



AS (24) RP 1 E
Original: English

REPORT

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

***“THE ROLE OF THE OSCE IN THE CURRENT SECURITY
ARCHITECTURE: A PARLIAMENTARY PERSPECTIVE”***

**Mr. Tobias Winkler
Germany**

BUCHAREST, 29 JUNE – 3 JULY 2024

REPORT FOR THE GENERAL COMMITTEE ON POLITICAL AFFAIRS AND SECURITY

Rapporteur: Mr. Tobias Winkler (Germany)

Russian War of Aggression against Ukraine

The war of aggression waged by the Russian Federation against Ukraine, now entering its third harrowing year, continues to unfold a cycle of relentless bloodshed and widespread destruction. Following the 2014 illegal annexation of Crimea, the Russian Federation demonstrated its disregard for international norms and sovereignty, setting a dangerous precedent for state behavior as well as openly violating the Treaty of Friendship, Cooperation and Partnership signed in 1997. The unprovoked and illegal military invasion of Ukraine started by the Russian Federation with assistance from Belarus on February 24, 2022 further exemplifies this disregard. This act of aggression is a blatant violation of Ukraine's sovereignty and territorial integrity and aims to destabilize its legitimate and democratic government. It also attacks our international rules-based order and challenges the multilateralism that has been in place since the end of World War II. The international community is faced with one of its most crucial moments in the past decades and must confront this crisis with unwavering attention, ensuring that such violations of international norms are neither normalized nor overlooked.

In recent years, the OSCE Parliamentary Assembly and its General Committee on Political Affairs and Security has, on many occasions, emphasized its strong support for Ukraine's sovereignty and underscored the significance of President Zelenskiy's comprehensive 10-point peace plan as a foundation for negotiations. This plan is not merely a call for the cessation of hostilities but a comprehensive framework aiming for the full restoration of Ukraine's territorial integrity, including the return of Crimea, and the establishment of mechanisms for ensuring lasting peace and security in the region. Given Russia's history of flouting international agreements, a durable peace requires not only the cessation of military aggression but also a commitment to holding the Russian Federation accountable for violations of international law. Mechanisms for accountability and reassurance must be vigorously pursued to deter future acts of aggression and ensure that perpetrators of this conflict are brought to justice. International monitoring mechanisms, including the United Nations (UN) Human Rights Monitoring Mission in Ukraine and the UN Commission of Inquiry in Ukraine, which issued its latest report on 15th March 2024, as well as the reports of the ODIHR and the OSCE Moscow Mechanism mission of experts should be a starting point for calling the Russian Federation into account for war crimes.

The conflict's toll on human lives and the damage to civilian infrastructure in Ukraine is catastrophic, with civilians, refugees, and military personnel suffering immense hardships and losses. The deliberate and relentless targeting of civilian infrastructure, such as hospitals, schools, residential areas, energy providers, and

public transport has led to widespread devastation, necessitating an urgent and robust international response. Russia's intensified missile attacks against critical civilian infrastructure of Ukraine on March 21, 2024, targeting among others Dnypro Hydropower Plant and Zaporizhzhya Nuclear Power Plant, resulted in damage, destruction, and degradation of internet, water, and heat supplies in multiple regions. Such brutal attacks aiming solely at causing death, destruction, and a migration crisis, must cease immediately.

Special attention is required for the plight of women and children, who face not only the immediate dangers of conflict but also long-term psychological and social repercussions. The international community must mobilize comprehensive support systems, including psychological aid, medical care, and social reintegration programs to address these deep-seated impacts. Documenting and denouncing war crimes is critical in this context, ensuring that such atrocities are not only recognized but also acted upon by international judicial bodies.

The Russian war of aggression in Ukraine constitutes a gross and undeniable violation of Russia's commitments, both under international law and as a member of the OSCE. Russia has violated Article 2(4) of the United Nations Charter, which prohibits the use of force and calls on all members to respect the sovereignty, territorial integrity, and political independence of other states. Russia has violated its obligations and commitments under the Helsinki Final Act of 1975. It has disregarded its obligations under, as well as in the spirit of, the Charter of Paris for a New Europe of 1990 and violated the security assurances it provided under the Budapest Memorandum of 1994 and the Astana Summit of 2010. These violations not only undermine the principles of state sovereignty and territorial integrity, but also threaten the very foundation of international peace and co-operation. It is imperative for the international community and the OSCE to hold the Russian Federation accountable for these transgressions and to reinforce the rule of law at the international level.

The enduring deadlock of the conflict poses a significant risk of engendering "war fatigue", which could erode international support and resources crucial for Ukraine's defense and recovery. To counteract this, the OSCE and its participating States must sustain and enhance their support for Ukraine and demonstrate unwavering solidarity and commitment to upholding international norms. The OSCE's Support Programme for Ukraine exemplifies the Organization's active engagement in providing tangible assistance on the ground. It is essential that all OSCE participating States bolster this initiative with increased funding and support, to underscore their collective resolve to address the crisis and support Ukraine in its pursuit of peace and sovereignty. At the same time, in order to streamline parliamentary efforts in this field, the OSCE PA established the Parliamentary Support Team for Ukraine (PSTU). Its first visit to Kyiv in February of 2024 demonstrated the Assembly's unwavering support for Ukraine and advocated for accountability regarding the devastation inflicted by the Russian Federation's aggression. It also served as an opportunity to discuss concrete actions and initiatives, including repatriation of abducted children and support for

the three former local staff members of the OSCE Special Monitoring Mission in Ukraine illegally detained by the Russian Federation. The General Committee on Political Affairs and Security should continue working closely with PSTU and OSCE executive bodies, as well as with the delegation of Ukraine to the OSCE PA to reinforce the country's resilience and capacity to recover in line with their needs.

Conflict in the Middle East

Peace and security in the Mediterranean region, which is closely linked to security in the OSCE area, is another essential domain. The horrific terrorist attacks perpetrated by militant and terrorist groups led by Hamas in Israel on 7 October 2023 represent actions that cannot be justified and must be unequivocally condemned. The brutal massacre of Israeli civilians and the ongoing hostage crisis gives Israel every right to defend itself. It is absolutely crucial to minimize the number of civilian casualties, especially as terrorist structures are located in schools, hospitals and other civilian infrastructures, which is a war crime. The massive airstrike by the Iranian mullah regime on the night of 14 April 2024 demands our support for the sovereignty of the State of Israel to ensure the security of all people throughout the Middle East.

At the same time, the current situation in Gaza remains of deep concern. A swift end to hostilities and the prevention of all civilian casualties in Gaza, the West Bank, Israel, and Lebanon needs to be a priority. A ruling of the International Court of Justice (ICJ) of 26 January 2024 offers the first concrete hope to protect civilians and provides an important starting point for a dialogue with an international entity regarding the situation in Gaza, a dialogue that can save lives and have lasting consequences for peace with respect to international law. We also welcome the UN Security Council Resolution 2728 of 25 March 2024, which demands an immediate ceasefire, the immediate and unconditional release of hostages, and the urgent need to expand the flow of aid into Gaza. Any support and facilitation for humanitarian aid must be ensured unconditionally whilst guaranteeing, that the Palestinian people and those most vulnerable in the conflict benefit from it, too. Besides that, the protection and safety of humanitarian aid workers must have the highest priority.

Rising Global Tensions and Challenges

Moldova and Transdniestria

The OSCE is currently navigating through a period marked by significant increases in tensions and conflicts. The spillover effects from Russia's war of aggression in Ukraine have affected Moldova in particular. Whether through Russian drone and missile strikes crossing Moldovan airspace or the displacement of Ukrainian refugees into and through its territory, Russia's war of aggression threatens the security and stability of Moldova. The OSCE PA commends Moldova's stance of solidarity with Ukraine and welcomes the decision to open accession negotiations by the European Council in December of 2023. OSCE commitments and the EU

accession process are complimentary to each other and help to build strong and resilient democratic institutions and promote European peace and stability.

Our Assembly remains committed to reaching a comprehensive, peaceful, and lasting political settlement of the Transdniestrian conflict in all its aspects. The OSCE PA stands in support of strengthening the independence, sovereignty, and territorial integrity of the Republic of Moldova within its internationally recognized borders with a special status for Transdniestria. Since Russia's war of aggression in Ukraine has put the 5+2 talks on hold, the OSCE and its Mission to Moldova should play an important role in the continuation of negotiations and dialogue in the 1+1 format. In times of challenge, the work of the OSCE Mission to Moldova is more important than ever, and it should be able to continue, professionally and impartially, to carry out its monitoring activities and implement projects to promote confidence between people on both banks and strengthen policies and procedures in accordance with international standards. Moreover, OSCE participating States should put all political efforts into reaching a decision for returning to a traditional one-year mandate for the Mission, which was recently blocked by the Russian Federation, extending it to only a half-year period, which is in contradiction to established practice. At the same time, high inflation in Moldova affects the daily work of the Mission. Current salary scales in the OSCE Mission to Moldova do not meet the remuneration standards in Moldova. The Mission has been understaffed since 2022 and struggles to retain and recruit staff members. It is important to ensure proper financing of the Mission activities and the provision of fair remuneration for the professionals working there.

South Caucasus

In the South Caucasus the past year has demonstrated the need for the Organization to strengthen and reinvent its constructive engagement in the region, as the Organization has the potential to support peace processes and ensure sustainable peace and stability in a region that has long suffered under the impact of protracted conflicts. Following the fighting in the Karabakh region in September of last year, which has claimed numerous lives, virtually the entire Karabakh Armenian population has fled the region. The border area between Armenia and Azerbaijan has also continued to see fighting and clashes over the past year, while the border delimitation process between both states is yet to be concluded.

The OSCE Parliamentary Assembly should play a constructive role, explicitly discouraging the use of violence and any intentional obstruction to undermine and delay political negotiations conducted in good faith. Concluding a comprehensive and sustainable peace treaty between Armenia and Azerbaijan, as a foundation for long-lasting peace and security, remains imperative for both countries and the entire South Caucasus region. Other participating States and members of the Assembly should collaborate constructively and in good faith to support both countries in overcoming any remaining obstacles to the ongoing peace process.

The ongoing Russian occupation of Georgia's Abkhazia and Tskhinvali Region/South Ossetia continues to contribute to a deteriorating level of regional security. No significant progress has been made in resolving this conflict, and in light of this lack of progress, the Organization needs to maintain its existing tools and formats, in particular the Geneva International Discussions and the Incident Prevention and Response Mechanism (IPRM), in addressing and mitigating the negative effects of the ongoing occupation.

Overall, the Assembly should remain active in including the South Caucasus region in its thematic work and ensure that these security concerns and regional issues remain high on its agenda. Special Representative Kari Henriksen should remain closely engaged with our Delegations and partners within the region.

Resilience to Cyber Threats

Cyber threats continue to undermine stability and democracy in the OSCE area. Hybrid warfare, cyber criminality, and disinformation campaigns destabilize legitimate democracies, fund terrorist and criminal groups, and undermine the rule of law. We have already seen several cases of interference in election campaigns in the past. It is to be expected that these will increase significantly through the use of AI. Therefore, ensuring the safety and security of critical infrastructures as well as the realms of cyberspace is absolutely essential. The impact and hybridity of cyber threats on warfare also constitutes a cause for concern insofar as the spillover effects on civilian populations are concerned.

Technology has become a central means of geopolitical competition: states are de-risking and weaponizing semiconductor supply chains, promoting conflicting visions of global tech governance, and competing for dominance in AI technology. This increased tech competition comes with prosperity losses and new security threats. Diminished international co-operation leads to less efficient tech supply chains and a lack of global regulation to address technology risks.

Emerging technologies constitute a common challenge that must be harnessed and shaped according to our values and for the common good. As the digitalization of society increases, so does its exposure to emerging technologies, cyber threats, and disinformation. This reality should inform participating States' efforts in combating cyber threats and shaping emerging technologies, as well as any regulations that could govern the latter.

Building upon the OSCE's commitment to bolster cyber resilience within its participating States, it is imperative to recognize the increasingly sophisticated cyber threats that jeopardize not only national security but also the democratic processes and economic stability of nations. Therefore, enhancing the cyber resilience framework requires a multifaceted approach, encompassing the strengthening of cyber defenses, promoting cyber awareness, and fostering international co-operation in cyber incident response and threat intelligence sharing.

Gender-Based Violence

Gender-based violence permeates all conflicts, where women and children are the most vulnerable to the hardships of war. Women and children have been disproportionately affected and displaced by the Russian war of aggression on Ukraine. The restrictions imposed on the women and girls of Afghanistan and Iran are of particular concern to the OSCE PA, as they deprive them of all forms of freedom and opportunity to participate in public and political life. Forms of sexual and gender-based violence perpetrated by terrorist groups, including abductions, human trafficking, rape, forced marriage, enslavement, and all other forms of violence suffered by women and children continue to be of deep concern to the OSCE PA, especially as women and children are most vulnerable upon migration.

Escalating Polarization and Declining Trust in Multilateral Institutions

Security challenges in the OSCE area also are characterized by political and military polarization, a resurgence of nationalism, eroding trust in multilateral institutions, and a notable trend of non-compliance with international commitments, that not only jeopardizes regional stability and security but also threatens the core principles of co-operation and dialogue that define the OSCE. Recent years have seen a pronounced rise in nationalism and polarization among OSCE participating States, which is contributing to a fragmented international landscape. This trend is manifested through increasingly aggressive foreign policies, militarization of disputes, and a rhetoric that emphasizes division over unity. Such dynamics pose a direct challenge to the OSCE's foundational mission of promoting mutual respect, understanding, and co-operation among its participating States.

Trust and confidence in multilateral institutions have seen a marked decline across the OSCE region. This trend can be attributed to perceived inefficiencies and a lack of transparency, coupled with these institutions' struggles to address and resolve current challenges effectively. The diminishing faith in these platforms for dialogue and conflict resolution exacerbates the prevailing tensions, undermining their role as effective mechanisms for international co-operation.

Institutional Challenges of the OSCE

The situation can also be observed in the OSCE itself that is facing significant institutional challenges. Key mandates of OSCE Executive Heads of Institutions are set to expire in September. Last year the process of appointment was notably hindered by the Russian Federation's obstruction of consensus on these appointments, undermining the functionality and leadership stability within the OSCE. The Organization requires the appointment of candidates with substantial political stature, ensuring the Organization's leadership remains steadfast and capable of navigating the complex political landscape. Those participating States that may seek to block consensus in the hopes that this will silence criticism of

their human rights record and disregard for international law should take heed, however: the OSCE Parliamentary Assembly, working together with experts in OSCE institutions, is fully able to remain outspoken on important developments in all countries of the OSCE. If consensus is not reached on the appointments of the Director of ODIHR, the High Commissioner on National Minorities, and the Representative on Freedom of the Media, the OSCE PA President should immediately designate senior Assembly Members to serve as pivotal points in these fields to ensure that the OSCE family remains vocal in these fields. In such a case, the OSCE PA Secretary General should be requested to establish working-level contacts with experts in these OSCE institutions to strengthen the work of the OSCE PA focal points. Furthermore, the OSCE's Field Missions are pivotal to its operational success, serving as the immediate mechanisms in promoting security, co-operation, and peace across the region. It is essential that these missions receive unwavering political and financial support to enable them to execute their activities effectively and reaffirm the collective commitment of OSCE participating States to the Organization's fundamental principles and objectives.

Equally critical is the adoption of the Unified Budget, which the OSCE has not managed to agree on since 2021. Speaking at the OSCE Ministerial Council in Skopje last year, OSCE Secretary General Schmid highlighted that such a situation is “truly unsustainable”. At the same time, the lack of an approved budget and the impact of insufficient resources based on more than a decade of zero nominal growth policy constrains the Organization's capacity to respond dynamically to emerging challenges and inhibits the expansion of its crucial activities. A reversal of this policy and the full funding of the OSCE at an appropriate level are essential measures to safeguard the Organization's ability to uphold its commitments and address the myriad security challenges facing the region. The adequate resourcing of the OSCE not only facilitates the continuation of its existing programs but also allows for the development of new initiatives in response to the evolving security environment. Parliamentarians are crucial in the effort to rebuild trust in the OSCE and in the broader principle of multilateralism as they have the capacity to spearhead initiatives that highlight the importance of multilateral co-operation and the unique role the OSCE plays in fostering dialogue, peace, and security across its participating States.

Another particularly alarming issue is the widespread non-compliance with OSCE commitments and other international obligations, especially in the political-military sphere. Central to these commitments are the principles outlined in key OSCE documents, such as the Vienna Document on Confidence- and Security-Building Measures, the Code of Conduct on Politico-Military Aspects of Security, and the Istanbul Document, among others. These agreements are instrumental in fostering transparency, predictability, and co-operation across the OSCE area, aiming to reduce the risk of conflict and enhance mutual understanding among participating States. Violations of arms control agreements, reluctance to engage in confidence- and security-building measures, and disregard for the principles of sovereignty and territorial integrity, clearly demonstrated by the Russian war of

aggression in Ukraine, are illustrative of this trend. Accountability for non-compliance plays a crucial role in maintaining the integrity of the OSCE's security framework, and parliamentarians hold a unique and powerful position in promoting compliance with international commitments. As legislators, OSCE PA members should advocate for the ratification and implementation of OSCE agreements within national legal frameworks, ensuring that commitments made on the international stage are reflected in domestic policy. By leveraging legislative, oversight, and advocacy roles, parliamentarians can foster a culture of compliance and accountability within and among OSCE participating States.

Conclusion

Since Russia's war of aggression in Ukraine began, the co-operative and democratic European security order that had been in place since the end of the Cold War has been compromised. It is the future of a democratic and free Europe that is at stake in Ukraine. It is the multilateralism that is at the heart of the OSCE and its vision that are under attack. A renewed commitment towards a multilateral rules-based international order must be made, and multipolar division must be cautioned against and rejected. In an increasingly conflict-ridden world, the significance of Ukraine's brave fight for freedom and peace needs to remain the key priority, which cannot be forgotten or minimized.

Today's ongoing conflicts, especially those in Ukraine and the Middle East, but also elsewhere on the planet, have put the cohesion and legitimacy of the rules and norms-based international order and the institutions that underpin it under strain. The rising tensions in the South Caucasus, Moldova, Transdniestria, and Gagauzia, as well as in cyber space, also require our uninterrupted attention. The OSCE PA stands in staunch support of its institutions, an international rules-based order, and of international law. Freedom, peace, and value-based democracies are ideals that must be protected and fought for. Whether it is an ambition or a cherished reality, they cannot be taken for granted.

The OSCE PA continues to uphold multilateralism as the community of states' best chance of achieving lasting peace and security, and addressing the common challenges our world faces. The OSCE PA therefore remains firmly convinced that dialogue is key to addressing these challenges.