeting Suspended over 'Otkhozoria-Tatunashvili List'*, Civil Georgia website, <https://civil.ge/archives/245157> (accessed: 30 November 2022).

<sup>76</sup> N. Macharashvili, E. Basilaia, N. Samkharade, *Assessing the EU's conflict prevention and peacebuilding interventions in Georgia*, Whole of Society Conflict Prevention and Peacebuilding, Tbilisi 2017, pp. 30-31.

<sup>77</sup> There were six IPRM meetings in Ergneti in 2022 (January, March, April, June, September, and November). For more on this topic cf. *104th Incident Prevention and Response Mechanism meeting takes place in Ergneti*, OSCE website, <https://www.osce.org/chairmanship/510428> (accessed: 30 November 2022); *109th Incident Prevention and Response Mechanism meeting takes place in Ergneti*, OSCE website, <https://www.osce.org/chairmanship/530740> (accessed: 30 November 2022).

<sup>78</sup> In January, Chairman-in-Office Zbigniew Rau appointed Viorel Moșanu as OSCE Special Representative for the South Caucasus. The course of cooperation with the experienced Romanian ambassador was very positively assessed by Polish diplomats, see Interview MSZ1 – Warsaw, 19 September 2022.

<sup>79</sup> N. Macharashvili, E. Basilaia, N. Samkharade, op.cit., pp. 23, 31.

Initiative<sup>80</sup> and visited the administrative boundary line between Georgia and separatist South Ossetia in Odzisi<sup>81</sup>.

As mentioned above, the Geneva International Discussions were temporarily suspended at the beginning of the year after Russia launched a full-scale invasion of Ukraine. As a result, the March and June sessions of the GID did not take place. However, the Georgian side, and for some time also UN and EU representatives, have expressed interest in keeping this negotiating format alive<sup>82</sup>. Firstly, Georgia is keen to continue the GID meetings as these talks are one of the few channels of direct communication with Russia<sup>83</sup> (Tbilisi broke off diplomatic relations with Russia after the so-called Five Day War in 2008)<sup>84</sup>. Secondly, the Georgian government wanted to avoid a situation where the frozen separatist conflicts in Georgia would be forgotten amid the heated war between Russia and Ukraine<sup>85</sup>. Thirdly, an arrangement in which Georgia holds regular meetings with representatives of South Ossetia within the framework of the IPRM in Ergneti while the Geneva International Discussions are suspended was undesirable from Tbilisi's point of view<sup>86</sup>.

It is worth stressing, however, that Russia's aggressive war against Ukraine was not the only obstacle to getting all parties to agree to return to the GID. In April, Moscow began demanding a change of venue for the talks (Istanbul was one of the proposals)<sup>87</sup>,

accusing the GID Co-Chairs and Switzerland of losing their impartiality<sup>88</sup>. These demands were reiterated in June during a remote meeting between the deputy foreign minister of the Russian Federation and the special representatives of the UN, EU and OSCE<sup>89</sup>. In July, the same position was taken by the 'Foreign Minister' of Abkhazia<sup>90</sup>. Furthermore, the Russian side demanded a preparatory meeting in Moscow with the participation of the GID Co-Chairs. Poland as the Chairmanship country firmly rejected the demands for both a change of location and consultations in Moscow<sup>91</sup>.

Despite significant differences of opinion, the parties involved in the GID managed to agree on a date for another meeting. In October, after a 10-month hiatus, the 56<sup>th</sup> round of the Geneva International Discussions, previously scheduled for March, took place. Russia failed to carry out the plans to change the venue and to organise preparatory consultations in Moscow. The meeting, however, did not produce any positive results. The positions of the particular GID parties did not converge. The participants took the meeting as an opportunity to present their traditional views on the steps to be taken to resolve the conflicts in Georgia<sup>92</sup>.

Russia and the separatists it supports reiterated their demands for the signing of a non-use of force treaty between the Georgian government and representatives of the separatists<sup>93</sup>. In addition, representatives

<sup>80</sup> The launch of a new negotiating platform called the Peaceful Neighbourhood Initiative was announced by Georgian Prime Minister Irakli Garibashvili at the 76th session of the United Nations General Assembly in September 2021. In 2022 Georgia organised a series of bilateral and trilateral meetings at the highest level with representatives of Armenia and Azerbaijan. The initiative primarily emphasises resolving the conflict between Yerevan and Baku and enhancing economic, trade and cultural cooperation in the region. For more on this topic cf. *Prime Minister Garibashvili Announces "Peaceful Neighborhood Initiative" at the UNGA*, website of the Embassy of Georgia in the United States, <https://georgiaembassyusa.org/2021/09/28/prime-minister-garibashvili-advances-cooperation-and-security-at-the-unga/> (accessed: 30 November 2022); *Georgian Foreign Minister welcomes inaugural meeting of Armenian, Azerbaijani FMs in Tbilisi*, Agenda.ge website, <https://agenda.ge/en/news/2022/2721> (accessed: 30 November 2022).

<sup>81</sup> *OSCE Chairman-in-Office Rau concludes visit to Georgia, Azerbaijan and Armenia*, OSCE website, <https://www.osce.org/chairmanship/515075> (accessed: 30 November 2022).

<sup>82</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>83</sup> Interview SPRP1 – Vienna, 14 September 2022.

<sup>84</sup> *Georgia breaks ties with Russia*, BBC website, <http://news.bbc.co.uk/2/hi/europe/7588428.stm> (accessed: 30 November 2022).

<sup>85</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>86</sup> Interview SPRP1 – Vienna, 14 September 2022.

<sup>87</sup> *Ibidem*.

<sup>88</sup> *Russian Diplomat on Abkhazia, S. Ossetia, Geneva Talks*, Civil Georgia website, <https://civil.ge/archives/487300> (accessed: 30 November 2022).

<sup>89</sup> *Geneva discussions on Transcaucasia should be moved to neutral site – MFA*, Russian News Agency TASS website, <https://tass.com/world/1468671> (accessed: 30 November 2022).

<sup>90</sup> *Abkhaz Side Wants to Move Georgia Talks Out of Geneva*, Civil Georgia website, <https://civil.ge/archives/500695> (accessed: 30 November 2022).

<sup>91</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>92</sup> *56th Round of Geneva International Discussions*, Civil Georgia website, <https://civil.ge/archives/510717> (accessed: 1 December 2022).

<sup>93</sup> Georgia has for years expressed its readiness to conclude a treaty on the renunciation of force as a means of resolving the conflict with Abkhazia and Ossetia. However, the Georgian government argues that Russia should be a party to this treaty, not the separatists, whose legitimacy the Georgians do not recognise. See N. Macharashvili, E. Basilaia, N. Samkharade, op.cit., p. 31.

of South Ossetia, which is not controlled by Tbilisi, raised the issue of the demarcation of the 'state border,' which may signal the continuation of the processes referred to in Georgia and the West as the so-called 'creeping occupation' of areas along the line of demarcation.

Georgia, on the other hand, focused on the issue of ensuring the safe return of internally displaced persons to their homes. This matter is very sensitive for representatives of the separatist republics who accuse Georgia of politicising the issue. On several occasions, it became a pretext for the former to withdraw from the negotiations<sup>94</sup>.

The delegations of the European Union and the United States, in turn, reiterated their unchanged position in support of Georgia's sovereignty, independence and territorial integrity. They called on the Russian side to comply with the agreement signed in 2008 which obliges it, among other things, to leave the territories seized as a result of the war<sup>95</sup>. Both the US and the Union called for the resumption of the IPRM in Gali as soon as possible<sup>96</sup>.

The accomplishment of the objective of a peaceful and lasting solution to the conflict in Georgia by means of the Geneva International Discussions was disrupted due to the Russian invasion of Ukraine. The principle 'no business as usual' adopted by

the Polish Chairmanship involved the temporary suspension of those OSCE mechanisms in which the Russian Federation was actively involved. Although negotiations at the highest level (GID) were frozen for an extended period of time, meetings at the operational level within the framework of the IPRM were held regularly, and they were always attended by a special representative of the Chairman-in-Office. Furthermore, Chairman Zbigniew Rau visited Georgia, Armenia and Azerbaijan in late March and early April thus emphasising the importance of the region of South Caucasus to the OSCE. In turn, the return to the GID in October was primarily due to the attitude of the Georgian side which was highly interested in the survival of this format. The objective envisaged in the programme of the Polish Chairmanship was largely redefined after 24th February. Under the conditions of the largest war in Europe in 70 years, finding a lasting solution to the frozen armed conflicts in the post-Soviet area is practically impossible. The preservation of the OSCE's presence in the region (visit by Chairman-in-Office Rau, activity of the Special Representative, contribution to the functioning of the IPRM in Ergneti) should be considered a success of the Polish Chairmanship with regard to the conflicts in Abkhazia and South Ossetia.

## Cooperation with the Minsk Group and escalation of the conflict between Armenia and Azerbaijan

The Nagorno-Karabakh conflict has remained on the OSCE agenda virtually since the inception of the organisation. At different levels of relevance in terms of priorities, however, this problem can be considered as a permanent feature of the OSCE activities. The countries preceding Poland in holding the OSCE Chairmanship also had to deal with the problem of

the Azeri-Armenian conflict. Of particular significance in this regard seems to have been the Albanian Chairmanship during which the conflict escalated in 2020. Although it turned out possible to work out a ceasefire, the conflict was far from resolved and only went into a state of a sort of freeze. The South Caucasus came to a boil again with Russia's inva-

<sup>94</sup> Ibidem, p. 35.

<sup>95</sup> *On the 56th Round of the Geneva International Discussions on the Conflict in Georgia*, website of the US Mission to the OSCE, <https://osce.usmission.gov/our-relationship/> (accessed: 1 December 2022); *EU Statement on the 56th round of the Geneva International Discussions*, website of the European Union Delegation to the International Organisations in Vienna, [https://www.eeas.europa.eu/delegations/vienna-international-organisations/osce-permanent-council-no-1394-vienna-13-october-0\\_en?s=66](https://www.eeas.europa.eu/delegations/vienna-international-organisations/osce-permanent-council-no-1394-vienna-13-october-0_en?s=66) (accessed: 1 December 2022).

<sup>96</sup> Interestingly, during the GID session, the Abkhazian side expressed interest in re-establishing the IPRM in Gali. A week later, a meeting took place between Abkhazia's 'foreign minister' and Russia's 'ambassador' during which the topic of resuming IPRM in Gali was discussed. See *Sokhumi Hints at Resuming Gali IPRM*, Civil Georgia website, <https://civil.ge/archives/512142> (accessed: 1 December 2022). This issue was also raised during the visit of the UN and EU Special Representatives to Abkhazia. See *GID Co-Chairs Visit Sokhumi, Tskhinvali*, Civil Georgia website, <https://civil.ge/archives/514522> (accessed: 1 December 2022). However, it is worth noting that at the moment there is no indication that the Abkhazian side, which has been politically playing up the issue for years, is actually seeking to resurrect this format.



sion of Ukraine on 24<sup>th</sup> February 2022. At this point, all formats for the peaceful resolution of disputes of an international nature came into question. This was due to Russia's membership in the vast majority of them as an important negotiating party. The same was true of the format known as the Minsk Group in which Russia served as co-chair together with France and the United States.

In January, shortly after taking office, the Polish Chairmanship issued an appeal to the parties to the conflict aimed at easing tensions as well as encouraging the continuation and deepening of the dialogue between Yerevan and Baku<sup>97</sup>. The start of the war in Ukraine had a not inconsiderable impact on events taking place in the region of South Caucasus. In April Minister Zbigniew Rau went on a diplomatic visit to Tbilisi, Baku and Yerevan. The main priority was to increase cooperation between the OSCE and the countries of the region in order to reduce the risk of an escalation of the Russian-Ukrainian conflict into the Caucasus area. During his meetings with representatives of the three countries Minister Rau focused on the conflict and its potential impact on the situation in the region and worldwide<sup>98</sup>. The visit to Baku was also intended to serve the purpose of obtaining the cooperation of Azerbaijan and the OSCE towards a peaceful resolution of the three-decade-long dispute. As the conflict escalated, in September 2022 the Chairman-in-

## Efforts to resolve the Transnistria issue

Like the Karabakh issue, the breakaway region of Moldova on the left bank of the Dniester, appears repeatedly on the agenda of the OSCE Chairmanships. This is due to the complex situation in which the Russian side also plays a major role. There are 1,500 Russian troops stationed in Transnistria. Although this is not a large number by today's standards, it is sufficient as an argument against Moldovan attempts to incorporate the region.

Office, together with the Secretary-General, issued a call for an immediate ceasefire between the parties describing the clashes as ignoring any progress in talks between the parties<sup>99</sup>. Azerbaijan has been pursuing a very unambiguous policy since 2020 in its quest to take total control of Nagorno-Karabakh. With the aggression of the Russian Federation on 24<sup>th</sup> February and the Kremlin's setbacks on the frontline, Azerbaijan's policy gradually became more assertive and decisive, which was an additional obstacle to cooperation in maintaining and building peace in the region:

*'After the 2020 war over Nagorno-Karabakh the Azerbaijanis proceeded to pursue their interests more aggressively and assertively. This somewhat precludes a balanced Armenian-Azerbaijani dialogue and cooperation. Armenians feel pushed around in all this. The Azerbaijanis are becoming assertive and trying to run forward because of Armenia's weaker potential despite the presence of Russian troops'<sup>100</sup>.*

The activities of the Minsk Group have thus been de facto frozen. Russia's blockade of all activities of the format, as well as Azerbaijan's statement that it no longer recognises the Minsk Group as part of the peace process, can be seen as a problem that prevents the accomplishment of the objective included in the Chairmanship programme.

Chisinau's small military potential (about 6,000 professional soldiers) makes it difficult to negotiate from a position of strength. This is one of the reasons why the issue of Transnistria has been deadlocked for 30 years. In order to reach a solution to the Tiraspol-Chisinau dispute, the 5+2 mediation format was established in 2005 comprising Moldova, Transnistria, Russia, Ukraine and a representative of the OSCE Chairman-in-Office. The other two, with observer

<sup>97</sup> Statement by the OSCE Chairmanship-in-Office on the situation along the Armenia-Azerbaijan border, OSCE website, <https://www.osce.org/chairmanship/509834> (accessed: 27 November 2022).

<sup>98</sup> OSCE Chairman-in-Office Rau concludes visit to Georgia, Azerbaijan and Armenia, OSCE website, <https://www.osce.org/chairmanship/515075> (accessed: 18 November 2022).

<sup>99</sup> OSCE Chairman-in-Office and OSCE Secretary General call for immediate cessation of hostilities along Armenia-Azerbaijan border, OSCE website, <https://www.osce.org/chairmanship/525732> (accessed: 27 November 2022).

<sup>100</sup> Interview MSZ1 – Warsaw, 19 September 2022.

status, are the United States and the European Union. The 5+2 format has not developed serious changes and was actually considered as non-functional for many years. Just before the Russian invasion of Ukraine, there were serious tensions between Moldova and the Russian Federation over gas supplies which also made dialogue between the parties difficult:

*'...shortly before the outbreak of war, we had the Chisinau-Moscow gas conflict. It was evident here that the Russians had no intention whatsoever of making concessions to the new democratic Moldovan authorities. On the contrary, they wanted to keep them in limbo; they wanted to bring about the same that they are leading to across Europe – an energy crisis, an increase in inflation. The first victim where these processes were set in motion was Moldova.'*<sup>101</sup>.

The outbreak of war in Ukraine and the Russian plans to conquer nearby Odessa called the situation in Moldova into question. It was therefore natural to officially suspend the 5+2 format involving Russia and Ukraine. The situation between the two key members of the mediation process made it impossible to continue. In the early days of the invasion, it was feared that Transnistria and the troops stationed there, both local and Russian, could be used against Ukraine. In order to counter such a turn of events, the Chairmanship sent some OSCE representatives<sup>102</sup>. The meetings were personally attended by the Chairman-in-Office Zbigniew Rau as well as the OSCE Chairman-in-Office's special envoy, Ambassador Artur Dmochowski, together with the OSCE Representative for Transnistria Thomas Mayr-Harting:

*'...at the moment when the Russians were making their greatest progress towards Odessa, they occupied a large part of Kherson, were fighting at Mykolaiv and were shelling Odessa... we were afraid that they would also use Transnistria as part*

*of the plan to cut Ukraine off from the sea, and that the military units there would be used not against Moldova but Ukraine. We then mobilised and led three missions. The minister's first mission was supposed to mark the presence, to draw the world's attention to the region, and this was successful, and the next two were already at the level of the Special Representative, accompanied by Polish diplomats.'*<sup>103</sup>.

With the defeat of the Russians in the battle for Kyiv that ended on 2<sup>nd</sup> April 2022, voices began to be raised that the 5+2 format should not be abandoned. The parties to the conflict considered it necessary in resolving the dispute. At present, however, the shape as well as the very future of the format depends on the outcome of the war between Ukraine and Russia. The OSCE is active in promoting dialogue between the parties in the 1+1 format:

*'There, too, I think we were helpful and effective, of course, outside the envisaged format because the 5+2 format is completely suspended. Instead, we really promoted the talks in the 1+1 format, that is, the intra-Moldovan talks between Tiraspol and Chisinau. Such talks are going on and there is some progress in normal human affairs, such as transport, land cultivation, etc. This was the purpose of these talks...'*<sup>104</sup>.

In the context of Russian defeats on the frontline in Ukraine Transnistria has become more willing to dialogue. A Russian defeat in the war with Ukraine could mean a loss of Moscow's patronage over Tiraspol. In view of this risk, dialogue and attempts at a peaceful resolution of the dispute based on some compromise are more attractive to Transnistria<sup>105</sup>.

It is difficult to assess the extent to which the Transnistrian objective has been achieved. On the one hand, the main mediation format has been in fact frozen due to the Russian invasion of Ukraine. This state of affairs may persist beyond Poland's term as the OSCE Chairman. On the other

<sup>101</sup> Interview MSZ6 – Warsaw, 19 September 2022.

<sup>102</sup> OSCE Chairman-in-Office Zbigniew Rau concludes visit to Moldova, OSCE website, <https://www.osce.org/chairmanship/514687> (accessed: 18 November 2022).

<sup>103</sup> Interview MSZ6 – Warsaw, 19 September 2022.

<sup>104</sup> Ibidem.

<sup>105</sup> Ibidem.

hand, the Polish Chairmanship has found some alternatives to the 5+2 talks that enable dialogue between Chisinau and Tiraspol. This can be regarded as a certain transformation of the objective during the Chairmanship. In the period February-April the priority became countering the use of Transnistria against Ukraine. Then alternatives were sought to the 5+2 format which was unable to operate any longer due to the political situation in the region. Maintaining the dialogue between the parties can

## International cooperation to enhance cybersecurity

Attacks in the cyberspace are a serious problem. They are not only isolated actions taken against individuals or state institutions to achieve specific objectives, but also a regular feature of hybrid conflicts. The frequency of attacks on critical infrastructure remains high, and the outbreak of the conflict in Ukraine have created new opportunities for the use of such weapons. The Polish Chairmanship announced attempts to increase countries' resilience to cyberattacks by raising awareness among authorities and the public. It is worth noting that it is both state-level security systems and thoughtful actions of ordinary citizens using the web in their everyday lives that are instrumental in enhancing a state's cyber resilience.

The OSCE has undertaken a number of initiatives to enhance the cyber resilience of its member States. An increase in their intensity can be seen in the second half of 2022. However, these activities were often carried out by various OSCE departments rather than the Chairmanship itself which was often a co-organiser or observer of a particular event.

## Strengthening arms control instruments

The Polish Presidency, declared in its October 2021 programme the need to increase military transparency as well as to strengthen the tools of surveillance and arms control of the participating States. The way

also be considered a success of the Chairmanship. Although the Transnistria issue is far from being resolved and the outbreak of the war has complicated the process of its settlement, the OSCE has taken decisive action that has led to a de-escalation of tensions and opened new avenues of communication between the parties to the dispute.

An example of such an arrangement was the workshop conducted by the OSCE Transnational Threats Department on Cyber Incident Classification on 22<sup>nd</sup>–23<sup>rd</sup> September in the city of Banja Luka, Bosnia and Herzegovina<sup>106</sup>. The Chairmanship was represented by Ambassador Tadeusz Chomicki. On the other hand, a key event in the activities of the Polish Chairmanship was the OSCE Lodz Cybersecurity Conference organised on 20<sup>th</sup>–21<sup>st</sup> October<sup>107</sup>. It brought together representatives of participating States, NGOs, academia and cybersecurity experts. The main theme was public awareness of cyber threats as one of the foundations of cyber resilience and cybersecurity. In his speech, the Chairman-in-Office emphasised the importance of cybersecurity today, including in the context of the war in Ukraine.

As the objective concerned taking action and the promotion as such, it can be stated that it has been achieved. The activities of the Chairmanship, in cooperation with the Secretariat and its departments, definitely promoted awareness about cybersecurity among participating States.

forward was to be stronger implementation as well as modernisation of the Vienna Document of 1990. Over the years of its activities, the organisation has become a kind of leader in political-military action

<sup>106</sup> *Cyber Incident Classification System in focus of OSCE workshop in Banja Luka*, OSCE website, <https://www.osce.org/mission-to-bosnia-and-herzegovina/526744> (accessed: 24 November 2022).

<sup>107</sup> *Building societal resilience to cyber threats focus of annual OSCE conference*, OSCE website, <https://www.osce.org/chairmanship/529353> (accessed: 22 November 2022).

in the field of collective security. So far, the OSCE has not raised the issue of modernising the document, but actions have been taken at lower levels on the issue of arms control and confidence-building.

On 5th-6th November, ambassadors of the OSCE participating States visited Tajikistan<sup>108</sup>. A group of four representatives from the UK, the US, France and Germany arrived to promote Dushanbe's cooperation with the organisation. The visit included meetings with the Foreign Minister of Tajikistan and with the commander of the Tajik Border Troops, and a meeting at the Regional Explosive Hazards Training Centre of Tajikistan's Defence Ministry. The representatives also raised the issues of the OSCE's comprehensive security concept.

The OSCE representative was also present at the meeting of the Heads of State and Government

of Central Asia, as well as Turkey and Mongolia in Istanbul on 8<sup>th</sup>–10<sup>th</sup> November. The meeting dealt with the implementation of the UN Security Council Resolution 1540 on non-proliferation of weapons of mass destruction. The conference also touched on contemporary challenges and arms control cooperation in the region of Central Asia. The meeting was organised on the initiative of the Ministry of Economy and Trade of the Kyrgyz Republic with the support of the European Union, the United Nations Office for Disarmament Affairs, the OSCE Office in Bishkek and the OSCE Centre for Conflict Prevention<sup>109</sup>.

Most of the activities during 2022 were undertaken by the structures associated with the Secretariat although they were consistent with the programme of the Polish Chairmanship, which definitely contributed to the accomplishment of the objective.

## Strengthening OSCE tools to counter terrorism and extremism

Terrorism has been a global challenge since the beginning of the 21<sup>st</sup> century. However, it is not a new problem that mankind has not faced before. Nevertheless, the phenomenon has never been on such a scale before and, in the age of the Internet, it is having an even greater social impact on a global scale. Unfortunately, so far, no independent action to combat and counter terrorism has been taken on the initiative of the Polish Chairmanship. Instead, these issues have been dealt with by lower-level OSCE representatives, often reporting to the Secretariat of the organisation. Most initiatives were taken by the Department for Transnational Threats. One example is a series of courses on basic methods of countering extremism and radicalisation. Until the end of

November the course was only available in English, but it was also being translated into Russian, which is the language that is used to a varying extent by inhabitants of Central Asia<sup>110</sup>. Every now and then there were also events organised by the Office for Democratic Institutions and Human Rights. An example might be the training series in Kyrgyzstan on 29<sup>th</sup>–30<sup>th</sup> November organised by the ODIHR to raise awareness of human rights violations and cooperation in the field of combating extremism and terrorism in penitentiary institutions in Central Asia<sup>111</sup>. It can thus be seen that the Chairmanship has given the bulk of its attention to the Russian-Ukrainian conflict while dealing with issues of terrorism and extremism has been left to other OSCE institutions.

<sup>108</sup> OSCE Ambassadors visit Tajikistan, OSCE website, <https://www.osce.org/programme-office-in-dushanbe/530602> (accessed: 24 November 2022).

<sup>109</sup> OSCE-supported event enhances efforts of Central Asia and Mongolia to prevent the proliferation of weapons of mass destruction, OSCE website, <https://www.osce.org/secretariat/530662> (accessed: 23 November 2022).

<sup>110</sup> OSCE launches online course on fundamentals of preventing violent extremism and radicalization that lead to terrorism, OSCE website, <https://www.osce.org/secretariat/531695> (accessed: 4 December 2022).

<sup>111</sup> Protecting human rights while preventing and countering violent extremism and radicalization leading to terrorism (VERLT) in prisons: Central Asia workshop, OSCE website, <https://www.osce.org/odhr/531644> (accessed: 24 November 2022).

## Implementation of the Women, Peace and Security Agenda

The UN Agenda called ‘Women, Peace and Security’ is aimed at advancing the three issues contained in its title. The Agenda places a strong emphasis on equal rights and the representation of women in decision-making circles in both international organisations and state structures. It also raises the issue of the protection of women’s and children’s rights in armed conflicts<sup>112</sup>. The implementation of the Agenda by the OSCE and the promotion of its goals are not new to the OSCE. The Swedish Chairmanship also included it in its 2021 programme.

As with previous objectives, it is difficult to assess the extent to which the objective of further implementation of the Women, Peace and Security

Agenda has been achieved. Due to Poland’s pre-occupation with the Ukrainian issue, it is difficult to talk about Warsaw’s specific activities with regard to the agenda as there is no information about any actions taken by the Chairmanship on this topic. The implementation of the objective has been taking place at lower OSCE official levels, an example of which is the conference in Uzbekistan entitled ‘The Women, Peace and Security (WPS) Agenda and its relationship with human rights’ organised by the OSCE Project Coordinator in that country<sup>113</sup>.

### 3.4.2. Economic and environmental dimension

#### Ensuring sustained recovery and continued modernisation of economies; stimulate discussion on effective ways to mitigate the effects of pandemics; transition towards a green economy

The most important event within this particular objective was the annual OSCE Economic and Environmental Forum (OSCE EEF) consisting of two preparatory meetings and a summary meeting. The Polish Chairmanship was actively involved in the preparation of the Forum working closely with the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA) in this regard. The year 2022 was symbolically significant for the second dimension of the OSCE as it marked the 30<sup>th</sup> anniversary of the EEF and the 25<sup>th</sup> anniversary of the establishment of the OCEEA.<sup>114</sup>

The first preparatory meeting of the EEF was held on 14<sup>th</sup>–15<sup>th</sup> February in Vienna. It brought together representatives from the private sector, governmental

organisations, civil society and academia to discuss the role of the OSCE in the processes of economic recovery, sustainable growth and development after the COVID-19 pandemic. Poland was represented by the Permanent Representative to the OSCE Ambassador Adam Halacinski, Undersecretary of State in the Ministry of Development and Technology Mariusz Golecki and Board Member of the Polish Investment and Trade Agency Grzegorz Słomkowski.<sup>115</sup>

The second preparatory meeting of the EEF was held in Lodz at the end of May. The main topics of discussion included environmental protection, renewable energy sources, energy efficiency, sustainable use of natural resources and digital innovations suppor-

<sup>112</sup> *Agenda ONZ „Kobiety, pokój i bezpieczeństwo”*, Ministry of Finance website, <https://www.gov.pl/web/kas/agenda-kobiety-pokoj-i-bezpieczenstwo> (accessed: 25 November 2022).

<sup>113</sup> *Promoting Women Peace and Security Agenda focus of OSCE event in Uzbekistan*, strona internetowa OBWE, <https://www.osce.org/project-coordinator-in-uzbekistan/526979> (dostęp: 25.11.2022).

<sup>114</sup> *Technological innovation and transition to green energy crucial for sustainable economic recovery after pandemic – OSCE 2022 Forum in Prague*, OSCE website, <https://www.osce.org/chairmanship/525495> (accessed: 4 December 2022).

<sup>115</sup> *Sustainable economic recovery focus of OSCE Economic and Environmental meeting*, OSCE website, <https://www.osce.org/chairmanship/512266> (accessed: 4 December 2022).

ting the green transformation. The OSCE Chairman-in-Office, Zbigniew Rau appeared at the opening session of the meeting and highlighted the negative impact of the war caused by Russia on the environment and the global economy.<sup>116</sup>

The most important part of the EEF, the summary meeting, took place on 8<sup>th</sup>–9<sup>th</sup> September in Prague. The event brought together about 250 participants representing governments of the participating States, other international organisations and the business communities of various industries and sectors

## Continued discussions on good governance, countering corruption and women's economic empowerment

In mid-November, the OSCE's Economic and Environmental Dimension Implementation Review Meeting (EEDIM) took place; this is the forum where representatives of the participating States assess progress in meeting their commitments. Because of the fact that the Swedish Chairmanship in 2021 identified women's economic empowerment and increasing their role in decision-making processes as a strategic objective within the second dimension, these issues became the focus of the EEDIM in 2022.<sup>118</sup>

During the discussion, Ambassador Adam Halacinski, representing Poland at the review meeting, brought attention to the topicality of this issue under the conditions of the ongoing Russian aggression against Ukraine.<sup>119</sup> The delegations of the United States, the European Union and the United Kingdom reaffirmed their commitment to taking further steps towards the economic empowerment of women and called for

of economies. Participants addressed a wide range of topics, such as diversification of energy sources, mitigating the negative effects of pandemics, sustainable economic development, increasing the use of green technologies and reducing dependence on fossil fuels. Chairman-in-Office Zbigniew Rau and Secretary-General Schmid, in turn, raised the issue of the war in Ukraine stressing its importance for the stability of the second dimension, including food and energy security.<sup>117</sup>

the OSCE to take into account the needs of Ukrainian women as this is a group particularly affected by the effects of the conflict.<sup>120</sup> The EEDIM was organised by the Polish Chairmanship and the Office of the OSCE Coordinator for Economic and Environmental Action.

On the other hand, as far as the promotion of good governance and countering corruption is concerned, this topic emerged during the second preparatory meeting of the EEF co-organised by the Polish Chairmanship. It should be admitted, however, that it is not the Chairmanship but the OCEEA that pursues such objectives on an ongoing basis as it cooperates with the governments of the participating States and OSCE field missions to organise training, workshops and webinars in various regions (mainly the Western Balkans,<sup>121</sup> Central Asia<sup>122</sup> and the Southern Caucasus<sup>123</sup>) to improve the skills of local officials.

<sup>116</sup> *Promoting security through sustainable economic recovery focus of the OSCE Economic and Environmental Forum meeting*, OSCE website, <https://www.osce.org/chairmanship/518874> (accessed: 4 December 2022).

<sup>117</sup> *Technological innovation and transition to green energy crucial for sustainable economic recovery after pandemic – OSCE 2022 Forum in Prague*, OSCE website, <https://www.osce.org/chairmanship/525495> (accessed: 4 December 2022).

<sup>118</sup> *Opening Statement at the OSCE Economic and Environmental Dimension Implementation Meeting*, website of the US Mission to the OSCE, <https://osce.usmission.gov/opening-statement-at-the-osce-economic-and-environmental-dimension-implementation-meeting-3/> (accessed: 4 December 2022).

<sup>119</sup> *OSCE meeting reviews the implementation of commitments on women's participation in the economic sphere and decision-making processes*, OSCE website, <https://www.osce.org/oceea/531146> (accessed: 4 December 2022).

<sup>120</sup> *Economic and Environmental Implementation Meeting Vienna, 15 November 2022*, website of the EU delegation to international organisations in Vienna, [https://www.eeas.europa.eu/delegations/vienna-international-organisations/economic-and-environmental-implementation-meeting-1\\_en](https://www.eeas.europa.eu/delegations/vienna-international-organisations/economic-and-environmental-implementation-meeting-1_en) (accessed: 4 December 2022); *Women's economic inclusion is valuable for maintaining peace: UK statement to the OSCE*, GOV.UK website, <https://www.gov.uk/government/speeches/womens-economic-inclusion-is-valuable-for-maintaining-peace-uk-statement-to-the-osce> (accessed: 4 December 2022).

<sup>121</sup> *OSCE organizes awareness raising event for civil society on re-use of confiscated assets in Montenegro*, OSCE website, <https://www.osce.org/mission-to-montenegro/530410> (accessed: 4 December 2022).

<sup>122</sup> *OSCE launches Open Data e-learning platform for Uzbekistan*, OSCE website, <https://www.osce.org/oceea/526768> (accessed: 4 December 2022).

<sup>123</sup> *OSCE and Anti-Corruption Committee strengthen skills of anti-corruption operatives in Yerevan*, OSCE website, <https://www.osce.org/oceea/524085> (accessed: 4 December 2022).

## Encouraging further debate on the new challenges of the digital age

The inclusion of this objective in the programme of the Polish Chairmanship confirms the awareness of the growing importance of digitisation for the functioning of all the three dimensions of the OSCE. Like in the case of countering corruption, the OSCE Office of the Coordinator of Economic and Environmental Activities is responsible for the implementation of this objective on a day-to-day basis, but remains in close cooperation with the Chairmanship.

The office organises training to accelerate the implementation of new technologies in governmental bo-

dies in the OSCE area. For example, in 2022 OCEEA conducted a series of workshops intended for civil society representatives, journalists and interested government officials in Albania and Uzbekistan. These workshops were organised within the framework of the programme 'Promoting good governance and a positive business climate in the OSCE region through digitisation and the use of open data' which is financed with extra-budgetary funds from the donors, United States and Poland.<sup>124</sup>

## Developing the relations and practical cooperation between the OSCE and international partners in a spirit of effective multilateralism

An important objective of the Polish Chairmanship within the second dimension was to develop cooperation between the OSCE and its international partners in line with its commitment to the principle of effective multilateralism as the best way to achieve comprehensive security in the OSCE area.

In January-February 2022, i.e. just before the outbreak of the full-scale war in Ukraine, the Polish Chairmanship held very intensive consultations with representatives of the European Union, the North Atlantic Alliance and the United States. At that time, two telephone conversations took place in a multilateral format with the participation of the High Representative of the Union for Foreign Affairs and Security Policy, the Secretary General of NATO and the US Secretary of State. During the first conversation (on 19<sup>th</sup> January 2022), Poland being the country holding the OSCE Chairmanship was represented by the Minister of National Defence Mariusz Blaszczak.<sup>125</sup> During the subsequent consul-

tations (on 1<sup>st</sup> February 2022), Poland was represented by the OSCE Chairman-in-Office Zbigniew Rau. The main topic of discussion was the tense situation around Ukraine and the working out of action scenarios in case of further escalation. The Polish side emphasised the need for close cooperation between all the states and organisations of the Euro-Atlantic area to ensure the security of the region.<sup>126</sup>

On 9<sup>th</sup> February, multilateral consultations took place with the participation of the Deputy Minister of Foreign Affairs of Poland, the US Deputy Secretary of State, the Deputy Secretary General of NATO, the Secretary General of the European External Action Service and the Secretary General of the OSCE. They discussed, inter alia, the OSCE Renewed European Security Dialogue initiative inaugurated the day before by the Polish Chairmanship.<sup>127</sup>

In the latter part of January, Zbigniew Rau had a telephone conversation with the President of the

<sup>124</sup> OSCE organizes regional training for civil society organizations and journalists in monitoring and investigation of the use of public funds through open data, OSCE website, <https://www.osce.org/oceea/532022> (accessed: 3 December 2022); OSCE launches Open Data e-learning platform for Uzbekistan, OSCE website, <https://www.osce.org/oceea/526768> (accessed: 4 December 2022).

<sup>125</sup> Konsultacje Polskiego Przewodnictwa OBWE, Unii Europejskiej, NATO i Stanów Zjednoczonych, website of the Ministry of Foreign Affairs of the Republic of Poland, <https://www.gov.pl/web/obwe/konsultacje-polskiego-przewodnictwa-obwe-unii-europejskiej-nato-i-stanow-zjednoczonych> (accessed: 3 December 2022).

<sup>126</sup> Minister Rau rozmawiał z Antonym Blinkenem, Jensem Stoltenbergiem i Josepem Borrellem, website of the Ministry of Foreign Affairs of the Republic of Poland, <https://www.gov.pl/web/obwe/minister-rau-rozmawial-z-antonym-blinkenem-jensem-stoltenbergiem-i-josepem-borrellem> (accessed: 3 December 2022).

<sup>127</sup> Wiceminister Marcin Przydacz rozmawiał o sytuacji na Ukrainie i bezpieczeństwie w Europie, website of the Ministry of Foreign Affairs of the Republic of Poland, <https://www.gov.pl/web/obwe/wiceminister-marcin-przydacz-rozmawial-o-sytuacji-na-ukrainie-i-bezpieczenstwie-w-europie> (accessed: 3 December 2022).

International Committee of the Red Cross during which the Minister stressed the importance of objectives of a humanitarian nature on the agenda of the Polish Chairmanship.<sup>128</sup> Moreover, during a hearing before the Helsinki Commission of the US Congress (on 3<sup>rd</sup> February 2022), Minister Rau confirmed that support for conflict-affected populations and the promotion of human rights were identified as a priority for Poland in the OSCE in 2022.<sup>129</sup>

Then, in March, the Chairman-in-Office paid a two-day visit to New York during which he had the opportunity to meet with a number of top UN officials, the Secretary-General, the President of the 76<sup>th</sup> Session of the General Assembly and the United States Representative to the UN. The theme of the meetings was the Russian aggression against Ukraine and its impact on the humanitarian situation in Europe and the world.<sup>130</sup> During his speech to the UN Security Council, Minister Rau, among other things, refuted

the allegations of the Russian Federation regarding the lack of impartiality of the Polish Chairmanship: ‘... impartiality ends where blatant violations of international and humanitarian law begin. At such moments, it is our moral duty to maintain decency and honesty. The perpetrators will be prosecuted for their actions. And we will be judged for how we respond to these macabre actions. We must not remain indifferent.’<sup>131</sup>

The Polish Chairmanship also ensured that cooperation with the Council of Europe was maintained as demonstrated by the visit of three personal representatives of the OSCE Chairman-in-Office for Tolerance to Strasbourg (the seat of the Council of Europe).<sup>132</sup> The visit resulted in the issuing of a joint statement by representatives of the OSCE and the Council of Europe condemning Russia’s destruction of religious sites and the crimes against humanity perpetrated by Russian troops.<sup>133</sup>

## Striving to promote constructive dialogue with Mediterranean and Asian partners

The relations of the OSCE (CSCE before 1995) with the Mediterranean group of states were institutionalised in the 1990s. At that time, the Contact Group with Mediterranean Partners was established which now includes countries such as Algeria, Egypt, Israel, Morocco, Tunisia and Jordan. In 2003, in turn, the Contact Group with Asian Partners was established which now includes five countries, i.e. Japan, South Korea, Thailand, Afghanistan and Australia. The main outcomes of the cooperation between the OSCE and the Mediterranean and Asian partners are the two annual conferences (one in each partnership) which

provide participants with the opportunity to share experiences and strengthen cooperation in the three dimensions of the OSCE.

In line with the principle governing the organisation, the work of the Contact Group with the Mediterranean Partners is led by a State that was a participant in the Troika in the year preceding its term of office (e.g. in 2021, Poland was responsible for leading the Group and organising the Mediterranean Conference). On the other hand, in the year following its term of office, the state being a participant in the Troika le-

<sup>128</sup> *Pomoc humanitarna w regionach dotkniętych konfliktami tematem rozmowy Przewodniczącego OBWE i Prezesa Międzynarodowego Komitetu Czerwonego Krzyża*, website of the Ministry of Foreign Affairs of the Republic of Poland, <https://www.gov.pl/web/obwe/pomoc-humanitarna-w-regionach-dotknietych-konfliktami-tematem-rozmowy-przewodniczacego-obwe-i-prezesa-miedzynarodowego-komitetu-czerwonego-krzyza> (accessed: 3 December 2022)

<sup>129</sup> *Minister Rau zaprezentował priorytety przewodnictwa w OBWE przed Komisją Helsińską przy Kongresie USA*, website of the Ministry of Foreign Affairs of the Republic of Poland, <https://www.gov.pl/web/obwe/minister-rau-zaprezentowal-priorytety-przewodnictwa-w-obwe-przed-komisja-helsinki-przy-kongresie-usa> (accessed: 3 December 2022).

<sup>130</sup> *OSCE Chairman-in-Office Zbigniew Rau calls for stronger UN-OSCE co-operation to address global security challenges*, OSCE website, <https://www.osce.org/chairmanship/514018> (accessed: 3 December 2022).

<sup>131</sup> *Minister spraw zagranicznych Zbigniew Rau, jako przewodniczący OBWE, przedstawił Radzie Bezpieczeństwa ONZ informację na temat planów i działań Organizacji w 2022 r.*, website of the Ministry of Foreign Affairs of the Republic of Poland, <https://www.gov.pl/web/obwe/minister-rau-rada-bezpieczenstwa-onz> (accessed: 3 December 2022).

<sup>132</sup> *One representative participated in the meetings via video link. See Special Representatives of OSCE Chairman-in-Office conclude visit to Council of Europe*, website of the Ministry of Foreign Affairs of the Republic of Poland, <https://www.gov.pl/web/osce/special-representatives-of-osce-chairman-in-office-conclude-visit-to-council-of-europe> (accessed: 3 December 2022).

<sup>133</sup> *Russia must stop aggression and destruction of religious sites and places of worship – joint statement by Special Representatives of OSCE Chairman-in-Office and Council of Europe*, OSCE website, <https://www.osce.org/chairmanship/515943> (accessed: 3 December 2022).



ads the work of the Contact Group with the Asian Partners (e.g. in 2023 Poland will be responsible for leading the Group and organising the Asian Conference).<sup>134</sup>

In 2022, the work of the Contact Group with Asian Partners was led by Sweden, which held the OSCE Chairmanship the year before. The flagship OSCE Asian Conference was conducted by Sweden in a hybrid mode on 15<sup>th</sup> July. The theme of the conference was the prospects for cooperation between the states of the OSCE area and the Asian partners with a particular focus on the challenges of climate change and its impact on security, the role of women in confidence building and the importance of civil society development in today's world. The Polish Chairmanship was represented by the Permanent Representative of the Republic of Poland to the OSCE, Adam Halacinski, who is also the Chairman of the Permanent Council of the OSCE this year. The Ambassador emphasised the fundamental impact of the war in Ukraine on the security not only of Europe, but also of Asia and the whole world.<sup>135</sup> A week later, a celebratory meeting was held to mark the 30<sup>th</sup> anniversary of the OSCE Asian Partnership (in 1992 Japan was the first Asian country to be granted the status of Partner for Cooperation with OSCE). Among others, Ambassador Adam Halacinski took part in the discussions and highly appreciated Japan's commitment and adherence to the OSCE standards in areas such as human rights and international law.<sup>136</sup>

Apart from the flagship conference, Sweden organised a whole series of discussions within the Contact Group with OSCE Asian Partners, i.e. a meeting

on women's empowerment in the context of crisis response in April, in cooperation with Thailand;<sup>137</sup> discussions on the implications of the events in Afghanistan for the OSCE area and especially for the region of Central Asia in June;<sup>138</sup> and a meeting on confidence-building measures, with emphasis on the experience from the Korean Peninsula in November.<sup>139</sup> Each of these meetings was attended by a representative of the Polish Chairmanship (either Ambassador Adam Hałaciński or his deputy Marcin Czaplinski) who always raised the issue of the war in Ukraine thus pursuing one of the key objectives of Polish foreign policy, namely to maintain the international community's interest in the situation in Ukraine.

Meanwhile, the work of the Contact Group with Mediterranean Partners was led by North Macedonia which is expected to assume the Chairmanship of the entire OSCE in 2023. The annual OSCE Mediterranean Conference was organised by the Macedonians at the end of October in Jordan (one of the Partner States). Among the participants of the conference were the Foreign Ministers of Poland, North Macedonia and Jordan, as well as the Secretary General Helga Schmid. Minister Rau drew attention to the interdependence between the stability of Europe and the security of all Mediterranean countries.<sup>140</sup> The Chairman-in-Office, together with the Secretary-General and the Foreign Minister of Macedonia, then held an audience with King Abdullah II of Jordan. The meeting discussed the prospects for cooperation within the framework of the OSCE Mediterranean Partnership in combating the negative effects of Russia's aggression against Ukraine on the Mediterranean region.<sup>141</sup>

<sup>134</sup> Interview SPRP2 – Vienna, 14 September 2022.; Interview SPRP3 – Vienna, 14 September 2022.

<sup>135</sup> *2022 OSCE Asian Conference participants discuss opportunities to strengthen security and co-operation between Europe and Asia*, OSCE website, <https://www.osce.org/partners-for-cooperation/asian/520214> (accessed: 3 December 2022).

<sup>136</sup> *OSCE Asian Partnership celebrates 30 years of co-operation with Japan*, OSCE website, <https://www.osce.org/partners-for-cooperation/asian/523365> (accessed: 3 December 2022).

<sup>137</sup> *OSCE Asian Partners meeting discusses women's empowerment in disaster risk reduction and emergency responses, with a particular focus on the consequences of the ongoing war against Ukraine*, OSCE website, <https://www.osce.org/partners-for-cooperation/asian/517080> (accessed: 3 December 2022).

<sup>138</sup> *Special OSCE Asian Partners meeting discusses regional consequences of developments in Afghanistan*, OSCE website, <https://www.osce.org/partners-for-cooperation/asian/519549> (accessed: 3 December 2022).

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<sup>140</sup> *Strengthening co-operation to overcome common challenges focus of OSCE Mediterranean Conference in Jordan*, OSCE website, <https://www.osce.org/partners-for-cooperation/mediterranean/529611> (accessed: 3 December 2022).

<sup>141</sup> *Minister Zbigniew Rau uczestniczył w Konferencji Śródziemnomorskiej OBWE w Jordanii*, website of the Ministry of Foreign Affairs of the Republic of Poland, <https://www.gov.pl/web/obwe/minister-zbigniew-rau-uczestniczyl-w-konferencji-sroziemnomorskiej-obwe-w-jordanii> (accessed: 3 December 2022).

Apart from the main conference, North Macedonia held a meeting with OSCE Mediterranean partners at the end of May on combating climate change and its impact on the welfare and security of citizens. The meeting was also attended by the Permanent Representative of the Republic of Poland to the

OSCE, Adam Halacinski, who focused on discussing the effects of Russian aggression on the economic and environmental situation in the OSCE area and beyond, such as rising food prices, disruption of energy markets and supply chains, and the outbreak of the migration crisis.<sup>142</sup>

## Promoting inter-parliamentary dialogue and the fundamental contribution of the OSCE Parliamentary Assembly with a view to enhancing political involvement in the OSCE activities

The OSCE Parliamentary Assembly (PA) is a unique institution bringing together more than 300 parliamentarians from 57 participating States, which was established 30 years ago. Its main task is to facilitate inter-parliamentary dialogue in order to foster the objectives of the OSCE in all the three dimensions.<sup>143</sup> Effective cooperation between the various OSCE institutions, including the Chairmanship and the Assembly, is of fundamental importance for the proper functioning of the organisation as a whole.

On 24<sup>th</sup> February, the Chairman-in-Office Zbigniew Rau attended the Winter Session of the OSCE Parliamentary Assembly in Vienna, which was in a hybrid mode. Together with the President of the OSCE PA Margareta Cederfelt and President of the Austrian National Council Wolfgang Sobotka, the Chairman-in-Office condemned the heinous act of the Russian aggression against sovereign Ukraine. Minister Rau called on Russia to cease hostilities immediately and to return to the search for diplomatic ways of resolving the conflict that would be based on respect for Ukraine's independence and territorial integrity.<sup>144</sup>

In July, the Chairman-in-Office opened the debate at the 29<sup>th</sup> session of the OSCE Parliamentary Assembly in Birmingham. Then, in a conversation with the

President of the OSCE Parliamentary Assembly and the Polish delegates, Minister Rau stressed the importance of strengthening multilateralism and promoting dialogue, i.e. the core tasks of the Assembly, in order to achieve lasting peace in the OSCE area. The Chairman-in-Office pointed out that without adherence to the fundamental values of the OSCE by all participating States, including with regard to the war in Ukraine, ensuring long-term stability in Europe is not possible.<sup>145</sup>

Minister Rau also took part in the opening of the 20<sup>th</sup> autumn session of the OSCE Parliamentary Assembly which took place at the end of November in Warsaw. The Chairman-in-Office presented the effects of Poland's year-long Chairmanship of the OSCE coming to an end. The theme of the two-day event, held at the Polish Sejm, was 'The war in Ukraine: the role of the OSCE and the national parliaments.' The session of the OSCE PA was also remotely attended by the President of Ukraine Volodymyr Zelenski.<sup>146</sup>

A series of joint statements by the OSCE Chairman-in-Office and the President of the OSCE PA in which they condemned Russia's organisation of illegal referendums in four Ukrainian regions, the subsequent annexation of these territories in September,

<sup>142</sup> *Improving co-operation on climate change critical to advance common security - OSCE Mediterranean Partners for Co-operation Group meeting*, OSCE website, <https://www.osce.org/secretariat/519222> (accessed: 3 December 2022).

<sup>143</sup> *OSCE parliamentarians condemn Russian military action in Ukraine, call for de-escalation at Vienna Winter Meeting*, website of the Ministry of Foreign Affairs of the Republic of Poland, <https://www.gov.pl/web/osce/osce-parliamentarians-condemn-russian-military-action-in-ukraine-call-for-de-escalation-at-vienna-winter-meeting> (accessed: 3 December 2022).

<sup>144</sup> *Ibidem*

<sup>145</sup> *Minister Rau takes part in 29th session of OSCE's Parliamentary Assembly*, website of the Ministry of Foreign Affairs of the Republic of Poland, <https://www.gov.pl/web/diplomacy/minister-rau-takes-part-in-29th-session-of-osces-parliamentary-assembly> (accessed: 3 December 2022).

<sup>146</sup> *Minister Zbigniew Rau uczestniczył w otwarciu jesiennej sesji Zgromadzenia Parlamentarnego OBWE*, website of the Ministry of Foreign Affairs of the Republic of Poland, <https://www.gov.pl/web/dyplomacja/minister-zbigniew-rau-uczestniczyl-w-otwarciu-jesiennej-sesji-zgromadzenia-parlamentarnego-obwe> (accessed: 3 December 2022).

and Russia's deliberate shelling of Ukrainian critical infrastructure in October, can also be seen as one of the manifestations of cooperation between the

Chairmanship and the Parliamentary Assembly (see description of the accomplishment of the objectives of the first dimension).

### 3.4.3. Human dimension

#### Facilitating discussions on human rights and freedom of religion and belief

In its programme, the Polish Chairmanship emphasised the importance of fundamental human rights as the foundation of the human dimension. Among the values requiring the attention from the organisation, issues of protecting freedom of religion, belief and faith were mentioned. These freedoms have often been violated within the area of the organisation and disrespected among the participating States. The conflict between Armenia and Azerbaijan is a case in point. Although it is mainly described as political and economic, it is also religiously motivated and concerns the struggle between Christian Armenians and Azerbaijanis who profess Islam. ODIHR data have shown that 51% of all hate crime cases were based on religious issues.<sup>147</sup> The vandalism of cemeteries or shrines associated with different religions, as well as acts of direct violence

against people of different religions are still a serious problem within the area of the organisation today.

An event organised by the Chairmanship and being of crucial importance to the implementation of this agenda item was the OSCE Human Dimension Conference in Warsaw from 26<sup>th</sup> September to 7<sup>th</sup> October. It addressed a number of topics related to the human dimension of the OSCE including freedom of religion and belief and the need and means to protect them.<sup>148</sup> The Director of the Office for Democratic Institutions and Human Rights stressed that places of worship are not mere relics of the past, but constitute the cultural heritage of nations and are of great value to communities within the organisation.

#### Actions to improve the conditions of the most vulnerable – children and the disabled

The issue of the most vulnerable and the protection of the rights of such persons also appeared in the programme of the Polish Chairmanship. Particular attention was devoted to people with disabilities and children. Nowadays, the world is only just adapting to the needs of these social groups so the need to protect their rights is natural and justified.

On 15<sup>th</sup> June 2022 members of the OSCE Mission to Montenegro supported the initiative of the SOS organisation helping victims of domestic violence, including children. The representatives also provided

material assistance necessary to improve the living conditions of those who have experienced domestic violence. The assistance included the provision of kitchen furniture, a bed, and bathroom equipment.<sup>149</sup> The Mission to Montenegro, together with the Association of Young People with Disabilities, ran a campaign in October 2022 to raise awareness about the participation of people with disabilities in elections. The campaign included two promotional spots. Their aim was to support initiatives aimed at making it easier for people with disabilities to vote as well as making people with disabilities aware of their

<sup>147</sup> *Places of worship must be kept safe and accessible in times of peace and in conflict*, OSCE human rights head says, OSCE website, <https://www.osce.org/odihr/524394> (accessed 28 November 2022).

<sup>148</sup> *Human Dimension Conference concludes in Warsaw*, OSCE website, <https://www.osce.org/chairmanship/528399> (accessed: 25 November 2022).

<sup>149</sup> *OSCE Mission to Montenegro supports shelter for survivors of domestic and gender-based violence*, OSCE website, <https://www.osce.org/mission-to-montenegro/520205> (accessed: 28 November 2022).

electoral rights.<sup>150</sup> In addition, the OSCE organised a conference in Vienna on 18<sup>th</sup>–19<sup>th</sup> July on the exploitation of people, including children. Discussions mainly focused on human trafficking and the living conditions of children in the context of the conflict in Ukraine.<sup>151</sup> The migration crisis was also one of the main topics raised at the conference by representatives of the Polish Chairmanship. Poland's Permanent Representative to the OSCE, Ambassador Adam Halacinski, stated that we are currently facing the biggest migration crisis since the Second World War and that it carries the risk of increasing human trafficking.<sup>152</sup> The issues addressed by the Polish Chairmanship were also on the agenda of the OSCE Human Dimension Conference held in Warsaw from 26<sup>th</sup> September to 7<sup>th</sup> October.<sup>153</sup> It addressed, among other issues, violence against children. However, the Human Dimension Review Conference did not

## Increasing participation of youth organisations in OSCE events

The Polish Chairmanship also set itself the objective to increase the inclusiveness of the organisation. The way to achieve this would be through increased promotion and cooperation with youth organisations in connection with the initiatives taken by the OSCE.

In 2022 the OSCE organised several events in which cooperation with young people was visible. The OSCE Mission to Bosnia and Herzegovina planned a series of activities for young people to promote dialogue and understanding among youth in the culturally and religiously divided country. The meeting took place on 24<sup>th</sup> May in Sarajevo. During the event, participants visited Catholic (Church of St Anthony of Padua), Orthodox (Church of Pentecost) and Muslim (Fethiye Mosque) shrines.<sup>154</sup>

take place as usual. As a result of obstruction from the Russian side, the meeting on the implementation of the human dimension could not take place. Due to unfavourable circumstances, on the initiative of the Chairman-in-Office and the Office for Democratic Institutions and Human Rights, another conference was organised which was similar in form and content to the previous meetings, but did not require the cooperation of Russia.

The activities of the Polish Chairmanship and other OSCE institutions can be considered a success in terms of achieving the above objective. The raising of the issue of the most vulnerable people as well as provision of direct material assistance were important undertakings enabling the accomplishment of the objective.

An important component was a discussion supported by OSCE representatives on reconciliation and potential avenues for integration.

On 26<sup>th</sup> May, OSCE representatives in Albania organised a meeting with students of the University of Korça the topic of which was the transformation of Albania after the collapse of the communist system and the role of youth in its proper implementation. The issue of human rights violations under the previous regime and those missing because of repressions of the communist regime was also raised.<sup>155</sup> On 24<sup>th</sup>–28<sup>th</sup> August, the OSCE Mission to Albania together with youth activists from the Western Balkans organised a meeting on intergenerational dialogue.<sup>156</sup> The topics included the impact of this

<sup>150</sup> OSCE Mission to Montenegro partners with Association of Youth with Disabilities to raise awareness on voting rights for people with disabilities, OSCE website, <https://www.osce.org/mission-to-montenegro/528984> (accessed: 25 November 2022).

<sup>151</sup> Greater efforts needed to protect the human trafficking victims struggling to access their rights, OSCE leaders say, OSCE website <https://www.osce.org/odhr/522946> (accessed: 25 November 2022).

<sup>152</sup> Ibidem

<sup>153</sup> Human Dimension Conference concludes in Warsaw, OSCE website, <https://www.osce.org/chairmanship/528399> (accessed: 25 November 2022).

<sup>154</sup> The OSCE Mission to Bosnia and Herzegovina focused on promotion of dialogue and reconciliation with youth, OSCE website, <https://www.osce.org/mission-to-bosnia-and-herzegovina/519192> (accessed: 25 November 2022).

<sup>155</sup> OSCE Presence holds Youth Talk event on enforced disappearances under the communist regime in Albania and role of youth in transitional justice processes, OSCE website, <https://www.osce.org/presence-in-albania/519102> (accessed: 25 November 2022).

<sup>156</sup> Youth activists from Western Balkans come together under OSCE Presence in Albania's 'Youth Trail' to reinforce inter-generational dialogue through cultural heritage, OSCE website, <https://www.osce.org/presence-in-albania/525156> (accessed: 25 November 2022).

dialogue on the promotion of democratic values in the countries, increased stability and the building of good relations, peace and security in the Western Balkan region. On 14<sup>th</sup>–18<sup>th</sup> November, the OSCE Centre in Ashgabat organised a series of online lectures for law students from Turkmenistan on human rights. The aim of the meeting was to familiarise students with the standards of respect for human rights during investigations and enquiries. The purpose was to improve the conditions of those facing evi-

## Cooperation with civil society organisations

Giving voice to representatives of civil society organisations was also intended to increase the inclusiveness of the OSCE. Like in the case of youth, the Polish Chairmanship decided to deepen cooperation with these entities as a basis for building greater openness.

The largest event organised by the OSCE and involving cooperation with civil society organisations was the OSCE Human Dimension Conference held in Warsaw from 26<sup>th</sup> September to 7<sup>th</sup> October.<sup>157</sup> During the conference, the ODIHR Director said that civil society would be the focus of attention when individual rights and freedoms would be promoted within the organisation. Secretary General Helga Schmid,

dentiary proceedings in Turkmenistan, which would influence the liberalisation of investigative methods.

The objective of cooperation with and promotion of youth has been achieved by the Polish Chairmanship of the OSCE. The involvement of youth organisations as well as cooperation with them as part of the initiatives of the OSCE institutions can be considered crucial in achieving the objective.

on the other hand, said that cooperation with civil society was a key component in overcoming the challenges faced by the organisation in protecting human rights.<sup>158</sup> Unfortunately, apart from the main human dimension conference, there were no other major manifestations of cooperation between the OSCE led by the Polish Chairmanship and civil society organisations. On the other hand, the objective can be considered achieved as the Human Dimension Conference, which lasted 10 days, by its very nature dealt with a broad spectrum of issues among which were also those concerning cooperation with third sector organisations.

<sup>157</sup> *Human Dimension Conference concludes in Warsaw*, op. cit.

<sup>158</sup> *Ibidem*

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## 3.5 MINISTERIAL COUNCIL 1<sup>ST</sup>–2<sup>ND</sup> DECEMBER 2022

The annual meeting of the foreign ministers of the OSCE participating States is the most politically important meeting during the entire Chairmanship period. The foreign ministers not only review and assess the security situation in the Euro-Atlantic and Eurasian area, but also take stock of the country's year-long Chairmanship and make decisions on the ongoing functioning of the OSCE in the years to come.

This year's meeting in Łódź took place in the shadow of the war in Ukraine which was triggered by a full-scale attack by Russia on 24th February 2022. As the organiser of the OSCE Ministerial Meeting Poland handed over a diplomatic note to the Russian side in November indicating that the country's delegation should not include persons subject to EU sanctions.<sup>1</sup> In practice, this excluded the presence of the Minister of Foreign Affairs of the Russian Federation, Sergey Lavrov, but did not prohibit the participation of Russia's Permanent Representative to the OSCE in the Ministerial Council meeting.<sup>2</sup>

In his opening speech at the Ministerial Council meeting in Łódź, the OSCE Chairman-in-Office, Minister Zbigniew Rau, recalled the principle of 'no business as usual', which Poland followed during its Chairmanship in the face

<sup>1</sup> I. Usatenko, D. Al. Shehabi, *Ławrow bez pozwolenia na wjazd do Polski. MSZ Rosji zaskoczony*, 19 listopada 2022 r., Polska Agencja Prasowa, <https://www.pap.pl/aktualnosci/news%2C1484855%2C1awrow-bez- pozwolenia-na-wjazd-do-polski-msz-rosji-zaskoczony.html> (accessed: 3 December 2022).

<sup>2</sup> M. Małecki, *Szczyt OBWE w Łodzi bez Ławrowa. Wiceszef MSZ: Rosję będzie reprezentował jej stały przedstawiciel*, 22 listopada 2022 r., Polska Agencja Prasowa, <https://www.pap.pl/aktualnosci/news%2C1486571%2Cszczyt-obwe-w-lodzi-bez-lawrowa-wiceszef-msz-rosje-bedzie-reprezentowal> (accessed: 3 December 2022).

of Russian aggression against Ukraine.<sup>3</sup> He also rejected the view that the Chairmanship must not go beyond its role as an impartial intermediary in order not to expose itself to accusations of bias and thus jeopardise the functioning of the OSCE as a whole. In the opinion of the Polish Foreign Minister, leading the organisation in a just manner implies being guided by only one principle, i.e. clearly distinguishing between the perpetrator of aggression and its victim.

The Foreign Ministers' meeting was accompanied by a number of side events. Among the most important was the Civil Society Conference organised on 30<sup>th</sup> November. Representatives of organisations promoting human rights and peace-building activities adopted the Lodz Declaration which presented recommendations for stopping the war in Ukraine.<sup>4</sup> The Declaration was forwarded to the political institutions of the OSCE. Another important event was a meeting organised on 1<sup>st</sup> December 2022 by the Belgian Chairmanship of the Forum for Security Cooperation together with Italy, Norway and Poland. This event was dedicated to addressing the impact that the Russian war is having on Ukrainian children. This way reference was made to one of the objectives of the Polish Chairmanship, which was to work towards improving the situation of the most vulnerable groups in society, i.e. children and the disabled. The meeting concluded with the establishment, on the initiative of the four countries mentioned, of a Group of Friends dealing with this topic, with the purpose of using the OSCE to mitigate the effects of armed conflicts on children.<sup>5</sup> A panel discussion was also held on 1<sup>st</sup> December with the participation of the Ministers of Foreign Affairs, the OSCE Secretary-General and the OSCE Special Representative for Combating Trafficking in Human Beings. In view of

the increasing scale of this phenomenon, participants stressed the need to undertake a more ambitious policy to combat this type of crime.<sup>6</sup>

At the end of the Ministerial Council, a number of positions were presented that dealt with Russia, the war in Ukraine and the future of the OSCE. Among the most important of these were:

- The joint position of 32 OSCE participating States, NATO members plus Finland and Sweden condemning Russia's attack on Ukraine and its violations of international law and human rights.<sup>7</sup> It also called on Russia to stop waging war and to withdraw unconditionally from Ukraine, as well as to end its occupation of the Georgian regions of Abkhazia and South Ossetia and to withdraw all forces and equipment stationed in Georgia and the Republic of Moldova without their consent. The signatories of the position supported the said states' sovereignty, independence and territorial integrity within internationally recognised borders.
- The position of the Troika, the foreign ministers of Sweden, Poland and North Macedonia.<sup>8</sup> They spoke in a similar vein as the 32 participating States in their joint position, but emphasising some themes more bluntly. Russian aggression was seen as the greatest threat to European security since the Second World War and a risk to the functioning of the OSCE. The global consequences of Russia's actions were also recognised. The ministers condemned all war crimes committed by the Russian army in Ukraine and stated that their perpetrators must be brought to justice. In this context, they called on Russia to immediately release the three OSCE staff mem-

<sup>3</sup> Address by the OSCE Chairman-in-Office Minister of Foreign Affairs H.E. Zbigniew Rau - Opening session of the twenty-ninth meeting of the OSCE Ministerial Council (Łódź, 1 and 2 December 2022), MC.DEL/1/22/, 1 December 2022, <https://www.osce.org/files/f/documents/5/6/533447.pdf> (accessed: 3 December 2022).

<sup>4</sup> Stop Russia's war against Ukraine, strengthen international security, say civil society groups ahead of Łódź Ministerial Council, 30 November 2022, OSCE website, <https://www.osce.org/chairmanship/533318> (accessed: 3 December 2022).

<sup>5</sup> Impact of war on children focus of side-event at 2022 Ministerial Council, 1 December 2022, OSCE website, <https://www.osce.org/forum-for-security-cooperation/533408> (accessed: 3 December 2022).

<sup>6</sup> Call for joining forces to prevent a human trafficking crisis focus of side event at OSCE Ministerial Council, 1 December 2022, OSCE website, <https://www.osce.org/cthb/533423> (accessed: 3 December 2022).

<sup>7</sup> Statement by the delegation of Croatia (also on behalf of Albania, Belgium, Bulgaria, Canada, Czechia, Denmark, Estonia, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Montenegro, The Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Türkiye, The United Kingdom, The United States Of America, as well as Finland and Sweden), MC.DEL/23/22, 2 December 2022, <https://www.osce.org/files/f/documents/1/e/533483.pdf> (accessed: 3 December 2022).

<sup>8</sup> The OSCE Ministerial Council in Łódź – Troika Statement, MC.DEL/31/22, 2 December 2022, <https://www.osce.org/files/f/documents/b/6/533492.pdf> (accessed: 3 December 2022).

bers held in Donetsk and Luhansk. The Troika demanded the immediate withdrawal of Russian troops from the Ukrainian territory and called on the Belarusian authorities to stop supporting the Russian aggression. The Foreign Ministers of Sweden, Poland and North Macedonia also declared their support for further action by the OSCE institutions to support the Ukrainian government.

- Message from the Chairman-in-Office, Minister Zbigniew Rau, concluding the Ministerial Council in Lodz.<sup>9</sup> The Minister of Foreign Affairs of Poland noted that the success of the OSCE and the effectiveness of the future Chairmanships depend on adherence to the principles contained in the Helsinki Final Act and the Paris Charter for a New Europe. According to Zbigniew Rau, there is no doubt that the coming years will be particularly difficult for the OSCE to carry out its tasks effectively. He stipulated that there can be no progress in the politico-military dimension without first ending the war in accordance with the principles of international law. Therefore, the main task facing the OSCE in the near future will be to work harder in the human and economic and environmental dimensions.

Dissenting positions were submitted jointly by the representatives of Belarus and Russia, and by the Russian representative alone, in which they promoted their narrative. They called for a 'non-ideological pragmatic dialogue' in the OSCE and respect for 'the diversity of civilisational, cultural and historical models of the OSCE participating States, deeming unacceptable the concepts of exceptionalism and superiority of some participating States over others.'<sup>10</sup> In turn, the Permanent Representative of the Russian Federation to the OSCE, Ambassador Alexander Lukashevich, criticised the Polish Chairmanship for being confrontational and deplored the discriminatory attitude towards Russia and called for its abandonment.<sup>11</sup>

It should be noted that all of the aforementioned positions (apart from those of the representatives of Belarus and Russia) express the conviction that the OSCE with its peace- and security-building mechanisms remains an important actor capable of rebuilding trust in the Euro-Atlantic and Eurasian regions. This declaration can be perceived in terms of the success of the Polish Chairmanship. At the same time, by consistently implementing the principle of 'no business as usual', Poland managed to maintain the conviction among the majority of States that the rules of the CSCE Final Act and the Charter of Paris for a New Europe are still valid, and upholding them is still the task of the OSCE for the future.

<sup>9</sup> Address by the OSCE Chairman-in-Office Minister of Foreign Affairs H.E. Zbigniew Rau - Closing session of the twenty-ninth meeting of the OSCE Ministerial Council (Łódź, 1 and 2 December 2022), MC.DEL/29/22, 2 December 2022, [www.osce.org/files/f/documents/8/d/533495.pdf](https://www.osce.org/files/f/documents/8/d/533495.pdf) (accessed: 3 December 2022).

<sup>10</sup> Joint Statement by the Republic of Belarus and the Russian Federation on security crisis and co-operation in the OSCE, MC.DEL/36/22, 2 December 2022, <https://www.osce.org/files/f/documents/1/2/533534.pdf> (accessed: 3 December 2022).

<sup>11</sup> Выступление главы делегации, Постоянного представителя России при ОБСЕ А.К.Лукашевича на заключительной сессии 29-го СМВД ОБСЕ (Лодзь, 2 декабря 2022 года), MC.DEL/32/22, 2 December 2022, <https://www.osce.org/files/f/documents/5/6/533501.pdf> (accessed: 3 December 2022).

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