

REPORT

Informal Call for Action – Helsinki + 50 Meeting

22 February 2023, Vienna, Hofburg

An informal Call for Action – Helsinki +50 meeting on the current situation in the OSCE and future perspectives for the European security architecture was held in Vienna on the eve of the 2023 OSCE PA Winter Meeting. This informal meeting, held in hybrid format, brought together OSCE PA members, expert speakers and representatives of Vienna delegations to reflect on the impact of the current state of affairs on the OSCE and on possible future scenarios. This informal meeting was aimed to relaunch a broad reflection by Parliamentarians on the role of the OSCE in light of the current war in Ukraine.

In her introductory remarks, OSCE PA President Cederfelt noted that this was the first full-fledged meeting in person, due to lack of previous opportunities. 24th February was the first day of Russia's war against Ukraine and also the first PA Winter Meeting in person since Covid-19. This illegal war violates the Helsinki Principles and deeply affects the OSCE. She was pleased to see that several organisations are united and cooperation is growing across the world, but there are also states who are not joining. There is geopolitical tension in the OSCE, funding constraints, lack of consensus, cyber-security threat, disinformation and propaganda, and field operations are constantly under threat of closure. However, there are also parts that work very well and there is a need to continue using the tools that we have as Parliamentarians to support the work of the OSCE.

OSCE PA SG Montella noted that the OSCE is going through an existential challenge, with challenges to the usefulness of the organisation. In this meeting there are experts who know a lot about the organisation and with them there is a good opportunity to reflect on the current state of affairs and the future of the Organisation. The OSCE does great work and delivers for the people. He then commended the work of CiO Osmani for his focus on people. The organisation is relevant and parliamentarians should use the Helsinki +50 initiative to keep the organisation alive. The contribution parliamentarians will make to the OSCE is essential.

In introducing the panellists, the moderator, Amb. Zannier, pointed out that the big dilemma the organisation faces has to do with the role and nature of the OSCE. CSCE created a space for dialogue between enemies, which the OSCE inherited. The organisation operated in difficult times, but on the basis of agreed rules and principles. We are now in a situation in which these rules are not followed, which undermines the dialogue, meaning it is no longer constructive. It is instead propaganda and empty words, making decision-making difficult. Parliamentarians know the importance of engaging when there are differences, but we have gone beyond the minimum requirements for the OSCE to operate effectively. The question now is "what next?".

The first panellist Ms. Katarzyna Gardapkhadze, CEO of the Responsible Leadership Academy, presented four plausible scenarios for the OSCE in 2025 (presentation attached). These are based on two critical uncertainties: the presence or absence of consensus and dialogue. These are examples of what could be intended to stimulate discussion on what the

organisation could do. A lot depends on when and how Russia's war of aggression against Ukraine ends.

1. Marriage of Convenience – pS keep the organisation afloat, but are unable to discuss relevant issues. They agree on key steps, so they make silent concessions e.g. lowest common denominator in election four key posts. This may result in weak leadership and mean that the organisation has no impact.
2. Zombie – pS discuss, but are unable to reach any decisions at PC and MC levels. No appointment of four key posts, no CiO for 2024 and 2026, no UB, no FOs and no HDIM. There may be some results at activity level, but without any significant political impact.
3. The Abyss – Russia no longer engaged in OSCE matters or dialogue and no constructive cooperation ideas from Western countries. No existential OSCE decisions are taken, rendering the OSCE non-functional. There would be non-consensual announcements of "temporary suspension" of OSCE activities.
4. Phoenix – consensus on all key decisions and OSCE acts as a successful broker of a peace agreement between Russia and Ukraine. Renewal of HFA spirit and collective reflection on the best way to overcome organisational deficiencies. Stronger OSCE reputation as an important and impactful security organisation.

Mr. Walter Kemp, Global Initiative against Transnational Organised Crime, noted that cooperation can be a reaction to conflict or an effort to prevent it. Cooperative security is usually an aspiration rather than a fact, with countries seeking to manage relations peacefully. The OSCE is 57 non-like-minded countries. There is a place for both collective and cooperative security. Russia has been surprised by Ukraine's resolve, but the question is whether Putin can afford to withdraw. Ukraine and Russia will have to find a way to live together. The stronger Ukraine is, the more Russia is forced to cooperate. The unresolved security dilemma has resulted in two simultaneous conflicts: one between Russia and Ukraine, and one between Russia and the West. It will be difficult to resolve one without the other. OSCE's work is almost paralysed as a result of the conflict, but the organisation needs to survive. The key is to keep people around the table even if there is not much dialogue. It is not enough to analyse the conflict – we need action to de-escalate this dangerous spiral. For those who say Russia should be kicked out of the OSCE, what would be the added dialogue of the OSCE without Russia? For those who say there can be no business-as-usual, does that mean no business at all? Those of us who still believe in cooperative security should be thinking about what post-war Europe will look like. There is an acute need to find creative formulas for informal dialogue, with the involvement of parliamentarians and civil society.

Dr. Cornelius Friesendorf, Head of Institute for Peace Research and Security Policy at the University of Hamburg. Main focus of his intervention is the question of suspending Russia from the OSCE. Any attempt to suspend a state from an international organisation should consider where the advantages of suspension outweigh the disadvantages, and whether the suspension is practically feasible.

- Advantages:
 - o It can strengthen the credibility of the organisation by signalling that it stands for its principles
 - o It can lift decision blockades
 - o Threatening a state with suspension may induce a change in behaviour.
- Disadvantages:
 - o It will be hard to make the state comply with the organisation's principles
 - o It may harm the reputation of the organisation by signalling that it has failed to socialise that state

- Deprives individuals of that state from any advantages gained from participation in the organisation
- Prevents cooperation with the suspended state on matters of common interest
- The violating state might not return to the organisation even after a change in behaviour
- It can increase financial pressure on the organisation if the suspended state is a major contributor
- Suspension may not be practically feasible because:
 - States allied with the violating state may not support suspension
 - Allied states may also leave the organisation
 - The suspended state could use allies remaining in the organisation to block decisions
 - Suspension may be legally questionable when there are no statutory decisions for suspension
 - It raises the problem of selectivity

Whether the advantages outweigh the disadvantages depends on the organisation and the state violating the rules. Some alternatives to suspension are:

- A partial suspension of rights, with representatives excluded from some activities of the organisation
- Walk-outs
- Using the organisation as a forum where the violating state has to explain its behaviour, which protects the norm that is being violated
- Create coalitions with allies of violating states
- Make decisions without agreement of violating states

The texts of the presentations by the first two panellists are attached to this report.

In the discussion, participants thanked the panellists for their interesting presentations on a fundamental problem which requires urgent attention in spite of, but also because of, the deep crisis generated by the Russian invasion of Ukraine. As a general point, there was general agreement that we need the organisation and have to keep it alive. One of the key factors is the “doing by doing”, using everything available to address concrete practical issues through coalitions of the willing. This requires some concrete steps to demonstrate the potential of the organization to engage in a politically divided environment, and should lead to a stronger involvement of parliamentarians in strengthening the practical support for the OSCE, such as funding. This in turn requires strong leadership and the willingness to take some risks by the leaders of the Organisation. On Ukraine specifically, it was observed that there are things that others have done, which the OSCE should also be doing to demonstrate that it can play a useful and active role on the ground. Participants asked for more specific practical recommendations, such as an action plan for the OSCE. Positive reference was made, in this regards, to the OSCE PA Action Plan on Ukraine.

Others noted that we are in a functional crisis. It is clear that the present context has put pressure on the organisation for reform. Rule of law must be followed by all pS irrespective of their status. It is a matter of rules and this is a good time to establish new rules for what happens when one pS attacks another. We need to identify a mechanism for maintaining an aggressive country at the table whilst also sanctioning. A decisional quarantine mechanism could be effective in preventing a violating pS from taking part in decision making for a certain period of time.

A former PA President argued that the principles of the OSCE were flexible enough to allow enemies to maintain dialogue and coexist peacefully. The notion of indivisibility of security is of paramount importance in this regard. The mission of the CSCE was to keep the war cold and it succeeded. Today the danger is to move to two different world orders, creating a systemic conflict between blocs. The OSCE is an inter-governmental organisation based on international law instruments. If we do not stay together, it means we have no leverage over those outside the organisation. We cannot return to 1975 because we are not in a bipolar world. We have to remember that new principles have emerged, such as the right to intervene in order to protect. How should we match the principle of territorial integrity with the principle of self-determination? Expulsion has fewer advantages than disadvantages. The question of sanctions is very sensitive – if we impose economic sanctions we are in an economic war. On the decision-making process, a change in the consensus rule has been repeatedly proposed because of the inability to make decisions. However, this is no longer realistic due to the loss of confidence. The first step towards the Phoenix scenario would be the rebuilding of trust, as soon as conditions allow.

A participant further noted that the OSCE is in crisis, which is strange because the main function of OSCE should be in these moments, rather than in moments of peace. However, there is still an opportunity for progress and we need to take advantage of this crisis to make OSCE more visible. We should not lose our objectivity on the analysis of this conflict and the OSCE should ask itself how to proceed in order to help solve it. As a starting point, we should recognise that we do not share the same values and represent very different cultures.

Another PA member argued that the OSCE must survive, but like other IOs it is going through a period of crisis which presents an opportunity for change. How do we achieve security and cooperation at the same time? Flexibility is key in order to remain cooperative. If you violate core principles, there has to be a form of punishment that does not involve expulsion. We must rise to the challenge and take the opportunity to strengthen the OSCE. The question is how to punish the offending state. Some suggestions have been made today for ways of punishing without ostracising. The crucial part is to keep the violating state at the table. The answer to conflict is dialogue. This is an opportunity for the OSCE PA to stand up and demonstrate its ability to mobilise parliaments, people and civil society. The OSCE PA has to come up with suggestions for solutions and present proposals for overcoming these challenges. The OSCE is more important now than ever.

In their concluding comments, panellists and OSCE leadership agreed that crisis creates opportunity. However, the OSCE is facing many risks due to its internal divisions in the face of the current crisis. An important change is that the OSCE is now recognising its crisis. We do not share the same values, but pS need to agree on the core principles, otherwise the OSCE simply does not make sense. One idea is of a “citizens’ commitment” to call on pS to recommit to core principles. We are discussing hypothetical scenarios in isolation, so it would be good to invest in an actual scenario planning process. There is also a need to create more feasible funding mechanisms for the OSCE. Finally, discussions about the OSCE Charter have not proceeded as it should have been the case. For instance, if we keep a violating state accountable, there may need to be a serious consideration of an OSCE Charter.

Accordingly, one panellist put forward the following suggestions for follow-up;

1. Create a limited-size group (parliamentarians, delegations, experts/academics, civil society) and invest in a facilitated process of preparing actual scenarios for the future of the OSCE. This is one of the most powerful tools to prepare any organization for an uncertain future, and a scenario planning process would both generate the right questions and provide a range of answers and action options.

2. Come up with a short non-paper on possible funding mechanisms for the OSCE that would be stable, predictable, sufficient and free of political interference, and encourage parliamentarians to advocate with their governments to make such funding mechanisms available.

3. Build coalitions, inclusive of diverse civil society representatives (a bit like citizen's assemblies?), that could collectively come up with ideas for possible ways to renew the spirit of the Helsinki Final Act on its 50th anniversary, nationally and at the OSCE PA level.

4. Consider re-opening a discussion on a possible "OSCE Charter" that would include a "menu of sanctions" for pS violating the core principles of the OSCE.

A second panellist, taking into account a number of points surfaced during the discussion, suggested the following plan of action for the OSCE:

1. We need to find CiO 2024 before June. The political leadership of the OSCE is with the Chair, so we need one.
2. We need some kind of continuity in the next few years. Among the Troika, there could be an agenda or roadmap for cooperation.
3. Start a series of informal consultations on the future of European security, engaging civil society and academics.
4. Short of expulsion, we need to create some kind of penalty box where a country is temporarily suspended.
5. The OSCE PA can remind constituents that the OSCE does exist and that cooperative security is important.
6. We need more entry points for the people to be active in the OSCE.
7. Do not expect the OSCE to end the war in Ukraine, but it can build the peace after.
8. The OSCE needs to be used more for dialogue and confidence-building.

Reflecting on the initial scenarios, it was argued that the Zombie or Abyss scenarios are rather unlikely. It is all about how to maintain the vitality of the OSCE, although there is a fairly high risk of organisational death. There are many conditions within the OSCE that are favourable to survival, such as the wide membership, the size of the structures and institutions, etc. The Phoenix scenario might be overly optimistic, so we need to focus on survival and maintaining the OSCE as a forum for political dialogue. We are also in a situation where peace is not in a government's interest. We must reduce the risk of inadvertent war (including nuclear war) and prevent escalation. The politico-military fora need to be used to avoid escalation and move towards CSBMs. We should continue activities in the field, if necessary through extra-budgetary funding. Parliamentarians play a crucial role, including on the budget, to create more reliable and multi-year, rather than annual, budgets. On suspension, proposed quarantine measures would have to take into account the current thinking in Moscow. Many voices in Russia call for withdrawal from the OSCE, so such measures might play into the Kremlin's narrative of 'Russophobia'. On the sanctioning mechanism, it is important not to violate our own rules. The OSCE PA has teeth to sanction a violating state and has de facto sanctioned Russia since 2010 by preventing its members from participating in the Bureau and reducing its role and influence in the Secretariat

Finally, it was noted that if we had this conversation with Ministers, we would be able to have a significant impact in determining what kind of response would be required to the scenarios we are facing. The biggest problem is, in fact, the persistent lack of political attention. Parliamentarians are best placed to show Ministers that the OSCE is useful and should be adequately funded.