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REPORT

**FOR THE GENERAL COMMITTEE ON
POLITICAL AFFAIRS AND SECURITY**

***Strengthening Regional Security by Fostering
Democratic and Inclusive Societies:
The Role of the OSCE PA***

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Russian War of Aggression in Ukraine

While conflicts across the OSCE area have been erupting throughout the entire history of the OSCE, Russia's war of aggression against Ukraine remains the greatest bleeding wound of the European continent, as well as the most serious challenge to European security since the end of World War II in Europe in 1945. Regrettably, there is no indication that Russia is inclined to put an end to it.

Therefore, the work and the word of our Assembly should relentlessly condemn the war of aggression by Russia against Ukraine and focus on the role of the OSCE and its Parliamentary Assembly in assisting Ukraine to defend itself.

Since its setup in 1975, the OSCE has been offering a unique platform – both at governmental and parliamentary levels – to address relevant security issues across all three dimensions. It was everyone's shared understanding that dialogue and co-operation among States would ensure that Europe would no longer face wars and all the human suffering and destruction they entail. Regrettably, the Russian Federation, with the support of the Republic of Belarus, chose another path – the path of violence and use of force. This path violates and neglects international law principles and norms, including the United Nations (UN) Charter, the Helsinki Final Act, and the Charter of Paris.

When the Russian Federation amassed its troops at its borders with Ukraine, Polish Minister of Foreign Affairs, Mr Zbigniew Rau, the OSCE Chairman-in-Office in 2022, offered an additional platform for dialogue and diplomacy to prevent the war. On February 8, 2022, during the inaugural meeting of the OSCE's Renewed European Security Dialogue held in Vienna, all OSCE participating States, except Russia and Belarus, reconfirmed their commitment to OSCE founding principles and their standing in readiness to address relevant security issues through dialogue in a comprehensive way.

Throughout last winter, Russian forces targeted Ukrainian energy and heating infrastructure, undermining the individual security of every Ukrainian. The situation around Zaporizhzhia Nuclear Power Plant is also very alarming and creates an unprecedented risk of nuclear and environmental disaster. This weaponization of energy must be condemned. On the other hand, we can observe a disturbing deterioration of the situation with nuclear threats fueled by threatening rhetoric of the Russian Federation and its withdrawal from international nuclear non-proliferation agreements. In these difficult times, the international community should demonstrate the highest possible level of solidarity and unity in its commitments to global security in nuclear non-proliferation and disarmament.

According to credible and alarming reports, for the past 17 months and at this very moment, with unthinkable brutality and cruelty, Russian armed forces are destroying Ukrainian towns, residential buildings, schools and hospitals, intentionally targeting, torturing, raping and killing thousands of innocent civilians, including children. These acts might be considered as war crimes, crimes against humanity or genocide. The OSCE Parliamentary Assembly must highlight

the disproportionate impact of the war on the displaced population, in particular women and children. In this regard, the focus of the work of the Ad Hoc Committee on Migration on these issues is crucial.

The scale of Russia's atrocities committed in Ukraine since 24 February 2022, is extremely alarming. As of April 3, 2023, the Office of the Ukrainian Prosecutor General has already documented over 76,000 criminal cases, and this number continues to climb every day. As Ukraine continues liberating all of its territories currently occupied by Russia, criminal acts carried out by the Russian Federation will continue to be documented further.

The results of proper investigation and documentation of crimes committed by the Russian Federation in Ukraine can already be seen. On March 17, 2023, the International Criminal Court issued two arrest warrants for war crimes committed by Russia against Ukraine. Mr. Vladimir Putin, President of Russia, and Ms. Maria Lvova-Belova, Commissioner for Children's Rights in the Office of the President of Russia, are now wanted persons, allegedly responsible for the war crime of unlawful deportation of population (children) and that of unlawful transfer of population (children) from occupied areas of Ukraine to the Russian Federation. On March 16, 2023, the UN Commission of Inquiry on Ukraine issued its report, in which it concluded that Russian authorities have violated a wide range of provisions of international human rights law and international humanitarian law in various regions of Ukraine. According to this report, many of these violations by Russia amount to war crimes, including deliberate attacks on civilians and energy-related infrastructure, willful killings, unlawful confinement, torture, rape and other sexual violence, as well as forced transfers and deportation of children.

The OSCE might also play an important role in this process. On March 30, 2023, 45 OSCE participating States once again activated the OSCE Moscow Mechanism with regard to Russia, this time against its violations of international humanitarian law and international human rights law following Russia's full-scale war of aggression against Ukraine, particularly with regard to the forced transfer and deportation of children by the Russian Federation. The previous two activations happened in 2022 and resulted in substantive reports documenting systematic violations of human rights and fundamental freedoms, as well as war crimes and crimes against humanity, all conducted by Russia in Ukraine during its war of aggression against Ukrainian state and Ukrainian people.

It is important for the OSCE Parliamentary Assembly to also pay very close attention to the crimes committed in Ukraine and support the engagement of the PA's Special Rapporteur on War Crimes in Ukraine, Mr. John Whittingdale, in these matters. It is important to allocate all available resources to put an end to the atrocities committed by Russian troops in Ukraine, investigate them, and bring all those responsible to account. The international community must employ all options available, including the establishment of a special international tribunal, to prosecute possible war crime against Ukraine. In this context, the agreement to establish the International Centre for the Prosecution of the Crime of Aggression (ICPA) against Ukraine in the Hague is a significant step toward international justice. This Centre will be linked to the existing Joint Investigation Team, supported by Eurojust.

The OSCE Parliamentary Assembly must stand united through its transatlantic co-operation, to strengthen its support, not only political, financial, humanitarian, but also military. The PA must also stand in solidarity with the Ukrainian people, who are the victims of aggression. Our Assembly must relentlessly reiterate its support for Ukraine, peace, and the clear condemnation of the Russian war of aggression against Ukraine. The OSCE Parliamentary Assembly benefits

from and should continue to strongly support the work of the Special Representative for Parliamentary Dialogue on Ukraine, Vice-President Reinhold Lopatka. In addition, the framework of the ‘Call for Action – Helsinki +50 Initiative’ has been used multiple times throughout the year to redefine and reaffirm the role of the OSCE PA in this time of crisis.

At the same time, attention should not be relaxed regarding the illegal detention of Mr. Alexey Navalny, Mr. Vladimir Kara-Murza, Mr. Ilya Yashin, Mr. Alexei Gorinov, and hundreds of other political prisoners in Russia, who have been illegally detained and sentenced to long-term imprisonment for publicly expressing critical views on official policies and practices, including their opposition to the Russian Federation’s war of aggression against Ukraine. Therefore, the important work carried by the OSCE PA’s Special Representative on Political Prisoners, Congressman Steve Cohen, in reporting on the political imprisonment of individuals and their eventual release and developing policy recommendations aimed at enhancing effective political freedom throughout the OSCE region should be supported by all members of our Assembly.

Impact of Russian War of Aggression in Ukraine on Security Challenges in the OSCE Area

Russia’s full-scale invasion of Ukraine led to a constantly increasing disruption of the security order in Europe and beyond. The spillover effect of the war had its consequences on other regions of the OSCE area. Sources of insecurity are multiplying along the OSCE regions, leading to a surge of protests and armed conflicts. Therefore, every delegation should carefully pay attention to the rising tensions and be relentless in pursuing an inclusive and democratic dialogue necessary for the multidimensional security of all.

Russia’s violation of the UN and the OSCE founding principles did not begin on February 24 last year. There is a long list of Russia’s actions, which have been undermining international security for a long time. Among others, it includes breaching arms control instruments, violating the territorial integrity of Ukraine, Georgia and Moldova, systematically violating international human rights law and international humanitarian law, and weaponizing energy, as well as distorting history and spreading disinformation and carrying on political repression at home on an unprecedented scale. In this regard, the Assembly should also continue to support the work of the Special Representative on Eastern Europe, Dr. Daniela De Ridder.

The Organization needs to pay more attention to its engagement in the South Caucasus region and seek ways to strengthen and reinvent its capabilities to effectively support peace and stability in the region. The past year has seen increased tension between Armenia and Azerbaijan, with fighting and clashes taking place along the state border and servicemen losing their lives or being wounded, while the movement of persons, vehicles, and cargo through the Lachin Corridor remains impeded. As tensions persist, the OSCE Parliamentary Assembly should call upon both parties to respect the ceasefire that was concluded in 2020, to prevent further human suffering and the undermining of any political negotiations. A comprehensive and sustainable peace treaty between Armenia and Azerbaijan is fundamental for long-lasting peace and security in the South Caucasus, and all participating States should collaborate constructively and in good faith to support both countries in overcoming any remaining obstacles that prevent the realization of this treaty.

The OSCE participating States and our Organization should not lose its focus on Russia’s continued occupation of Georgia’s Abkhazia and Tskhinvali region/South Ossetia, which are also affected by the deteriorating level of regional security. This situation has not seen any positive developments, and we must continue to lend our efforts to resolve and address these

conflicts with all available tools, as well as maintain our support for existing formats, such as the Geneva International Discussions and the IPRM. We must not forget that Georgia is also exposed on the front line. Our alertness must remain high, and we must work hand in hand with all countries of the OSCE regions to ensure that the security level does not deteriorate further by standing up together as a united and solid front. Vice-President Pere Joan Pons, who is our Special Representative on South Caucasus, has our full support in these affairs.

Additionally, we must devote attention to the Central Asian region. In addition to the multifaceted economic and political consequences of Russia's war of aggression against Ukraine, countries in this region face multiple challenges, including the Taliban takeover of Afghanistan, the energy crisis, and domestic and intra-regional disputes. Notably, in 2022 we witnessed an escalation of violence along the Kyrgyzstan and Tajikistan border and political unrest in Kazakhstan and Uzbekistan. Central Asian states are currently going through important reform agenda processes in a very difficult geopolitical situation, and they should have our support in this.

Moreover, developments in the Western Balkans require OSCE stakeholders' close attention as well. Countries in the region demonstrate a lot of positive developments towards the reform agenda and the EU accession processes, and the OSCE PA should continue supporting them in this endeavor. The Assembly must continue to recognize and applaud the tremendous number of actions on the ground of the OSCE field missions.

In recent years, the situation with arms control instruments and confidence- and security-building measures in the OSCE region has been deteriorating. The OSCE, mainly through its Forum for Security Co-operation, established and advanced a number of various commitment mechanisms and instruments to create a solid foundation of transparency, peace, and stability, but their successful implementation is determined by the political will, constructive engagement, good faith, and the spirit of co-operative security. This is the area where our contribution, as parliamentarians can be significant in shaping the national agenda and bringing high political attention to the OSCE and its commitments.

The war in Ukraine, at the same time, strongly demonstrates how women and young people are facing severe impacts and are the most vulnerable groups in conflicts. The destruction of infrastructure has left survivor services, healthcare, education, employment opportunities and other critical forms of support out of reach for many. Our Assembly needs to pay higher attention to the Women, Peace and Security and Youth, Peace and Security agenda, and widely engage its parliamentary powers in implementation of the UNSCR 1325 and 2250. The OSCE PA, in recent years, took a few major steps forward in recognizing the role of youth and women and increasing their engagement through establishment of OSCE PA Women' Network and Network of Young Parliamentarians with the strong support of the Special Representative on Gender Issues Dr. Hedy Fry and the Special Representative on Youth Engagement Ms. Farah Karimi. It is important to keep this spirit alive and further promote political participation of these groups and representation in all decision-making platforms on de-escalation, conflict prevention, mitigation and other processes.

Institutional Challenges of OSCE

Over the years, OSCE participating States have been working to strengthen mutual trust, transparency and predictability, to mitigate risks, and to promote stability and security in the OSCE area. Together, we developed a framework of mutually reinforcing arms control

agreements and confidence-building measures, as well as a comprehensive series of commitments in all three OSCE dimensions, thus strengthening security on the European continent. However, Russia's unprovoked war of aggression against Ukraine seriously damaged the entire OSCE security framework.

The OSCE, as the community of participating States that was mandated to preserve peace and security in Europe collectively failed to prevent Russia's war of aggression against Ukraine. The OSCE conflict cycle toolbox to address conflicts in all their phases – from early warning and conflict prevention to conflict resolution and post-conflict rehabilitation – is a strong platform to address conflicts, but it did not prevent Russia's war of aggression against Ukraine. All relevant stakeholders - OSCE participating States, the Parliamentary Assembly, and the OSCE executive structures - must conduct an analysis on why it was not enough and how to improve it. If there was a lack of political will or comprehensiveness, the OSCE must conduct an analysis on how to better monitor, strengthen and ensure it.

Furthermore, the participating States and partners of the OSCE must implement a zero-tolerance governance regarding any violation of the fundamental OSCE principles, including war crimes and human rights violations. Consequently, our Assembly's Rules of Procedure need to be amended in order to ensure that in the case of a violation of the sovereignty and territorial integrity of an OSCE participating State by another of the OSCE participating States, of OSCE principles and commitments, and of the Helsinki Final Act, the credentials of the national parliamentary delegation of the State committing the violation shall be challenged. The OSCE Parliamentary Assembly should consider developing a sanction mechanism to be applied to the delegation until there are significant changes in the policy of the violating state.

The very credibility of the organization is at stake. The work of OSCE field missions has long been weakened by individual participating States unwilling to accept the external and expert perspectives that the OSCE brought. With the diplomatic deadlock brought by Russia's war on Ukraine, and continued stalling of adoption of the Organization's budget, the OSCE is facing a genuinely existential crisis. If we expect the OSCE to be a functional organization that continues to deliver for both the people and authorities of OSCE participating States, it needs effective and timely funding. Demands for zero growth should be reversed, and more stable financial processes installed.

The proper functioning of the OSCE is in jeopardy. Diplomatic deadlocks paralyze the work of the OSCE by blocking the adoption of the Unified Budget and interrupting field missions due to the reluctance of some participating States to extend their mandates, as observed with the closure of the office of the OSCE Project Co-ordinator in Ukraine or limiting the mandate of the OSCE Mission to Moldova to a half-year in contradiction to established practices. The Organization needs the highest possible political attention and more stable financial processes should be installed and respected.

The Organization already demonstrated its flexibility in overcoming the procedural challenges. After the Russian Federation blocked consensus on extending the mandate of the Special Monitoring Mission and the OSCE Project Co-ordinator in Ukraine, a new support mission was announced thanks to donations from the participating States. This, however, should not be the regular practice of the functioning of the OSCE. The Organization needs to have full financial and political support from all participating States, and we as parliamentarians should invest all efforts to deliver this important political message.