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REPORT

FOR THE GENERAL COMMITTEE ON POLITICAL AFFAIRS AND SECURITY

Defence of the OSCE Principles and Commitments Amidst Unprecedented Military Hostilities in the OSCE Region

RAPPORTEUR
Mr. Laurynas Kasciunas
Lithuania

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Rapporteur: Mr. Laurynas Kasčiūnas (Lithuania)

Introduction

The world as we know it today, the European security order we have been living in so far, the OSCE we are used to working with, are under attack. We face the clash of two absolutely different realities.

There is one reality – our reality – where democratic values, respect for human rights and fundamental freedoms prevail, where international law is respected, and where diplomacy and co-operation are always chosen as the only means to advance countries' foreign policy objectives. Our reality, where we witness that millions of people across their own country, Ukraine, in the very heart of Europe, fight for ideals and values which are anchored in the OSCE's founding documents and commitments. Our reality, where millions of people are ready to sacrifice their lives to defend the independence and sovereignty of their country. In this dedicated pursuit of peace, security, and justice for their own country and all of Europe, thousands of innocent people and children have lost their lives. The people of Ukraine, but also the people of Georgia and the Republic of Moldova, have dedicated their lives to fighting for their inherent rights and freedoms, political independence, and the sovereignty and integrity of the frontiers of their country. In the meantime, Ukraine is at the front line of this courageous fight, the outcome of which will define the destiny of the security order contours in the OSCE region.

Regretfully, there is another reality, the brutal one. The unlawful reality in which we observe the absolute disregard for human life and human dignity and the absence of commitment by participating States to the ideals and principles of the OSCE. We witness States who choose to entirely reject the fundamental principles of this Organization and favour waging unprovoked war and States that refuse to co-operate under the Vienna Document and adhere to the mechanism of Risk Reduction. This unwillingness to fulfil previously undertaken responsibilities eventually translates into the flagrant breach of OSCE commitments and dismantles the very basis of the European security architecture. Within this fragile reality, we witness the perpetration of gross human rights violations, repression of political opposition and independent civil society, the instrumentalization of migrants, and the utilization of destabilizing cyber and other kinds of hybrid warfare. Such determination to violate and deviate from the common values and principles and the over-reliance on the use of force and mutual acquisitions only exacerbates an already complex security situation, while risking returning the OSCE region to the adversity of past times.

In order to reconcile these two different realities, there is a need to recommit to OSCE principles; namely, in the dimension of political affairs and security, but also to make a very critical self-assessment of what has led to this situation. These unprecedented, heightened tensions, military aggression, and mounting unconventional threats can be

averted only when all OSCE participating States and nations persistently contribute towards upholding the Helsinki principles in full conformity with international law. This may also bring a unique opportunity for us to recharge the OSCE and make it stronger and more efficient, resilient to the attempts by one or two OSCE participating States that are trying to take the Organization hostage. In this report, I outline the key pressing security challenges which are having a detrimental effect on European security, alongside the OSCE's unique tools and frameworks that should be employed to alleviate the unfolding conflicts and crises and enable conditions for immediate and long-lasting stabilization, peace, and security across the OSCE region.

Ongoing Military Aggression and Protracted Conflicts

The whole of the OSCE region is engulfed in prolonged conflicts and escalating armed threats. Within our region, alarming developments in several of our participating States have the potential to have a lasting effect on European security.

Over the past few decades, the whole of Europe has been shaken by one of the most dramatic shifts in the security and political calculus in Europe. The advent of the Russian aggression against Georgia, the Republic of Moldova, and now Ukraine, has blatantly violated the fundamentals of international law.

The Russian Federation's Invasion of Ukraine

2022 has become a repugnant year when the OSCE region was shaken by the eruption of the largest military invasion since WWII. The entire OSCE community once again experienced the worst feeling that one might encounter about the historical record - the sense of *déjà vu*. After eight years of the Russian Federation's occupation and illegal annexation of Crimea and the start of Russia's war against Ukraine, Russia has launched a full-scale war of aggression against Ukraine. And Belarus, another OSCE participating State and neighbor of Ukraine, is shamefully helping Russia in this. Large explosions targeted Kyiv, Kharkiv, Mariupol, Chernihiv, Zhytomyr, Lviv, Dnipro, and many other cities of Ukraine. The wanton airstrikes have severely hit civilian buildings, schools, and maternity hospitals, nuclear facilities, and many other national critical infrastructures, causing numerous civilian deaths, including a tally of children killed, and displacing millions of people. Each day of the war reveals mounting evidence of new horrific scenes and massive war crimes, perpetrated by Russian forces in Bucha, Irpin, Borodyanka, Mariupol, Kramatorsk, and many other Ukrainian cities. Aggravating the humanitarian crisis, engineering blockades and starvation, and seizing humanitarian aid, while putting civilians and non-combatants on the frontline in a deliberate manner constitute Russia's warfare tactics.

We condemn in the strongest terms all acts of war crimes and crimes against humanity committed by the Russian Federation against the people of Ukraine. In an attempt to ensure that all these war crimes and crimes against humanity are duly registered and those responsible are brought to account, on March 3rd, 45 OSCE participating States, supported by Ukraine, initiated the OSCE Moscow Mechanism. The OSCE PA welcomes the findings of the report 'On Violation of International Humanitarian and Human Rights Law, War Crimes Against Humanity Committed in Ukraine Since 24 February 2022,' prepared by three independent experts (released on 13 April 2022) and considers that these findings might also contribute to establishing political

accountability for the committed violations. The Russian Federation should face an international tribunal and accountability mechanisms. Therefore, we support any investigative initiative launched by the international community to collect and safeguard evidence of the illegal perpetration, including the independent international Commission of Inquiry mandated by the UN Human Rights Council and the work of the Prosecutor of the International Criminal Court.

Regretfully, this barbaric war happening on European soil has brought devastating security, economic, and humanitarian consequences to the whole OSCE region. In the meantime, within the OSCE, and especially here within the OSCE PA, serving the interests of our constituents, we are jointly responsible for how we handle this war and ensure that there is accountability for those States and individuals that commit war crimes and crimes against humanity and attempt to violate the sovereignty and territorial integrity of another State.

Russia's declaration of a full-scale war is an unlawful and unjustifiable attempt to undermine the independence and sovereignty of Ukraine. Russia's invasion of Ukraine represents an unprecedented danger for all three dimensions of the comprehensive security for Ukraine as well as for our common security order. In this regard, we urge Russia to respect the verdict of the International Court of Justice which underscores the Russian Federation's responsibility for waging this unlawful war and orders Russia to immediately suspend military operation commenced on the territory of Ukraine on 24 February 2022.¹ Likewise, we support the investigation started by the International Criminal Court, as well as all other international efforts in this regard. We also welcome the adoption of the UN General Assembly Resolution on Aggression against Ukraine which demands that Russia "immediately, completely and unconditionally withdraw all of its military forces from the territory of Ukraine within its internationally recognized borders."

Then and now, in the face of a military escalation across the OSCE region, we are unified in our determination to bring an end to this brutal and unprovoked war. On this point, I would like to once again reiterate our unwavering support for Ukraine, its independence, its unity, its sovereignty and territorial integrity within its internationally recognized borders and territorial waters, and its right to freely pursue and choose its own security arrangements.

Let me use this opportunity to express my appreciation for the long-standing, brave and rigorous work of the OSCE Special Monitoring Mission in Ukraine, which continuously and impartially reported on the security situation on the ground despite the increased volatility and obstruction of their monitoring and reporting mandate. In a perilous and uncertain time, the fact-based work of the SMM is an integral contribution to lasting peace in Ukraine and the OSCE region, and therefore, we would like to call for the resumption of the Mission's mandate as the security situation in the country permits.

As guardians of democracy, international law, and OSCE principles, the members of the General Committee on Political Affairs and Security urge Russia to immediately

¹ ICJ, Order ALLEGATIONS OF GENOCIDE UNDER THE CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE (UKRAINE v. RUSSIAN FEDERATION)
<https://www.icj-cij.org/public/files/case-related/182/182-20220316-ORD-01-00-EN.pdf>

cease all military hostilities in Ukraine, withdraw its forces from Ukraine's territory within internationally recognized borders, followed by diplomacy and negotiations to reach a lasting and peaceful solution. We will insist that our governments maintain the sanction regime and other crippling restrictions until the sovereignty and territorial integrity of Ukraine is fully restored. Finally, the members of the General Committee on Political Affairs and Security condemn Belarus, which has also joined Russia's aggressive stance against Ukraine and facilitated this military incursion. Because of this, Belarus has no moral authority to chair OSCE's Forum for Security Co-operation in the 2nd trimester of this year.

I wish to commend the brave people of Russia and Belarus, who despite the threat of long-term imprisonment, apply all means at their disposal to protest against this war by their governments against Ukraine. I also condemn in strongest possible terms all those attempts to silence them, including prominent opposition leader Vladimir Kara-Murza, close associate of Boris Nemtsov and one of the truest believers in the OSCE Parliamentary Assembly. My message to him and to everyone illegally detained there is: "Keep strong! Your struggle for peace is what we share! We will spare no effort until this war is over and all of you are freed too!"

As was rightly emphasized by OSCE Secretary General Helga Maria Schmid on the margins of the 28th Ministerial Council in Stockholm, the OSCE has played a crucial role in averting and responding to conflicts and crises like these. On the same occasion, OSCE PA President Margareta Cederfelt reminded us all that the OSCE has been trusted as the most effective instrument in our arsenal to create the conditions for dialogue and co-operation. Therefore, I urge the OSCE executive structures to employ all existing mechanisms to jointly act in this decisive moment for the whole OSCE region. There can never be too many efforts to end the war and to preserve peace, no matter how fragile it is.

Smouldering Conflict in Georgia

The Russian Federation has persisted in its aggression and violence beyond Ukraine on numerous occasions, which has also culminated in Georgia, bringing devastating consequences to this region and its population. Within the OSCE PA, as members of the General Committee on Political Affairs and Security, we welcome the OSCE Polish Chairmanship's priority to contribute towards a peaceful and sustainable resolution of the conflict in Georgia.

Demonstrating the value of existing OSCE mechanisms, the participants in the Geneva International Discussions held several rounds of talks over the past few months, seeking to address all pertinent issues of the Russia-Georgia conflict, including the most pressing concerns of conflict-affected populations in Georgia's regions of Abkhazia and Tskhinvali. This allowed effective exchanges on health measures amid the COVID-19 pandemic and restrictions on freedom of movement, but unfortunately still failed to resolve disagreements about the plight of refugees and internally displaced persons. Another effective and practical OSCE mechanism is the Incident Prevention and Response Mechanism Meetings in Ergneti, which continue to be used to raise and address issues of concern.

Furthermore, Russia continues to strengthen its military presence in the occupied parts of Georgia and to deepen the *de facto* integration of these Georgian regions into Russia. This recognition of the so-called independence of the occupied territories of Georgia must be reversed.

The settlement of the Russia-Georgia conflict still requires a balanced approach that rests on the full implementation of the six-point EU-mediated ceasefire agreement of August 2008. We call on the Russian Federation to bring to an end to its systematic infringements of human rights, fulfil its obligations under the ceasefire agreement, and implement the decision of the European Court of Human Rights of January 2021.

Transdniestrian Conflict

With regard to the Transdniestrian conflict, attempts at conflict resolution within the 5+2 format have stalled. At the 28th Ministerial Council, in their Statements on the negotiations on the Transdniestrian Settlement Process, dignitaries once again expressed their strong support for ongoing mediation efforts, but any such meeting under the Swedish Chairmanship was not possible, despite strong diplomatic engagement. Russia's political and economic pressure on the pro-European and pro-reformist government in Chisinau, including by means of energy blackmailing, also played a negative role in this. I also deplore any attempt to destabilize the situation in the Republic of Moldova and to drag this country into Russia's war of aggression against Ukraine. Let me use this opportunity to encourage all actors involved in the 5+2 format to engage in the negotiation process at all levels and make use of collective co-operation within the parameters of a comprehensive settlement.

Ensuring Security and Stability in the South Caucasus Region

Within the OSCE, the Minsk Group has worked diligently to facilitate direct dialogue between Armenia and Azerbaijan and promote confidence-building between them to resolve numerous post-conflict issues, with the full support of the previous Swedish and incumbent Polish Chairmanships. A political solution to the post-conflict issues remains to be facilitated, yet relative progress can be seen regarding a number of matters, demonstrated by the exchanges of mine maps and prisoners, the start of discussions on the unblocking of transport links and border delimitation, as well as the establishment of a direct line of communication across the line of contact. However, further significant advancement on other issues is still outstanding.

On the margins of the 28th Ministerial Council, through Joint Statements, the OSCE Minsk Group Co-Chair countries urged Armenia and Azerbaijan to abstain from inflammatory rhetoric and provocative actions and encouraged all parties to continue result-oriented dialogue to make progress on humanitarian issues, and establish lasting security and sustainable development in the South Caucasus region. We, within the OSCE PA, must call on both sides to work together to settle disputes regarding the demarcation of the border and the restoration of economic and transport links and to desist from any further antagonistic incitement that would hinder such co-operation.

Deteriorating Security in Adjoining Regions

At the same time, we cannot ignore the fact that our common security is contingent on adjoining regions. Principal among these is the situation in Afghanistan, an OSCE Partner for Co-operation since 2003. The OSCE PA has been closely following recent events, including by dedicating the parliamentary conference during the 2021 Autumn Meeting to the current security challenges in that country.

Issues regarding border security affect not only Central Asia but all of us. While it is imperative to respect the truly ravaged population's right to seek asylum, the OSCE must swiftly and efficiently respond to growing cross-border threats, whether that be the re-emergence of transnational organized crime, the export of radicalization and violent extremism, the illicit trafficking of drugs and weapons, or the shameful instrumentalization of illegal migrants. The situation at the border between Belarus and the EU Member States is far from being normalized, despite commendable efforts by the Latvian, Lithuanian, and Polish governments. We once again urge Belarus to stop instrumentalizing illegal migrants for political purposes and to start implementing their respective international commitments with regard to border security and management, including those undertaken within OSCE, in their letter and in spirit.

It must be noted that the OSCE already boasts several field missions within Central Asia, which have undertaken a number of initiatives to help counter such trends. The OSCE PA must be ready to continue to assist in such efforts, whether it be through the further mediation of our Special Representative on Central Asia, Pia Kauma, or dedicated platforms like the Ad Hoc Committee on Countering Terrorism, led by Reinhold Lopatka, or the Ad Hoc Committee on Migration, led by Kristian Vigenin.

Simultaneously, there is a growing awareness of the importance of the Mediterranean region. As called for by the dignitaries at the 25th Ministerial Council in the Declaration on Security and Co-operation, the OSCE must act to intensify its work with its Partners for Co-operation (Algeria, Egypt, Israel, Jordan, Morocco, and Tunisia) to address the closely interlinked phenomena of illicit human trafficking, transnational organized crime, and the financing of terrorism. The OSCE PA can contribute to this undertaking through promoting a concerted regional focus, as it has done at the Annual Mediterranean Forum, and supporting the engagement of its Special Representative on Mediterranean Affairs Pascal Allizard.

After all, it is our duty, as parliamentarians, to persist in our attempts to protect and promote our citizens' interests, by urging our governments to engage in peaceful dialogue and conflict resolution. As intermediaries between the populace and the executive, we must do our very best to demand adherence to the fundamentals of international law.

Emerging Non-Military Security Threats

While these regional armed hostilities and incursions continue, the sheer amount of additional mounting threats to our common security order has simultaneously not vanished. The convergence of conventional tools and emerging technological advancements has generated new security trends which are unlikely to abate in the coming years. Gone are the days when military attacks constituted the only paramount

threat to our stability. The era of hybrid warfare strategies has invited novel destabilizing tactics which result in catastrophic implications for the security dimension of the OSCE area.

On numerous occasions over the last few years, we have witnessed how offensive hybrid strategies were orchestrated across and against OSCE participating States. These strategies range from the weaponization of energy flows, illicit financial operations, and subversion of independent political and social organizations to attempts to engineer a migrant crisis at OSCE borders, disruptive cyberattacks against critical infrastructure, and proliferation of disinformation operations. In particular, cyber intrusion of critical and civilian infrastructure remains one of the most prevailing components of any modern warfare. Perpetrators targeted financial entities, telecommunication systems, oil and energy companies, military and intelligence units, healthcare facilities, railway stations, and election systems. All of these have been severely disrupted by cyberattacks across the OSCE region.

This non-military hybrid warfare served malevolent political ends to bring about destabilization in the OSCE region. To that end, an exponential increase of such hybrid transnational attacks requires our national authorities to recognize the threat emanating from sophisticated modern threats and progressively implement non-military confidence-building measures. Bearing this in mind, the OSCE has already been at the forefront of bolstering region-wide cyber security, resilience and capacities to establish a greater degree of accountability and transparency in cyberspace. In this respect, the OSCE has been a trailblazer in scrutinizing the robust cyber/ICT security confidence-building measures which are designed to reduce the risks of conflict stemming from the use of information and communication technologies which are enshrined in the Permanent Council Decisions Nos. 1039, 1106 and 1202.

The participating States are encouraged to operationalize confidence-building measures so as to enhance the cyber resilience of their national critical infrastructure and promote responsible behaviour and international co-operation in the cyber dimension of the OSCE region. On a final note, the emerging cyber realm is not confined to exclusively inter-state relations, and thus participating States are encouraged to ensure a democratic and human-centered approach in the oversight and protection of the cyber domain and its infrastructure.

In conclusion, one should not forget that conventional threats still prevail while posing a danger to our common security. Hence, in recognition of the worsening security risks emanating from illicit small arms and light weapons, we should ensure military transparency by providing better compliance with arms control and confidence-building frameworks in the OSCE region, including an adaptation of the long-delayed Vienna Document to include new realities unfolding on the ground, and a revitalisation of the Open Skies Treaty.

The Era of Retreating Democracy and Prevailing Unilateralism

The resurgence of animosities and authoritarianism coupled with the plethora of transnational security threats has resulted in the dismantling of democratic institutions and erosion of democratic rule-based order. As has been reported by Freedom House,

democratic backsliding has been increasing worldwide for 16 consecutive years.² Whether in Europe, the Middle East, or any other hotspot, the world has become a less democratic place.

The OSCE was founded to work towards building not only secure and peaceful societies but also flourishing democracies. However, in the present day, democracy in the OSCE region has been systematically paralyzed by the undemocratic practices and repressive action of political opponents, abuse of human rights and freedoms, and dangerous attempts to bypass parliamentary and legislative scrutiny and marginalize the power of parliament. Instead of contributing toward democratic erosion, the OSCE community should co-operate in solidarity towards enhancing robust and viable democracy, while supporting the efforts of the Office for Democratic Institutions and Human Rights, the High Commissioner on National Minorities, and the Representative on Freedom of the Media in bolstering sustainable democratic institutions. Lasting and comprehensive peace and stability in the OSCE region can only be achieved when the faith in democratic governance is restored and well-functioning democratic institutions prevail over the use of military power and means. In this context, I wish to once again condemn in the strongest possible terms the continued unprecedented repression by the regime in Minsk against the people of Belarus. This must be stopped immediately!

It is also timely to revive faith in multilateral co-ordination and international co-operation, which has been deliberately neglected and circumvented. Prevailing unilateral actions only exacerbate the existing threats and instabilities, instead of promoting lasting security and peaceful solutions. The rule-based international order and co-ordinated multilateralism have proved on many occasions to be an added value in achieving comprehensive and sustainable security. As parliamentarians, we have been charged with powers to provide oversight of the governments and set agendas that should advance effective multilateralism which remains a driving force in mitigating modern global security dangers.

Prioritization of the Human Sphere

Against this backdrop, the Chairperson-in-Office, Polish Foreign Minister Zbigniew Rau, has reminded participating States of the collective responsibility to advance the Human Dimension in establishing peace and stability.

Civilians, including women, youth, and children, constitute the most vulnerable group adversely affected by protracted conflicts and military hostilities. As such, their involvement in conflict prevention and resolution, as recognized by the work of Special Representative on Gender Issues Hedy Fry and Special Representative on Youth Engagement Farah Karimi, is indispensable. Therefore, guided by the United Nations Security Council Resolution 1325, which recognizes the importance of women's equal participation in maintaining and promoting peace and security at all levels, the Women, Peace and Security agenda should constitute an integral component of the OSCE's comprehensive and inclusive security. Likewise, in line with the UN Security Council Resolution 2250 on Youth, Peace and Security, we should ensure that youth is

² Freedom House, Freedom in the World 2022: The Global Expansion of Authoritarian Rule, available at: <https://freedomhouse.org/report/freedom-world/2022/global-expansion-authoritarian-rule>

engaged in the decision-making process at the local, national and international levels. The OSCE PA, as a unique platform for inter-parliamentary dialogue, can complement traditional diplomatic channels in averting future crises by giving a voice to the marginalized and oppressed. One should not forget that the OSCE stands for all segments of society, it falls upon us to oversee our governments' adherence to the spirit of inclusivity, democracy, and security as enshrined in the Helsinki Final Act and the Charter of Paris.

Disclaimer: The report was prepared in mid-April of 2022, and thus reflects solely the events and incidents that took place prior to that period. This report does not take into account any events that occurred after mid-April 2022.