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CHAIRMANSHIP  
IN THE  
ORGANIZATION  
FOR SECURITY  
AND  
CO-OPERATION  
IN EUROPE  
IN 2022

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EDITED BY  
MICHAŁ  
DULAK

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OBJECTIVES AND THEIR IMPLEMENTATION  
IN THE FACE OF THE RUSSIAN-UKRAINIAN WAR



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## Introduction: Organization for Security and Cooperation in Europe in the Face of War in Ukraine – Challenges for the Polish Chairmanship in 2022

The Organization for Security and Co-operation in Europe (OSCE) is not a popular subject of research and analysis. This is partly due to the greater prominence of other regional organizations tasked with ensuring peace and partly because of the OSCE's own inability to demonstrate its usefulness in resolving conflicts among its members. Another perspective on this issue is that the OSCE has become a victim of its own approach – namely, building trust and security based on goodwill and consensus. In situations where some OSCE member states exploit these principles to evade accountability for actions that violate international law, the organization becomes paralyzed.

In this context, one might question the value of studying a specific OSCE institution, such as the Chairmanship, when analyzing the organization as a whole seems to offer no new insights. However, as we planned our research on Poland's OSCE Chairmanship at the turn of 2021 and 2022, two considerations convinced us of its merit. First, the opportunity for a given country to lead this organization is relatively rare. In 2022, Poland became one of the few countries to assume the OSCE Chairmanship for a second time since 1990, with its previous term dating back to 1998. This rarity suggests that each Chairmanship takes place under distinct political circumstances, making it interesting to examine what specifically contributes to the success or failure of leading the OSCE. Second, the implementation of the OSCE Chairmanship falls

under the responsibility of ministries of foreign affairs, offering a chance to evaluate how effectively a country's diplomacy performs in the challenging environment of multilateral relations.

On 24<sup>th</sup> February 2022, an additional factor emerged, overshadowing the first two considerations. As a result of Russia's attack on Ukraine, two OSCE member states found themselves at war. Consequently, it became evident that the organization had to make efforts to halt this aggression as swiftly as possible. For these reasons, analyzing how Poland would manage OSCE policy under such circumstances became particularly compelling.

The two considerations outlined above define the structure of this book. The first part focuses on the OSCE itself and how it addresses contemporary threats to Euro-Atlantic security. The second part of the study examines Poland's OSCE Chairmanship exclusively – its course and the effectiveness of the actions undertaken. The methodological chapter serves as a conceptual bridge linking the first and second sections of the book. It ensures analytical coherence across the subsequent chapters by providing a scientific framework structured around the following sequence: introduction – research operationalization – analysis – synthesis.

### **The OSCE – a Political Relic of Europe's Security Architecture?**

The OSCE, established in 1995 as the successor to the CSCE, initially boasted numerous confidence- and security-building measures as well as arms control mechanisms developed over the years. Over time, however, these instruments began to deteriorate (e.g., the conflicts in the Balkans during the 1990s and Russia's withdrawal from the Treaty on Conventional Armed Forces in Europe in 2007). Hopes for rebuilding the OSCE's significance within the regional security system were pinned on the Helsinki +40 reform process initiated in 2012 and its involvement in resolving the conflict between Russia and Ukraine that began in 2014. In the latter case, however, the so-called Normandy Format proved to be more flexible in many situations. It oversaw compliance with the Minsk Agreements and facilitated high-level political contacts between Ukraine and Russia.

The OSCE as a regional organization, emblematic of the changes in international relations taking place in the 1990s, has been extensively discussed in academic textbooks and numerous political science publications. Among the most significant works on this topic in the 21<sup>st</sup> century is the monograph *The Organization for Security and*

*Co-operation in Europe* by David J. Galbreath, published in 2007<sup>1</sup>. Questions about the OSCE's role in international security, both past and present, were explored in Roberto Dominguez's 2014 book *The OSCE: Soft Security for a Hard World. Competing Theories for Understanding the OSCE*<sup>2</sup>. Similarly, in 2021, Thomas Greminger addressed similar issues<sup>3</sup>. In Poland, some of the most important monographs on the OSCE include *KBWE/OBWE wobec problemów pokoju i bezpieczeństwa regionalnego* by Paweł Grudziński, *Wojskowe środki budowy zaufania i bezpieczeństwa na obszarze KBWE/OBWE w teorii i praktyce* by Zbigniew Wołás, and *Zagrożenia i instytucje bezpieczeństwa międzynarodowego*, edited by Erhard Cziomer<sup>4</sup>. Many other studies concerning the OSCE are contextual, focusing on specific countries' relations with the organization<sup>5</sup>, assessing its contributions to peace and security in the region<sup>6</sup>, or

<sup>1</sup> D.J. Galbreath, *The Organization for Security and Co-Operation in Europe*, London–New York 2007.

<sup>2</sup> R. Dominguez, *The OSCE: Soft Security for a Hard World: Competing Theories for Understanding the OSCE*, Bruxelles–Bern–Berlin–Frankfurt am Main–New York–Oxford–Wien 2014.

<sup>3</sup> T. Greminger, *The Organization for Security and Co-Operation in Europe*, [in:] *The Oxford Handbook of the International Law of Global Security*, R. Geiß, N. Melzer (eds), Oxford 2021, pp. 1052–1070.

<sup>4</sup> P. Grudziński, *KBWE/OBWE wobec problemów pokoju i bezpieczeństwa regionalnego* [CSCE/OSCE towards Problems of Peace and Regional Security], Warsaw 2002; Z.W. Wołás, *Wojskowe środki budowy zaufania i bezpieczeństwa na obszarze KBWE/OBWE w teorii i praktyce* [Military Confidence and Security Measures in the CSCE/OSCE Area in Theory and Practice], Warsaw 2010; E. Cziomer (ed.), *Zagrożenia i instytucje bezpieczeństwa międzynarodowego* [Threats and Institutions of International Security], Kraków 2016. In the last book one can also find a chapter by E. Cziomer devoted to the CSCE/OSCE: E. Cziomer, *System bezpieczeństwa w ramach KBWE i OBWE* [The Security System under the CSCE and OSCE], [in:] *Zagrożenia i instytucje...*, pp. 191–212.

<sup>5</sup> A. Mihr (ed.), *Transformation and Development: Studies in the Organization for Security and Cooperation in Europe (OSCE) Member States*, Cham 2020; Office of International Affairs of the Chancellery of the Sejm of the Republic of Poland, *Zgromadzenie Parlamentarne OBWE i udział Polski w jego pracach 1997-2005* [OSCE Parliamentary Assembly and Poland's Participation in its Work 1997-2005], "Biuletyn Informacyjny" 2006, no. 1(43); R. Zięba, *Polska w OBWE* [Poland in the OSCE], "Krakowskie Studia Międzynarodowe" 2020, vol. 17, no. 2, pp. 295–308.

<sup>6</sup> A. Gheciu, *Securing Civilization? The EU, NATO and the OSCE in the Post-9/11 World*, Oxford 2008; P.T. Hopmann, *The Organization for Security and Cooperation in Europe: Its Contribution to Conflict Prevention and Resolution*, [in:] *International Conflict Resolution After the Cold War*, P.C. Stern, D. Druckman (eds.), Washington, D.C. 2000; L.M. Lüthi, *The Conference on Security and Cooperation in Europe*, [in:] *Cold Wars: Asia, the Middle East, Europe*, L.M. Lüthi (ed.), Cambridge 2020, pp. 438–461; R. Zięba, *Bezpieczeństwo europejskie czterdzieści lat po podpisaniu Aktu Końcowego KBWE* [European Security Forty Years after the Signing of the CSCE Final Act], "Rocznik Integracji Europejskiej" 2015, no. 9, pp. 109–122. Ryszard Zięba covered this topic back in the 1990s: R. Zięba, *Funkcjonowanie paneuropejskiego mechanizmu bezpieczeństwa KBWE/OBWE* [Functioning of the CSCE/OSCE Pan-European Security Mechanism], "Studia Europejskie" 1998, no. 3, pp. 85–106.

analyzing how the OSCE performs its functions and fulfills its tasks<sup>7</sup>. The latter two aspects remain subjects of ongoing interest among experts and think tanks such as the OSCE Network of Think Tanks and Academic Institutions<sup>8</sup> and the Zentrum für OSZE-Forschung (CORE), operating under the Institut für Friedensforschung und Sicherheitspolitik at the University of Hamburg. CORE publishes numerous periodic reports, including the OSCE Yearbook<sup>9</sup>. It is also worth noting that the OSCE attracts particular attention from researchers during security crises. In such times, public and academic debates revisit questions about the organization's effectiveness and its future<sup>10</sup>.

Given the existing body of research analyzing the functioning and impact of the OSCE on security in Europe, it is justified to revisit this topic, now from the perspective of the early third decade of the 21<sup>st</sup> century. Thus, the first part of this book seeks to address research questions about how the institutional evolution of the OSCE has unfolded since 1995 and whether the institutional and organizational changes implemented over the past three decades have improved the OSCE's functioning across its three dimensions: politico-military, human, and economic. Updating our understanding of these issues and analyzing them in the context of the ongoing Russian-Ukrainian war will, in turn, allow us to answer the question of what initiatives the OSCE has undertaken to resolve the conflict in Ukraine since 2014 and how effective these efforts have been.

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<sup>7</sup> J. Boonstra, *Organization for Security and Cooperation in Europe: A Paper Tiger?*, [in:] *The European Union and Democracy Promotion: A Critical Global Assessment*, R. Youngs (ed.), Baltimore 2010, pp. 78–98; M. Odello, *The Organization for Security and Co-Operation in Europe and European Security Law*, [in:] *European Security Law*, M. Trybus, N. White (eds), Oxford 2007, pp. 295–328; F. Schimmelfennig et al., *The Organization of Security and Co-Operation in Europe*, [in:] *The Rise of International Parliaments: Strategic Legitimation in International Organizations*, F. Schimmelfennig et al. (eds), Oxford 2020, pp. 104–115; L. Dorosh, O. Ivasechko, *The OSCE Institutional and Operational Possibilities in the Modern Conflict Resolution: By Example of the Activity of the OSCE Special Monitoring Mission to Ukraine*, “Security and Human Rights” 2021, vol. 30, no. 1–4, pp. 1–22.

<sup>8</sup> OSCE Network of Think Tanks and Academic Institutions, OSCE Network, at <https://osce-network.net/> (accessed: 4 October 2024).

<sup>9</sup> Zentrum für OSZE-Forschung (CORE), Institute for Peace Research and Security Policy at the University of Hamburg, at <https://ifsh.de/forschung/europaeische-sicherheit/zentrum-fuer-osze-forschung> (accessed: 4 October 2024).

<sup>10</sup> Z. Lachowski, *Kryzys reżimu zaufania i bezpieczeństwa w kontekście konfliktu na Ukrainie* [Crisis of the Trust and Security Regime in the Context of the Ukraine Conflict], “Bezpieczeństwo Narodowe” 2014, vol. 3, pp. 51–72; S. Lehne, *Reviving the OSCE. European Security and the Ukraine Crisis*, Brussels 2015, at [http://carnegieendowment.org/files/CP\\_249\\_Lehne\\_OSCE.pdf](http://carnegieendowment.org/files/CP_249_Lehne_OSCE.pdf); W.H. Hill, *The OSCE Approaching Fifty: Does the Organization Have a Future?*, [in:] *OSCE Insights 2022: War in Europe*, C. Friesendorf, A. Kartsonaki (eds.), Baden–Baden 2023, pp. 13–22; S. Mahilaj, *The Role of OSCE and EU Cooperation in Resolving the Russia-Ukraine Conflict*, “European Scientific Journal” 2023, vol. 19, no. 14, pp. 1–18.

The chapters *The relevance of the Organization for Security and Cooperation in Europe to Euro-Atlantic security in the 21<sup>st</sup> century* by Agnieszka Nitszke and *The Organization for Security and Cooperation in Europe and the Russian-Ukrainian conflict after 2014* by Olesia Kryvenko are dedicated to the issues outlined above. Agnieszka Nitszke focuses on the institutional evolution of the OSCE since 1995, as well as the organizational and procedural changes aimed at improving the OSCE's functioning across its three dimensions: politico-military, human, and economic. She also examines contemporary challenges that limit the OSCE's effectiveness, stemming both from its nature and from the cooperative security framework in Europe alongside the European Union and NATO. Olesia Kryvenko's analysis, on the other hand, examines the OSCE's role in the Russian-Ukrainian conflict, from Russia's annexation of Crimea in 2014 to the full-scale invasion in 2022. The author outlines the OSCE's actions and initiatives aimed at stabilizing the situation and resolving the conflict. At the same time, she discusses the limitations faced by the OSCE, including the lack of effective enforcement mechanisms, obstacles posed by Russia, and difficulties in decision-making due to the consensus requirement. The research in this part of the book is based on historical and institutional-legal analyses. It draws on formal OSCE documents, Russian- and Ukrainian-language sources, as well as expert studies and analyses.

Based on the analysis conducted in the first two chapters of the book, the following hypothesis (H1) will be verified: The OSCE is an organization not adapted to addressing contemporary security challenges in the Euro-Atlantic area. The notion of "non-adaptation" in this case refers to a broad spectrum of issues related to the organization's efficiency, not limited solely to its effectiveness or efficacy. This broader interpretation reflects the primary goal of the OSCE as outlined in the preamble to the Helsinki Final Act of 1975. Thus, in operationalizing the variable related to the OSCE's inefficiency, the following aspects must be considered:

1. Comparison of Tasks and Challenges: the nature of the tasks assigned to the OSCE in the Paris Charter for a New Europe and the Corfu Process should be compared to the challenges posed by the dynamically evolving international events in the Euro-Atlantic area.
2. Analysis of State Behavior: the behavior of individual OSCE participating States must be analyzed with respect to the rules of conduct agreed upon in the organization's foundational documents.
3. Divergences Among States: finally, differences among OSCE participating States regarding the legitimacy of using specific instruments within the military and human dimensions must be examined.

## The OSCE Chairperson-in-Office – Ambitious Political Leadership or Impartial Administrator? What Kind of Leadership Does the OSCE Need Today?

Before 2022, the last time Poland held the OSCE Chairmanship was in 1998. At that time, European states operated under different political conditions and at a distinct stage in the development of the Euro-Atlantic security system. These circumstances naturally generated entirely different challenges for the organization itself. The late 1990s were marked by international efforts to stabilize and democratize newly established states in the Western Balkans and attempts to achieve a peaceful resolution to the escalating conflicts between Belgrade and Pristina. High on the agenda were also issues such as human rights compliance, fair election observation in former Soviet republics, particularly in Belarus, and maintaining peace in Chechnya. At the beginning of 2022, observing how Poland's diplomacy managed the international environment while directing the work of the OSCE was already a sufficient reason to address this topic. On February 24, 2022, with the start of Russia's full-scale invasion of Ukraine, it became clear that this year would also be a watershed moment for the future of the OSCE.

The topic of the OSCE Chairmanship is not a frequent subject of political science research. Among the notable works, one must mention Victor-Yves Ghebali's 2002 article, *Is the OSCE Chairmanship still a relevant institution?*<sup>11</sup>, and Walter Kemp's 2009 article, *The OSCE Chairmanship: Captain or Figurehead?*<sup>12</sup> In addition to attempting to answer the questions posed in their titles, both authors sought to illustrate how the institution of the Chairperson-in-Office operated in practice. However, these were not in-depth analyses. More comprehensive studies could be found in the OSCE Yearbook, published from 1995 to 2019 by the Institute for Peace Research and Security Policy at the University of Hamburg<sup>13</sup>. The Yearbook provided detailed discussions of the programs and proceedings of successive Chairmanships<sup>14</sup>. Similar studies were published in the journal Helsinki Monitor (now Security and Human Rights), which

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<sup>11</sup> V.-Y. Ghebali, *Is the OSCE Chairmanship Still a Relevant Institution?*, "Helsinki Monitor" 2002, vol. 13, issue 3, pp. 201–203.

<sup>12</sup> W. Kemp, *The OSCE Chairmanship: Captain or Figurehead?*, "Security and Human Rights" 2009, vol. 20, issue 1, pp. 9–12.

<sup>13</sup> OSCE Yearbook, Institute for Peace Research and Security Policy at the University of Hamburg, at <https://ifsh.de/en/publications/osce-yearbook> (accessed: 4 October 2024).

<sup>14</sup> E.g. K.P. Tudyka, *The Greek OSCE Chairmanship 2009*, "OSCE Yearbook 2010" 2011, pp. 327–338; M. Laumulin, *Kazakhstan's OSCE Chairmanship: History and Challenges*, "OSCE Yearbook 2010" 2011, pp. 317–326; F. Raunig, J. Peer, *Chairing the OSCE: Conditions – Challenges – Conclusions: The Experience of the 2017 Austrian OSCE Chairmanship*, "OSCE Yearbook 2018",

focuses on topics related to the OSCE's activities<sup>15</sup>. Analyses of the course of individual states' Chairmanships were less frequently featured in academic journals dedicated to international relations<sup>16</sup>. Likewise, advanced academic or expert studies evaluating the effectiveness of the Chairperson-in-Office's actions were rarely encountered. Therefore, attention should be drawn to Switzerland's initiative to undergo a self-assessment of its activities in the human dimension during its Chairmanship in 2014<sup>17</sup>. A year later, Serbia undertook a similar evaluation, although in this case, it was not conducted by experts, as in Switzerland's example, but by a coalition of civil society organizations<sup>18</sup>.

Poland's OSCE Chairmanship in 2022 did not attract significant attention from the academic and expert communities within the country. At the beginning of that year, a few expert centers noted this fact, attempting to assess how political conditions in the region might enable Polish diplomacy to leverage the opportunity to enhance the country's position on the international stage<sup>19</sup>. Toward the end of 2022, a team from the Polish Research Center at the Jagiellonian University, including the authors of this book, published a report titled *Assessment of Poland's Chairmanship in the Organization for Security and Co-operation in Europe 2022*. This expert analysis was

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pp. 67–78; I. Gyarmati, *The Hungarian Chairmanship and the Chechnya Conflict*, "OSCE Yearbook 1995/1996" 1995/1996, 1997, no. 1/2, pp. 175–184.

<sup>15</sup> E.g. J. Stefan-Bastl, *Austria's OSCE Chairmanship: A Lame Duck from Its Beginning?*, "Helsinki Monitor" 2000, vol. 11, issue 4, p. 6; A. Kobieracki, *The Role and Functioning of the OSCE Chairmanship – The Polish Perspective*, "Helsinki Monitor" 1999, vol. 10, issue 4, pp. 17–26.

<sup>16</sup> D.Ó. Beacháin, *Ireland's Chairmanship of the OSCE – A Mid-Term Review*, "Irish Studies in International Affairs" 2012, vol. 23, pp. 89–109.

<sup>17</sup> *Self-Evaluation OSCE Chairmanship*, Federal Department of Foreign Affairs, OSCE Chairmanship Task Force, Bern, November 2014, [https://www.eda.admin.ch/dam/eda/en/documents/aktuell/news/Self-Evaluation-OSCE-Chairmanship-November-2014-final\\_EN.pdf](https://www.eda.admin.ch/dam/eda/en/documents/aktuell/news/Self-Evaluation-OSCE-Chairmanship-November-2014-final_EN.pdf) (accessed: 4 October 2024); R. Locher, L. Heim, K. Buchmann, A. Wiecken, B. Schnegg, *Self-Evaluation OSCE Chairmanship*, Bern, 24 October 2014, [https://skmr.ch/assets/publications/141204\\_Self-Evaluation\\_OSCE\\_Chairmanship\\_Updated\\_Version\\_compressed.pdf](https://skmr.ch/assets/publications/141204_Self-Evaluation_OSCE_Chairmanship_Updated_Version_compressed.pdf) (accessed: 4 October 2024).

<sup>18</sup> *Self-Evaluation Serbian OSCE Chairmanship: CSO Feedback*, CSO Coalition for the Monitoring of Serbia's OSCE Chairmanship, Belgrade, September 2015, <https://www.helsinki.org.rs/doc/Self-evaluation%20report.pdf> (accessed: 4 October 2024).

<sup>19</sup> Ł. Kulesa, *Poland Takes Chairmanship of the OSCE*, PISM, no. 4, 14 January 2022, at <https://www.pism.pl/publications/poland-takes-chairmanship-of-the-osce> (accessed: 4 October 2024); D. Szacawa, *OSCE on the Eve of the Polish Chairmanship: Difficult Cooperation in an (In)security Environment*, "Instytut Europy Środkowej Commentaries" 2022, no. 490(2), at <https://ies.lublin.pl/en/comments/osce-on-the-eve-of-the-polish-chairmanship-difficult-cooperation-in-an-insecurity-environment/> (accessed: 4 October 2024); A. Olech, *Poland's Chairmanship in OSCE – A Year of Opportunities and Power Probing*, Institute of New Europe, 7 January 2022, at <https://ine.org.pl/en/polands-chairmanship-in-osce-a-year-of-opportunities-and-power-probing/> (accessed: 4 October 2024).

the outcome of a project titled “Poland’s Regional Position in Times of Global Tensions and Rivalry – Challenges for Euro-Atlantic Security<sup>20</sup>”. The current publication is an academic study that delves more deeply into the themes addressed in the report. Primarily, through the verification of two hypotheses, it explores the condition of the OSCE in the contemporary world and assesses how Poland managed the consequences of the full-scale war in Ukraine, which carried the risk of paralyzing the OSCE. Additionally, the book provides a comprehensive review of domestic and international literature on the OSCE and the institution of the Chairmanship. Finally, the book’s temporal scope encompasses the entire period of Poland’s Chairmanship, including tasks undertaken by the country in 2021 and 2023.

This book, particularly Chapters Three through Six, aims to fill the analytical and research gap regarding the institution of the OSCE Chairperson-in-Office, as well as, more specifically, Poland’s Chairmanship in this organization in 2022. Therefore, the second part of the book seeks to answer the following research questions: what criteria can be used to evaluate the effectiveness of a country’s OSCE Chairmanship? How has the role and significance of the Chairperson-in-Office evolved within the OSCE structure over the past two decades? How did Poland prepare for its OSCE Chairmanship? What were the objectives of Poland’s OSCE Chairmanship program? Did the program change as a result of Russia’s attack on Ukraine in February 2022? What was Poland able to achieve from the original goals of its Chairmanship program? What actions did Poland undertake to promote peace and security in the Central and Eastern European region?

Answers to the first research question are explored by Michał Dulak in the chapter titled *Methodology for Evaluating Poland’s Chairmanship in the Organization for Security and Co-operation in Europe in 2022*. This chapter attempts to establish objective criteria for evaluating the actions taken by a country chairing the OSCE, which can also be applied to Poland’s case in 2022. Subsequent questions are addressed by Michał Dulak and Eugeniusz Portny in the chapter *Chairmanship in the Organization for Security and Co-operation in Europe – Institutional and Historical Contexts*. This chapter discusses the changes in the Chairmanship institution within the context of the institutionalization of the CSCE/OSCE and outlines the formal competencies of the Chairperson-in-Office. Additionally, the authors examine Poland’s experience from its previous Chairmanship in 1998 and the government’s administrative preparations for the 2022 Chairmanship.

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<sup>20</sup> *Regionalna pozycja Polski w czasach globalnych napięć i rywalizacji – wyzwania dla bezpieczeństwa euroatlantyckiego* [Poland’s Regional Position in Times of Global Tensions and Rivalries – Challenges to Euro-Atlantic Security], at [www.obwe.pl](http://www.obwe.pl) (accessed: 31 October 2024).

In the following chapter, titled *Program and Objectives of Poland's Chairmanship in the Organization for Security and Co-operation in Europe in 2022*, Wiktor Kęsy and Eugeniusz Portny analyze the Chairmanship program across all three dimensions of the OSCE's activities. They use the evaluation criteria outlined in the book's methodological section to assess the program. In the final chapter, *The Course of Poland's Chairmanship in the Organization for Security and Co-operation in Europe – Program Implementation*, Eugeniusz Portny and Wiktor Kęsy provide an extensive discussion of the actions undertaken by Polish diplomacy between January and December 2022. They also evaluate the achievements of the Chairmanship, taking into account the context of the war in Ukraine.

The research utilized secondary data analysis as well as data obtained from interviews with diplomats and staff from Poland's Ministry of Foreign Affairs and the Permanent Mission of the Republic of Poland to the OSCE, responsible for implementing the Chairmanship's activities in the three dimensions: politico-military, human, and economic-environmental. A total of 12 interviews were conducted: four at the Permanent Mission in Vienna (14<sup>th</sup> September 2022) and eight at the Ministry of Foreign Affairs in Warsaw (19<sup>th</sup> September 2022).

The analysis conducted in the subsequent chapters of the second part of this book will allow for the verification of the following hypothesis (H2): during its OSCE Chairmanship, Poland actively utilized the mechanisms and institutions of the organization to increase international pressure on Russia and counteract the escalation of the conflict with Ukraine. Poland serves as a political reference point both for Ukraine's European aspirations and for the Baltic States, Slovakia, and the Czech Republic in their joint efforts to enhance security on NATO's eastern flank. Considering these circumstances, as well as the rising tensions on the Russian-Ukrainian border even before Poland officially assumed the Chairmanship in 2022, it can be assumed that Poland sought to actively leverage the institutional tools provided by regional security organizations, particularly the OSCE. To operationalize what is meant by "active utilization of OSCE mechanisms and institutions," it is necessary to consider the organization's unique characteristics. As a security organization stretching "from Vancouver to Vladivostok," with both Ukraine and Russia as members, the OSCE has often been paralyzed by state particularisms. In this context, the active use of OSCE mechanisms and institutions manifests in two key areas:

1. Adherence to the principle of legality: this involves acting in compliance with the organization's norms and the statutory regulations of its bodies to counter Russia's aggressive actions and prevent their legitimization through the OSCE.

2. Maintaining organizational cohesion: this entails convincing OSCE members of the necessity of a decisive and principled response to Russia's violations of OSCE principles and international law norms.

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# Part I



## Chapter I. The Relevance of the Organization for Security and Cooperation in Europe to Euro-Atlantic Security in the 21<sup>st</sup> Century

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.

### 1.1. 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>21</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 develop-

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<sup>21</sup> R. Zięba, *Główne kierunki polityki zagranicznej Polski po zimnej wojnie*, [*The Main Directions of Poland's Foreign Policy after the Cold War*], Warszawa 2010, pp. 80–81.

ment 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>22</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>23</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.

Generally, among the institutions within the OSCE today a number of decision-making structures 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>24</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

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<sup>22</sup> *Charter of Paris for a New Europe*, pp. 1–29, at <https://www.osce.org/files/f/documents/0/6/39516.pdf> (accessed: 12 October 2024).

<sup>23</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.

<sup>24</sup> Information in this section of the article is given after the official OSCE website: <https://www.osce.org> (accessed: 12 October 2024).

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 Chairperson. 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 Treaty on Conventional Armed Forces, the Open Skies Consultative Commission and the Court of Conciliation and Arbitration.

The organisational structure outlined above is a key 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, 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 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 viable options. In the first one, the state concerned voluntarily requests the establishment of a mission of up to three experts to conduct 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 as regards 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 as regards 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 Ministerial Council. 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 activate the mechanism. The second mechanism is the **mechanism of early warning and preventive actions** established in 1992 at the Helsinki Conference. It provides for the possibility to inform the Permanent Council (originally the Committee of Senior Officials) 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. In 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 **Convention on Conciliation and Arbitration within the CSCE** 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 Court of Conciliation and Arbitration, 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.<sup>25</sup> The Stockholm Convention establishing the Court has so far been ratified by 34 OSCE participating countries. Russia is not among them, which in the context of the ongoing conflict in Ukraine means that it cannot be submitted for resolution by this institution. What is more, some countries, including the USA, have not signed the document at all.<sup>26</sup> It is noted that “(...) the Court stands idle. Not a single case has been brought to its cognizance, neither for conciliation nor for arbitration”<sup>27</sup>

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 cooperation 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

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<sup>25</sup> *Convention on Conciliation and Arbitration within the OSCE Adopted by the CSCE Council at Stockholm, on 15 December 1992*, OSCE, at <https://www.osce.org/court-of-conciliation-and-arbitration/111409> (accessed: 7 November 2024).

<sup>26</sup> *List Showing Signatures and Ratifications or Accessions with Respect to the Convention on Conciliation and Arbitration within the OSCE*, January 2020, at [https://www.osce.org/files/f/documents/8/2/40119\\_2.pdf](https://www.osce.org/files/f/documents/8/2/40119_2.pdf) (accessed: 7 November 2024).

<sup>27</sup> Ch. Tomuschat, R. Pisillo Mazzeschi, D. Thürer, *Introduction*, [in:] *Conciliation in International Law: The OSCE Court of Conciliation and Arbitration*, C. Tomuschat, R.P. Mazzeschi, D. Thürer (eds), Leiden 2016, p. 2.

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>28</sup>

## 1.2. 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

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<sup>28</sup> *Istanbul Document 1999*, at <https://www.osce.org/files/f/documents/6/5/39569.pdf> (accessed: 12 October 2024).

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 fragmentation 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>29</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.

### **1.3. 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>30</sup> in which reference was

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<sup>29</sup> *Restoring Trust: The Corfu Process*, OSCE, at <https://www.osce.org/mc/87193> (accessed: 12 October 2024).

<sup>30</sup> *Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation Signed in Paris, France*, NATO 27 May 1997, at [https://www.nato.int/cps/en/natolive/official\\_texts\\_25468.htm](https://www.nato.int/cps/en/natolive/official_texts_25468.htm) (accessed: 12 October 2024).

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 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 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>31</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>32</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

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<sup>31</sup> L. Simonet, V. Tuomala, *Jak OBWE pomaga ograniczyć ryzykowne incydenty wojskowe?*, NATO, at <https://www.nato.int/docu/review/pl/articles/2016/11/02/jak-obwe-pomaga-ograniczyc-ryzykowne-incydenty-wojskowe/index.html> (accessed: 12 October 2024).

<sup>32</sup> *Treaty on European Union (Consolidated Version 2016)*, "Official Journal of the European Union", no. C 202, 7 June 2016, pp. 28–29.

maintaining them.<sup>33</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 a multi-faceted analysis of the strengths and weaknesses of the organisation was presented and directions for potential changes were identified<sup>34</sup>. 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 major areas of cooperation. And regarding the human dimension, the importance of free elections and other democratic processes and procedures was emphasised. In 2010 the European Parliament 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>35</sup>

#### 1.4. 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 guarantees 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 possibilities, 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.

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<sup>33</sup> *Treaty on the Functioning of the European Union (Consolidated Version 2016)*, “Official Journal of the European Union”, no. C 202, 7 June 2016, p. 147.

<sup>34</sup> *Strengthening the OSCE: A Role for the EU – European Parliament Resolution of 11 November 2010 on Strengthening the OSCE – A Role of the EU*, P7\_TA(2010)0399, “Official Journal of the European Union”, no. 74 E, 13 March 2012, pp. 12–19.

<sup>35</sup> *Ibidem*, p. 8.

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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## Chapter II. The Organisation for Security and Cooperation in Europe and the Russian-Ukrainian Conflict after 2014

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 gave 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>36</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 of the mechanisms and procedures

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<sup>36</sup> *Conference on Security and Co-Operation in Europe: Final Act, Helsinki 1975*, OSCE, at <https://www.osce.org/files/f/documents/5/c/39501.pdf> (accessed: 5 October 2024), pp. 3–8.

developed over 48 years first under the Conference on Security and Cooperation in Europe (CSCE) and later on under the OSCE. Therefore, the aim of this chapter 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 war. 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.

## **2.1. (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>37</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>38</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 organisers, 96.8% of voters at a turnout of 83.1% were in favour of incorporating it into the Russian Federation

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<sup>37</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.

<sup>38</sup> See further in *OSCE Project Co-Ordinator in Ukraine (Closed)*, OSCE, at <https://www.osce.org/project-coordinator-in-ukraine-closed> (accessed: 5 October 2024); *OSCE Response to the Crisis in and around Ukraine*, OSCE, at <https://www.osce.org/files/f/documents/a/3/125575.pdf> (accessed: 5 October 2024), pp. 1–8.

as a federal entity<sup>39</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>40</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>41</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>42</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 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>43</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>44</sup>.

<sup>39</sup> T.A. Olszański, A. Sarna, A. Wierzbowska-Miazga, *Konsekwencje aneksji Krymu [Consequences of the Annexation of Crimea]*, OSW, 19 March 2014, at <https://www.osw.waw.pl/pl/publikacje/analizy/2014-03-19/konsekwencje-aneksji-krymu> (accessed: 5 October 2024).

<sup>40</sup> *OSCE Chair Says Crimean Referendum in Its Current Form Is Illegal and Calls for Alternative Ways to Address the Crimean Issue*, OSCE, 11 March 2014, at <https://www.osce.org/cio/116313> (accessed: 5 October 2024).

<sup>41</sup> *Подписаны законы о принятии Крыма и Севастополя в состав России [Laws on the Accession of Crimea and Sevastopol to Russia Have Been Signed]*, at <http://kremlin.ru/events/president/news/20625> (accessed: 5 October 2024).

<sup>42</sup> M. Natanek, *Działalność misji specjalnej OBWE na Ukrainie – sukces, porażka czy impuls do reform? [Activities of the OSCE Special Mission to Ukraine – Success, Failure or Impetus for Reform?]*, "Polityka i Społeczeństwo" 2019, no. 4(17), p. 155.

<sup>43</sup> Комментарий официального представителя МИД России А.К. Лукашевича в связи с „озабоченностью” властей Украины в отношении российской военной деятельности „на территории Украины” [*Commentary by the Official Representative of the Russian MFA A.K. Lukashovich in Connection with the “Concern” of the Ukrainian Authorities Regarding Russian Military Activity “On the Territory of Ukraine”*], at <https://rus.rusemb.org.uk/fnapr/3149> (accessed: 5 October 2024).

<sup>44</sup> M. Natanek, *Działalność misji specjalnej...*, pp. 156–157. See further on these mechanisms: *OSCE Mechanisms & Procedures: Summary/Compendium*, OSCE, at <https://www.osce.org/files/f/documents/e/e/34427.pdf> (accessed: 5 October 2024), pp. 16–32, 55–170.

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>45</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>46</sup>) to assess the situation. In addition, a roadmap to de-escalate the conflict was drawn up in early May 2014<sup>47</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>48</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 representative, 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>49</sup>.

In March 2014 Ukraine invoked the confidence and security-building measures in Europe envisaged in the 2011 Vienna Document (Chapter III)<sup>50</sup> asking OSCE Participating States and Partners and the OSCE Conflict Prevention Centre to send their representatives to the territory of Ukraine from 5<sup>th</sup> to 12<sup>th</sup> March under the mecha-

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<sup>45</sup> Угода про врегулювання кризи в Україні [*Agreement on the Settlement of the Crisis in Ukraine*], at <https://www.pravda.com.ua/articles/2014/02/21/7015533/> (accessed: 5 October 2024).

<sup>46</sup> *Personal Envoy Guldemann Says Situation in Crimea Calm but Very Tense*, OSCE, 6 March 2014, at <https://www.osce.org/cio/116181> (accessed: 5 October 2024).

<sup>47</sup> M. Natanek, *Działalność misji specjalnej...*, p. 157; *OSCE Response to the Crisis in and around Ukraine...*, p. 1.

<sup>48</sup> *Swiss Chairperson-in-Office Receives Positive Responses to OSCE Roadmap, Says Implementation Is Well Underway*, OSCE, 12 May 2014, at <https://www.osce.org/cio/118479> (accessed: 5 October 2024).

<sup>49</sup> *Ibidem*; M. Natanek, *Działalność misji specjalnej...*, p. 157; *OSCE Response to the Crisis in and around Ukraine...*, p. 1.

<sup>50</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 as regards unusual military activities; (2) cooperation as regards hazardous incidents of a military nature; (3) voluntary hosting of visits to dispel concerns about military activities. Cf. Z. Lachowski, *Kryzys reżimu zaufania i bezpieczeństwa w kontekście konfliktu na Ukrainie* [*Crisis of the Confidence and Security Regime in the Context of the Conflict in Ukraine*], “Bezpieczeństwo Narodowe” 2014, no. 3, pp. 58–60, 69.

nism 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, 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 Mechanism for consultation and cooperation as regards unusual military activities. Similar requests were also made by Moscow to Kiev. Based on them, three joint meetings of the Forum for Security Co-operation and the OSCE Permanent Council were convened on 7<sup>th</sup>, 17<sup>th</sup> and 30<sup>th</sup> April 2014<sup>51</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>52</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

<sup>51</sup> OSCE *Response to the Crisis in and Around Ukraine...*, pp. 7–8.

<sup>52</sup> Z. Lachowski, *Kryzys reżimu...*, pp. 69–70.

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>53</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>54</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>55</sup> as Representative of the OSCE to the Trilateral Contact Group which also

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<sup>53</sup> O. Tkachuk, *Specjalna misja monitorująca OBWE na Ukrainie – cele i problemy w ich realizacji* [OSCE Special Monitoring Mission in Ukraine – Objectives and Problems in Their Implementation], “Zeszyty Naukowe Towarzystwa Doktorantów UJ” 2017, no. 18(3), pp. 114–121; M. Natanek, *Działalność misji specjalnej...*, 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>54</sup> O. Tkachuk, *Specjalna misja monitorująca ...*, pp. 121–122.

<sup>55</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 Trilateral 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*, Kyiv Post, 22 June 2015, at <https://www.kyivpost.com/article/content/war-against-ukraine/sajdik-appointed-osce-special-representative-on-ukraine-391734.html> (accessed: 5 October 2024); *OSCE Chair Lajčák Appoints Heidi Grau as Special Representative of the OSCE Chairperson-in-Office in Ukraine and*

included delegates from Ukraine (Leonid Kuchma) and Russia (Mikhail Zurabov)<sup>56</sup>. During its meeting in Minsk on 5<sup>th</sup> September 2014 a ceasefire agreement was adopted. Apart from the participants of this group, representatives of the separatist republics (Aleksandr Zakharchenko and Igor Plotnitsky) put their signatures to the agreement<sup>57</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>58</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>59</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

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*in the Trilateral Contact Group*, OSCE, 5 December 2019, at <https://www.osce.org/chairmanship/441233> (accessed: 5 October 2024); *OSCE Chairperson Linde Appoints Mikko Kinnunen as Special Representative of the OSCE Chairperson-in-Office in Ukraine and in the Trilateral Contact Group*, OSCE, 19 July 2021, at <https://www.osce.org/chairmanship/493345> (accessed: 5 October 2024).

<sup>56</sup> M. Natanek, *Działalność misji specjalnej...*, p. 157.

<sup>57</sup> Протокол по итогам консультаций Трехсторонней контактной группы относительно совместных шагов, направленных на имплементацию Мирного плана Президента Украины П. Порошенко и инициатив Президента России В. Путина [*Protocol on the Results of Consultations of the Trilateral Contact Group on Joint Steps Aimed at Implementing the Peace Plan of Ukrainian President Petro Poroshenko and the Initiatives of Russian President Vladimir Putin*], at <https://www.osce.org/files/f/documents/a/a/123258.pdf> (accessed: 5 October 2024), pp. 1–2.

<sup>58</sup> Меморандум об исполнении положений Протокола по итогам консультаций Трехсторонней контактной группы относительно совместных шагов, направленных на имплементацию Мирного плана Президента Украины П. Порошенко и инициатив Президента России В. Путина [*Memorandum on the Implementation of the Provisions of the Protocol on the Results of Consultations of the Trilateral Contact Group on Joint Steps Aimed at Implementing the Peace Plan of Ukrainian President Petro Poroshenko and the Initiatives of Russian President Vladimir Putin*], at <https://www.osce.org/files/f/documents/a/1/123807.pdf> (accessed: 5 October 2024), pp. 1–2.

<sup>59</sup> Комплекс мер по выполнению Минских соглашений [*Package of Measures for the Implementation of the Minsk Agreements*], at <https://www.osce.org/files/f/documents/5/b/140221.pdf> (accessed: 5 October 2024), pp. 1–4.

Contact Group and two representatives of the separatist republics<sup>60</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>61</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>62</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>63</sup>.

## 2.2. 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 have been voices that it was another frozen conflict or a low-intensity conflict in the post-Soviet space, used by Russia to pursue

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<sup>60</sup> A. Gladii, *Konflikt zbrojny w Donbasie w latach 2014/2015 – rozłam wewnętrzny czy ukraińsko-rosyjska wojna? Scenariusze dalszego rozwoju konfliktu* [Armed Conflict in Donbas in 2014/2015 – Internal Rift or Ukrainian-Russian War? Scenarios for Further Development of the Conflict], "Przegląd Strategiczny" 2017, no. 10, pp. 108–109.

<sup>61</sup> S. Kardaś, W. Konończuk, *Mińsk 2 – kruchy rozejm zamiast trwałego pokoju* [Minsk 2 – A Fragile Truce Instead of a Lasting Peace], OSW, 12 February 2015, at <https://www.osw.waw.pl/pl/publikacje/analizy/2015-02-12/minsk-2-kruchy-rozejm-zamiast-trwalego-pokoju> (accessed: 5 October 2024).

<sup>62</sup> K. Spyrydonowa, *OBWE a Ukraina. Sprawdzian stabilności ogólnoeuropejskiego systemu bezpieczeństwa* [OSCE and Ukraine: A Test of the Stability of the Pan-European Security System], "Politeja" 2015, no. 2(34/1), p. 264.

<sup>63</sup> M. Natanek, *Działalność misji specjalnej...*, p. 164.

its own political interests<sup>64</sup>. Furthermore, 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>65</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>66</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>67</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>68</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 conference of the OSCE states (including the Russian Federation) to discuss the Russian military deployment and build-up along the border with Ukraine

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<sup>64</sup> K. Nieczytor, *Gra pozorów. Impas w sprawie wojny w Donbasie* [*Game of Appearances: Impasse on the War in Donbas*], OSW, 23 December 2020, at <https://www.osw.waw.pl/pl/publikacje/komentarze-osw/2020-12-23/gra-pozorow-impas-w-sprawie-wojny-w-donbasie> (accessed: 5 October 2024).

<sup>65</sup> *Rozejm w Donbasie działa? Mniej żołnierzy ginie* [*Is the Truce in Donbas Working? Fewer Soldiers Are Being Killed*], Defence24, 27 July 2021, at <https://defence24.pl/geopolityka/rozejm-w-donbasie-dziala-mniej-zolnierzy-ginie> (accessed: 5 October 2024).

<sup>66</sup> R. Pickrell (ed. A. Hugues), *Zdjęcia satelitarne rosyjskich wojsk gromadzących się przy granicy z Ukrainą* [*Satellite Images of Russian Troops Gathering Near the Border with Ukraine*], Business Insider, 7 December 2021, at <https://businessinsider.com.pl/technologie/nowe-technologie/wojna-rosja-vs-ukraina-zdjecia-satelitarne-pokazujace-koncentracje-wojsk-rosyjskich/81z0lpt> (accessed: 5 October 2024).

<sup>67</sup> *Parliamentary Security Committee Leaders Warn against Escalation in Ukraine Conflict*, OSCE, 7 April 2021, at <https://www.osce.org/parliamentary-assembly/482990> (accessed: 5 October 2024).

<sup>68</sup> *OSCE SMM Chief Monitor Briefs Permanent Council*, OSCE, 8 October 2021, at <https://www.osce.org/special-monitoring-mission-to-ukraine/500434> (accessed: 5 October 2024).

and in Crimea. This took place on 15<sup>th</sup> February 2022<sup>69</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>70</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>71</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>72</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>73</sup>. Furthermore, during the full-scale Russian-Ukrainian war, the 'Moscow Mechanism' on the human dimension, developed as part of the CSCE/OBCE process in 1991, was triggered five times<sup>74</sup>. On its basis expert missions were set up and presented five reports, on 13<sup>th</sup> April and 14<sup>th</sup> July 2022 (both entitled 'War Crimes and Crimes against Humanity Committed in Ukraine since 24<sup>th</sup> February 2022'<sup>75</sup>); on 22<sup>nd</sup> September 2022 ('Report on Russia's Legal and

<sup>69</sup> B. Bodalska, *Ukraina pilnie zwołuje spotkanie ws. rosyjskich wojsk na swoich granicach* [Ukraine Urgently Convenes Meeting on Russian Troops on Its Borders], EURACTIV.pl, 14 February 2022, at <https://www.euractiv.pl/section/bezpieczenstwo-i-obrona/news/kuleba-posiedzenie-dokument-wiedenski-obwe-wojsko-granica-rosja-ukraina/> (accessed: 5 October 2024).

<sup>70</sup> *U.S. Statement for the Meeting Under Vienna Document Chapter III 16.2*, US Mission to the OSCE, 15 February 2022, at <https://osce.usmission.gov/u-s-statement-for-the-meeting-under-vienna-document-chapter-iii-16-2/> (accessed: 5 October 2024).

<sup>71</sup> M. Menkiszak, *Rosja: uznanie niepodległości Donbasu* [Russia: Recognizing Donbas Independence], OSW, 22 February 2022, at <https://www.osw.waw.pl/pl/publikacje/analizy/2022-02-22/rosja-uznanie-niepodleglosci-donbasu> (accessed: 5 October 2024).

<sup>72</sup> A.M. Dyrer, A. Legucka, M. Piechowska, *Rosyjski atak na Ukrainę* [Russian Attack on Ukraine], PISM, no. 12, 24 February 2022, at <https://www.pism.pl/publikacje/rosyjski-atak-na-ukraine> (accessed: 5 October 2024).

<sup>73</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*, OSCE, 21 February 2022, at <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*, OSCE, 24 February 2022, at <https://www.osce.org/parliamentary-assembly/512938> (accessed: 5 October 2024).

<sup>74</sup> P. Grudziński, *KBWE/OBWE wobec problemów pokoju i bezpieczeństwa regionalnego* [CSCE/OSCE towards Problems of Peace and Regional Security], Warszawa 2002, pp. 230–233.

<sup>75</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'*, OSCE, 13 April 2022, at <https://www.osce.org>.

Administrative Practice in Light of its OSCE Human Dimension Commitments<sup>76</sup>); on 20<sup>th</sup> June 2023 ('Report on Violations and Abuses of International Humanitarian and Human Rights Law, War Crimes and Crimes Against Humanity, Related to the Forcible Transfer and/or Deportation of Ukrainian Children to the Russian Federation'<sup>77</sup>); on 25<sup>th</sup> April 2024 ('Report on Violations and Abuses of International Humanitarian and Human Rights Law, War Crimes and Crimes Against Humanity, related to the Arbitrary Deprivation of Liberty of Ukrainian Civilians by the Russian Federation'<sup>78</sup>). 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>79</sup>. The third report stated that, inter alia, that laws are frequently adopted and amended in Russia 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>80</sup>. In the case of the fourth report, the mission concluded that Ukrainian children resettled by Russia in temporarily occupied territories or Russian

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org/files/f/documents/f/a/515868.pdf (accessed: 5 October 2024), pp. 1–94; *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)*, OSCE, 14 July 2022, at <https://www.osce.org/files/f/documents/3/e/522616.pdf> (accessed: 5 October 2024), pp. 1–115.

<sup>76</sup> *Report on Russia's Legal and Administrative Practice in Light of its OSCE Human Dimension Commitments*, OSCE, 22 September 2022, at <https://www.osce.org/files/f/documents/7/5/526720.pdf> (accessed: 5 October 2024), pp. 1–125.

<sup>77</sup> *Report on Violations and Abuses of International Humanitarian and Human Rights Law, War Crimes and Crimes against Humanity, Related to the Forcible Transfer and/or Deportation of Ukrainian Children to the Russian Federation*, OSCE, 4 May 2023, at [https://www.osce.org/files/f/documents/7/7/542751\\_0.pdf](https://www.osce.org/files/f/documents/7/7/542751_0.pdf) (accessed: 5 October 2024), pp. 1–80.

<sup>78</sup> *Report on Violations and Abuses of International Humanitarian and Human Rights Law, War Crimes and Crimes against Humanity, Related to the Arbitrary Deprivation of Liberty of Ukrainian Civilians by the Russian Federation*, OSCE, 25 April 2024, at [https://www.osce.org/files/f/documents/f/4/567367\\_0.pdf](https://www.osce.org/files/f/documents/f/4/567367_0.pdf) (accessed: 5 October 2024), pp. 1–86.

<sup>79</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'*, OSCE, 13 April 2022, at <https://www.osce.org/files/f/documents/f/a/515868.pdf> (accessed: 5 October 2024), pp. 93–94; *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)*, OSCE, 14 July 2022, at <https://www.osce.org/files/f/documents/3/e/522616.pdf> (accessed: 5 October 2024), pp. 114–115.

<sup>80</sup> *Report on Russia's Legal and Administrative Practice in Light of Its OSCE Human Dimension Commitments*, OSCE, 22 September 2022, at <https://www.osce.org/files/f/documents/7/5/526720.pdf> (accessed: 5 October 2024), pp. 1–122.

territory are exposed to a pro-Russian information campaign, which often amounts to targeted re-education and involvement in military training. The Russian Federation does not take any steps to actively promote the return of Ukrainian children. On the contrary, it creates various obstacles for families seeking their return. The mission found violations by Russia of the norms of international humanitarian law, the Fourth Geneva Convention of 1949 and children's rights, depriving them of the right to identity, family, the right to family reunification, among others, and violating their rights to education, access to information, leisure, participation in cultural and artistic life, as well as the right to health and freedom and security<sup>81</sup>. In the conclusions of the fifth report, the expert mission found that a large number of Ukrainian civilians (measured in thousands) had been arbitrarily deprived of their liberty by the Russian Federation since 2014. It added that 'Ukrainian civilians detained by the Russian Federation have been subjected to torture and other cruel, inhuman or degrading treatment or punishment, sexual violence and other forms of serious mistreatment. They have endured harsh conditions of detention and have been denied contact with the outside world (...). The Mission has also recorded cases of extrajudicial killings of arbitrarily detained Ukrainian civilians. Other detained civilians have been denied fundamental fair trial guarantees in criminal prosecutions. They have been tried under the legislation which should not apply to them in the first place and their procedural rights and the right to defence and legal assistance have not been respected'<sup>82</sup>. The Mission also noted that the practice of arbitrary deprivation of liberty of Ukrainian civilians was of a mass nature and bore hallmarks of systematic and deliberate action directed against the civilian population of Ukraine. In its conclusions, the Mission stated that there were reasonable grounds to believe that both the war crime of 'unlawful confinement' and 'imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law' were committed by individuals involved in the arbitrary deprivation of liberty of Ukrainian civilians, including soldiers of the armed forces of the Russian Federation or representatives of the occupying authorities.<sup>83</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 five cases were also Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Mongolia, Tajikistan, Turkmenistan and Uzbekistan. In addition, there was

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<sup>81</sup> *Report on Violations and Abuses of International Humanitarian and Human Rights Law, War Crimes and Crimes against Humanity, Related to the Forcible Transfer...*, pp. 1–3.

<sup>82</sup> *Report on Violations and Abuses of International Humanitarian and Human Rights Law, War Crimes and Crimes against Humanity, Related to the Arbitrary Deprivation...*, pp. 1–4.

<sup>83</sup> *Ibidem*.

a lack of support from Hungary and Serbia, among others, for launching a mission to assess Russia's legal and administrative condition<sup>84</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>85</sup>.

In order to address the most pressing challenges facing the people of Ukraine as a result of the war, as well as to support the long-term stability of its social and democratic institutions and civil society, the OSCE Secretariat's Extra-Budgetary Support Programme for Ukraine was launched on 1 November 2022. It consists of projects that cover a fairly wide range of topics. Some aim to address immediate security needs, such as humanitarian demining, countering chemical threats, monitoring the negative impact of the war on the environment, and protecting displaced persons from the risks of human trafficking. Others, on the other hand, focus on investing in the country's long-term stability, i.e. strengthening tools for protecting human rights, supporting

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<sup>84</sup> Ibidem, p. 4; *Report on Violations and Abuses of International Humanitarian and Human Rights Law, War Crimes and Crimes against Humanity, Related to the Forcible Transfer...*, p. 3; *Report on Russia's Legal and Administrative Practice in Light of Its OSCE Human Dimension Commitments...*, 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'...*, p. 1; *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)'...*, p. 4.

<sup>85</sup> *Birmingham Declaration and Resolutions Adopted by the OSCE Parliamentary Assembly at the Twenty-Ninth Annual Session, Birmingham, 26 July 2022*, at <https://www.oscepa.org/en/documents/annual-sessions/2022-birmingham/4409-birmingham-declaration-eng/file> (accessed: 6 October 2024), pp. 22–27.

reforms in the judiciary, constitutional justice, media freedom, as well as civil society and youth participation in post-war reconstruction, and developing a psychological support system for war victims.<sup>86</sup>

In order to ensure the smooth operation of the above programme, the Special Representative of the OSCE Chairman-in-Office in Ukraine acts as the main contact point for planning, coordinating and supporting the implementation of OSCE projects in the country. Currently, this function is held by Ambassador Marcel Peško. Projects implemented under the programme are financed by contributions from OSCE participating States and partners<sup>87</sup>.

From June 30 to July 4, 2023, during the 30<sup>th</sup> annual session of the OSCE Parliamentary Assembly in Vancouver, Canada, the heads of national delegations established a new ad hoc committee to more effectively coordinate support for Ukraine. In addition, in the final declaration, they stated that ‘the actions of the Wagner Group on behalf of the Russian Government can rightly be characterized as terroristic in nature and intent, and (...) designation of the Wagner Group as a terrorist organization by national authorities is therefore justified’<sup>88</sup>. They also recognized Russia’s responsibility as a sponsor state of this terrorist organization (the declaration noted that the President of the Russian Federation had publicly admitted that the Wagner Group was ‘fully financed’ by the Russian state), as well as the inadmissibility of engaging such entities in interstate relations<sup>89</sup>.

### 2.3. 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

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<sup>86</sup> OSCE Secretariat Extra-Budgetary Support Programme for Ukraine, OSCE, at <https://www.osce.org/osce-secretariat-exb-support-programme-for-ukraine/536728> (accessed: 6 October 2024).

<sup>87</sup> Ibidem; Marcel Peško, LinkedIn, at <https://www.linkedin.com/in/marcel-pe%C5%A1ko-78a797250/?originalSubdomain=sk> (accessed: 6 October 2024).

<sup>88</sup> *Vancouver Declaration and Resolutions Adopted by the OSCE Parliamentary Assembly at the Thirtieth Annual Session*, Vancouver, 30 June–4 July 2023, at <https://www.oscepa.org/en/documents/annual-sessions/2023-vancouver/declaration-29/4744-vancouver-declaration-eng/file> (accessed: 6 October 2024), pp. 31–33.

<sup>89</sup> Ibidem.

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 specific actions, such as the extension of the monitoring mission's mandate in Ukraine) is that it is frequently hindered by Moscow<sup>90</sup> 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 Court of Conciliation and Arbitration 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>91</sup>. Despite the above problems, the OSCE is an important platform for dialogue involving both European countries (including both Ukraine and Russia) and the USA and Canada. This enables discussions on threats and challenges to security and ways to address them. Nevertheless, the OSCE still has not developed a mechanism for cooperation with Moscow, as some members of the organization have taken a rather open stance, inviting the Russian delegation to the meetings of its bodies (e.g. Austria – despite the objection of the Ukrainian side – has issued over 60 visas to representatives of Russia, including parliamentarians subject to European Union sanctions, thus allowing them to attend the OSCE Parliamentary Assembly during the winter session in Vienna on 23-24 February 2023<sup>92</sup>), while the other members have adopted an isolationist approach, refusing to issue visas to delegations from Russia (including Poland, the United Kingdom and Romania). In response to these actions,

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<sup>90</sup> Cf. S. Kolarz, *Kohabitacja z agresorem – Rosja w OBWE [Cohabitation with the Aggressor – Russia in the OSCE]*, PISM, no. 185, 15 December 2023, at <https://www.pism.pl/publikacje/kohabitacja-z-agresorem-rosja-w-obwe> (accessed: 6 October 2024).

<sup>91</sup> *Court of Conciliation and Arbitration*, OSCE, at <https://www.osce.org/files/f/documents/e/9/459919.pdf> (accessed: 6 October 2024), p. 2.

<sup>92</sup> *Ukraina zbojkotuje obrady OBWE w Wiedniu. Wylicza zaproszonych zbrodniarzy wojennych [Ukraine Will Boycott the OSCE Session in Vienna. Enumerates Invited War Criminals]*, Business Insider, 19 February 2023, at <https://businessinsider.com.pl/wiadomosci/zbrodniarze-wojenni-z-rosji-zaproszenie-na-obrady-obwe-ukraina-bojkotuje/s4lmndv> (accessed: 6 October 2024).

in July 2024, the Federal Assembly of the Russian Federation voted to suspend the participation of the Russian delegation in the OSCE Parliamentary Assembly<sup>93</sup>.

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>93</sup> *Foreign Ministry Spokeswoman Maria Zakharova's Comment on the Russian Federal Assembly's Decision to Suspend OSCE Parliamentary Assembly Participation*, The Ministry of Foreign Affairs of the Russian Federation, 4 July 2024, at [https://mid.ru/en/foreign\\_policy/rso/osce/1960863/](https://mid.ru/en/foreign_policy/rso/osce/1960863/) (accessed: 6 October 2024).

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Меморандум об исполнении положений Протокола по итогам консультаций Трехсторонней контактной группы относительно совместных шагов, направленных на имплементацию Мирного плана Президента Украины П. Порошенко и инициатив Президента России В. Путина [*Memorandum on the Implementation of the Provisions of the Protocol on the Results of Consultations of the Trilateral Contact Group on Joint Steps Aimed at Implementing the Peace Plan of Ukrainian President Petro Poroshenko and the Initiatives of Russian President Vladimir Putin*], at <https://www.osce.org/files/f/documents/a/1/123807.pdf>.

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Протокол по итогам консультаций Трехсторонней контактной группы относительно совместных шагов, направленных на имплементацию Мирного плана Президента Украины П. Порошенко и инициатив Президента России В. Путина [*Protocol on the Results of Consultations of the Trilateral Contact Group on Joint Steps Aimed at Implementing the Peace Plan of Ukrainian President Petro Poroshenko and the Initiatives of Russian President Vladimir Putin*], at <https://www.osce.org/files/f/documents/a/a/123258.pdf>.

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## Part II



## Chapter III. Methodology for the Assessment of the Polish Chairmanship of the Organization for Security and Cooperation in Europe in 2022

### **3.1. Conceptualizing and Approaches to the Evaluation of Chairmanship in the OSCE**

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 Final act of the 1<sup>st</sup> CSCE Summit of Heads of State or Government, 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>94</sup> For a comparison, the Council of Europe had a budget of EUR 477m in 2022.<sup>95</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 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>96</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 Chairperson-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.

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<sup>94</sup> *Decision No. 1413. Approval of the 2021 Unified Budget*, OSCE Permanent Council, 18 August 2021, at <https://www.osce.org/files/f/documents/0/1/497680.pdf> (accessed: 12 October 2024).

<sup>95</sup> *Budget*, Council of Europe, at <https://www.coe.int/en/web/about-us/budget> (accessed: 27 November 2024). It should be noted that this site provides up-to-date information, i.e. the budget for current year. Information about the budget of 477 million euros in 2022 can be found today, among other places, on the Council of Europe website, which describes the organization's activities on the territory of the Russian Federation before its suspension on 25 February 2022, cf. *Russian Federation // 47 States, One Europe*, COE, at <https://www.coe.int/en/web/portal/russian-federation> (accessed: 12 October 2024).

<sup>96</sup> S.Z. Theodoulou, Ch. Kofinis, *The Art of the Game: Understanding American Public Policy Making*, Belmont, CA 2004, pp. 193–194.

Taking into account the determinants of the OSCE described in the previous chapters as well as experience in assessing presidencies in other organisations,<sup>97</sup> our opinion is that an assessment of the diplomatic activity of the Polish Chairmanship of the OSCE can be made from four perspectives, i.e. political, expert, social and systemic. The aim of this part of the book is to focus only on the last one.

**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 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>98</sup> In order to gather the necessary information, MPs and senators often use interpellations addressed to the leadership of the Ministry of Foreign Affairs.<sup>99</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.

The main, and in fact the only, moment of political discussion on Poland's chairmanship of the OSCE was the meeting of the Foreign Affairs Committee in the Sejm on 26 January 2023.<sup>100</sup> It was devoted entirely to a summary of 2022 in the OSCE. Importantly, the course and goals of the chairmanship were reported directly by the

<sup>97</sup> K. Szczerski (ed.), *Skuteczność polskiej prezydencji w Unii Europejskiej. Założone cele i ich realizacja* [Effectiveness of the Polish Presidency in the European Union: Established Goals and Their Implementation], Kraków 2012.

<sup>98</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)* [Transcript of the Meeting of the Sejm Foreign Affairs Committee (No. 44)], 19 January 1999, Bulletin No. 1248/III, at <https://orka.sejm.gov.pl/Biuletyn.nsf/0/1A5369B959450939C1256B73003641C9?OpenDocument> (accessed: 12 October 2024).

<sup>99</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* [Response to Interpellation No. 30390 on the Polish Chairmanship of the OSCE], Warsaw, 2 February 2022, at <https://www.sejm.gov.pl/sejm9.nsf/InterpelacjaTresc.xsp?key=CBAJM8> (accessed: 11 October 2024).

<sup>100</sup> *Pełny zapis przebiegu posiedzenia Komisji Spraw Zagranicznych (nr 127) z dnia 26 stycznia 2023 r.*, Kancelaria Sejmu, Biuro Komisji Sejmowych [Full Record of the Foreign Affairs Committee Meeting (No. 127) of 26 January 2023, Chancellery of the Sejm, Office of Sejm Committees], at <https://orka.sejm.gov.pl/zapisy9.nsf/0/4533056696FAD888C125894E004A6AE0/%24File/0347109.pdf> (accessed: 12 October 2024).

Minister of Foreign Affairs Zbigniew Rau. This is a rare situation for a constitutional minister to participate in parliamentary committee meetings, and testifies to the high political significance that the OSCE chairmanship had for Poland.

**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, and to recommend specific actions to decision makers. In Poland, 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 2022 when the Presidency began. These were the Polish Institute of International Affairs,<sup>101</sup> the Institute of New Europe<sup>102</sup> and the Institute of Central Europe.<sup>103</sup> The issues regarding Poland's Chairmanship in the OSCE were not addressed at all by researchers and academia in the country.

An interesting example of good practice is the ex-post evaluation of Switzerland's human dimension initiatives during its presidency in 2014. Representatives of the Swiss Centre of Expertise in Human Rights and the scientific community participated in the first phase of this evaluation.<sup>104</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

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<sup>101</sup> Ł. Kulesa, *Poland Takes Chairmanship of the OSCE*, PISM, no. 4, 14 January 2022, at <https://www.pism.pl/publications/poland-takes-chairmanship-of-the-osce> (accessed: 11 October 2024).

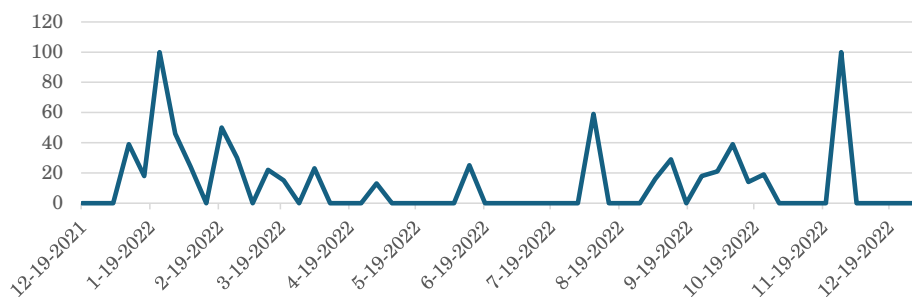
<sup>102</sup> A. Olech, *Poland's Chairmanship in OSCE – A Year of Opportunities and Power Probing*, Institute of New Europe, 5 January 2022, at <https://ine.org.pl/en/polands-chairmanship-in-osce-a-year-of-opportunities-and-power-probing/> (accessed: 22 October 2024).

<sup>103</sup> D. Szacawa, *OSCE on the Eve of the Polish Chairmanship: Difficult Cooperation in an (In)security Environment*, "Instytut Europy Środkowej Commentaries" 2022, no. 490(2), at <https://ies.lublin.pl/en/comments/osce-on-the-eve-of-the-polish-chairmanship-difficult-cooperation-in-an-insecurity-environment/> (accessed: 11 October 2024).

<sup>104</sup> *Self-Evaluation OSCE Chairmanship*, Federal Department of Foreign Affairs, OSCE Chairmanship Task Force, Bern, November 2014, at [https://www.eda.admin.ch/dam/eda/en/documents/aktuell/news/Self-Evaluation-OSCE-Chairmanship-November-2014-final\\_EN.pdf](https://www.eda.admin.ch/dam/eda/en/documents/aktuell/news/Self-Evaluation-OSCE-Chairmanship-November-2014-final_EN.pdf) (accessed: 7 December 2024); R. Locher, L. Heim, K. Buchmann, A. Wiecken, B. Schnegg, *Self-Evaluation OSCE Chairmanship*, Bern, 24 October 2014, at [https://skmr.ch/assets/publications/141204\\_Self-Evaluation\\_OSCE\\_Chairmanship\\_Updated\\_Version\\_compressed.pdf](https://skmr.ch/assets/publications/141204_Self-Evaluation_OSCE_Chairmanship_Updated_Version_compressed.pdf) (accessed: 7 December 2024).

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 between January and December 2022\***



\* Interest is measured on a scale from 100 to 0. A value of 100 indicates the highest popularity of a keyword. A value of 0 indicates that there is insufficient data for the keyword.

Source: Google Trends

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 Łódź, which took place on 1-2 December 2022.

**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 scientific methods. This kind of assessment is based on the assumption that, with knowledge of what the place of the Chairmanship is in the institutional system of the OSCE, we simultaneously observe how a particular state perform its function, using a variety of institutional and diplomatic tools. It is therefore necessary to define detailed yet objective criteria for the systemic evaluation to describe and explain how the OSCE Chairmanship has performed.

They are derived from evaluation methods used in public management. Such well-established criteria in the academic literature and in practice, are relevance, effectiveness, efficiency, utility/impact on beneficiaries and sustainability.<sup>105</sup> However, the last three criteria are not the most reliable when assessing a foreign policy undertaking. These criteria relate respectively to the evaluation of incurred costs (efficiency); the impact on beneficiaries of a specific project and their satisfaction with the effects (utility); the long-term impact of the effects on society (sustainability). For these reasons, the further evaluation of the Polish Chairmanship of the OSCE in 2022 will use the criteria of relevance and effectiveness, because in their application the starting point are the objectives and the manner of their implementation.<sup>106</sup>

## 3.2. 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

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<sup>105</sup> European Commission Directorate-General for Regional and Urban Policy, *Evalved, the Resource for the Evaluation of Socio-Economic Development*, Publications Office, 2008, at <https://data.europa.eu/doi/10.2776/8296> (accessed: 12 October 2024); OECD, *Applying Evaluation Criteria Thoughtfully*, OECD Publishing, Paris 2021, at <https://doi.org/10.1787/543e84ed-en> (accessed: 12 October 2024).

<sup>106</sup> European Commission Directorate-General for Regional and Urban Policy, *Evalved...*, pp. 41-45.

of the programme of Poland's OSCE Chairmanship attempts to answer the following specific questions which also make it possible to define the type of objectives themselves:

- a) whether the objective is general or precise (leaving no room for loose interpretation);
- b) whether the objective is new or has arisen before (e.g. during the presidency of another country, in other foreign policy situations with Polish leadership);
- c) 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 later be used to clarify how accurate the diplomatic efforts were. Therefore, in the later part of the book, where we analyse the content of the programme, we will also determine whether the objectives responded to the real problems and challenges of the organisation and, more broadly, of the Euro-Atlantic area; whether the OSCE has the competence and tools to address a particular problem; and whether the objectives continue the activities undertaken by previous Chairmanships to show the institutional continuity of the OSCE Chairmanship.

### **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 the given objective?**

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 de-

velopments 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 country 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 Chairperson-in-Office, conferences, but also cooperation with other OSCE institutions. The description of the means/methods should also include the resources involved (e.g. personnel resources in the form of special representatives of the Chairperson 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.

**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 effectiveness of 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.

The system evaluation criteria outlined above – i.e. relevance and effectiveness - allow for an ex-post evaluation of the OSCE Chairmanship.

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## Chapter IV. Chairmanship of the Organization for Security and Cooperation in Europe – Institutional and Historical Context

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 49 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.

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.

#### 4.1. 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 Charter of Paris 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>107</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>108</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>109</sup> In the case of the CSCE, as also shown by the provisions of the Charter of Paris 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

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<sup>107</sup> Para I.A.5, *Charter of Paris for a New Europe*, at <https://www.osce.org/files/f/documents/0/6/39516.pdf>, p. 15.

<sup>108</sup> Para I.B.4, *Charter of Paris for a New Europe*, op. cit., p. 16.

<sup>109</sup> *Taking Turns at the Helm: The CSCE/OSCE Chairmanship Through the Years*, “OSCE Magazine” 2009, nr 4, at <https://www.osce.org/files/f/documents/6/4/40322.pdf> (accessed: 3 November 2024), p. 20.

the conflict in Yugoslavia.<sup>110</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, Chairperson-in-Office, first appeared. Firstly, it was stated that he would be responsible, on behalf of the Council and the Committee of Senior Officials, for the co-ordination of and consultation on current CSCE business.<sup>111</sup> Secondly, it would be the Chairperson-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>112</sup> Thirdly, the Chairperson-in-Office would be assisted in the above-mentioned tasks by the preceding and succeeding Chairperson, ad hoc steering groups and personal representatives, if necessary.<sup>113</sup> The Chairmanship was thus equipped with instruments with which it can actively influence the direction of the CSCE.

The Chairperson-in-Office together with the preceding and succeeding Chairperson 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>114</sup> Ad hoc steering groups could be set up by the Council or the Committee of Senior Officials on the recommendation of the Chairperson-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>115</sup> Personal representatives of the Chairperson-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 Chairperson-in-Office was obliged to inform the Committee of Senior Officials of their intention to appoint a personal representative

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<sup>110</sup> Ibidem.

<sup>111</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, at <https://www.osce.org/files/f/documents/7/c/39530.pdf> (accessed: 3 November 2024).

<sup>112</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>113</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>114</sup> Para I.15, *CSCE Helsinki Document 1992: The Challenges of Change*, op. cit.

<sup>115</sup> Para I.16-I.21, *CSCE Helsinki Document 1992: The Challenges of Change*, op. cit.

and of their mandate.<sup>116</sup> The Helsinki decision of the Heads of State or Government also required the Chairperson-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 Chairperson-in-Office, who can appoint his representatives and who is supported by the Troika and the OSCE Secretary-General, was confirmed.<sup>117</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>118</sup> Furthermore, the Chairperson-in-Office was to continue to maintain contacts and active dialogue with the OSCE Parliamentary Assembly informing it of the activities of the CSCE/OSCE. In a situation where the Parliamentary Assembly of the OSCE develops recommendations on a particular issue, the Chairperson-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>119</sup>

## 4.2. Powers of the OSCE Chairperson-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>120</sup> The intention of the foreign ministers of the OSCE participating States was to streamline the methods used by the Chairperson-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. Henceforth, 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

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<sup>116</sup> Para I.22, *CSCE Helsinki Document 1992: The Challenges of Change*, op. cit.

<sup>117</sup> Para I. 19-I.20, *CSCE Budapest Document 1994: Towards a Genuine Partnership in a New Era*, at <https://www.osce.org/files/f/documents/5/1/39554.pdf> (accessed: 3 November 2024), p. 3.

<sup>118</sup> Para I.19, *CSCE Budapest Document 1994: Towards a Genuine Partnership in a New Era*, op. cit.

<sup>119</sup> Para I.24, *CSCE Budapest Document 1994: Towards a Genuine Partnership in a New Era*, op. cit.

<sup>120</sup> *Decision No. 8. Role of the OSCE Chairmanship-in-Office (MC(10).DEC/8)*, Tenth Meeting of the Ministerial Council, Porto, 6–7 December 2002, at <https://www.osce.org/files/f/documents/b/f/40521.pdf> (accessed: 9 November 2024), pp. 48–49.

the Ministerial Council. A 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. This means that it is the responsibility of the foreign minister of the elected state, the so-called Chairperson-in-Office, together with their staff, of whom only the Chairperson 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>121</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>122</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>123</sup> During the discussions at meetings of the Preparatory Committee of the Permanent Council, which is tasked with preparing decisions for the Permanent

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<sup>121</sup> V.Y. Ghebali, *Is the OSCE Chairmanship Still a Relevant Institution?*, "Helsinki Monitor" 2002, Vol. 13, no. 3, pp. 201–203, at <https://heinonline.org/HOL/LandingPage?handle=hein.journals/helsnk13&div=32&id=&page=> (accessed: 9 November 2024).

<sup>122</sup> Para 2, *Decision No. 8. Role of the OSCE Chairmanship-in-Office*, op. cit., p. 48.

<sup>123</sup> Para 2b, *Decision No. 8. Role of the OSCE Chairmanship-in-Office*, op. cit., p. 48.

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, the Ministerial Council and the Permanent Council. If the situation so requires, the Presidency also transmits the said decisions to the institutions and field missions administered by the OSCE Secretariat giving them all the necessary advice and guidance with regard to their activities.<sup>124</sup>

### **Creative function**

The appointment of functionaries to various posts in the OSCE is closely linked to the coordination powers of the Chairmanship. The Chairperson-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>125</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 representative 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>126</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

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<sup>124</sup> Para 3, *Decision No. 8. Role of the OSCE Chairmanship-in-Office*, op. cit., p. 49.

<sup>125</sup> Para 2h, *Decision No. 8. Role of the OSCE Chairmanship-in-Office*, op. cit., p. 49.

<sup>126</sup> *Ibidem*.

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.

### **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 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 representing the OSCE is limited. In accordance with the Porto decisions, the Chairperson-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>127</sup> This raises questions about the essence and significance of the last-named function of the OSCE Chairmanship, i.e. the political leadership function.

### **Political leadership function**

If we agree that the role of the Chairperson-in-Office is more than just the day-to-day administration of the organisation, questions arise as to what characterises 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 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>128</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.

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<sup>127</sup> W. Kemp, *The OSCE Chairmanship: Captain or Figurehead?*, "Security and Human Rights" 2009, Vol. 20, no. 1, p. 9.

<sup>128</sup> Para 2a, *Decision No. 8. Role of the OSCE Chairmanship-in-Office*, op. cit., p. 48.

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 Chairperson-in-Office is ‘the most prominent representative of the OSCE.’<sup>129</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 Chairperson-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>130</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>131</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>132</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 OSCE’s three 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 Chairperson-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

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<sup>129</sup> D. Galbreath, *The Organization for Security and Co-Operation in Europe*, London–New York 2007, p. 49.

<sup>130</sup> Ibidem.

<sup>131</sup> J. Tallberg, *The Power of the Chair: Formal Leadership in International Cooperation*, “International Studies Quarterly” 2010, Vol. 54, no. 1, p. 258.

<sup>132</sup> Ibidem.

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 Chairperson-in-Office.<sup>133</sup> Of course, the Chairperson-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 Chairperson-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, such initiatives as visits to conflict regions, appropriate personnel decisions related to the appointment of personal representatives or special envoys of the Chairperson-in-Office, as well as diplomatic visits to countries involved in conflicts will allow the Foreign Minister performing the function of the Chairperson-in-Office to assume greater political responsibility and thus increase the importance of the office he or she holds in the OSCE.

The political importance of chairing the OSCE is reinforced by the existence of the solution called the Troika within the organisation. 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>134</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 Chairperson-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 Chairperson-in-Office as part of the Troika, bring political coherence and stability to the OSCE.'<sup>135</sup>

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<sup>133</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*, [in:] Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2003, 2004*, pp. 51–59.

<sup>134</sup> Para 3, *Decision No. 8. Role of the OSCE Chairmanship-in-Office*, op. cit., p. 49.

<sup>135</sup> D. Galbreath, op. cit., p. 50.

It seems, however, that the key to explaining what the political leadership exercised by the Chairperson-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 Chairperson-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>136</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>137</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>138</sup> Therefore, in order for the organisation to achieve high efficiency, there must be a division of tasks between the Secretariat and the Chairperson-in-Office.<sup>139</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 Chairperson-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 Chairperson-in-Office.<sup>140</sup> Cooperation also works the other way round. The OSCE Chairperson-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 Chairperson-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>141</sup>

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<sup>136</sup> W. Kemp, *op. cit.*, p. 9.

<sup>137</sup> *Ibidem*, p. 10.

<sup>138</sup> This OSCE institution of the OSCE is 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>139</sup> W. Kemp, *op. cit.*

<sup>140</sup> Para 3, *Decision No. 8. Role of the OSCE Chairmanship-in-Office*, *op. cit.*, p. 49.

<sup>141</sup> *Who We Are – OSCE Secretariat*, at <https://www.osce.org/secretariat/108451> (accessed: 10 November 2024).

On the other hand, examples of cooperation between the two institutions in question that emerged in practice include the use by the Chairperson-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 prepare staff for the term of Presidency.<sup>142</sup> These examples can also be explained by the small size of the countries and thus the limited resources that can be transferred 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.

### 4.3. 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) the Minister of Foreign Affairs Bronisław Geremek, who had served as the Chairman-in-Office of the OSCE a year earlier, discussed Poland's objectives during the concluded 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>143</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 political means. The achievement of the organisation that can be seen as the greatest in this respect was the establishment

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<sup>142</sup> W. Kemp, op. cit., pp. 10–11.

<sup>143</sup> *Posiedzenie Komisji Spraw Zagranicznych pod przewodnictwem posła Czesława Bieleckiego z dnia 19 stycznia 1999 r.*, strona internetowa Sejmu Rzeczypospolitej Polskiej [*Meeting of the Foreign Affairs Committee Chaired by MP Czesław Bielecki on 19 January 1999*, website of the Sejm of the Republic of Poland], at <http://orka.sejm.gov.pl/Biuletyn.nsf/0/1A5369B959450939C1256B73003641C9?OpenDocument> (accessed: 10 November 2024); *OSCE Chairman-in-Office Outlines 1998 Priorities*, OSCE website, at <https://www.osce.org/cio/52581> (accessed: 10 November 2024).

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 Chairperson-in-Office and the Foreign Minister of the Federal Republic of Yugoslavia.<sup>144</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>145</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>146</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 – as was emphasised – 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. 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>147</sup>

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<sup>144</sup> *OSCE Kosovo Verification Mission to Be Established*, OSCE website, at <https://www.osce.org/pc/52642> (accessed: 10 November 2024).

<sup>145</sup> *OSCE Kosovo Verification Mission / OSCE Task Force for Kosovo (Closed)*, OSCE website, at <https://www.osce.org/kvm-closed> (accessed: 10 November 2024).

<sup>146</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*, OSCE website, at <https://www.osce.org/mc/52246> (accessed: 10 November 2024).

<sup>147</sup> *Posiedzenie Komisji Spraw Zagranicznych pod przewodnictwem posła Czesława Bieleckiego z dnia 19 stycznia 1999 r.* [*Meeting of the Foreign Affairs Committee Chaired by MP Czesław Bielecki on 19 January 1999*], op. cit.

#### 4.4. 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>148</sup> The first time was in 1998, i.e. 26 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>149</sup> The decision to do so was made during the Ministerial Council meeting in Bratislava on 5<sup>th</sup> December 2019.<sup>150</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 in Vienna with the task of carrying out on-site preparations and then the work of Chairmanship itself in 2022.<sup>151</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 representatives 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 Chairperson-in-Office is located in the capital of the country concerned, or a model in which the centre is located in Vienna, at the permanent representation

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<sup>148</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 *Former OSCE Chairpersons-in-Office*, OSCE website, at <https://www.osce.org/chairmanship/former-chairpersons-in-office> (accessed: 11 November 2024).

<sup>149</sup> Interview with a Permanent Representative of Poland to the OSCE – Vienna, 14 September 2022.

<sup>150</sup> *Decision No. 1/19. OSCE Chairmanship in the Years 2021 and 2022*, OSCE Ministerial Council, Bratislava, 5 December 2019, at <https://www.osce.org/files/f/documents/f/e/441308.pdf> (accessed: 11 November 2024).

<sup>151</sup> Interview with a Permanent Representative of Poland to the OSCE – Vienna, 14 September 2022.

of the country holding the Presidency.<sup>152</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 Chairperson-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 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, 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>153</sup>*

Poland opted for the second model, not only for pragmatic reasons, but also for financial and personnel reasons.<sup>154</sup>

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<sup>152</sup> Ibidem.

<sup>153</sup> Interview MSZ2 – Warsaw, 19 September 2022.

<sup>154</sup> Ibidem.

## **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, only in some cases involving the chairman personally, i.e. the Minister of Foreign Affairs.*<sup>155</sup>

The second issue that Poland had to address in order to efficiently prepare for and carry out the OSCE 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>156</sup>

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 Chairmanship. In the case of Poland, the seconded experts specialised in conflict areas dealt with by the OSCE (e.g.

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<sup>155</sup> Ibidem.

<sup>156</sup> Ibidem.

Nagorno-Karabakh and Transnistria).<sup>157</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>158</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>159</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; 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 Chairperson-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>160</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

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<sup>157</sup> Interview SPRP2 – Vienna, 14 September 2022; Interview SPRP3 – Vienna, 14 September 2022.

<sup>158</sup> Ibidem.

<sup>159</sup> Ibidem.

<sup>160</sup> Interview with a Permanent Representative of Poland to the OSCE – Vienna, 14 September 2022.

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>161</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>162</sup>

### **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 16<sup>th</sup> 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>163</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;

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<sup>161</sup> Interview SPRP2 – Vienna, 14 September 2022; Interview SPRP3 – Vienna, 14 September 2022.

<sup>162</sup> Interview with a Permanent Representative of Poland to the OSCE – Vienna, 14 September 2022.

<sup>163</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.* [Order No. 27 of the Minister of Foreign Affairs of 16 September 2020 on the Plenipotentiary of the Minister of Foreign Affairs for the Organization of the Presidency of the Republic of Poland of the Organization for Security and Co-Operation in Europe in 2022], Dz. Urz. MSZ z 2020 r. poz. 45.

- 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>164</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>165</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>166</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>167</sup> It provided the basis for establishing the Office for Poland's OSCE Chairmanship 2022 (in Polish: Biuro do spraw organizacji Przewodnictwa Polski w OBWE - 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 Rep-

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<sup>164</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>165</sup> Interview MSZ3 – Warsaw, 19 September 2022.

<sup>166</sup> Interview MSZ2 – Warsaw, 19 September 2022.

<sup>167</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.* [Order No. 11 of the Minister of Foreign Affairs of 20 July 2021 Amending the Order Regarding the Plenipotentiary of the Minister of Foreign Affairs for the Organization of the Polish Presidency of the Organization for Security and Co-Operation in Europe in 2022], Dz. Urz. MSZ z 2021 r. poz. 32.

resentation 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 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>168</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>169</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>170</sup> The BOBWE together with the task force comprised about 20 people.<sup>171</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. 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>172</sup> The cooperation between the BOBWE and the departments was similar in the case of preparing speeches for the Foreign

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<sup>168</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>169</sup> Interview MSZ2 – Warsaw, 19 September 2022.

<sup>170</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>171</sup> Ibidem.

<sup>172</sup> Interview MSZ2 – Warsaw, 19 September 2022.

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>173</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>174</sup>

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<sup>173</sup> Interview MSZ1 – Warsaw, 19 September 2022.

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## Chapter V. Programme and Objectives of the Polish Chairmanship of the Organization for Security and Cooperation in Europe in 2022

### 5.1. Political and Military Dimension

#### **Objective 1. Contribute to the diplomatic efforts of the Normandy Format and the Trilateral Contact Group**

The Russo-Ukrainian conflict has been going on with varying intensity for ten years. The annexation of Crimea took place in March 2014 while hostilities in the Donbass, i.e. Donetsk and Luhansk regions, 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 military exercises in regions bordering Ukraine and in the occupied territories. At that time, there were fears 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 in question was formulated back in 2021, but its particular topicality 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 irregular summits of the leaders of Germany, France, Ukraine and Russia. The last summit meeting took place in Paris in December 2019<sup>175</sup>.
- **Trilateral Contact Group (TCG)** – this group comprises representatives of Ukraine, Russia and the OSCE, specifically the Special Representative of the OSCE Chairperson-in-Office in Ukraine and in 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 mentioned the **Minsk Agreements** of February 2015 which were intended to serve as the legal basis for a peaceful resolution of the conflict in Donbass. However, on 22<sup>nd</sup> February 2022 Russian President Vladimir Putin stated that these agreements had lost their *raison d'être*<sup>176</sup> and the day before Russia had recognised the independence of the self-proclaimed Donbass republics, in clear violation of the Minsk Agreements<sup>177</sup>.

With regard to the presence of the objective described here in the programmes of the previous chairmanships, 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 states holding the chairmanship, i.e. Sweden (2021) and Albania (2020). The Polish Chairmanship therefore decided to continue the efforts of the OSCE in this key area for international security. It is also worth emphasising that supporting

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<sup>175</sup> *OSCE Chair Welcomes Normandy Four Summit as Important Contribution towards the Resolution of the Conflict in Eastern Ukraine*, OSCE, 10 December 2019, at <https://www.osce.org/chairmanship/441811> (accessed: 11 October 2024).

<sup>176</sup> *Vladimir Putin Answered Media Questions*, President of Russia, 22 February 2022, at <http://en.kremlin.ru/events/president/news/67838> (accessed: 12 October 2024).

<sup>177</sup> *Signing of Documents Recognising Donetsk and Lugansk People's Republics*, President of Russia, 21 February 2022, at <http://en.kremlin.ru/events/president/news/67829> (accessed: 12 October 2024).

the territorial integrity and sovereignty of Eastern European countries is part of the broader context of main priorities of Poland's foreign policy.

Helping to prevent and resolve conflicts is one of the basic tasks that fall 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-in-Office and the participating states<sup>178</sup>. In the case of the conflict in Ukraine, what turned out to be a problem was 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 for the most part dependent on the good will of the conflicting parties. Under the conditions of full-scale hostilities, the Organisation was deprived of most of the previously developed diplomatic mechanisms.

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 mandate of the mission 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 objective under consideration was of a decidedly long-term nature. On the one hand, the OSCE, in cooperation with international organisations, was supposed 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 (truce), the full settlement of the conflict will take much more time. 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 achieving a durable and stable peace.

## **Objective 2. Cooperation with the Minsk Group to develop a comprehensive and satisfactory solution to the conflict between Armenia and Azerbaijan**

During the Polish Chairmanship of the OSCE, the Nagorno-Karabakh conflict remained a topical issue, which was prominently demonstrated by the escalation of

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<sup>178</sup> *Conflict Prevention and Resolution*, OSCE, at <https://www.osce.org/secretariat/conflict-prevention> (accessed: 12 October 2024).

the frozen conflict that took place in late March and early April 2022. An important objective for the Polish Chairmanship, therefore, became the reduction of tensions between Armenia and Azerbaijan over Nagorno-Karabakh, as well as the active participation of the OSCE in the development of a lasting agreement. The choice of such a formulated objective at a moment of strong tension with such a key member of the Minsk Group as Russia might have posed additional risks to the effectiveness of the work of this format.

The main tool of the OSCE with regard to the Karabakh conflict remained the Minsk Group the co-chairs of which were France, Russia and the United States, and which included seven more European countries in addition to Armenia and Azerbaijan, i.e. Finland, Belarus, Italy, Portugal, the Netherlands, Germany and Sweden. Established in 1994 at a summit in Budapest, the Minsk Group has worked since 1995 to create a space for dialogue between the disputing parties. The group thus acted as a mediator in the dispute, but its correct operation required the voluntary agreement of the parties to the dispute, which was problematic to achieve due to the public pressure in both countries<sup>179</sup>. In addition, it is worth mentioning here Azerbaijan's assertive policy which gained even more momentum with the Russian invasion of Ukraine. Azerbaijan did not recognise the Minsk Group, which showed Baku's lack of interest in resolving the conflict using this format. This direction of Azerbaijani policy creates a serious obstacle for the OSCE activities in the region of South Caucasus.

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

As the conflict between Armenia and Azerbaijan goes back more than three decades and was 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, went beyond the term of one chairmanship. This was also evidenced by the fact that the topic of Nagorno-Karabakh appeared in the programmes of previous chairmanships, both the Swedish and the Albanian ones. Thus, it should be considered that at the time of its formulation by Polish diplomacy, that objective remained a long-term task.

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<sup>179</sup> A. Legieć, *Prospects for Resolving the Nagorno-Karabakh Conflict*, PISM, no. 168, 29 November 2019, at [https://pism.pl/publications/Prospects\\_for\\_Resolving\\_the\\_NagornoKarabakh\\_Conflict\\_](https://pism.pl/publications/Prospects_for_Resolving_the_NagornoKarabakh_Conflict_) (accessed: 12 October 2024).

### **Objective 3. Make every effort to advance the process towards a peaceful and sustainable resolution to the conflict in Georgia**

Armed conflicts in Abkhazia and South Ossetia erupted in the early 1990s as a consequence of the disintegration processes in the Soviet Union. Another clash between Georgian government troops and the 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, e.g. in the Donbas and in Nagorno-Karabakh. 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 exceptional concern are the discussions in South Ossetia, which arise from time to time, about holding a referendum on joining Russia, which once again resumed in spring 2022<sup>180</sup>. Furthermore, the so-called creeping occupation is a major threat. This involves expanding the 'borders' of the self-proclaimed republics by moving border posts and gradually occupying more villages in the territory of Georgia<sup>181</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 was hoping to effectively use this platform for the purpose of finding a long-term solution to the conflict in Georgia. The GID is a multilateral mediation forum that was established under the agreements ending the Russo-Georgian War of 2008. The participants in the GID are Georgia, Russia, the US as well as Abkhazia and South Ossetia (delegations 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.

<sup>180</sup> *Georgia's Separatist South Ossetia Region to Hold Referendum on Joining Russia*, France24, 13 May 2022, at <https://www.france24.com/en/europe/20220513-georgia-s-separatist-south-ossetia-region-to-hold-referendum-on-joining-russia> (accessed: 13 October 2024); *South Ossetia Shelves Plan for Referendum to Join Russia*, Deutsche Welle, 31 May 2022, at <https://www.dw.com/en/south-ossetia-shelves-plan-for-referendum-to-join-russia/a-61982164> (accessed: 13 October 2024).

<sup>181</sup> N. Chibchiuri, *Georgia: Creeping Occupation Continues*, The Institute for War & Peace Reporting, 14 May 2020, at <https://iwpr.net/global-voices/georgia-creeping-occupation-continues> (accessed: 13 October 2024).

This objective has been on the OSCE's agenda for many years and has been a regular feature of the programmes of the successive chairmanships. 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, which back then operated under the name of the CSCE, 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 Observer 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 in the aftermath of the Russo-Georgian War in 2008. As a result of Russia's veto, the mandates of the OSCE and UN missions to Georgia were not extended and therefore the missions were closed in 2009.

Achieving the objective formulated in this way by Polish diplomacy was 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 Discussions 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 that brings 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. However, it is important to highlight the fact that in the 16 years of the existence of the GID its participants have demonstrated a lack of ability to forge a broader political compromise. Although as many as 55 meetings had already taken place before the start of the Polish Chairmanship<sup>182</sup>, many of the contentious issues

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<sup>182</sup> *Press Communiqué of the Co-Chairs of the Geneva International Discussions*, OBWE, 8 December 2021, at <https://www.osce.org/chairmanship/507485> (accessed: 13 October 2024).

that were under discussion for years still remain unresolved<sup>183</sup>. What is more, the attitudes of the individual participants in the forum with regard to certain topics have become noticeably rigid<sup>184</sup>. Maintaining the existing platforms and mechanisms (GID and IPRM) is an important part of the strategy to maintain stability in the region. However, they are insufficient to find a lasting solution to the conflict in Georgia.

#### **Objective 4. Support progress in resolving the Transnistria issue through stronger dialogue and confidence-building measures**

The problem of Transnistria has remained unresolved since the early 1990s so the very objective of the Polish Chairmanship of the OSCE is also valid. 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 suggested 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 Discussions 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 Chairmanships, thus the suggestion for its solution was not a new objective for the OSCE. The Organisation had been working for years to resolve the complex situation in Moldova, including through monitoring missions.

The main tool of the Chairmanship could also 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 of the Polish Chairmanship could be described as a long-term one not only because of the very nature of such talks and mediation, which often need more than a year, but also due to the fact that the OSCE has been dealing with the

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<sup>183</sup> The last, 61<sup>st</sup> meeting of the GID took place in June 2024. Cf. *61<sup>st</sup> Round of Geneva International Discussions*, Civil Georgia, 27 June 2024, at <https://civil.ge/archives/614391> (accessed: 13 October 2024).

<sup>184</sup> N. Macharashvili, E. Basilaia, N. Samkharade, *Assessing the EU's Conflict Prevention and Peace-building Interventions in Georgia*, Tbilisi 2017, pp. 35–36.

Transnistrian problem for almost three decades. Additionally, the Russian invasion of Ukraine, which began in February 2022, causing *de facto* a freeze of the 5+2 format, has made it more difficult for the OSCE to build a stable agreement between Moldova and Transnistria. Despite this, the Chairman-in-Office, Minister of Foreign Affairs, European Affairs and Trade of the Republic of Malta Ian Borg, declared in 2024 an intensification of efforts to reach a settlement of the dispute between the parties<sup>185</sup>.

### **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>186</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), signed in 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 in question was defined in a concrete and clear manner. However, the programme developed by Poland for the Chairmanship did not differ much from previous chairmanships in its approach to the subject of arms control and confidence-building measures. The Polish Chairmanship intended to foster the enforcement and strengthening of the existing arms control instruments. This was meant to be achieved by, firstly, ensuring the comprehensive implementation of the Vienna Document and, secondly, by modernising the same. 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 OSCE has several platforms through which it can develop confidence and security-building measures among participating states. They include, among others:

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<sup>185</sup> *Chair-in-Office Borg Reiterates Full Commitment for Continued OSCE Engagement During Moldova Visit*, OSCE, 13 April 2024, at <https://www.osce.org/chairpersonship/566653> (accessed: 14 October 2024).

<sup>186</sup> *World Military Expenditure Passes \$2 Trillion for First Time*, Stockholm International Peace Research Institute, 25 April 2022, at <https://www.sipri.org/media/press-release/2022/world-military-expenditure-passes-2-trillion-first-time> (accessed: 13 October 2024).

- **OSCE Forum for 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 states 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 the existing arms control instruments remains a very distant prospect.

### **Objective 6. Tackling hybrid threats by fostering 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. The multi-faceted nature of military action has now become a common phenomenon in the conduct of conflicts, representing a *de facto* new norm in strategies of aggression. The main reason is the effectiveness of hybrid wars, to which most states are unable to adequately respond or defend against.

The Polish Chairmanship of the OSCE made it clear in its programme what it would strive for in terms of hybrid threats. The main priority was to increase military transparency in order to counter hybrid threats. The assumption here was that by knowing each other's combat capabilities better, the identification of hybrid activities and their 'authors' would be easier. Increasing dialogue on hybrid threats and military transparency was therefore an objective that could be achieved in the short term as the assumption in the semantic layer only concerned a resumption and continuation of activities, not a successful conclusion.

The sixth objective of the Polish OSCE Chairmanship under discussion was a new one. Hybrid threats did not appear on the agendas of the two previous chairmanships. This may be due to the fact that during the Swedish and Albanian Chairmanships the threat of another hybrid war within the OSCE region 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 Polish Chairmanship of the OSCE in 2022 indicated the need for greater involvement of women in decision-making processes in order to reduce gender disparity and promote gender equality. This was to be served by further implementation of the UN Women, Peace and Security Agenda. Given the direct reference to the clearly defined priorities of the UN Agenda, this objective can be viewed as specific.

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 chairmanships<sup>187</sup>. This agenda, adopted by the UN by Resolution 1325 in 2000, mainly concerns the protection of human rights with a special focus 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>188</sup>. There are no major differences between the Polish position and the programme of the Swedish Chairmanship in 2021 in this regard. Both Poland and Sweden linked their OSCE-related activities concerning the implementation of the Women, Peace and Security Agenda to the need for gender equality and also to the concept of comprehensive security, typical of the OSCE<sup>189</sup>.

As this objective, like objective six, only assumes a continuation of actions initiated by previous chairmanships rather than completing them within a specified time limit, it can be stated that it was achievable within the one year of holding the Chairmanship.

### **Objective 8. Increase international cooperation and public awareness to tackle 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

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<sup>187</sup> *Programme of the Swedish OSCE Chairpersonship 2021*, OSCE, 21 January 2021, at <https://www.osce.org/chairmanship/476278> (accessed: 12 October 2024), p. 9.

<sup>188</sup> *Resolution 1325 (2000) Adopted by the Security Council at its 4213<sup>th</sup> Meeting, on 31 October 2000*, UN Security Council, 31 October 2000, at <https://documents.un.org/doc/undoc/gen/n00/720/18/pdf/n0072018.pdf> (accessed: 8 December 2024).

<sup>189</sup> *Programme of the Swedish OSCE Chairpersonship 2021...*

the OSCE participating states has not decreased since the beginning of 2022, which means that the problem is still a serious threat to global security<sup>190</sup>.

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

Poland, in its OSCE chairmanship program, indicated certain paths to increasing cyber resilience that should be followed, but did not disclose any specific tools that would enable or improve increasing security in the cyber sector. It was only mentioned that this would be done through raising public awareness. Therefore, it should be considered that this objective was of a long-term nature.

### **Objective 9. Continue efforts to strengthen the OSCE counter-terrorism toolbox**

Although both the number of terrorist attacks and fatalities in Europe has decreased significantly in recent years, this phenomenon has not been fully eradicated and still harbours great destructive potential. Between 2015 and 2017, there was a sharp increase in the number of fatalities from terrorist attacks in Europe. However, the impact of terrorism and violent extremism on security in Europe was successfully reduced in subsequent years. For instance, in 2021 EU Member States saw a record low number of terrorist attacks (15) and fatalities (2)<sup>191</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 region.

The way in which this objective of the Polish Chairmanship was formulated leaves much room for interpretation. On the one hand, the Polish Chairmanship rightly pointed to the need to develop holistic and well-financed counter-terrorism measures. But on the other hand, it did not specify how it intended to strengthen the OSCE toolkit in this regard. The specific actions that were planned to be taken were not mentioned. Nor do we know with which platforms or on the basis of which legal acts Poland wanted to pursue this objective.

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<sup>190</sup> *Significant Cyber Incidents*, Center for Strategic & International Studies, at <https://www.csis.org/programs/strategic-technologies-program/significant-cyber-incidents> (accessed: 12 October 2024).

<sup>191</sup> *Number of Fatalities Due to Terrorist Attacks in the European Union from 2010 to 2022*, Statista, at <https://www.statista.com/statistics/1178596/number-of-fatalities-from-terrorism-eu/> (accessed: 13 October 2024).

Combating terrorism and violent extremism is not new to the OSCE agenda. However, it should be noted that, unlike the programme of the 2021 Swedish Chairmanship, 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 terrorist 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 long-term training programmes to enhance the competence of officials of the OSCE participating states. Furthermore, 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 to the Internet, where it is very easy to conduct recruitment campaigns, this objective should be considered current, but also long-term.

## **5.2. Economic and Environmental Dimension**

### **Objective 1. Ensure sustained recovery and continued modernisation of economies; stimulate discussion on effective ways to mitigate the effects of pandemic; transition towards a green economy**

Sustainable economic development is essential for the stability of the OSCE region. The outbreak of the COVID-19 pandemic had a negative effect on the system of global economic connections while 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 of the Polish Chairmanship aptly identified the most important challenges of an economic nature faced by countries in the OSCE region. This document lists a number of actions to help achieve the objective (e.g. promoting employment and competitiveness as well as stimulating the development of new technologies). Particular emphasis is placed on the issue of climate change, which involves the need to seek ef-

efficient energy solutions and sustainable use of natural resources. Coordinated global action, multilateral cooperation and solidarity are the principles on which sustainable economic recovery was intended to be ensured.

Economic development has been an important priority of the OSCE for years. However, it is worth noting that Poland devoted far more attention to economic issues than the previous two chairmanships. Moreover, the uniqueness 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. They are representatives of governments, business communities, international organisations and civil society. The Forum is designed to promote political dialogue on issues relating to economic and environmental security. 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 states have committed and identifies priorities for future work. Additionally, there is a specialised Economic and Environmental Committee within the Permanent Council.

Given the complexity of international economic processes and the scale of contemporary global challenges in this area, achieving sustainable economic stability, which was assumed in the objective of Poland's OSCE Chairmanship, is only possible in the long term perspective.

## **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 region. This is espe-

cially 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>192</sup>. At the same time the pursuit of women's economic empowerment is fundamental to achieving social equality.

Poland's objective in this dimension was formulated in a very general, even laconic manner. It merely 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. 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 chairmanships 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>193</sup>. 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, among others: 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 the OSCE field missions and other international organisations (the UN, Organisation for Economic Co-operation and Development, 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 Chairmanship in 2021<sup>194</sup>).

The objective under discussion is undoubtedly of a long-term nature. Ensuring the smooth functioning of public institutions and zero tolerance for corruption involves the need for continuous preventive action. Given the deep-rooted social inequalities

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<sup>192</sup> *Corruption Perceptions Index*, Transparency International, at <https://www.transparency.org/en/cpi/2021> (accessed: 13 October 2024).

<sup>193</sup> *Good Governance*, OSCE, at <https://www.osce.org/good-governance> (accessed: 13 October 2024).

<sup>194</sup> *Concluding Meeting of the 29<sup>th</sup> OSCE Economic and Environmental Forum*, OSCE, at [https://www.osce.org/event/29th\\_eef\\_2021](https://www.osce.org/event/29th_eef_2021) (accessed: 13 October 2024).

in some OSCE participating states, the effective empowerment of women requires a well-thought-out and far-sighted action strategy.

### **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 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 highlighted the impact of digital transformation on security in the broadest sense. Attention was also drawn to the fact that under conditions of the pandemic environment, new technologies 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 was a lack of detail on the specific steps that the Polish OSCE Chairmanship intended to take in order to intensify the debate on the new challenges of the digital age.

The issue of digital transformation is not a new one that OSCE chairmanship states are facing. Sweden, for example, linked the topic of new technologies with respect for human rights<sup>195</sup>. In turn, Albania stressed the need for closer collaboration between cyber security experts and policy makers<sup>196</sup>.

By developing cooperation with non-governmental organisations, 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<sup>197</sup>

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<sup>195</sup> *Programme of the Swedish OSCE Chairpersonship 2021...*, p. 11.

<sup>196</sup> *Programme of the Albanian OSCE Chairmanship 2020*, OSCE, 9 January 2020, at <https://www.osce.org/chairmanship/443530> (accessed: 13 October 2024), p. 9.

<sup>197</sup> *2022 Annual Session Report by the Special Representative on Digital Agenda Radu-Mihai Mihail*, OSCE Parliamentary Assembly, at <https://www.oscepa.org/en/documents/special-representatives/>

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 chairmanships. 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.

#### **Objective 4. Explore opportunities for advancing the relations and practical cooperation between the OSCE and international partners**

Ensuring effective cooperation with international partners is particularly desirable in a globalised environment. The implementation of the main tasks of the OSCE, which are multifaceted in nature, would be significantly hampered if it were not for its openness to cooperation at various levels with other international, regional and sub-regional organisations (both governmental and non-governmental). The OSCE considers the following to be its most important international partners:

- the United Nations (cooperation concerns, inter alia, the environmental and economic aspects of security and conflict prevention);
- the European Union (fight against corruption and work for reforms of public administration and justice);
- the Council of Europe (election observation and protection of human rights);
- the North Atlantic Alliance (combating terrorism and cyber threats, ensuring border security, 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, the Organisation for Democracy and Economic Development – GUAM, the Collective Security Treaty Organisation, the 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

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[digital-agenda/4415-report-of-the-special-representative-on-digital-agenda-radu-mihai-mihail-29<sup>th</sup>-osce-pa-annual-session-birmingham-july-2022/file](https://www.osce.org/odihr/docs/digital-agenda/4415-report-of-the-special-representative-on-digital-agenda-radu-mihai-mihail-29th-osce-pa-annual-session-birmingham-july-2022/file) (accessed: 14 October 2024).

participate in some OSCE meetings on an equal footing with the participating states<sup>198</sup>. The OSCE has for years been involved in developing recommendations to governments on the standards for the proper functioning of non-governmental organisations.

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

The programmes of the Albanian and Swedish Chairmanships also announced a plan to strengthen cooperation with organisations representing civil society and with other international partners. However, those previous programmes made it clear that the United Nations and the European Union were referred to in the first instance<sup>199</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 chairmanships.

### **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 neighboring countries and regions. Therefore, deepening the dialogue with the neighbours is essential for the security of the OSCE.

The OSCE Mediterranean Partners for Co-operation 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). Whereas 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 more countries, the Republic of Korea in 1994, Thailand in 2000, Afghanistan in 2003

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<sup>198</sup> *Non-Governmental Participation in the OSCE*, US Commission on Security and Cooperation in Europe, 19 December 2017, at <https://www.csce.gov/international-impact/publications/non-governmental-participation-osce> (accessed: 14 October 2024).

<sup>199</sup> *Programme of the Swedish OSCE Chairpersonship 2021...*, p. 9; *Programme of the Albanian OSCE Chairmanship 2020...*, p. 9.

and Australia in 2009. Mongolia had been an official 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 was 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 Chairmanship would take to achieve this objective.

This objective appears from time to time in the programmes of various countries holding the chairmanship. Provisions on the need to strengthen cooperation with the Asian and Mediterranean partners were included, inter alia, in the Italian (2018) and Albanian (2020) programmes<sup>200</sup>. In contrast, Slovakia (2019) and Sweden (2021) omitted these issues. 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 for 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>201</sup>.

The Contact Group with Mediterranean Partners has operated since 1994, chaired by the member of the OSCE Troika that is to hold the chairmanship of the whole Organisation in the coming year. In turn, the Contact Group with Asian Partners has operated since 2003. The work of this group is chaired by the country that held the chairmanship of the OSCE during the previous calendar year.

Within the framework of each group, regular conferences and working meetings are organised which provide an opportunity to exchange experiences and views on security in the OSCE region and the partner states in the broadest sense. Prior to the

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<sup>200</sup> *Programme of the Italian OSCE Chairmanship 2018*, OSCE, 4 December 2018, at <https://www.osce.org/chairmanship/405179> (accessed: 14 October 2024); *Programme of the Albanian OSCE Chairmanship 2020...*

<sup>201</sup> *Factsheet on OSCE Partners for Co-Operation*, OSCE, 13 June 2014, at <https://www.osce.org/partners-for-cooperation/77951> (accessed: 14 October 2024).

Polish Chairmanship, a total of 27 OSCE Mediterranean Conferences<sup>202</sup> and 22 OSCE Asian Conferences<sup>203</sup> were held.

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 the 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 cooperation between the CSCE/OSCE and 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 chairmanships.

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<sup>202</sup> 2021 OSCE Mediterranean Conference, OSCE, at <https://www.osce.org/event/2021-osce-mediterranean-conference> (accessed: 14 October 2024). On October 2022, the 28<sup>th</sup> and last edition of the Mediterranean Conference took place, organised on the territory of Jordan by North Macedonia, then chairing the Contact Group with the OSCE Mediterranean Partners. Cf. 2022 OSCE Mediterranean Conference to Take Place in Jordan, OSCE, 23 October 2022, at <https://www.osce.org/partners-for-cooperation/mediterranean/529491> (accessed: 14 October 2024). There is a lack of data on the holding of the next editions of the OSCE Mediterranean Conference in 2023-2024. The disruption of the functioning of the Contact Group with Mediterranean Partners may be due to the confusion over the election of the OSCE Chairperson for 2024.

<sup>203</sup> 2019 OSCE Asian Conference, OSCE, at <https://www.osce.org/partners-for-cooperation/asian/426836> (accessed: 14 October 2024); 2021 OSCE Asian Conference, OSCE, at <https://www.osce.org/partners-for-cooperation/asian/497008> (accessed: 14 October 2024). The 25<sup>th</sup>, and final, edition of the OSCE Asian Conference was held on 15<sup>th</sup>-16<sup>th</sup> October 2024. Vienna was chosen as the venue, while Japan, which is the oldest member of the OSCE Contact Group with Asian Partners, and North Macedonia, which will chair the group in 2024, were co-organizers of the conference. Cf. *Sustainable, Strengthened Partnership and Security Co-Operation at Heart of 2024 OSCE Asian Conference*, OSCE, 15 October 2024, at <https://www.osce.org/partners-for-cooperation/asian/578500> (accessed: 15 October 2024).

**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 region. The Parliamentary Assembly of the OSCE brings together 323 parliamentarians representing national parliaments of 56 OSCE participating states<sup>204</sup>. The aim of this institution is to endeavour to be a platform where the participating states focus on developing principles of long-term peace based on mutual respect for the existing OSCE standards.

The objective of the Polish Chairmanship was described in general terms, leaving much room for interpretation. Admittedly, the programme expressed the desire to support inter-parliamentary dialogue, but did not specify what it would consist in and in what form the Polish Chairmanship would support the activities of the OSCE Parliamentary Assembly. However, it is worth noting that in recent years it was only Albania, holding the Chairmanship in 2020, that included this objective in its programme.

One should be aware that it is the Parliamentary Assembly, not the chairmanship, that has the competence to support the dialogue between the OSCE 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 achievement of this particular objective, like of many others included in the programme of the Polish Chairmanship is only possible in the long term, which goes beyond the timeframe of the Polish Chairmanship of the OSCE. Full accomplishment of this objective depends primarily on the degree of interest of future chairmanships in this topic.

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<sup>204</sup> The Holy See, which is a member of the OSCE, sends only one delegate to the Assembly as a guest of honor. Cf. *Member Countries*, OSCE Parliamentary Assembly, at <https://www.oscepa.org/en/members/member-countries> (accessed: 21 October 2024).

### **5.3. Human Dimension**

#### **Objective 1. Safeguard the principles and commitments of the Organisation, human rights; promote democratic institutions and uphold the OSCE's comprehensive security concept**

This objective was formulated in very general terms. It is difficult to infer more from it than that the Chairmanship planned to continue the smooth functioning of the Organisation and to base its activities on the OSCE's comprehensive security concept. The concept itself is mainly founded on the cooperation between 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 of the Polish Chairmanship itself lacked further details on what tools the Chairmanship might use to achieve this objective.

The objective formulated in this way can thus be regarded as a horizontal principle of the Polish Chairmanship which applies regardless of the dimension in which it operates. The task of sustaining the foundations of the functioning of the Organisation is a long-term objective as evidenced by the fact that support for the OSCE's comprehensive security concept appeared in the programmes of previous chairmanships, e.g. of the Swedish one in 2021.

#### **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 the rights of individuals 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 2022, the objective of the Polish Chairmanship in question can be confidently described as timely. The problem of persecution because of beliefs is also pressing. This is evidenced, inter alia, 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>205</sup>.

The objective outlined above, however, is quite general in nature. It does not provide for any specific methods of action that the OSCE Chairman-in-Office might take to increase security and respect for the rights of citizens in the region. However, the issue of freedom of religion and belief did not appear in the programmes of the previous OSCE chairmanships, thus it is a fairly new challenge presented to the Organisation by the Polish Chairmanship.

The goal of improving dialogue on personal freedoms appears to be a task that has no defined time horizon. This is evidenced e.g. by the activity of the OSCE human dimension institutions. The main tool that the OSCE has for achieving this objective is 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 measures, which means that cooperation based on good will is often necessary. The OSCE Parliamentary Assembly, where issues of human rights and freedom of belief can be raised in public discussion, is also a useful tool, especially in building dialogue. However, its effectiveness of this tool may be impaired due to the frequency with which this body convenes (once a year).

### **Objective 3. Strive to improve the conditions of the most vulnerable – children and people with disabilities**

The circumstances in which some children and people with disabilities live without adequate care are often insufficient to provide basic living and development conditions. This is a relevant problem, as evidenced by the fact that it has been repeatedly raised in international forums. 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>206</sup>. A more recent example is the use of children for purely military purposes within the Russian Federation. In view of the coming winter, primary school pupils

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<sup>205</sup> *Antywojenny plakat i kwiaty. W Moskwie zatrzymano matki z kilkuletnimi dziećmi* [Anti-War Poster and Flowers: Mothers with Children Aged Several Were Detained in Moscow], TVN24, 2 March 2022, at <https://tvn24.pl/swiat/rosja-zaatakowala-ukraine-kilkuletnie-dzieci-aresztowane-w-moskwie-za-udzial-w-antywojennym-protescie-5619886> (accessed: 21 October 2024).

<sup>206</sup> *Rada Bezpieczeństwa ONZ o problemie dzieci-żołnierzy. Polska inicjatywa* [UN Security Council on the Problem of Child Soldiers: Polish Initiative], Defence24, 8 May 2018, at <https://defence24>.

were mobilised to work with sewing warm clothing for the army fighting in the territory of Ukraine<sup>207</sup>. Also in the Russian Federation, anti-terrorism drills are carried out in educational institutions without prior notification to either the pupils or the teachers<sup>208</sup>. The issue of people with disabilities is also prominent in connection with the Russian invasion of Ukraine. In the process of tightening the regulations on mobilisation in Russia, there occurred some absurd situations in which people with disabilities became victims of conscription<sup>209</sup>.

Notwithstanding the above considerations, the wording of the objective ‘Strive to improve the conditions of the most vulnerable’ is framed very enigmatically. The Chairmanship does not give any details of the tools it intends to use to achieve the objective or the methods by which it will pursue it. However, it is worth noting that the issue of the disabled and children was not addressed in the two previous programmes of the OSCE Chairmanships, i.e. either the Swedish or the Albanian one.

The purpose is to perform actions in favour of the weakest and most vulnerable groups, which inherently implies the need to protect their rights and improve their living conditions. This is a task that can be achieved in the short term, i.e. within one year. Nevertheless, due to the nature of the challenges identified by the Polish Chairmanship, especially in the context of growing tensions and international unrest, the achievement of this objective may require long-term actions which should be continued by subsequent chairmanships. In this case it is difficult to specify a single body that could support the Chairman-in-Office in carrying out this task. The most appropriate here would seem to be the Office for Democratic Institutions and Human Rights the remit of which includes, inter alia, monitoring the observance of human rights and also supporting measures to help states improve their level of security of the rights

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pl/geopolityka/rada-bezpieczenstwa-onz-o-problemie-dzieci-zolnierzy-polska-inicjatywa (accessed: 21 October 2024).

<sup>207</sup> *Dzieci szyją ubrania dla rosyjskich żołnierzy. “Ciepło naszych rąk dla obrońców Ojczyzny”* [Children Sew Clothes for Russian Soldiers: “The Warmth of Our Hands for the Defenders of the Fatherland”], Polsat News, 1 November 2022, at <https://www.polsatnews.pl/wiadomosc/2022-11-01/dzieci-szyja-ubrania-dla-rosyjskich-zolnierzy-cieplo-naszyc-rak-dla-obroncow-ojczyzny/> (accessed: 21 October 2024).

<sup>208</sup> *Rosja. Żołnierze w maskach otworzyli w szkole ogień i brali zakładników. Nie uprzedzili, że to ćwiczenia* [Russia: Soldiers in Masks Opened Fire in School and Took Hostages: They Did Not Warn that It Was a Training Exercise], Gazeta.pl, 21 October 2022, at <https://wiadomosci.gazeta.pl/wiadomosci/7,114881,29052712,rosja-szokujace-cwiczenia-antyterrorystyczne-w-szkole-dzieci.html> (accessed: 21 October 2024).

<sup>209</sup> *Rosja uszczelnia przepisy o mobilizacji. Poborowi przejdą badania medyczne* [Russia Tightens Mobilization Rules: Conscripts to Undergo Medical Tests], Money.pl, 12 October 2022, at <https://www.money.pl/gospodarka/rosja-uszczelnia-przepisy-o-mobilizacji-poborowi-przejda-badania-medyczne-6822132545526624a.html> (accessed: 21 October 2024).

of individuals. However, as noted above, effective action by the ODIHR presupposes cooperation with the authorities of the state where the problems in question occur.

#### **Objective 4. Increase participation of youth organisations in OSCE events**

Increasing inclusivity does not appear to be one of the highest priority tasks of the OSCE. However, this objective appeared repeatedly in chairmanship programmes over the years. This is due to the nature of the Organisation itself as one of its 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.

In the programme of the Polish Chairmanship with regard to the above objective, specific methods of achieving it are presented. The Chairmanship envisages including young people's initiatives in discussions within the framework of the OSCE as well as facilitating the activities of youth organisations at events organised by the OSCE.

Previous chairmanships addressed the issue of inclusivity of the OSCE to varying degrees. The Albanian Chairmanship recognised the role of young people in peace and security initiatives as an essential component of the functioning of the Organisation. Involvement of the young was identified as important for building a culture of dialogue, peaceful coexistence, justice and reconciliation. Albania also pointed out that the voice of young people is an essential precondition for democratic processes<sup>210</sup>. Whereas the Swedish Chairmanship did not put forward any ideas for including the voice of young people in the processes within the Organisation<sup>211</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 Chairmanship can organise several events during the year at which representatives of youth organisations will act as observers. On the other hand, increasing the inclusivity of the Organisation will certainly require action over a longer period of time.

#### **Objective 5. Supporting autonomous OSCE institutions in their tasks at lower levels**

The declaration of support for autonomous institutions within the OSCE is of a continuing nature and is *de facto* related to the proper functioning of the Organisation.

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<sup>210</sup> *Programme of the Albanian OSCE Chairmanship 2020...*, p. 9

<sup>211</sup> *Programme of the Swedish OSCE Chairpersonship 2021...*

Despite their autonomy, 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 should act in consultation with the Chairman-in-Office in coordinating their activities and fulfilling their mandate in line with the direction of the Organisation's activity. In 2021, the Swedish Chairmanship even described the activities of these institutions as crucial in fulfilling provisions of the OSCE<sup>212</sup>.

However, the objective of the Polish Chairmanship in 2022 was formulated rather broadly. In the main, it simply implies coordination of activities between the Chairman-in-Office and the autonomous institutions for the purpose of working out greater coherence between them. The programme does not specify the type of support these institutions would receive. However, this allows the Chairmanship to act more flexibly. The accomplishment of this objective will therefore depend on the intensity of cooperation with lower-level institutions resulting from the will of both the Polish Chairmanship and its successors.

#### **Objective 6. Pursue cooperation with civil society organisations and increase their participation in OSCE events**

Cooperation with civil society organisations for the promotion of human rights has been a priority of the OSCE for years, and it still remains relevant. The current Chairmanship, however, does not specify the tools for deepening this cooperation, indicating only that increased promotion and recognition of the contribution of these organisations to the defence of human rights is a key way to strengthen it. The concept of cooperation with civil society organisations was also present in previous OSCE chairmanships. By way of example, Sweden (2021) and Slovakia (2019) devoted only limited attention to this issue and merely presented a declaration of continued cooperation, but without any detailed solutions<sup>213</sup>. The Albanian Chairmanship in 2020 took a slightly broader approach to this aspect stressing the key role of civil society organisations in monitoring and promoting the rights and fundamental freedoms in the OSCE region. Albania indicated the need for dialogue, trust and cooperation between the Chairmanship and these organisations<sup>214</sup>.

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<sup>212</sup> Ibidem, p. 6.

<sup>213</sup> *Programme of the Swedish OSCE Chairpersonship...*; *Programme of the Slovak OSCE Chairmanship 2019*, OSCE, at <https://www.osce.org/files/SK%20OSCE%202019%20Chair%20Priorities%20Booklet.pdf> (accessed: 8 December 2024).

<sup>214</sup> *Programme of the Albanian OSCE Chairmanship 2020...*

Seeking to strengthen cooperation with civil society organisations, treated as a process, is feasible in the short term, assuming the continuation of the existing activities and keeping their form in line with the previous concepts of the Chairmanship.

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EUGENIUSZ PORTNY WIKTOR KĘSY 

## Chapter VI. Course of the Polish Chairmanship of the Organization for Security and Cooperation in Europe – Implementation of the Program

The aim of this chapter is to present the activities undertaken by the Polish Chairmanship of the OSCE in 2022. Our original intention was also to assess to what extent the objectives enshrined in the programme of the Chairmanship have been achieved 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 behave in an unconventional manner. 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 greatly hindered, if possible at all. After the discussions, we obtained 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 have attempted to present in a reliable manner what actually happened in the individual dimensions of the OSCE bearing in mind that some of the originally planned activities were either pushed into the background or removed from the agenda altogether making room for the most important issue, namely stopping Russia's aggressive actions in Ukraine.

## 6.1. Political-Military Dimension

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

#### *Substantial determinants*

The objective formulated by Poland was maintained in 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 OSCE decision-making, maintaining the OSCE's operational capacity on the ground was only possible if all participating states expressed good will.

In preparation for the invasion of Ukraine, the Russian Federation consistently limited the OSCE presence in this country. Of major significance was Moscow's failure to agree to extend the mandate of the OSCE Observer Mission at the Russian checkpoints Gukovo and Donetsk on the section of the Russian-Ukrainian border not controlled by Kyiv in the Luhansk region<sup>215</sup>. This led to the closure in September 2021 of the mission, which had been operating in the field since July 2014<sup>216</sup>. Moscow thus prevented the implementation of point four of the Minsk Protocol (the so-called Minsk-1) of 5<sup>th</sup> September 2014, which actually meant a breach of these provisions<sup>217</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 non-standard activity near Ukraine were raised by representatives of the defence and foreign ministries in the United States and Western European countries<sup>218</sup>. Over time, the potential outbreak of a new armed conflict between Russia and Ukraine increasingly became

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<sup>215</sup> *Planned Closure of the OSCE Border Observer Mission*, U.S. Department of State, at <https://www.state.gov/planned-closure-of-the-osce-border-observer-mission/> (accessed: 15 October 2024).

<sup>216</sup> *OSCE Observer Mission at the Russian Checkpoints Gukovo and Donetsk (Discontinued)*, OSCE, at <https://www.osce.org/observer-mission-at-russian-checkpoints-gukovo-and-donetsk-discontinued> (accessed: 15 October 2024).

<sup>217</sup> *Protocol on the Results of Consultations of the Trilateral Contact Group, Signed in Minsk, 5 September 2014*, OSCE, 5 September 2014, at <https://www.osce.org/home/123257> (accessed: 15 October 2024).

<sup>218</sup> J. Gotkowska, P. Żochowski, *Rosyjska aktywność wojskowa wokół Ukrainy – próba rekonstrukcji narracji* [Russian Military Activity around Ukraine – An Attempt to Reconstruct the Narrative], Centre for Eastern Studies, 19 November 2021, at <https://www.osw.waw.pl/pl/publikacje/analizy/2021-11-19/rosyjska-aktywnosc-wojskowa-wokol-ukrainy-proba-rekonstrukcji> (accessed: 15 October 2024).

a topic of intense discussion in international forums, including the OSCE. During the first meeting of the OSCE Permanent Council under the chairmanship of Poland, which took place 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>219</sup> while the US Ambassador to the OSCE condemned 'Russia's actions, notably its threats against Ukraine'<sup>220</sup>. On the other hand, Russia's Permanent Representative demanded that the other participating countries seriously reflect on Russia's draft security guarantees which were published by the Russian Foreign Ministry in December 2021<sup>221</sup>. The draft treaties between the Russian Federation and the United States (eight points)<sup>222</sup> and between the Russian Federation and the North Atlantic Alliance (nine points)<sup>223</sup> were drawn up in the spirit of the Yalta Conference as they envisioned a new division of Europe into spheres of influence in which Eastern Europe, the South Caucasus and Central Asia would be considered the 'area of responsibility' of the Russian Federation. Russian demands to NATO for the documented abandonment of the possibility of expanding the alliance eastward and in fact the dismantling of all NATO military infrastructures in countries that joined after 1997 were unacceptable to the United States and its European allies.

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<sup>219</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, 13 January 2022, at <https://www.osce.org/permanent-council/512185> (accessed: 15 October 2024).

<sup>220</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, 13 January 2022, at <https://www.osce.org/permanent-council/512197> (accessed: 15 October 2024).

<sup>221</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, 13 January 2022, at <https://www.osce.org/permanent-council/512194> (accessed: 15 October 2024).

<sup>222</sup> *Treaty between the United States of America and the Russian Federation on Security Guarantees*, Ministry of Foreign Affairs of the Russian Federation, 17 December 2021, at [https://mid.ru/ru/foreign\\_policy/rso/nato/1790818/?lang=en](https://mid.ru/ru/foreign_policy/rso/nato/1790818/?lang=en) (accessed: 15 October 2024).

<sup>223</sup> *Agreement on Measures to Ensure the Security of the Russian Federation and Member States of the North Atlantic Treaty Organization*, Ministry of Foreign Affairs of the Russian Federation, 17 December 2021, at [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: 15 October 2024).

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

In response to the dissatisfaction with the security situation in Europe expressed by Russia at the time, Poland's Foreign Minister and OSCE Chairman-in-Office Zbigniew Rau launched an initiative entitled Renewed OSCE European Security Dialogue (RESD)<sup>224</sup>. In this way the Polish Chairmanship wanted:

*...to channel Russian frustration and certain concerns of some 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>225</sup>.*

Against the backdrop of rapidly escalating tensions between Russia and Ukraine, Minister Rau made his first official visit as OSCE Chairman-in-Office first to Ukraine (11<sup>th</sup> February 2022)<sup>226</sup> and then to Russia (15<sup>th</sup> February 2022)<sup>227</sup>. During his talks with his counterparts in Kyiv<sup>228</sup> and Moscow, the Chairman-in-Office had, among other things, the opportunity to emphasise the benefits to European security resulting from active engagement in the RESD. While in Moscow, Minister Zbigniew Rau also highlighted the need to continue the dialogue based on the OSCE's existing risk reduction mechanisms. Although the RESD received very positive assessments from the other participating countries, Russia did not express any interest in the Polish initiative:

*...the concept that we need to sit down and talk was there. We didn't have any positive feedback from the Russian side. The Minister paid a visit to Moscow; it was already the end game where we thought it was the last chance... Minister Lavrov played his game to the end, he didn't say 'no'. He said 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>229</sup>.*

Russia treated the OSCE as a secondary platform, preferring to hold direct dialogue, in the first place with 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 narrow elite circle, reminiscent of a return to the 19<sup>th</sup>-century

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<sup>224</sup> OSCE Chairman-in-Office Launches Renewed OSCE European Security Dialogue, OSCE, 8 February 2022, at <https://www.osce.org/chairmanship/511651> (accessed: 15 October 2024).

<sup>225</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>226</sup> OSCE Chairman-in-Office Rau Concludes Visit to Ukraine, OSCE, 11 February 2022, at <https://www.osce.org/chairmanship/512002> (accessed: 15 October 2024).

<sup>227</sup> OSCE Chairman-in-Office Zbigniew Rau Concludes His Visit to Moscow, OSCE, 16 February 2022, at <https://www.osce.org/chairmanship/512311> (accessed: 15 October 2024).

<sup>228</sup> During his visit to Ukraine, Minister Z. Rau also met with President Volodymyr Zelensky.

<sup>229</sup> Interview MSZ2 – Warsaw, 19 September 2022.

Concert of Europe. 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 exclusive sphere of influence. In this connection, Poland defended the principle 'nothing 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 worthwhile to discuss with the Russians<sup>230</sup>. From this point of view, of crucial importance was 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 the Polish attempts to activate the RESD:

*...the reality we have is war. Russia has additionally occupied part of Ukrainian 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 us that it is not possible to put the RESD somewhere on that table again<sup>231</sup>.*

Polish diplomats cherished the hope that the RESD would be a good reference point for countries holding the chairmanship in future years<sup>232</sup>. However, neither North Macedonia nor Malta made any practical attempts to resuscitate the RESD. For the time being, the initiative remains completely frozen. A chance to return to the RESD will only arise if Russia abandons its aggressive policy towards its neighbours and expresses a genuine willingness to engage in constructive dialogue with the rest of the OSCE participating states.

### ***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 Trilateral Contact Group (TCG), in which the OSCE was represented by the Special Representative of the Chairman-in-Office, was abolished<sup>233</sup>. The last meeting of the TCG took place on 9<sup>th</sup> February 2022<sup>234</sup>. Attempts by Ukraine and the Special Representative to convene an extraordinary meeting of the TGK on

<sup>230</sup> Ibidem.

<sup>231</sup> Ibidem.

<sup>232</sup> Ibidem.

<sup>233</sup> Interview MSZ4 – Warsaw, 19 September 2022.

<sup>234</sup> *Press Statement of Special Representative Kinnunen after the Regular Meeting of Trilateral Contact Group on 9 February 2022*, OSCE, 9 February 2022, at <https://www.osce.org/chairmanship/511771> (accessed: 11 October 2024).

the eve of the Russian invasion were to no avail<sup>235</sup>. In early September 2022, Ukrainian President Volodymyr Zelenski officially withdrew the Ukrainian delegation from the TCG<sup>236</sup>.

After Russia recognised the independence of the self-proclaimed republics in the Donbas, President Vladimir Putin actually terminated the Minsk agreements claiming that they had ceased to exist under the current conditions<sup>237</sup>. It is worth mentioning that the Minsk agreements (the so-called Minsk-1 and Minsk-2) were concluded in 2014-2015 with the mediation of the OSCE, and for seven years provided an internationally recognised legal basis for the settlement of the armed conflict in the Donbas region.

As far as the Special Monitoring Mission in Ukraine (the largest OSCE field mission) is concerned, members of its international team of more than 800 people have left the territory of Ukraine. The evacuation, which took place under critically difficult conditions, was successfully completed on 7<sup>th</sup> March<sup>238</sup> – all team members were able to be brought out safely<sup>239</sup>. On the same day the mission suspended the publication of the daily reports. On the other hand, one of the 450 national members of the mission, i.e. Ukrainian citizens, was killed in Russian shelling<sup>240</sup> and several more were detained in the occupied territories: at least three staff members were later released<sup>241</sup> while

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<sup>235</sup> *Press Statement of Special Representative Kinnunen after the Proposed Meeting of Trilateral Contact Group on 19 February 2022*, OSCE, 19 February 2022, at <https://www.osce.org/chairmanship/512623> (accessed: 11 October 2024); *Speech of Minister of Defence of Ukraine Oleksii Reznikov during the Hour of Questions to the Government*, Ministry of Defense of Ukraine, at <https://www.mil.gov.ua/en/news/2022/02/18/speech-of-minister-of-defence-of-ukraine-oleksii-reznikov-during-the-hour-of-questions-to-the-government/> (accessed: 11 October 2024).

<sup>236</sup> *Russia Reacted to Dissolution of TCG by Zelensky: "It Puts an End" to Negotiations*, *Ukrainska Pravda*, 2 September 2022, at <https://www.eurointegration.com.ua/eng/news/2022/09/2/7146075/>, (accessed: 11 October 2024).

<sup>237</sup> *Minsk Agreements Cease to Exist – Putin*, Russian News Agency TASS, 22 February 2022, at <https://tass.com/world/1408591> (accessed: 16 October 2024).

<sup>238</sup> *OSCE Special Monitoring Mission to Ukraine (SMM) Daily Report 54/2022 Issued on 7 March 2022*, OSCE, 7 March 2022, at <https://www.osce.org/special-monitoring-mission-to-ukraine/513424> (accessed: 16 October 2024).

<sup>239</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>240</sup> *OSCE Mourns Death of National Mission Member of the OSCE Special Monitoring Mission to Ukraine*, OSCE, 2 March 2022, at <https://www.osce.org/chairmanship/513280> (accessed: 16 October 2024).

<sup>241</sup> *OSCE Chairman-in-Office and Secretary General Praise Work by Field Operations in Ukraine*, OSCE, 31 October 2022, at <https://www.osce.org/chairmanship/530039> (accessed: 27 October 2024); S. Liechtenstein, *Fate of OSCE Personnel Detained in Separatist-Controlled Areas of Eastern Ukraine Hangs by a Thread*, *The Security and Human Rights Monitor*, 27 May 2022, at <https://www.shrmonitor.org/fate-of-osce-personnel-detained-in-separatist-controlled-areas-of-eastern-ukraine-hangs-by-a-thread/> (accessed: 16 October 2024).

two were sentenced to 13 and one to 14 years in prison<sup>242</sup>. The Chairman-in-Office and Secretary General regularly called for the unconditional release of all unlawfully detained members of the mission<sup>243</sup>. The OSCE Secretariat also made attempts to establish direct contact with the Russians, but to no avail<sup>244</sup>.

Another major blow to the OSCE's presence in Ukraine was the temporary cessation of the activity of the office of the OSCE Project Co-ordinator in Ukraine (PCU) which had been supporting the government and local authorities in the implementation of judicial and education reforms since 1999; assisting the development of civil society and independent media; and engaging in the broad promotion of human rights in Ukraine. The Project Co-ordinator resumed its activities in Ukraine at the beginning of April 2022, i.e. after a 1.5-month break. The office was opened in the Transcarpathian region in the west of the country<sup>245</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 the recognition of the independence of the self-proclaimed republics in the Donbas (21<sup>st</sup> February 2022) and then the full-scale invasion (24<sup>th</sup> February 2022),

<sup>242</sup> In September 2022, the so-called Supreme Court of the self-proclaimed Luhansk People's Republic sentenced Maxim Petrov and Dmytro Shabanov, who had been in custody since April 2022, to 13 years in prison. In both cases, the basis for the sentences was the alleged transfer of secret military data by both OSCE mission employees to foreign intelligence agencies. *Луганское дело сотрудников миссии ОБСЕ [Luhansk Case of OSCE Mission Employees]*, Memorial Association, 14 April 2024, at <https://memopzk.org/dossier/luganskoe-delo-sotrudnikov-missii-obse/> (accessed: 16 October 2024). In July 2024, the so-called Supreme Court of the "Donetsk People's Republic" (already one of the "subjects" of the Russian Federation, and not a self-proclaimed para-state) sentenced former OSCE mission employee Vadym Holda to 14 years in a high-security colony. Holda, like Petrov and Shabanov, was detained by separatists in April 2022 on charges of espionage. *Сотрудник ОБСЕ приговорен в России к 14 годам колонии за "шпионаж" [OSCE Employee Sentenced to 14 Years in Prison in Russia for "Espionage"]*, Polish Press Agency, 12 July 2024, at <https://www.pap.pl/ru/russian/news/sotrudnik-obse-prigovoren-v-rossii-k-14-godam-kolonii-za-shpionazh> (accessed: 16 October 2024). At the same time, the Donetsk "court" announced the confiscation of 43 armoured cars used by members of the OSCE mission in Ukraine during their mandate until 2022.

<sup>243</sup> *OSCE Chairman-in-Office and Secretary General Condemn Sentencing of OSCE Mission Members Petrov and Shabanov in Luhansk, Demand Their Immediate Release*, OSCE, 19 September 2022, at <https://www.osce.org/chairmanship/526251> (accessed: 17 October 2024).

<sup>244</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>245</sup> *OSCE Troika Meets with Ukrainian Foreign Minister, Expresses Strong Support to Ukraine and Calls on Russia to Immediately Stop Its Military Attack*, OSCE, 8 April 2022, at <https://www.osce.org/chairmanship/515391> (accessed: 17 October 2024).

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>246</sup>, Secretary-General Helga Schmid and representatives of the vast majority of OSCE participating States criticised the actions of the Russian Federation while supporting the invaded Ukraine<sup>247</sup>.

In terms of diplomatic action, throughout the year of the OSCE Chairmanship, Poland kept the issue of the war in Ukraine at the highest level of priority. In March 2022, Minister Zbigniew Rau and Secretary General Helga Schmid strongly condemned the violence perpetrated by Russian armed forces against civilians in Ukraine, in particular the bombing of the Drama Theatre in Mariupol where hundreds of people, including children, were hiding<sup>248</sup>. In April, a meeting of the foreign ministers of the countries representing the OSCE Troika in 2022 (Sweden, Poland and North Macedonia) with their Ukrainian counterpart took place in Rzeszow. The diplomats deplored the harrowing reports from Bucha and other towns in the Kyiv oblast that began to emerge after the withdrawal of Russian troops from the area. The foreign ministers of the Troika also visited a reception centre for refugees in the Subcarpathian village of Młyny and met with representatives of the Polish Border Guard<sup>249</sup>. On 24<sup>th</sup> August, the Chairman-in-Office issued a statement highlighting the cruel nature of Russian attacks on Ukraine, including the deliberate shelling of Ukrainian critical infrastructure<sup>250</sup>. Minister Zbigniew Rau placed particular emphasis on the impact of the military action on the life and health of the civilian population and condemned Russia's so-

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<sup>246</sup> At the first meeting, held on 22 February 2022, Poland was represented by Deputy Minister of Foreign Affairs Marcin Przydacz.

<sup>247</sup> *Special OSCE Permanent Council Meeting Held Following Russian Decision to Recognize Parts of Donetsk and Luhansk Regions of Ukraine as Independent*, OSCE, 23 February 2022, at <https://www.osce.org/chairmanship/512857> (accessed: 17 October 2024); *The Reinforced Meeting of the OSCE Permanent Council at the Ministerial Level*, OSCE, 24 February 2022, at <https://www.osce.org/chairmanship/512974> (accessed: 17 October 2024).

<sup>248</sup> *OSCE Chairman-in-Office and Secretary General Condemn Bombing of Mariupol and Ongoing Violence against Civilians throughout Ukraine*, OSCE, 18 March 2022, at <https://www.osce.org/chairmanship/514171> (accessed: 17 October 2024).

<sup>249</sup> S. Zaręba, M. Piechowska, *The Bucha Massacre-Russian Crimes in the Kyiv Region*, PISM, no. 77, 5 April 2022, at <https://www.pism.pl/publications/the-bucha-massacre-russian-crimes-in-the-kyiv-region> (accessed: 17 October 2024); *OSCE Troika Meets with Ukrainian Foreign Minister, Expresses Strong Support to Ukraine and Calls on Russia to Immediately Stop Its Military Attack*, OSCE, 8 April 2022, at <https://www.osce.org/chairmanship/515391> (accessed: 17 October 2024).

<sup>250</sup> 24<sup>th</sup> August 2022 is a symbolic date, as this day marks exactly six months since the outbreak of a full-scale war and 31 years since Ukraine declared independence.

called ‘filtration operations’ in the occupied territories, followed by organised forced deportations of Ukrainian citizens to Russian territory proper<sup>251</sup>.

On 20<sup>th</sup> September 2022, OSCE representatives – Chairman-in-Office Zbigniew Rau, Secretary-General Helga Schmid, President of the OSCE Parliamentary Assembly Margareta Cederfelt and Director of the OSCE Office for Democratic Institutions and Human Rights Matteo Mecacci – stated that the Organisation would not recognise the results of the illegal referenda in four Ukrainian regions (Donetsk, Luhansk, Zaporizhzhia and Kherson) scheduled for 23<sup>rd</sup>-27<sup>th</sup> September<sup>252</sup>. Following the referenda and the announcement of the Russian authorities’ decision to annex these territories to Russia (30<sup>th</sup> September 2022), OSCE leaders declared that such actions were a blatant violation of the Organisation’s fundamental principles<sup>253</sup>. Then, in October, the foreign ministers of the Troika member states as well as the leadership of the OSCE Parliamentary Assembly and Secretariat condemned the brutalisation of Russian shelling of Ukraine’s civilian infrastructure in response to the Russian Federation army’s failures at the front<sup>254</sup>.

The Polish Chairmanship unequivocally sided with the Ukrainian side. This can be considered a very bold and unprecedented approach as it is usually expected within the OSCE that the Chairmanship should take the position of a neutral arbiter<sup>255</sup>. Poland, however, did not seek to maintain an equal distance from the perpetrator and the victim:

*[we] accepted the decision to take sides from both a moral and political point of view and we are openly working to promote the political, economic and military interests of the Ukrainian side which is the wronged party in this conflict*<sup>256</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

<sup>251</sup> OSCE Chairman-in-Office Calls on Russian Federation to Immediately Stop War against Ukraine, Stresses Civilian Population Must Be Protected, OSCE, 24 August 2022, at <https://www.osce.org/chairmanship/524454> (accessed: 17 October 2024).

<sup>252</sup> OSCE Heads Condemn Plan to Hold Illegal “Referenda” in Occupied Territories of Ukraine, OSCE, 20 September 2022, at <https://www.osce.org/chairmanship/526432> (accessed: 17 October 2024).

<sup>253</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, 30 September 2022, at <https://www.osce.org/chairmanship/527109> (accessed: 17 October 2024).

<sup>254</sup> OSCE Troika, Secretary General, OSCE PA President and Secretary General Strenuously Condemn Russia’s Attacks in Ukraine’s Civilian Centres, OSCE, 10 October 2022, at <https://www.osce.org/parliamentary-assembly/528465> (accessed: 17 October 2024).

<sup>255</sup> Interview with a Permanent Representative of Poland to the OSCE – Vienna, 14 September 2022.

<sup>256</sup> Interview MSZ1 – Warsaw, 19 September 2022.

key importance e.g. during the decision-making process regarding the application of the Moscow Mechanism and the collection of extra-budgetary funds for the implementation of the initiatives of the Polish Chairmanship<sup>257</sup>.

### *No business as usual*

Polish diplomats were guided by the principle of ‘*no business as usual*’, which indicates the recognition that it is impossible, under these circumstances, to pursue the existing agenda of the OSCE by pretending that nothing happened. The brutality and scale of the Russian invasion completely changed the situation in the region. After the outbreak of the 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 objectives which boil down to the OSCE principles of territorial integrity, sovereignty, independence and so on*<sup>258</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 2022<sup>259</sup> and the OSCE’s annual cyber/ICT security conference in October of the same year<sup>260</sup>.

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<sup>257</sup> Ibidem.

<sup>258</sup> Ibidem.

<sup>259</sup> *OSCE Annual Security Review Conference Takes Places against Backdrop of War on Ukraine*, OSCE, 29 June 2022, at <https://www.osce.org/chairmanship/521527> (accessed: 17 October 2024).

<sup>260</sup> *Doroczna konferencja OBWE poświęcona kwestiom cyberbezpieczeństwa [OSCE Annual Cyber Security Conference]*, Ministry of Foreign Affairs of the Republic of Poland, 21 October 2022, at <https://www.gov.pl/web/dyplomacja/doroczna-konferencja-obwe-poswiecona-kwestiom-cyberbezpieczenstwa> (accessed: 17 October 2024).

### ***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 consisted in raising the issue of the war in Ukraine in all possible fields of the OSCE, not narrowing it down only to the political-military dimension, but extending it also to the economic-environmental and human dimensions.

*[this] is the leading aspect of our chairmanship: to stay focused and avoid this fatigue [Ukraine fatigue – author’s note] so that this can be kept at a high level all the time. Unfortunately, it is so – this is a sad observation – that these new revelations of Russian crimes prevent people from forgetting [the war – author’s note] and moving on. Whether with or without our involvement... This also makes it easy to keep Ukraine on the agenda<sup>261</sup>.*

The impact of the war unleashed 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 2022<sup>262</sup>. Furthermore, the impact of the war in Ukraine on human rights, human trafficking and the migration crisis was discussed during 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 September/October 2022<sup>263</sup>.

In addition, a month before the outbreak of the full-scale war, Poland’s Minister of National Defence Mariusz Błaszczak held a telephone consultation on behalf of the Chairman-in-Office Zbigniew Rau with the US Secretary of State Antony Blinken, the NATO Secretary General Jens Stoltenberg and the European Union High Representative for Foreign Affairs and Security Policy Josep Borrell on the rising tensions around Ukraine<sup>264</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

<sup>261</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>262</sup> *Technological Innovation and Transition to Green Energy Crucial for Sustainable Economic Recovery after Pandemic – OSCE 2022 Forum in Prague*, OSCE, 9 September 2022, at <https://www.osce.org/chairmanship/525495> (accessed: 17 October 2024).

<sup>263</sup> *Human Dimension Conference Concludes in Warsaw*, OSCE, 7 October 2022, at <https://www.osce.org/chairmanship/528399> (accessed: 17 October 2024).

<sup>264</sup> *Joint Consultations of the Polish OSCE Chairmanship, the European Union, NATO and the United States*, Ministry of Foreign Affairs of the Republic of Poland, 19 January 2022, at <https://www.gov.pl/web/osce/joint-consultations-of-the-polish-osce-chairmanship-the-european-union-nato-and-the-united-states> (accessed: 17 October 2024).

New York in March 2022<sup>265</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 2022<sup>266</sup>.

### ***Closure of the Special Monitoring Mission and the office of the OSCE Project Co-ordinator in Ukraine***

The firm stance of the Polish Chairmanship on the war provoked the expected reaction from Russia. Poland was consistently accused of losing its neutrality and deliberately ‘Ukrainianising’ the OSCE agenda<sup>267</sup>. Taking advantage of the consensual nature of decision-making in the OSCE, Russia sought to get rid of any OSCE presence in Ukraine and to politically ‘punish’ the Polish Chairmanship in the process by blocking decisions of key importance from the perspective of the smooth functioning of the Organisation<sup>268</sup>. A consequence of such Russian actions was, inter alia, the failure to agree the budget of Organisation in 2022<sup>269</sup>. However, the greatest repercussion of

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<sup>265</sup> OSCE Chairman-in-Office Zbigniew Rau Calls for Stronger UN-OSCE Co-Operation to Address Global Security Challenges, OSCE, 16 March 2022, at <https://www.osce.org/chairmanship/514018> (accessed: 17 October 2024).

<sup>266</sup> Special Representatives of OSCE Chairman-in-Office Conclude Visit to Council of Europe, OSCE, 20 April 2022, at <https://www.osce.org/chairmanship/516183> (accessed: 17 October 2024).

<sup>267</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>268</sup> Interview SPRP1 – Vienna, 14 September 2022.

<sup>269</sup> Interview with a Permanent Representative of Poland to the OSCE – Vienna, 14 September 2022. As of 2021, the OSCE does not have an updated version of the unified budget. All attempts to adopt a new budget for 2022-2024 have failed due to the lack of consensus among participating States. As a result, for several years the Organization has been forced to subsist on monthly allocations based on the amounts from the last agreed budget, which has long – if only due to inflation – been in need of updating. Cf. S. Kolarz, *Cohabitation with the Aggressor: Russia Stymies OSCE Operations*, PISM, no. 185, 15 December 2023, at <https://pism.pl/publications/cohabitation-with-the-aggressor-russia-stymies-osce-operations> (accessed: 18 October 2024); *Statement on the 2025 Unified Budget Proposal*, United States Mission to the OSCE, at <https://osce.usmission.gov/statement-on-the-2025-unified-budget-proposal/> (accessed: 18 October 2024). The latest consolidated budget currently available to the OSCE amounts to approximately EUR 138 million, which is a relatively low amount. Cf. *Permanent Council Decision No. 1413 “Approval of the 2021 Unified Budget” of 18 August 2021*, OSCE, at <https://www.osce.org/files/f/documents/0/1/497680.pdf> (accessed: 10 November 2024). For comparison, the general budget of the Council of Europe (compulsory contributions from member states, extra-budgetary resources, other revenues) for 2024 is around €625 million. The UN, on the other hand, has a budget of around \$3.59 billion for 2024. Cf. *The Council of Europe in Brief: Budget*, Council of Europe, at <https://www.coe.int/en/web/about-us/budget> (accessed: 24 October 2024); *General Assembly Approves \$3.59 Billion UN Budget for 2024*, UN, 24 December 2023, at <https://news.un.org/en/story/2023/12/1145072> (accessed: 24 October 2024).

Moscow's intransigent attitude was the blocking of the extension of the mandates of the Special Monitoring Mission and the OSCE Project Co-ordinator in Ukraine. In the absence of a consensus, which in the case of the SMM was to be reached by the end of March 2022<sup>270</sup>, the OSCE Chairman-in-Office and the Secretary-General announced in a joint statement of 28<sup>th</sup> April 2022 that immediate steps would be taken to close the OSCE SMM in Ukraine<sup>271</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 2022 the procedure to close the office of the OSCE Project Co-ordinator in Ukraine<sup>272</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 closure of the SMM and the PCU<sup>273</sup>, which had been in place for 23 years, as well as the start of military aggression by one participating state against another, the question arose about 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>274</sup>.

### ***OSCE 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 2022. At that time, Minister Rau announced the launch of a special EUR 30m Support Programme

<sup>270</sup> *Chairman-in-Office and Secretary General Expressed Regret That No Consensus Reached on Extension of Mandate of Special Monitoring Mission to Ukraine*, OSCE, 31 March 2022, at <https://www.osce.org/chairmanship/514958> (accessed: 18 October 2024).

<sup>271</sup> *OSCE Chairman-in-Office and Secretary General Announce Upcoming Closure of Special Monitoring Mission to Ukraine*, OSCE, 28 April 2022, at <https://www.osce.org/chairmanship/516933> (accessed: 18 October 2024).

<sup>272</sup> *OSCE Chairman-in-Office and Secretary General Announce Upcoming Closure of Project Co-ordinator in Ukraine*, OSCE, 30 June 2022, at <https://www.osce.org/chairmanship/521779> (accessed: 18 October 2024).

<sup>273</sup> The procedures for closing the office of the Project Coordinator and the OSCE Special Monitoring Mission in Ukraine were finally completed on 31<sup>st</sup> October 2022. Cf. *OSCE Chairman-in-Office and Secretary General Praise Work by Field Operations in Ukraine...*

<sup>274</sup> Interview SPRP1 – Vienna, 14 September 2022.

for Ukraine (SPU)<sup>275</sup>. This amount was to be allocated over a period of three years<sup>276</sup>. The launch of the support programme demonstrates the flexibility and innovation of the Polish Chairmanship. According to the formula developed in collaboration between the Chairmanship and the OSCE Secretariat, the SPU should be financed with extra-budgetary funds<sup>277</sup>, i.e. voluntary contributions from donors from among the OSCE participating States and OSCE partners<sup>278</sup>. The extra-budgetary nature of the programme's financing under OSCE rules does not require consensus, and therefore Russia was not in a position to block this initiative<sup>279</sup>. Poland found itself in a dual role in this situation, firstly, as the country holding the one-year OSCE Chairmanship and coordinating the activities of the entire Organisation, it was actively involved in developing the SPU structure; and secondly, it acted as one of the donors of this programme. However, it should be emphasised that when it comes to the selection of the projects to be implemented under the SPU, it is the OSCE Secretariat that plays a key role in this respect<sup>280</sup>.

It took several months to work out the legal framework of the support programme for Ukraine. As a result, it was launched on 1<sup>st</sup> November 2022<sup>281</sup>. As announced, the SPU was to include the implementation of 23 projects in the fields of mine clearance, countering risks of natural disasters and risks arising from environmental disasters caused by war, and long-term support for the reform of Ukrainian political institu-

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<sup>275</sup> *Przewodniczący OBWE Zbigniew Rau przebywał z wizytą na Ukrainie [OSCE Chairman Zbigniew Rau Visited Ukraine]*, Ministry of Foreign Affairs of the Republic of Poland, 2 August 2022, at <https://www.gov.pl/web/dyplomacja/przewodniczacy-obwe-zbigniew-rau-przebywal-z-wizytana-ukrainie> (accessed: 18 October 2024).

<sup>276</sup> Interview SPRP1 – Vienna, 14 September 2022.

<sup>277</sup> Interview MSZ2 – Warsaw, 19 September 2022.

<sup>278</sup> As of March 2023, SPU donors include Albania, Austria, Belgium, Bulgaria, Canada, Czech Republic, Estonia, Finland, France, Germany, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom and the United States (OSCE participating States); Japan and Thailand (OSCE Asian Partners Group), and the European Union. Cf. *Donors to the OSCE Secretariat Extra-Budgetary Support Programme for Ukraine*, OSCE, 22 March 2023, at <https://www.osce.org/osce-secretariat-exb-support-programme-for-ukraine/539480> (accessed: 18 October 2024).

<sup>279</sup> Interview MSZ4 – Warsaw, 19 September 2022.

<sup>280</sup> Interview SPRP1 – Vienna, 14 September 2022.

<sup>281</sup> That is, the day after the final closing of the office of the Project Coordinator and the OSCE Special Monitoring Mission in Ukraine. This may indicate a conscious effort to demonstrate the continuity of the OSCE presence in Ukraine. Cf. *OSCE Chairman-in-Office and Secretary General Praise Work by Field Operations in Ukraine...*

tions and civil society<sup>282</sup>. However, as of October 2024, there are only ten projects with a total budget of EUR 11,749,308, the implementation of which is known to have begun. They cover areas such as responding to chemical threats, combating money laundering, demining, developing education, promoting high journalistic standards and countering disinformation, monitoring and analysing the environmental consequences of the war, combating human trafficking, providing social and psychological support to people in times of war, promoting good practice in constitutional justice and protecting human rights<sup>283</sup>. Eight of the projects have a timeframe of 2.5 years (November 2022 – May 2025) and the other two are two months longer (November 2022 – July 2025).

The SPU was established on the basis of the long-standing experience of the office of the OSCE Project Co-ordinator in Ukraine and is largely a continuation of such activities, which have, however, been adapted to the realities of war<sup>284</sup>. In addition, the Chairman-in-Office Zbigniew Rau appointed Ambassador Henrik Villadsen, the previous OSCE Project Co-ordinator in Ukraine, as Special Representative in charge of coordinating the programme of support for Ukraine<sup>285</sup>. Institutionally, the SPU is rooted in the OSCE Secretariat, which is manifested e.g. by the alternative name of the programme often used from 2023 onwards, i.e. *OSCE Secretariat Extra-Budgetary Support Programme for Ukraine*.

A number of mechanisms operating along similar lines were launched in the Caucasus and Central Asia in the past, but they were not as politically charged and had much less funding<sup>286</sup>. Thus, the use of this solution by the OSCE Secretariat and the Polish Chairmanship in the situation of a crisis of the OSCE presence in Ukraine can certainly be viewed as an innovative and unconventional course of action. The same solution was applied by the Polish Chairmanship to the OSCE's Human Dimension Implementation Review Meetings which, according to the rules of the Organisation, should be held annually in Warsaw (ODIHR headquarters). However, due to the pan-

<sup>282</sup> *New Donor-Funded Support Programme for Ukraine*, OSCE, 1 November 2022, at <https://www.osce.org/chairmanship/530219> (accessed: 18 October 2024).

<sup>283</sup> *OSCE Secretariat Extra-Budgetary Support Programme for Ukraine*, OSCE, at <https://www.osce.org/osce-secretariat-exb-support-programme-for-ukraine/536728> (accessed: 18 October 2024).

<sup>284</sup> Interview SPRP1 – Vienna, 14 September 2022.

<sup>285</sup> In August 2023, the Slovak diplomat Marcel Peško became the new special representative of the OSCE Chairman-in-Office in Ukraine. Cf. *Slovak Diplomat Pesko to Be New Representative of OSCE Head for Ukraine*, Press Agency of the Slovak Republic, 1 August 2023, at <https://www.tasr.sk/tasr-clanok/TASR:2023080100000331> (accessed: 18 October 2024).

<sup>286</sup> Interview SPRP1 – Vienna, 14 September 2022; Interview with a Permanent Representative of Poland to the OSCE – Vienna, 14 September 2022.

demic (2020) and the stance 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>287</sup>, the Third Dimension Review Meetings were not held. This situation was a sign of the crisis and dysfunctionality of the Organisation. The initiativeness and out-of-the-box approach of the Polish Chairmanship were manifested in the political decision of the Chairman-in-Office, made in consultation with the ODIHR and the Like-Minded States, to organise a Human Dimension Conference in Warsaw, which was reminiscent of the traditional Review Meeting in terms of the content and the nature of participation<sup>288</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 the Russian side may serve the next chairmanships should Russia continue its strategy of abusing the principle of consensus in the OSCE for its particularistic political goals<sup>289</sup>. As demonstrated by the protracted institutional crisis in the OSCE, which has further deepened under the Macedonian (2023) and Maltese (2024) Chairmanships, the Russian Federation does not intend to abandon its hostile policy towards the OSCE adopted in 2021-2022<sup>290</sup>.

### **Advancing the process towards a peaceful and sustainable resolution to the conflict in Georgia**

Like the previous OSCE Chairmanship states, 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. It is the only forum that brings together all the parties involved in the conflict in Georgia.

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<sup>287</sup> S. Liechtenstein, *Russia Blocks Holding of OSCE Human Rights Conference, Diplomats Say*, The Security and Human Rights Monitor, 9 September 2021, at <https://www.shrmonitor.org/russia-blocks-holding-of-osce-human-rights-conference-diplomats-say/> (accessed: 18 October 2024).

<sup>288</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>289</sup> The subject of concern for some diplomats involved in the OSCE is the possible blocking by Russia of OSCE field mission mandates in the Balkans, which would lead to an even greater crisis for the Organization and further reduce its functionality. Mobilizing extra-budgetary resources is one of the few ways to counter Russian blackmail. Cf. Interview SPRP1 – Vienna, 14 September 2022.

<sup>290</sup> *Chair-in-Office Ian Borg Takes Measures to Ensure Organizational Continuity Amidst Leadership Transition*, OSCE, 3 September 2024, at <https://www.osce.org/chairpersonship/575602> (accessed: 18 October 2024); S. Wolff, *The Challenges Facing Malta's Chairpersonship of the OSCE*, The Foreign Policy Centre, 5 February 2024, at <https://fpc.org.uk/the-challenges-facing-maltas-chairpersonship-of-the-osce/> (accessed: 18 October 2024).

As a rule, GID meetings are held four times a year<sup>291</sup>. Despite the fact that plans to continue negotiations in this format were declared in the programme of the Polish Chairmanship, their implementation was largely prevented by the outbreak of the war. The Russian aggression against Ukraine had a fundamental impact on Poland's approach to leading the work of the Organisation. The Polish Chairmanship realised 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. Accordingly, a principled decision was made to temporarily suspend the Geneva International Talks on the principle of *'no business as usual'*<sup>292</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 South Ossetian separatists from the rest of the country<sup>293</sup>. This 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 and providing humanitarian assistance to conflict-affected civilians<sup>294</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>295</sup>. These meetings take place with

<sup>291</sup> These are 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 supported by Russia). The GID is co-chaired by three international organisations: the OSCE, the UN, and the EU. Cf. *Geneva International Discussions*, Office of the State Minister of Georgia for Reconciliation and Civic Equality, at <https://smr.gov.ge/en/page/26/geneva-international-discussions> (accessed: 23 October 2024).

<sup>292</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>293</sup> The second IPRM, which was organised in the city of Gali (Abkhazia), has been suspended since 2018. Representatives of Georgia, self-proclaimed Abkhazia and Russia took part in the IPRM meetings in Gali. *IPRM Meeting Suspended over 'Otkhozoria-Tatunashvili List'*, Civil Georgia, 27 June 2018, at <https://civil.ge/archives/245157> (accessed: 23 October 2024).

<sup>294</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>295</sup> In 2022, six IPRM meetings were held in Ergneti (January, March, April, June, September, November). Cf. *104<sup>th</sup> Incident Prevention and Response Mechanism Meeting Takes Place in Ergneti*, OSCE, 20 January 2022, at <https://www.osce.org/chairmanship/510428> (accessed: 23 October 2024); *109<sup>th</sup> Incident Prevention and Response Mechanism Meeting Takes Place in Ergneti*, OSCE, 10 November 2022, at <https://www.osce.org/chairmanship/530740> (accessed: 23 October 2024). IPRM meetings continued in 2023-2024. The last meeting to date was held in September 2024, with the next one scheduled for November 2024. Cf. *121<sup>th</sup> Incident Prevention and Response*

the mediation of the Head of the EU Monitoring Mission to Georgia<sup>296</sup> as well as the Special Representative of the OSCE Chairman-in-Office<sup>297</sup>. The EU Monitoring Mission also operates a hotline between the participants in the Mechanism<sup>298</sup>.

An important component of each Chairmanship is made up of the Chairman-in-Office's visits abroad. Minister Rau paid a visit to the South Caucasus in late March and early April 2022. 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 President-in-Office also thanked the Georgian partners for their contribution to the attempts at a peaceful resolution of the conflicts in the region, including the Peaceful Neighbourhood Initiative<sup>299</sup>, and visited the line of demarcation between Georgia and separatist South Ossetia in Odzisi<sup>300</sup>.

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*Mechanism Meeting Takes Place in Ergneti*, OSCE, 12 September 2024, at <https://www.osce.org/chairpersonship/575982> (accessed: 23 October 2024).

<sup>296</sup> During the Polish Chairmanship of the OSCE in 2022, the post was held by Ambassador Marek Szczygieł (March 2020-December 2022), while the current head of the EU Monitoring Mission to Georgia is Bettina Patricia Boughani, who took office in April 2024. Cf. *Head of Mission*, EU Monitoring Mission in Georgia, at [https://www.eumm.eu/en/about\\_eumm/ywmao\\_h83zohj9qb/8xbc0fbhphzivx8fe](https://www.eumm.eu/en/about_eumm/ywmao_h83zohj9qb/8xbc0fbhphzivx8fe) (accessed: 23 October 2024).

<sup>297</sup> In January 2022, the Chairman-in-Office, Zbigniew Rau, appointed Viorel Moșanu as the OSCE Special Representative for the South Caucasus. The course of cooperation with the experienced Romanian ambassador was assessed very positively by Polish diplomats, cf. Interview MSZ1 – Warsaw, 19 September 2022. Moșanu continues to hold the post entrusted to him today (as of October 2024).

<sup>298</sup> N. Macharashvili, E. Basilaia, N. Samkharade, op.cit., pp. 23, 31.

<sup>299</sup> The launch of a new negotiation platform called the Peaceful Neighborhood Initiative was announced by Georgian Prime Minister Irakli Garibashvili during the 76<sup>th</sup> session of the United Nations General Assembly in September 2021. In 2022, Georgia organised a number of bilateral and trilateral meetings at the highest level with representatives of Armenia and Azerbaijan. The initiative focused primarily on resolving the conflict between Yerevan and Baku and strengthening economic, trade and cultural cooperation in the region. Cf. *Prime Minister Garibashvili Announces "Peaceful Neighborhood Initiative" at the UNGA*, Embassy of Georgia to the United States of America, 28 September 2021, at <https://georgiaembassyusa.org/2021/09/28/prime-minister-garibashvili-advances-cooperation-and-security-at-the-unga/> (accessed: 23 October 2024); *Georgian Foreign Minister Welcomes Inaugural Meeting of Armenian, Azerbaijani FMs in Tbilisi*, Agenda.ge, 16 July 2022, at <https://agenda.ge/en/news/2022/2721> (accessed: 23 October 2024). However, it can be concluded that after Azerbaijan occupied the entire territory of Nagorno-Karabakh (September-October 2023) and Garibashvili left the post of Prime Minister of Georgia in February 2024, the Peaceful Neighbourhood Initiative has lost its significance.

<sup>300</sup> *OSCE Chairman-in-Office Rau Concludes Visit to Georgia, Azerbaijan and Armenia*, OSCE, 2 April 2022, at <https://www.osce.org/chairmanship/515075> (accessed: 23 October 2024).

As mentioned above, the Geneva International Discussions were temporarily suspended in early 2022 after Russia launched a full-scale invasion of Ukraine. Consequently, the GID sessions in March and June 2022 did not take place. However, the Georgian side, and for some time also UN and EU representatives, expressed interest in keeping this negotiating format alive<sup>301</sup>. Firstly, Georgia was keen to continue the GID meetings, as these talks are one of the few channels of direct communication with Russia<sup>302</sup>. Secondly, the Georgian government wanted to avoid a situation in which the frozen separatist conflicts in Georgia would completely disappear from the European security agenda amid a heated war between Russia and Ukraine<sup>303</sup>. Thirdly, an arrangement where Georgia holds regular meetings with representatives of self-proclaimed South Ossetia within the framework of the IPRM in Ergneti, while suspending the Geneva International Talks involving Georgia's European and American allies, was undesirable from Tbilisi's point of view<sup>304</sup>.

It is worth stressing, however, that Russia's aggressive war against Ukraine was not the only obstacle to getting all the parties to agree to return to the GID. In April 2022 Moscow began demanding a change of venue for the talks (Istanbul was one of the proposals)<sup>305</sup> accusing the GID Co-Chairs and Switzerland of losing their impartiality<sup>306</sup>. These demands were reiterated in June 2022 during a remote meeting between the deputy foreign minister of the Russian Federation and the special representatives of the UN, EU and OSCE<sup>307</sup>. A month later, the same position was taken by the 'Foreign Minister' of Abkhazia<sup>308</sup>. In addition, the Russian side demanded a preparatory meeting in Moscow with the participation of the GID Co-Chairs. Poland as the OSCE Chairmanship country firmly rejected the demands for both a change of location and consultations in Moscow<sup>309</sup>.

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<sup>301</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>302</sup> Interview SPRP1 – Vienna, 14 September 2022. Tbilisi zerwało stosunki dyplomatyczne z Rosją po tzw. wojnie pięciodniowej w 2008 r. Zob. *Georgia Breaks Ties with Russia*, BBC, 29 August 2008, at <http://news.bbc.co.uk/2/hi/europe/7588428.stm> (accessed: 23 October 2024).

<sup>303</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>304</sup> Interview SPRP1 – Vienna, 14 September 2022.

<sup>305</sup> Ibidem.

<sup>306</sup> *Russian Diplomat on Abkhazia, S. Ossetia, Geneva Talks*, Civil Georgia, 26 April 2022, at <https://civil.ge/archives/487300> (accessed: 23 October 2024).

<sup>307</sup> *Geneva Discussions on Transcaucasia Should Be Moved to Neutral Site – MFA*, Russian News Agency TASS, 20 June 2022, at <https://tass.com/world/1468671> (accessed: 23 October 2024).

<sup>308</sup> *Abkhaz Side Wants to Move Georgia Talks out of Geneva*, Civil Georgia, 14 July 2022, at <https://civil.ge/archives/500695> (accessed: 23 October 2024).

<sup>309</sup> Interview MSZ1 – Warsaw, 19 September 2022.

Despite significant differences of opinion, the parties involved in the GID managed to agree on a meeting date. In October 2022, after a 10-month hiatus, the 56<sup>th</sup> round of the Geneva International Talks, previously scheduled for March, took place. Thus, Russia failed to fulfil its plans to change the venue and organise preparatory consultations in Moscow. The meeting itself, however, did not produce any breakthrough results. The positions of the individual GID parties did not converge. The participants treated the meeting as an opportunity to present their traditional views on the steps to be taken to resolve the conflict in Georgia<sup>310</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 the separatist representatives<sup>311</sup>. Additionally, representatives of South Ossetia, which is not controlled by Tbilisi, raised the issue of demarcation of the ‘state border’, which might herald the continuation of processes referred to in Georgia and the West as so-called borderisation or ‘creeping occupation’ of areas along the line of demarcation<sup>312</sup>.

Georgia focused on the issue of ensuring the safe return of internally displaced persons to their homes. This issue is extremely 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>313</sup>.

The delegations of the European Union and the United States, on the other hand, 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

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<sup>310</sup> 56<sup>th</sup> Round of Geneva International Discussions, Civil Georgia, 6 October 2022, at <https://civil.ge/archives/510717> (accessed: 23 October 2024). In the following years, GID meetings were held without much disruption: three rounds of meetings took place in 2023 and the same number are scheduled for 2024. However, it is impossible to say that there was any progress in achieving the basic goals of the GID during this period. The only success can be considered the lack of escalation between the conflicting parties.

<sup>311</sup> Georgia has for years expressed its readiness to conclude a treaty on the renunciation of force as a means of resolving the conflict in Abkhazia and South Ossetia. However, the Georgian government argues that Russia should be a party to this treaty, not the separatists, whose subjectivity the Georgians do not want to recognize. Cf. N. Macharashvili, E. Basilaia, N. Samkharade, *Assessing the EU’s Conflict Prevention...*, p. 31.

<sup>312</sup> A. Tomczyk, *Zjawisko borderyzacji w polityce gruzińskich i osetyjskich elit władzy [The Phenomenon of Borderization in the Politics of Georgian and Ossetian Power Elites]*, “Nowa Polityka Wschodnia” 2021, no. 2(29), pp. 124–144; M. Rzeszutko, *The Borderization of Georgia’s Breakaways as a Tool of Russia’s Long-Term Struggle with the EU and NATO*, “George C. Marshall European Center for Security Studies Papers” 2022, no. 8, pp. 1–20.

<sup>313</sup> N. Macharashvili, E. Basilaia, N. Samkharade, *Assessing the EU’s Conflict Prevention...*, p. 35.

as a result of the war<sup>314</sup>. Both the US and the Union called for the resumption of the IPRM in Gali as soon as possible<sup>315</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 the Special Representative of the Chairman-in-Office. Furthermore, Chairman Zbigniew Rau visited Georgia, Armenia and Azerbaijan in late March and early April 2022, thus emphasising the importance of the region of South Caucasus to the OSCE. The return in October 2022 to the GID 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 24<sup>th</sup> February 2022. Under the conditions of the largest war in Europe in 70 years, finding a lasting solution to the frozen or semi-frozen armed conflicts in the post-Soviet area is practically impossible. The preservation of the OSCE presence in the region (visit by President-in-Office Rau, activities of the Special Representative and 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.

<sup>314</sup> *On the 56<sup>th</sup> Round of the Geneva International Discussions on the Conflict in Georgia*, The U.S. Mission to the OSCE, at [https://osce.usmission.gov/on-the-56<sup>th</sup>-round-of-the-geneva-international-discussions-on-the-conflict-in-georgia/](https://osce.usmission.gov/on-the-56th-round-of-the-geneva-international-discussions-on-the-conflict-in-georgia/) (accessed: 23 October 2024); *EU Statement on the 56<sup>th</sup> Round of the Geneva International Discussions*, Delegation of the European Union to the International Organisations in Vienna, 14 October 2022, at [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: 23 October 2024).

<sup>315</sup> Interestingly, during the 56<sup>th</sup> session of the GID, the Abkhazian side expressed interest in restoring the operation of 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. Cf. *Sokhumi Hints at Resuming Gali IPRM*, Civil Georgia, <https://civil.ge/archives/512142> (accessed: 23 October 2024). This issue was also raised during the visit of the UN and EU special representatives to Abkhazia in November 2022. Cf. *GID Co-Chairs Visit Sokhumi, Tskhinvali*, Civil Georgia, 18 October 2022, at <https://civil.ge/archives/514522> (accessed: 23 October 2024). As of October 2024, however, the IPRM has not been revived in Gali and there is currently no indication that the Abkhazian side, which has been politically playing this issue for years, will actually agree to make concessions on this issue in the near future.

## 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. The countries preceding Poland in holding the OSCE Chairmanship also had to face the problem of the Azeri-Armenian conflict. Of particular significance in this regard seems to have been the Albanian Chairmanship (2020) during which the conflict escalated. 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 invasion of Ukraine on 24<sup>th</sup> February 2022. At that point, all formats for the peaceful resolution of disputes of an international nature came into question. This was due to Russia's membership of the vast majority of them as an important party to the negotiations. 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 2022, 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>316</sup>. In April 2022, 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>317</sup>. The visit to Baku was also intended to obtain the cooperation of Azerbaijan and the OSCE in working towards a peaceful resolution of the three-decade-long dispute. As the conflict escalated, in September 2022 the Chairman-in-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>318</sup>. Azerbaijan had been pursuing a very unambiguous policy since 2020 in its quest to take total control of Nagorno-Karabakh. With the aggression of the

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<sup>316</sup> *Statement by the OSCE Chairmanship-in-Office on the Situation along the Armenia-Azerbaijan Border*, OSCE, 12 January 2022, at <https://www.osce.org/chairmanship/509834> (accessed: 24 October 2024).

<sup>317</sup> *OSCE Chairman-in-Office Rau Concludes Visit to Georgia, Azerbaijan and Armenia...*

<sup>318</sup> *OSCE Chairman-in-Office and OSCE Secretary General Call for Immediate Cessation of Hostilities along Armenia-Azerbaijan Border*, OSCE, 13 September 2022, at <https://www.osce.org/chairmanship/525732> (accessed: 23 October 2024).

Russian Federation on 24<sup>th</sup> February 2022 and the Kremlin's setbacks on the frontline, Azerbaijan's policy gradually became more audacious and assertive, which was an additional obstacle to cooperation for maintaining and building peace in the region:

*After the 2020 war over Nagorno-Karabakh, the Azeri proceeded to pursue their interests more aggressively and assertively. This somewhat precludes a balanced Armenian-Azeri dialogue and cooperation. Armenians feel pushed around in all this. The Azeri are becoming assertive and trying to run forward because of Armenia's weaker potential despite the presence of Russian troops<sup>319</sup>.*

The activities of the Minsk Group were thus frozen, as it were. 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 prevented the accomplishment of the objective included in the Chairmanship programme.

### **Efforts to resolve the Transnistria issue**

Like the Karabakh issue, the breakaway region of Moldova on the left bank of the River 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<sup>320</sup>. Although this is not a large number by today's standards, it is sufficient as an argument against Moldovan attempts to incorporate the region. 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 work out 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 status, are the United States and the European Union. The 5+2 format did not develop any serious changes and was considered non-functional, as it were, 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 hampered the dialogue between the parties:

*...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 want to keep them in limbo; they*

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<sup>319</sup> Interview MSZ1 – Warsaw, 19 September 2022.

<sup>320</sup> E. Place, *Transnistria: Russia's Next Battlefield*, Harvard International Review, 21 October 2024, at <https://hir.harvard.edu/transnistria-russias-next-battlefront/> (accessed: 23 October 2024).

*want to bring about what 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>321</sup>.

The outbreak of the war in Ukraine and Russian plans to conquer nearby Odesa put the issue of resolving the Transnistria problem in doubt. It was therefore natural to officially suspend the 5+2 format involving Russia and Ukraine. The conflict 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 Transnistrian and Russian, could be used against Ukraine. In order to avoid such a situation, several visits by OSCE representatives were organised to the Moldovan capital, Chisinau, as well as the cities controlled by the Transnistrian side, i.e. Tiraspol and Bender. In March 2022, the OSCE Chairman-in-Office Zbigniew Rau personally visited Moldova<sup>322</sup> while in April 2022 the country was visited by the Special Envoy of the OSCE Chairman-in-Office, Ambassador Artur Dmochowski and the Special Representative of the OSCE Chairman-in-Office for the Transnistrian Peace Process Thomas Mayr-Harting.<sup>323</sup>

*[at] the moment when the Russians were making the greatest progress towards Odesa, they occupied a large part of the Kherson area; they were fighting at Nikolaev and shelling Odesa... 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 be a presentation mission to draw the world's attention to the region, and this was successful, and the next two were already at the level of a special representative accompanied by Polish diplomats*<sup>324</sup>.

With the defeat of the Russians in the battle for Kyiv ending on 2<sup>nd</sup> April 2022, voices began to be raised not to abandon the 5+2 format. The parties to the conflict considered it necessary in resolving the dispute. However, the OSCE was active in supporting the dialogue between the parties in the 1+1 format:

*There, too, I think we were helpful and effective, outside the envisaged format, of course, 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*

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<sup>321</sup> Interview MSZ6 – Warsaw, 19 September 2022.

<sup>322</sup> OSCE Chairman-in-Office Zbigniew Rau Concludes Visit to Moldova, OSCE, 26 March 2022, at <https://www.osce.org/chairmanship/514687> (accessed: 30 October 2024).

<sup>323</sup> Security Situation Focus of Visit to Moldova by OSCE CiO Special Envoy and Special Representative, OSCE, 30 April 2022, at <https://www.osce.org/chairmanship/517095> (accessed: 30 October 2024).

<sup>324</sup> Interview MSZ6 – Warsaw, 19 September 2022.

*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>325</sup>.

Transnistria, in the context of Russian defeats on the frontline in Ukraine during the initial phase of the conflict, became more willing to dialogue. For Tiraspol, a Russian defeat in the war with Ukraine would have meant the loss of Moscow's patronage, or it could at least downplay its importance to such an extent as to favour an accelerated peace process between Transnistria and Moldova<sup>326</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. On the other hand, the Polish Chairmanship found alternatives to the 5+2 talks that enable dialogue between Chisinau and Tiraspol. One can speak here of a certain transformation of the objective during the Chairmanship. In the period between February and April 2022 the priority became countering the use of Transnistria against Ukraine. Then alternatives were sought to the 5+2 format, which could not continue due to the political situation in the region. Maintaining the dialogue between the parties can also be viewed as a success of the Chairmanship. Although the issue of Transnistria is far from being resolved and the outbreak of the Russian-Ukrainian war complicated the process of its settlement, the OSCE took decisive action that led to a de-escalation of tensions and opened new avenues of communication between the parties to the dispute.

### **International cooperation to enhance cybersecurity**

Attacks in the cyber sphere are a serious problem not only as individual actions taken against individuals or state institutions to achieve specific objectives, but are also a regular feature of hybrid conflicts. The frequent 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 declared attempts to strengthen countries' resilience to cyber-attacks by raising awareness among authorities and the public. It is worth noting that both state-level security systems and the thoughtful actions of ordinary citizens using the web in their everyday lives count in state cyber resilience.

The OSCE has undertaken a number of initiatives to enhance the cyber resilience of the Member States. An increase in their intensity can be observed in the second half

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<sup>325</sup> Ibidem.

<sup>326</sup> Ibidem.

of 2022. However, those activities were mainly carried out by OSCE departments rather than the Chairmanship itself which was often a co-organiser or observer of events. An example of such an arrangement was the workshop conducted on 22<sup>nd</sup>-23<sup>rd</sup> September 2022 by the OSCE Transnational Threats Department on the classification of cyber incidents, held in the city of Banja Luka, Bosnia and Herzegovina<sup>327</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 Conference on Cyber Security organised on 20<sup>th</sup>-21<sup>st</sup> October 2022 in Lodz<sup>328</sup>. It brought together representatives of participating States, NGOs, academia and cyber security experts. The main theme was raising public awareness of cyber threats as one of the foundations of cyber resilience and cyber security. In his speech, the Chairman-in-Office emphasised the importance of cyber security today, including in the context of the war in Ukraine.

As the objective concerned taking action and the promotion as such, it can be considered to have been achieved. The activities of the Chairmanship, in cooperation with the Secretariat and its departments, definitely promoted awareness about cyber security among participating States.

### **Strengthening of the existing arms control instruments**

In its programme, the Polish Presidency declared the need to increase military transparency, as well as to strengthen the tools of surveillance and arms control of participating States. The way to achieve this was to be stronger implementation, as well as amendment of the Vienna Document of 1990. Over the years of its activity, the organisation has become a kind of leader in political-military activities in the field of collective security. The OSCE has so far not raised the issue of modernising this document, but actions have been taken at lower levels on the issue of arms control and confidence building.

On 5<sup>th</sup>-6<sup>th</sup> November 2022, a visit to Tajikistan by ambassadors of the OSCE participating States took place<sup>329</sup>. A group of four representatives, from the United Kingdom, the United States, France and Germany, arrived to promote Dushanbe's cooperation with the Organisation. The visit included meetings with the Foreign

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<sup>327</sup> *Cyber Incident Classification System in Focus of OSCE Workshop in Banja Luka*, OSCE, 23 September 2022, at <https://www.osce.org/mission-to-bosnia-and-herzegovina/526744> (accessed: 24 October 2024).

<sup>328</sup> *Building Societal Resilience to Cyber Threats Focus of Annual OSCE Conference*, OSCE, 20 October 2022, at <https://www.osce.org/chairmanship/529353> (accessed: 24 October 2024).

<sup>329</sup> *OSCE Ambassadors Visit Tajikistan*, OSCE, 8 November 2022, at <https://www.osce.org/programme-office-in-dushanbe/530602> (accessed: 23 October 2024).

Minister of Tajikistan, the commander of Tajik Border Troops, and a meeting at the Regional Explosive Hazards Training Centre of the Ministry of Defence of Tajikistan. The representatives also touched upon 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 2022. The meeting dealt with the implementation of the UN Security Council Resolution 1540 on non-proliferation of weapons of mass destruction. The conference also addressed contemporary challenges and arms control cooperation in the Central Asian region. 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>330</sup>.

Throughout 2022, most of the activities aimed at implementing the objective concerned were undertaken by structures related to the OSCE Secretariat, albeit coinciding with the programme of the Polish Chairmanship, which definitely contributed to the accomplishment of the objective.

### **Strengthening OSCE toolbox 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. Nevertheless, never before has this phenomenon occurred on such a scale, and in the age of the Internet it is having an even greater social impact on a global scale. Unfortunately, no independent actions to combat and counter terrorism were taken in 2022 on the initiative of the Polish Chairmanship. Instead, these issues were 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. The course is available in English and Russian, the latter being an important asset given that it is spoken, to a greater or lesser extent, by people from Eastern Europe, the South Caucasus and Central Asia<sup>331</sup>.

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<sup>330</sup> *OSCE-Supported Event Enhances Efforts of Central Asia and Mongolia to Prevent the Proliferation of Weapons of Mass Destruction*, OSCE, 9 November 2022, at <https://www.osce.org/secretariat/530662> (accessed: 24 October 2024).

<sup>331</sup> *OSCE Launches Online Course on Fundamentals of Preventing Violent Extremism and Radicalization That Lead to Terrorism*, OSCE, 22 November 2022, at <https://www.osce.org/secretariat/531695> (accessed: 24 October 2024).

There were also events organised by the Office for Democratic Institutions and Human Rights. One example might be the training series in Kyrgyzstan on 29<sup>th</sup>-30<sup>th</sup> November 2022, aimed at raising awareness of human rights violations and fostering closer cooperation in the field of combating extremism and terrorism in penitentiary facilities across Central Asia<sup>332</sup>. It can thus be seen that the Chairmanship devoted the bulk of its attention to the Russian-Ukrainian conflict while dealing with issues of terrorism and extremism were left to other OSCE bodies and institutions.

### **Implementation of the Women, Peace and Security Agenda**

The UN agenda called ‘Women, Peace and Security’ places a strong emphasis on gender equality and women’s representation 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 conflict<sup>333</sup>. The implementation of the Agenda by the OSCE and the promotion of its goals is not new to the OSCE. The Swedish Chairmanship also included it in its 2021 programme.

As with the previous objectives, it is difficult to assess the extent to which the task of further implementing the Women, Peace and Security Agenda has been completed. Due to Poland’s preoccupation 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 in this matter. The implementation of the objective was taking place at lower OSCE official levels, an example of which was the international roundtable in Uzbekistan entitled ‘The Women, Peace and Security (WPS) Agenda and its relationship with human rights’, organised on 26<sup>th</sup>-27<sup>th</sup> September 2022 by the OSCE Project Coordinator in that country<sup>334</sup>.

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<sup>332</sup> *Protecting Human Rights While Preventing and Countering Violent Extremism and Radicalization Leading to Terrorism (VERLT) in Prisons: Central Asia Workshop*, OSCE, at <https://www.osce.org/odihr/531644> (accessed: 24 October 2024).

<sup>333</sup> *Resolution 1325 (2000) Adopted by the Security Council at its 4213<sup>th</sup> Meeting, on 31 October 2000*, UN Security Council, 31 October 2000, at <https://documents.un.org/doc/undoc/gen/n00/720/18/pdf/n0072018.pdf> (accessed: 8 December 2024).

<sup>334</sup> *Promoting Women Peace and Security Agenda Focus of OSCE Event in Uzbekistan*, OSCE, 28 September 2022, at <https://www.osce.org/project-coordinator-in-uzbekistan/526979> (accessed: 24 October 2024).

## 6.2. 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 had a symbolic meaning 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>335</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 Hałaciński, 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>336</sup>.

The second EEF preparatory meeting was held in Lodz at the end of May 2022. The main topics of discussion included environmental protection, renewable energy sources, energy efficiency, sustainable use of natural resources and digital innovations to support the green transformation. The opening session of the meeting featured the OSCE Chairman-in-Office Zbigniew Rau who highlighted the negative impact of the war unleashed by Russia on the environment and the global economy<sup>337</sup>.

The most important part of the EEF, the summary meeting, took place on 8<sup>th</sup>-9<sup>th</sup> September 2022 in Prague. The event brought together about 250 participants represent-

<sup>335</sup> *Technological Innovation and Transition to Green Energy Crucial for Sustainable Economic Recovery after Pandemic – OSCE 2022 Forum in Prague*, OSCE, 9 September 2022, at <https://www.osce.org/chairmanship/525495> (accessed: 24 October 2024).

<sup>336</sup> *Sustainable Economic Recovery Focus of OSCE Economic and Environmental Meeting*, OSCE, 15 February 2022, at <https://www.osce.org/chairmanship/512266> (accessed: 24 October 2024).

<sup>337</sup> *Promoting Security through Sustainable Economic Recovery Focus of the OSCE Economic and Environmental Forum Meeting*, OSCE, 24 May 2022, at <https://www.osce.org/chairmanship/518874> (accessed: 24 October 2024).

ing governments of the participating States, other international organisations and the business communities of various industries and sectors of economies. The participants addressed a wide range of topics, such as diversification of energy sources, mitigating the negative effects of the 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 significance for the stability of the second dimension, including food and energy security<sup>338</sup>.

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

In mid-November 2022, the OSCE's Economic and Environmental Dimension Implementation Meeting (EEDIM) took place; this is the forum where representatives of the participating States carry out an assessment of the 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>339</sup>.

During the discussion, Ambassador Adam Hałaciński, 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>340</sup>. The delegations of the United States, the European Union and the United Kingdom reaffirmed their readiness to take further steps towards the economic empowerment of women and called for 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>341</sup>. The EEDIM was organised by the Polish Chairmanship and the Office of the OSCE Coordinator for Economic and Environmental Action.

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<sup>338</sup> *Technological Innovation and Transition to Green Energy Crucial for Sustainable Economic Recovery After Pandemic...*

<sup>339</sup> *Opening Statement at the OSCE Economic and Environmental Dimension Implementation Meeting*, U.S Mission to the OSCE, at <https://osce.usmission.gov/opening-statement-at-the-osce-economic-and-environmental-dimension-implementation-meeting-3/> (accessed: 24 October 2024).

<sup>340</sup> *OSCE Meeting Reviews the Implementation of Commitments on Women's Participation in the Economic Sphere and Decision-Making Processes*, OSCE, 15 November 2022, at <https://www.osce.org/oceea/531146> (accessed: 24 October 2024).

<sup>341</sup> *Economic and Environmental Implementation Meeting Vienna, 15 November 2022*, Delegation of the European Union to the International Organisations in Vienna, 15 November 2022, at

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 emphasised, however, that the day-to-day implementation of such objectives is not the responsibility of the Chairmanship, but of the OCEEA which organises training, workshops and webinars in various regions (mainly the Western Balkans<sup>342</sup>, Central Asia<sup>343</sup> and the Southern Caucasus<sup>344</sup>) in cooperation with the governments of the participating States and the OSCE field missions, in order to enhance the skills of the local officials.

### **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. As in the case of countering corruption, the Office of the Co-ordinator of OSCE 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 is involved in organising trainings to accelerate the implementation of new technologies in government offices in the OSCE region. By way of 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, the United States and Poland<sup>345</sup>.

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[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: 24 October 2024); *Women's Economic Inclusion Is Valuable for Maintaining Peace: UK Statement to the OSCE*, GOV.UK, 15 November 2022, at <https://www.gov.uk/government/speeches/womens-economic-inclusion-is-valuable-for-maintaining-peace-uk-statement-to-the-osce> (accessed: 24 October 2024).

<sup>342</sup> OSCE Organizes Awareness Raising Event for Civil Society on Re-Use of Confiscated Assets in Montenegro, OSCE, 3 November 2022, at <https://www.osce.org/mission-to-montenegro/530410> (accessed: 26 October 2024).

<sup>343</sup> OSCE Launches Open Data E-Learning Platform for Uzbekistan, OSCE, 23 September 2022, at <https://www.osce.org/oceea/526768> (accessed: 26 October 2024).

<sup>344</sup> OSCE and Anti-Corruption Committee Strengthen Skills of Anti-Corruption Operatives in Yerevan, OSCE, 12 August 2022, at <https://www.osce.org/oceea/524085> (accessed: 26 October 2024).

<sup>345</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, 25 November 2022, at

## **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 framework of the second dimension was to develop the 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 region.

In January and 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 High Representative of the Union for Foreign Affairs and Security Policy, the NATO Secretary General and the US Secretary of State. During the first conversation on 19<sup>th</sup> January 2022, Poland as the country holding the OSCE Chairmanship was represented by Minister of National Defence Mariusz Błaszczak<sup>346</sup>. Later on, during the subsequent consultations held 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 development of scenarios for action in the event 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>347</sup>.

On 9<sup>th</sup> February 2022 multilateral consultations took place with the participation of the Polish Deputy Foreign Minister, the US Deputy Secretary of State, the NATO Deputy Secretary General, the Secretary General of the European External Action Service and the OSCE Secretary General. The matters discussed included the OSCE

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<https://www.osce.org/oceea/532022> (accessed: 26 October 2024); *OSCE Launches Open Data E-Learning Platform for Uzbekistan...*

<sup>346</sup> *Konsultacje Polskiego Przewodnictwa OBWE, Unii Europejskiej, NATO i Stanów Zjednoczonych [Consultations of the Polish OSCE Chairmanship, the European Union, NATO and the United States]*, Ministry of Foreign Affairs of the Republic of Poland, 19 January 2022, at <https://www.gov.pl/web/obwe/konsultacje-polskiego-przewodnictwa-obwe-unii-europejskiej-nato-i-stanow-zjednoczonych> (accessed: 26 October 2024).

<sup>347</sup> *Minister Rau rozmawiał z Antonym Blinkenem, Jensem Stoltenbergiem i Josepem Borrellem [Minister Rau Spoke with Antony Blinken, Jens Stoltenberg and Josep Borrell]*, Ministry of Foreign Affairs of the Republic of Poland, 1 February 2022, at <https://www.gov.pl/web/obwe/minister-rau-rozmawial-z-antonym-blinkenem-jensem-stoltenbergiem-i-josepem-borrellem> (accessed: 26 October 2024).

Renewed European Security Dialogue initiative inaugurated the day before by the Polish Chairmanship<sup>348</sup>.

In the second half of January 2022 Zbigniew Rau had a telephone conversation with the President of the International Committee of the Red Cross, during which the Minister emphasised the importance of the objectives of a humanitarian nature on the agenda of the Polish Chairmanship<sup>349</sup>. Further on, during a hearing before the Helsinki Commission of the US Congress on 3<sup>rd</sup> February 2022, Minister Rau confirmed that support for the conflict-affected populations and the promotion of human rights were identified as a priority for Poland in the OSCE in 2022<sup>350</sup>.

Later on, in March 2022, 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 US Representative to the UN. The theme of these meetings was the Russian aggression against Ukraine and its impact on the humanitarian situation in Europe and the world<sup>351</sup>. During an address to the UN Security Council, Minister Rau 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 fairness.

<sup>348</sup> *Wiceminister Marcin Przydacz rozmawiał o sytuacji na Ukrainie i bezpieczeństwie w Europie* [Deputy Minister Marcin Przydacz Talked about the Situation in Ukraine and Security in Europe], Ministry of Foreign Affairs of the Republic of Poland, 9 February 2022, at <https://www.gov.pl/web/obwe/wiceminister-marcin-przydacz-rozmawial-o-sytuacji-na-ukrainie-i-bezpieczenstwie-w-europie> (accessed: 26 October 2024).

<sup>349</sup> *Pomoc humanitarna w regionach dotkniętych konfliktami tematem rozmowy Przewodniczącego OBWE i Prezesa Międzynarodowego Komitetu Czerwonego Krzyża* [Humanitarian Aid in Conflict-Affected Regions Discussed by OSCE Chairman and President of the International Committee of the Red Cross], Ministry of Foreign Affairs of the Republic of Poland, 19 January 2022, at <https://www.gov.pl/web/obwe/pomoc-humanitarna-w-regionach-dotknietych-konfliktami-tematem-rozmowy-przewodniczacego-obwe-i-prezesa-miedzynarodowego-komitetu-czerwonego-krzyza> (accessed: 26 October 2024).

<sup>350</sup> *Minister Rau zaprezentował priorytety przewodnictwa w OBWE przed Komisją Helsińską przy Kongresie USA* [Minister Rau Presented OSCE Chairmanship Priorities to the US Congress Helsinki Commission], Ministry of Foreign Affairs of the Republic of Poland, 3 February 2022, at <https://www.gov.pl/web/obwe/minister-rau-zaprezentowal-priorytety-przewodnictwa-w-obwe-przed-komisja-helsinki-przy-kongresie-usa> (accessed: 26 October 2024).

<sup>351</sup> *OSCE Chairman-in-Office Zbigniew Rau Calls for Stronger UN-OSCE Co-Operation to Address Global Security Challenges*, OSCE, 16 March 2022, at <https://www.osce.org/chairmanship/514018> (accessed: 26 October 2024).

The perpetrators will be judged for their actions. And we will be judged for how we respond to these macabre actions. We must not remain indifferent<sup>352</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>353</sup>. The visit resulted in the issuing of a joint statement by representatives of the OSCE and the Council of Europe condemning the destruction of religious sites by Russia and the crimes against humanity perpetrated by Russian troops<sup>354</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 the Mediterranean Partners for Co-operation was established which since 2019 has been called the OSCE Mediterranean Partners for Co-operation Group (MPCG)<sup>355</sup>. It currently includes countries such as Algeria, Egypt, Israel, Morocco, Tunisia and Jordan. Then, in 2003, the Contact Group with the Asian Partners for Co-operation was established, which since 2019 has been operating under the name OSCE Asian Partners for Co-operation Group (APCG)<sup>356</sup>. It currently brings together five countries, 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 con-

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<sup>352</sup> *Minister spraw zagranicznych Zbigniew Rau, jako przewodniczący OBWE, przedstawił Radzie Bezpieczeństwa ONZ informację na temat planów i działań Organizacji w 2022 r.* [Minister of Foreign Affairs Zbigniew Rau, as Chairman of the OSCE, Presented Information to the UN Security Council on the Organization's Plans and Activities in 2022], Ministry of Foreign Affairs of the Republic of Poland, 15 March 2022, at <https://www.gov.pl/web/obwe/minister-rau-rada-bezpieczenstwa-onz> (accessed: 26 October 2024).

<sup>353</sup> One of the three representatives participated in the meetings via video call. Cf. *Special Representatives of OSCE Chairman-in-Office Conclude Visit to Council of Europe*, Ministry of Foreign Affairs of the Republic of Poland, 12 April 2022, at <https://www.gov.pl/web/osce/special-representatives-of-osce-chairman-in-office-conclude-visit-to-council-of-europe> (accessed: 26 October 2024).

<sup>354</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, 13 April 2022, at <https://www.osce.org/chairmanship/515943> (accessed: 26 October 2024).

<sup>355</sup> *Mediterranean Partners for Co-Operation*, OSCE, at <https://www.osce.org/partners-for-cooperation/mediterranean> (accessed: 28 October 2024).

<sup>356</sup> *The OSCE Asian Partnership for Co-Operation: Reflections and Perspectives*, OSCE, at [https://www.osce.org/files/f/documents/1/2/197801\\_1.pdf](https://www.osce.org/files/f/documents/1/2/197801_1.pdf) (accessed: 28 October 2024), p. 7.

ferences (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 MPCG is led by a State that was a participant in the Troika in the year preceding its term of office (Poland was responsible for leading the Group and organising the OSCE Mediterranean Conference in 2021). In the year following its term of office, the state being a participant in the Troika leads the work of the APCG (Poland was responsible for heading the Group and organising the OSCE Asian Conference in 2023)<sup>357</sup>.

### ***Chairmanship of the OSCE Mediterranean Partners for Co-operation Group (2021)***

Poland's activities in the work of the OSCE Mediterranean Partnership in 2021 should be seen as a prelude and preparation for taking the helm of the entire Organisation. The first meeting under the chairmanship of Poland in the MPCG was held in mid-March 2021. The main theme of the meeting, in the form of a video conference, included opportunities and challenges for security and regional cooperation related to post-pandemic reconstruction. Apart from the representatives of Poland, Deputy Minister of Foreign Affairs of the Republic of Poland Marcin Przydacz and Permanent Representative of the Republic of Poland to the OSCE Adam Hałaciński, who held the Chairmanship of the MPCG in 2021, the event was also attended by ambassadors of the other OSCE Troika Member States (Albania and Sweden) and the OSCE Secretary-General Helga Schmid<sup>358</sup>.

The next MPCG meeting, chaired by Poland, took place in the first half of May 2021. It was devoted to the issue of the fight against transnational organised crime including the implementation of strategies for its prevention. The meeting was attended by more than 150 representatives of participating States and OSCE Mediterranean Partners, the OSCE Co-ordinator of Activities to Address Transnational Threats and the Executive Director of the United Nations Office on Drugs and Crime. It should be noted that the activity of the OSCE in this area also had a practical dimension. For instance, in 2021 the Organisation together with its Mediterranean partners implemented a joint

<sup>357</sup> Interview SPRP2 – Vienna, 14 September 2022; Interview SPRP3 – Vienna, 14 September 2022.

<sup>358</sup> *Pandemic Demands Co-Ordinated Recovery, Say Participants at OSCE Mediterranean Partnership Discussion*, OSCE, 16 March 2021, at <https://www.osce.org/partners-for-cooperation/mediterranean/481282> (accessed: 28 October 2024).

(extra-budgetary) project on asset recovery the purpose of which was to strengthen international cooperation in the fight against organised crime<sup>359</sup>.

The third meeting of the OSCE Mediterranean Partners for Co-operation Group was organised on 12<sup>th</sup> July 2021. Approximately 100 participants, including the two co-chairs of the OSCE Group of Friends of Youth and Security, the OSCE Special Representative on Youth and Security, and representatives of the participating States and OSCE Mediterranean Partners, took part in discussions on current trends in the employment of young people and good practices for tapping into their potential in the Mediterranean region. The subjects of discussion included the difficulties of securing jobs for young people in economies affected by the COVID-19 pandemic; the marginalisation of young people in times of crisis; and strategies for engaging young people in initiatives to strengthen prosperity and peace and security in the OSCE region and in the Mediterranean region<sup>360</sup>.

On 12<sup>th</sup>-13<sup>th</sup> October, the 27<sup>th</sup> edition of the annual OSCE Mediterranean Conference took place, being the main event of the Partnership in 2021 and also the crowning event of the Polish Chairmanship of the MPCG. The conference, entitled ‘Road to resilience: post-pandemic recovery and security in the OSCE and Mediterranean regions’, was held in hybrid format, in-person in Vienna and remotely via the Zoom platform. The event was attended by representatives of the participating States, Mediterranean partners and OSCE bodies and institutions. Poland was represented, among others, by the Minister of Foreign Affairs Zbigniew Rau, the Deputy Minister of Foreign Affairs Piotr Wawrzyk and the Permanent Representative of the Republic of Poland to the OSCE Adam Hałaciński. The conference included one high-level political panel on broadly-understood security and cooperation in the Mediterranean in light of the COVID-19 pandemic, and three thematic sessions on combating human trafficking, sustainable reconstruction and strengthening cooperation in the fight against transnational organised crime. The impact of the pandemic on each of these areas was also discussed<sup>361</sup>.

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<sup>359</sup> *OSCE Mediterranean Partnership Discussion: Fight against Transnational Organized Crime Depends on Multilateral Co-Operation*, OSCE, 10 May 2021, at <https://www.osce.org/partners-for-cooperation/mediterranean/486035> (accessed: 28 October 2024).

<sup>360</sup> *Unlocking Potential of Youth Focus of Third Mediterranean Partners for Co-Operation Group Meeting*, OSCE, 13 July 2021, at <https://www.osce.org/partners-for-cooperation/mediterranean/492724> (accessed: 29 October 2024).

<sup>361</sup> *2021 OSCE Mediterranean Conference, 12-13 October 2021, Vienna, Austria and via Zoom: Consolidated Summary*, SEC.GAL/56/22, OSCE, 9 May 2022, at <https://www.osce.org/files/f/documents/1/5/525945.pdf> (accessed: 11 November 2024).

## ***Cooperation with Mediterranean and Asian partners during the OSCE Chairmanship (2022)***

In 2022, the work of the Asian Partners for Co-operation Group was led by Sweden which held the OSCE Chairmanship the year before. The flagship OSCE Asian Conference was conducted by Sweden in hybrid format on 15<sup>th</sup> July 2022. The theme of the conference was the prospects for cooperation between countries of the OSCE region and Asian partners with a particular focus on the challenges of climate change and their impact on security, the role of women in confidence-building and the importance of developing civil society in the world today. The Polish Chairmanship was represented by the Permanent Representative of the Republic of Poland to the OSCE Adam Hałaciński who also serves as Chairman of the OSCE Permanent Council in 2022. 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>362</sup>. A week later, a formal meeting was held to mark the 30<sup>th</sup> anniversary of the OSCE Asian Partnership (Japan was the first Asian country that was granted the status of a CSCE Partner in 1992). Among the participants in the discussions was Ambassador Adam Hałaciński who spoke highly of Japan's adherence to OSCE standards in areas such as human rights and international law<sup>363</sup>.

In addition to the flagship conference, Sweden organised a whole series of discussions as part of the APCG in 2022: a meeting on women's empowerment in the context of crisis response in cooperation with Thailand in April<sup>364</sup>; discussions on the implications of the events in Afghanistan for the OSCE region and especially the region of Central Asia in June<sup>365</sup>; and a meeting on confidence-building measures, with a focus on the Korean Peninsula experience in November<sup>366</sup>. Each of these meetings was at-

<sup>362</sup> *2022 OSCE Asian Conference Participants Discuss Opportunities to Strengthen Security and Co-Operation between Europe and Asia*, OSCE, 15 June 2022, at <https://www.osce.org/partners-for-cooperation/asian/520214> (accessed: 26 October 2024).

<sup>363</sup> *OSCE Asian Partnership Celebrates 30 Years of Co-Operation with Japan*, OSCE, 22 July 2022, at <https://www.osce.org/partners-for-cooperation/asian/523365> (accessed: 26 October 2024).

<sup>364</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, 29 April 2022, at <https://www.osce.org/partners-for-cooperation/asian/517080> (accessed: 26 October 2024).

<sup>365</sup> *Special OSCE Asian Partners Meeting Discusses Regional Consequences of Developments in Afghanistan*, OSCE, 3 June 2022, at <https://www.osce.org/partners-for-cooperation/asian/519549> (accessed: 26 October 2024).

<sup>366</sup> *OSCE Asian Partnership Exchanges Experiences with the OSCE Relating to Confidence and Security Building Measures, with Focus on the Situation on the Korean Peninsula*, OSCE, 21 November 2022, at <https://www.osce.org/secretariat/531824> (accessed: 26 October 2024).

tended by a representative of the Polish Chairmanship (Ambassador Adam Hałaciński or his deputy Marcin Czapliński) who always raised the issue of the war in Ukraine, thus pursuing one of the key objectives of Polish foreign policy, namely maintaining the interest of the international community in the situation in Ukraine.

As far as the work of the 2022 Mediterranean Cooperation Partners Group is concerned, it was chaired by North Macedonia which took over the chairmanship of the entire OSCE a year later. The annual OSCE Mediterranean Conference was organised by the Macedonians at the end of October 2022 in Jordan (one of the Partner States). Participants included the foreign ministers of Poland, North Macedonia and Jordan, as well as Secretary-General Helga Schmid. Minister Rau drew attention to the interdependence between the stability of Europe and the security of all Mediterranean countries<sup>367</sup>. The Chairman-in-Office, together with the Secretary-General and the head of the Macedonian diplomacy 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<sup>368</sup>.

In addition to the main conference, North Macedonia held a meeting with OSCE Mediterranean partners at the end of May 2022 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 Hałaciński who focused on discussing the effects of the Russian aggression on the economic and environmental situation in the OSCE region and beyond (e.g. rising food prices, disruption of energy markets and supply chains and the outbreak of the migration crisis)<sup>369</sup>.

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<sup>367</sup> *Strengthening Co-Operation to Overcome Common Challenges Focus of OSCE Mediterranean Conference in Jordan*, OSCE, 25 October 2022, at <https://www.osce.org/partners-for-cooperation/mediterranean/529611> (accessed: 26 October 2024).

<sup>368</sup> *Minister Zbigniew Rau uczestniczył w Konferencji Śródziemnomorskiej OBWE w Jordanii [Minister Zbigniew Rau Participated in the OSCE Mediterranean Conference in Jordan]*, Ministry of Foreign Affairs of the Republic of Poland, 25 October 2022, at <https://www.gov.pl/web/obwe/minister-zbigniew-rau-uczestniczyl-w-konferencji-sroziemnomorskiej-obwe-w-jordanii> (accessed: 26 October 2024).

<sup>369</sup> *Improving Co-Operation on Climate Change Critical to Advance Common Security – OSCE Mediterranean Partners for Co-Operation Group Meeting*, OSCE, 30 May 2022, at <https://www.osce.org/secretariat/519222> (accessed: 26 October 2024).

### ***Chairmanship of the OSCE Asian Partners for Co-operation Group (2023)***

In accordance with the rules governing the OSCE, Poland assumed the chairmanship of the OSCE Asian Partners for Co-operation Group (APCG) in 2023.

The first meeting in this format was convened by Poland at the end of May 2023. The talks revolved around the topic of women's rights and their participation in the socio-political life of Afghanistan which were severely curtailed after the Taliban came to power in 2021. The meeting was organised by the Permanent Representative of the Republic of Poland to the OSCE, who also serves as the Chairman of the OSCE Asian Cooperation Partners Group in 2023, Adam Hałaciński. The OSCE was also represented by Secretary-General Helga Schmid who presented the achievements of the Organisation to date in supporting civil society in Afghanistan and providing assistance to Afghan women. Also participating in the discussion were the UN Special Rapporteur on Human Rights in Afghanistan Richard Bennett, former Member of the National Assembly of Afghanistan Fawzia Koofi, Member of Parliament of Ukraine and co-founder of the Ukrainian Women's Congress Mariia Ionova and Afghan human rights defender Elham Kohistani<sup>370</sup>.

On 17<sup>th</sup>-18<sup>th</sup> July 2023, on the joint initiative of Poland and Australia, the OSCE Asian conference under the theme *'Europe and Asia: Addressing Common Challenges in a Changing Global Security Environment through Multilateral Co-Operation'* was held in hybrid format in Vienna. Representatives of OSCE and APCG participating States discussed opportunities for cooperation between Europe and Asia in addressing challenges caused by climate change and enhancing the role and importance of civil society in promoting human rights, democracy and the rule of law. Particular emphasis was placed on efforts to reduce the risk of conflicts arising from the use of information and communication technologies. Foreign Minister of Poland Zbigniew Rau stressed the importance of the OSCE as a platform for discussing global threats, such as Russia's aggression against Ukraine<sup>371</sup>.

The next conference within the framework of APCG was initiated by Poland and Japan at the beginning of October 2023. The main theme of the conference was the

<sup>370</sup> *Pierwsze spotkanie Grupy Azjatyckiego Partnerstwa na rzecz Współpracy OBWE pod przewodnictwem Polski* [First Meeting of the OSCE Asian Cooperation Partnership Group Chaired by Poland], Ministry of Foreign Affairs of the Republic of Poland, 26 May 2023, at <https://www.gov.pl/web/obwe/pierwsze-spotkanie-grupy-grupie-azjatyckiego-partnerstwa-na-rzecz-wspolpracy-obwe-pod-przewodnictwem-polski> (accessed: 28 October 2024).

<sup>371</sup> *OSCE Asian Partners for Co-Operation Group Conference Participants Discuss Addressing Common Challenges through Reinvigorated Multilateral Co-Operation*, OSCE, 18 July 2023, at <https://www.osce.org/partners-for-cooperation/asian/548698> (accessed: 28 October 2024).

means and methods of ensuring stable peace. Participants exchanged experiences in the sphere of building a resilient society, providing humanitarian and development aid, demining and empowering individuals and promoting social inclusion in post-conflict situations<sup>372</sup>.

The last event organised by Poland as part of its one-year chairmanship of the OSCE Asian Partners for Co-operation Group was a conference on the prospects for strengthening stability in the Indo-Pacific region, held in mid-November 2023. South Korea acted as co-organiser of the conference. The purpose of the meeting was to discuss the linkages between the OSCE region and the Indo-Pacific region and to share experiences on how to deal with global challenges. Apart from professional diplomats representing Poland and South Korea, participants in the active panel discussion included representatives of expert circles from both countries affiliated with the Polish Institute of International Affairs and the Korean Institute for Defence Analyses<sup>373</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 is a unique institution established 30 years ago and bringing together 323 representatives from 57 participating States. Its main task is to facilitate inter-parliamentary dialogue in order to foster the objectives of the OSCE in all the three dimensions<sup>374</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.

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<sup>372</sup> *Konferencja Grupy Azjatyckich Partnerów ds. Współpracy OBWE o środkach budowania stabilnego pokoju* [Conference of the OSCE Asian Cooperation Partners Group on Means to Build a Stable Peace], Ministry of Foreign Affairs of the Republic of Poland, 6 October 2023, at <https://www.gov.pl/web/obwe/konferencja-grupy-azjatyckich-partnerow-ds-wspolpracy-obwe-o-srodkach-budowania-stabilnego-pokoju> (accessed: 28 October 2024).

<sup>373</sup> *Konferencja Grupy Azjatyckich Partnerów ds. Współpracy OBWE o perspektywach wzmocnienia stabilności w regionie Indo-Pacyfiku* [Conference of the OSCE Asian Cooperation Partners Group on the Prospects for Strengthening Stability in the Indo-Pacific Region], Ministry of Foreign Affairs of the Republic of Poland, 17 November 2023, at <https://www.gov.pl/web/obwe/konferencja-grupy-azjatyckich-partnerow-ds-wspolpracy-obwe-o-perspektywach-wzmocnienia-stabilnosci-w-regionie-indo-pacyfiku> (accessed: 28 October 2024).

<sup>374</sup> *OSCE Parliamentarians Condemn Russian Military Action in Ukraine, Call for De-Escalation at Vienna Winter Meeting*, Ministry of Foreign Affairs of the Republic of Poland, 24 February 2022, at <https://www.gov.pl/web/osce/osce-parliamentarians-condemn-russian-military-action-in-ukraine-call-for-de-escalation-at-vienna-winter-meeting> (accessed: 28 October 2024).

On 24<sup>th</sup> February 2022, the Chairman-in-Office Zbigniew Rau attended the winter session of the OSCE Parliamentary Assembly in Vienna which was held in hybrid format. Together with President of the OSCE Parliamentary Assembly Margareta Cederfeld and Austrian National Council President Wolfgang Sobotka, the Chairman-in-Office condemned the heinous act of 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>375</sup>.

In July 2022, the Chairman-in-Office opened the debate at the 29<sup>th</sup> annual main session of the OSCE Parliamentary Assembly in Birmingham. Then, in a conversation with the President of the Assembly and the Polish delegates, Minister Rau stressed the importance of strengthening multilateralism and promoting dialogue, i.e. the core tasks of this institution, in order to achieve lasting peace in the OSCE region. The Chairman-in-Office pointed out that without adherence to the fundamental values of the OSCE by all the participating States, ensuring long-term stability in Europe is not possible<sup>376</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 2022 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 National Parliaments'. The session was also attended remotely by the President of Ukraine Volodymyr Zelenski<sup>377</sup>.

A series of joint statements by the Chairman-in-Office and the President of the OSCE Parliamentary Assembly, in which they condemned Russia's organisation of illegal referenda in four Ukrainian regions, the subsequent annexation of these territories in September 2022 and the targeted shelling of Ukrainian critical infrastructure, can

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<sup>375</sup> Ibidem.

<sup>376</sup> *Minister Rau Takes Part in 29<sup>th</sup> Session of OSCE's Parliamentary Assembly*, Ministry of Foreign Affairs of the Republic of Poland, 4 July 2022, at <https://www.gov.pl/web/diplomacy/minister-rau-takes-part-in-29th-session-of-osces-parliamentary-assembly> (accessed: 24 October 2024).

<sup>377</sup> *Minister Zbigniew Rau uczestniczył w otwarciu jesiennej sesji Zgromadzenia Parlamentarnego OBWE [Minister Zbigniew Rau Participated in the Opening of the Autumn Session of the OSCE Parliamentary Assembly]*, Ministry of Foreign Affairs of the Republic of Poland, 24 November 2022, at <https://www.gov.pl/web/dyplomacja/minister-zbigniew-rau-uczestniczyl-w-otwarciu-jesiennej-sesji-zgromadzenia-parlamentarnego-obwe> (accessed: 24 October 2024).

also be seen as one of the manifestations of cooperation between the Chairmanship and the OSCE Parliamentary Assembly<sup>378</sup>.

### 6.3. 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 of the OSCE. Among the values requiring the attention, issues of protecting freedom of religion, belief and faith were mentioned. These freedoms in the area of the Organisation have often been violated and disrespected among the participating States. An example might be the conflict between Armenia and Azerbaijan. Although it is mainly described as political and economic, it is also religiously motivated and concerns the struggle between Christian Armenians and Azeris who profess Islam. ODIHR data showed that 51% of all hate crime incidents were motivated by religious issues<sup>379</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 in the area of the Organisation today.

On 22<sup>nd</sup> August 2022 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 peoples and are of great value to communities within the Organisation<sup>380</sup>. 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 2022. It addressed a number of topics related to human rights, including freedom of religion and belief and the need and means to protect them<sup>381</sup>.

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<sup>378</sup> *OSCE Heads Condemn Plan to Hold Illegal “Referenda” in Occupied Territories of Ukraine...; 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 Troika, Secretary General, OSCE PA President and Secretary General Strenuously Condemn Russia’s Attacks in Ukraine’s Civilian Centres...*

<sup>379</sup> *Places of Worship Must Be Kept Safe and Accessible in Times of Peace and in Conflict, OSCE Human Rights Head Says, OSCE, 22 August 2022, at <https://www.osce.org/odihhr/524394> (accessed: 26 October 2024).*

<sup>380</sup> *Ibidem.*

<sup>381</sup> *Human Dimension Conference Concludes in Warsaw, OSCE, 7 October 2022, at <https://www.osce.org/chairmanship/528399> (accessed: 24 October 2024).*

## **Actions to improve the conditions of the most vulnerable – children and people with disabilities**

The issue of those most vulnerable and the protection of the rights of such people also appeared on the agenda of the Polish Chairmanship. Particular attention was devoted to people with disabilities and children. Nowadays, the world is constantly 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 Montenegrin NGO SOS helping victims of domestic violence, including children. Representatives of the OSCE 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, beds and bathroom equipment<sup>382</sup>. The OSCE Mission to Montenegro, together with the Montenegrin branch of the Association of Young People with Disabilities, ran a campaign in October 2022 to raise awareness of the participation of people with disabilities in elections. The campaign included two promotional spots. Their aim was to support initiatives to make it easier for people with disabilities to vote, as well as to make them aware of their electoral rights<sup>383</sup>. In addition, the OSCE organised a conference on adult and child abuse in Vienna on 18<sup>th</sup>-19<sup>th</sup> July 2022. Discussions mainly focused on human trafficking and the living conditions of children in the context of the conflict in Ukraine<sup>384</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 Hałaciński, 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>385</sup>.

The issues addressed by the Polish Chairmanship within the objective under consideration were also on the agenda of the OSCE Human Dimension Conference, organised in Warsaw from 26<sup>th</sup> September to 7<sup>th</sup> October 2022<sup>386</sup>. One of the

<sup>382</sup> *OSCE Mission to Montenegro Supports Shelter for Survivors of Domestic and Gender-Based Violence*, OSCE, 15 June 2022, at <https://www.osce.org/mission-to-montenegro/520205> (accessed: 24 October 2024).

<sup>383</sup> *OSCE Mission to Montenegro Partners with Association of Youth with Disabilities to Raise Awareness on Voting Rights for People with Disabilities*, OSCE, 18 October 2022, at <https://www.osce.org/mission-to-montenegro/528984> (accessed: 24 October 2024).

<sup>384</sup> *Greater Efforts Needed to Protect the Human Trafficking Victims Struggling to Access Their Rights*, OSCE Leaders Say, OSCE, 18 July 2022, at <https://www.osce.org/odihr/522946> (accessed: 24 October 2024).

<sup>385</sup> Ibidem.

<sup>386</sup> *Human Dimension Conference Concludes in Warsaw...*

issues addressed was violence against children. However, this event did not take in the usual manner. As a result of obstruction by the Russian side, the meeting on the implementation of the human dimension could not be carried out. Due to the 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 with Russia.

The activities of the Polish Chairmanship and of other OSCE institutions can be considered a success in terms of achieving the aforementioned objective. The raising of the issue of those most vulnerable during important international meetings, as well as direct material assistance, were important undertakings enabling Poland to achieve its plans.

### **Increasing participation of youth organisations in OSCE events**

The Polish Chairmanship also set itself the objective to increase the inclusiveness of the OSCE. The way to achieve this would be through increased promotion and cooperation with youth organisations in connection with the initiatives undertaken by the Organisation.

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 young people in the culturally and religiously divided country. The meeting took place on 24<sup>th</sup> May 2022 in Sarajevo. During the event, participants visited Catholic (Church of St Anthony of Padua), Orthodox (Church of the Descent of the Holy Spirit on the Apostles) and Muslim (Fethiye Mosque) shrines<sup>387</sup>. An important component was a follow-up discussion supported by OSCE representatives on reconciliation and potential avenues for integration.

On 26<sup>th</sup> May 2022 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 fall of the communist system and the role of young people in its proper implementation. The issue of human rights violations under the previous regime and people missing due to the repressive actions of the communist authorities was also

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<sup>387</sup> *The OSCE Mission to Bosnia and Herzegovina Focused on Promotion of Dialogue and Reconciliation with Youth*, OSCE, 30 May 2022, at <https://www.osce.org/mission-to-bosnia-and-herzegovina/519192> (accessed: 24 October 2024).

raised<sup>388</sup>. On 24<sup>th</sup>-28<sup>th</sup> August 2022 the OSCE Mission to Albania together with youth activists from the Western Balkans organised a meeting on intergenerational dialogue<sup>389</sup>. Topics included the impact of this dialogue on the promotion of democratic values, increased stability and the building of good relations, peace and security in the Western Balkans region. On 14<sup>th</sup>-18<sup>th</sup> November 2022 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. This was intended to serve the purpose of improving the conditions of people facing evidentiary proceedings in Turkmenistan, which would influence the liberalisation of investigative methods<sup>390</sup>.

The objective of cooperation with and promotion of youth was achieved during 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.

### **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<sup>391</sup>. During the conference, the ODIHR Director said that civil society would be the focus of attention when promoting individual rights and freedoms within the Organisation. Secretary-General Helga Schmid, on the other hand, stated that cooperation with civil society is a key component in overcoming the challenges faced by the Organisation in protecting

<sup>388</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, 27 May 2022, at <https://www.osce.org/presence-in-albania/519102> (accessed: 24 October 2024).

<sup>389</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, 31 August 2022, at <https://www.osce.org/presence-in-albania/525156> (accessed: 24 October 2024).

<sup>390</sup> *OSCE Organizes Lecture Course on Human Rights in the Context of Criminal Justice in Turkmenistan*, OSCE, 25 November 2022, at <https://www.osce.org/centre-in-ashgabat/532073> (accessed: 24 October 2024).

<sup>391</sup> *Human Dimension Conference Concludes in Warsaw...*

human rights<sup>392</sup>. Additionally, as part of the objective of enhancing inclusiveness, a Civil Society Conference was organised, which took place on 30<sup>th</sup> November 2022 in Łódź<sup>393</sup>. This event brought together both representatives of the OSCE participating States and members of NGOs working in the spheres of human rights and peacebuilding. While it was taking place a number of topics related to international security were discussed, with particular attention to the issue of the Russian-Ukrainian war. The result of the conference was the adoption of the Łódź Declaration which called on all members of the international community to make a joint effort to stop Russian aggression against Ukraine and to restore justice and stability<sup>394</sup>. The objective of the Polish Chairmanship can be considered to have been achieved as the Human Dimension Conference, which lasted 10 days, by its very nature dealt with a wide range of issues among which were also those concerning cooperation with third sector organisations.

#### **6.4. Summary of the Chairmanship – Ministerial Council**

##### **1<sup>st</sup>-2<sup>nd</sup> December 2022 in Łódź**

The annual meeting of 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.

The meeting in Łódź took place in the shadow of the war in Ukraine which was triggered by a full-scale attack by Russia on 24<sup>th</sup> 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>395</sup>. In practice, this excluded the presence of the Minister of Foreign Affairs of the Russian Federation, Sergey Lavrov, but did not prohibit the

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<sup>392</sup> Ibidem.

<sup>393</sup> *Stop Russia's War against Ukraine, Strengthen International Security, Say Civil Society Groups ahead of Łódź Ministerial Council*, OSCE, 30 November 2022, at <https://www.osce.org/chairpersonship/533318> (accessed: 24 October 2024).

<sup>394</sup> Ibidem.

<sup>395</sup> I. Usatenko, D. Al Shehabi, *Ławrow bez pozwolenia na wjazd do Polski. MSZ Rosji zaskoczone [Lavrov without Permission to Enter Poland: Russian MFA Surprised]*, Polish Press Agency, 19 November 2022, at <https://www.pap.pl/aktualnosci/news%2C1484855%2Clawrow-bez- pozwolenia-na-wjazd-do-polski-msz-rosji-zaskoczone.html> (accessed: 27 October 2024).

participation of Russia's Permanent Representative to the OSCE in the Ministerial Council meeting<sup>396</sup>.

In his opening speech at the Ministerial Council in Lodz, the OSCE Chairman-in-Office, Minister Zbigniew Rau, recalled the principle of *'no business as usual'* which Poland followed during its Chairmanship in dealing with the consequences of the Russian aggression against Ukraine<sup>397</sup>. He also rejected the view that the Chairmanship must not go beyond the role of an impartial intermediary in order not to be exposed to accusations of bias that could jeopardise the functioning of the OSCE as a whole. In the opinion of the Polish Foreign Minister, the honest leadership of the Organisation should be subordinated to only one principle, which is to clearly distinguish the perpetrator of aggression from 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 human rights and peace-building organisations adopted the Lodz Declaration which presented recommendations for stopping the war in Ukraine<sup>398</sup>. The Declaration was forwarded to the OSCE political institutions. 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 devoted to the issue of the impact that the Russian war has had on Ukrainian children. In this manner 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, which purpose of using the OSCE to mitigate the effects of armed conflict on children<sup>399</sup>. On 1<sup>st</sup> December a panel discussion was also

<sup>396</sup> M. Małecki, *Szczyt OBWE w Łodzi bez Ławrowa. Wiceszef MSZ: Rosję będzie reprezentował jej stały przedstawiciel* [OSCE Summit in Łódź without Lavrov: Deputy Head of MFA: Russia Will Be Represented by Its Permanent Representative], Polish Press Agency, 22 November 2022, at <https://www.pap.pl/aktualnosci/news%2C1486571%2Cszczyt-obwe-w-lodzi-bez-lawrowa-wiceszef-msz-rosje-bedzie-reprezentowal> (accessed: 27 October 2024).

<sup>397</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, at <https://www.osce.org/files/f/documents/5/6/533447.pdf> (accessed: 27 October 2024).

<sup>398</sup> *Stop Russia's War against Ukraine, Strengthen International Security, Say Civil Society Groups ahead of Łódź Ministerial Council...*

<sup>399</sup> *Impact of War on Children Focus of Side-Event at 2022 Ministerial Council*, OSCE, 1 December 2022, at <https://www.osce.org/forum-for-security-cooperation/533408> (accessed: 27 October 2024).

held 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>400</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, i.e. NATO members plus Finland and Sweden** condemning Russia's attack on Ukraine and its violations of international law and human rights<sup>401</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 sovereignty of the said states, as well as their independence and territorial integrity within internationally recognised borders.
- **The position of the Troika**, i.e. the foreign ministers of Sweden, Poland and North Macedonia<sup>402</sup>. They spoke in a similar vein as the 32 participating States in their common position, but emphasising some themes more bluntly. The Russian aggression was declared 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 while stressing that their perpetrators must be brought to justice. In this context, Russia was called to immediately release three OSCE staff members held in occupied Donetsk and Luhansk. The Troika demanded the immediate withdrawal of Russian troops from Ukrainian territory and called on

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<sup>400</sup> *Call for Joining Forces to Prevent a Human Trafficking Crisis Focus of Side Event at OSCE Ministerial Council*, OSCE, 1 December 2022, at <https://www.osce.org/cthb/533423> (accessed: 27 October 2024).

<sup>401</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, at <https://www.osce.org/files/f/documents/1/e/533483.pdf> (accessed: 27 October 2024).

<sup>402</sup> *The OSCE Ministerial Council in Łódź – Troika Statement*, MC.DEL/31/22, 2 December 2022, at <https://www.osce.org/files/f/documents/b/6/533492.pdf> (accessed: 27 October 2024).

the Belarusian authorities to stop supporting Russian aggression. The Foreign Ministers of Sweden, Poland and North Macedonia also declared their support for further action by OSCE institutions to support the Ukrainian government.

- **Message from the Chairman-in-Office, Minister Zbigniew Rau, concluding the Ministerial Council in Łódź**<sup>403</sup>. The Minister of Foreign Affairs of Poland noted that the success of the OSCE and the effectiveness of future chairmanships depend on adherence to the principles of the Helsinki Final Act and the Charter of Paris for a New Europe. According to Zbigniew Rau, there is no doubt that the coming years will be particularly difficult for the OSCE in the effective implementation of its tasks. He stipulated that there can be no progress in the political-military dimension without first ending the Russian-Ukrainian 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-environmental dimensions.

Dissenting positions were submitted jointly by the representatives of Belarus and Russia, and by the Russian representative alone, in which they promoted the narrative of their state authorities. They called for a ‘non-ideological pragmatic dialogue’ in the OSCE and respect for ‘the diversity of civilizational, cultural and historical models of the OSCE participating States, deeming unacceptable the concepts of exceptionalism and superiority of some participating States over others’<sup>404</sup>. Furthermore, 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>405</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

<sup>403</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, at [www.osce.org/files/f/documents/8/d/533495.pdf](http://www.osce.org/files/f/documents/8/d/533495.pdf) (accessed: 27 October 2024).

<sup>404</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, at <https://www.osce.org/files/f/documents/1/2/533534.pdf> (accessed: 27 October 2024).

<sup>405</sup> *Выступление главы делегации, Постоянного представителя России при ОБСЕ А.К.Лукашевича на заключительной сессии 29-го СМИД ОБСЕ (Лодзь, 2 декабря 2022 года)* [*Speech by the Head of the Delegation, Permanent Representative of Russia to the OSCE A.K. Lukashevich at the Final Session of the 29<sup>th</sup> OSCE Ministerial Council (Łódź, 2 December 2022)*], MC.DEL/32/22, 2 December 2022, at <https://www.osce.org/files/f/documents/5/6/533501.pdf> (accessed: 27 October 2024).

its peace- and security-building mechanisms remains an important actor capable of rebuilding trust in the Euro-Atlantic and Eurasian regions. These declarations 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 main task of the OSCE.

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Opernring 3-5/2,

top nr 310-328 1010 Vienna, Austria.

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Interview MSZ2 – Warsaw, 19th September 2022

Interview Conducted with a Staff Member of the Office for the Organisation of the Polish Presidency in the OSCE at the Ministry of Foreign Affairs

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Interview MSZ3 – Warsaw, 19th September 2022

Interview Conducted with a Staff Member of the Office for the Organisation of the Polish Presidency in the OSCE at the Ministry of Foreign Affairs

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Interview MSZ4 – Warsaw, 19th September 2022

Interview Conducted with a Staff Member of the Office for the Organisation of the Polish Presidency in the OSCE at the Ministry of Foreign Affairs

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Interview MSZ5 – Warsaw, 19th September 2022

Interview Conducted with a Staff Member of the Office for the Organisation of the Polish  
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## Conclusion: Summary of the Polish Chairmanship of the Organization for Security and Cooperation – Concluding Remarks

### **The Gap Between the Formal Tasks of the OSCE and the Actual Events in the Euro-Atlantic Area**

One of the aspects we analyzed in the book was the comparison of the nature of the tasks assigned to the Organization for Security and Cooperation in Europe (OSCE) with the nature of international events happening in the Euro-Atlantic area. An assessment in this respect should allow us to determine to what extent the OSCE has been adapting sufficiently to the changing, increasingly complex regional security situation and thus enable us to verify the first hypothesis (H1).

After 1995, the Organization for Security and Co-operation in Europe (OSCE) made efforts to improve the effectiveness of its actions. In this sense, it certainly did not remain a stagnant institution that failed to adapt to new challenges to regional security in the Euro-Atlantic area. Following NATO's historic enlargement in 1999, the Charter for European Security was signed at the Istanbul Summit the same year. This document emphasized that a cooperative model, involving various entities working together, was essential for maintaining European security. The Charter also highlighted the need to address the civilian aspects of security, such as the internal situation of individual states, and, consequently, actions within the human dimension. Subsequent historical milestones for Europe, including the enlargement of the European Union

to incorporate ten states, primarily from Central and Eastern Europe, and especially Russia's aggression against Georgia, prompted a decision in 2008 to prepare an OSCE reform. This reform aimed to better equip the organization to address new threats, including non-state and hybrid challenges. The so-called Corfu Process, initiated in 2008 under Greece's Chairmanship, pointed to the need for a more organized and effective approach to these emerging challenges. Despite the establishment of a reform mandate at the Astana Summit in 2010, further work on adapting the OSCE to new realities was stalled by subsequent conflicts, including the war in Ukraine that began in 2014.

Over time, it became evident that the principles of the Paris Charter for a New Europe, based on the ideas of cooperation and democratization, were challenging to implement in the context of the new geopolitical reality, particularly amid escalating tensions between Russia and Western countries. The OSCE was unable to effectively respond to actions that undermined democratic principles and the sovereignty of its member states, as demonstrated by Russia's annexation of Crimea in 2014.

It is therefore justified to conclude that the tasks outlined in the Paris Charter for a New Europe, later clarified in the Charter for European Security, were appropriate for the post-Cold War transition period. However, contemporary threats and the dynamically changing international landscape required firmer and more flexible mechanisms, which the Corfu Process sought to introduce.

### **Opportunistic Use of OSCE Rules by States for Their Own Benefit**

In response to changing international circumstances, particularly in the late 1990s, the OSCE adapted its mechanisms across all three dimensions of its activity. Within the politico-military dimension, efforts were focused on developing confidence-building measures and military cooperation through consultations, monitoring, and verification of military activities. However, the effectiveness of these tools was hindered by some states' unwillingness to comply with the adopted regulations, and the OSCE itself lacked the ability to enforce them. A clear example of the opportunistic use of OSCE rules for state interests occurred in May 2008. At that time, Georgia activated the consultation and cooperation mechanism regarding unusual military activities. On 28<sup>th</sup> May 2008, Georgia requested information from Russia about an incident in April 2008, where a Russian MiG-29 fighter jet shot down an unarmed Georgian unmanned aerial vehicle (UAV). This act violated the 1994 Moscow Agreement on the ceasefire and separation of forces in the Georgian-Abkhazian conflict, which prohibited the

use of heavy weapons and military aircraft in the conflict zone<sup>406</sup>. A few days later, on 30<sup>th</sup> May 2008, Russia, in turn, requested information from Georgia regarding the use of UAVs over Abkhazia and sought an explanation for its non-compliance with the Moscow Agreement. Ultimately, the UN Secretary-General's report concluded that Russia had violated the agreement, but Georgia's actions also constituted a breach of the ceasefire. Nonetheless, this situation illustrates how the consultation and cooperation mechanism for unusual military activities was used retaliatorily, undermining its primary purpose of de-escalation. This misuse of the mechanism certainly did not contribute to reducing tensions, which was its intended goal.

The OSCE's inability to enforce its adopted principles and regulations is exemplified by the repeated violations of the Minsk Agreements by the parties involved in the Russian-Ukrainian conflict. The ceasefire agreements of 2014 and 2015, developed within the framework of the Trilateral Contact Group – where the OSCE cooperated with Ukraine and Russia – were intended to de-escalate the situation in eastern Ukraine. However, the failure to fulfill the provisions of the Minsk process undermined the OSCE's authority as a mediator in a matter directly related to its mandate.

Field operations of the OSCE, such as missions, proved to be more effective, particularly due to their physical presence among local communities. Their objectives included promoting OSCE principles and cooperating with the administrations and authorities of the host states. Most importantly, however, these missions gathered information and reported on the situation in conflict areas, providing crucial data for decision-making by OSCE institutions. This was the case with the OSCE Special Monitoring Mission (SMM) to Ukraine, established in 2014. However, its effectiveness in reducing tensions and normalizing the situation was limited by numerous obstacles posed by separatists and the inability to access certain areas (e.g. Crimea). Ultimately, in April 2022, Russia refused to extend the mission's mandate, leading to the termination of its operations.

Similarly, the effectiveness of mechanisms within the human dimension, where the OSCE placed particular emphasis on human rights compliance, can be assessed. Expert missions monitoring the situation in countries with human rights violations, established under the Moscow Mechanism, were effective in documenting violations and exerting international pressure. However, they had limited enforcement power and were often ignored by the violating states. This was evident in 2011 with the mission

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<sup>406</sup> O. Wasiuta, S. Wasiuta, "Mała wojna" Rosji i Gruzji a rozpoczęcie wyścigu zbrojeń dronów [A 'Small War' between Russia and Georgia and the Start of a Drone Arms Race ], "Nowa Polityka Wschodnia" 2021, no. 3(30), pp. 9–31.

to Belarus, where its members were unable to travel within the country to investigate the authorities' actions against anti-government demonstrations in December 2010<sup>407</sup>. Similarly, Russia refused to cooperate with experts preparing a report on human rights violations following 24<sup>th</sup> February 2022. Russia had allies among OSCE participating States who, on four occasions, did not support the activation of the Moscow Mechanism against it. These allies included Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Mongolia, Tajikistan, Turkmenistan, and Uzbekistan.

In concluding the assessment of states' adherence to OSCE rules, it is worth briefly mentioning the economic and environmental dimension. The OSCE focused in this area on promoting economic stability and environmental protection. However, over the years, these issues had only a marginal impact on shaping security in Europe. Admittedly, cooperation in the field of energy was strengthened during the 1990s and early 2000s to prevent conflicts arising from energy insecurity. Nevertheless, despite these efforts, the OSCE's effectiveness in the economic dimension remained limited, primarily due to a lack of resources and tools to influence the policies of participating States.

### **Differences Among States on the Legitimacy of Using Certain OSCE Instruments**

The third aspect analyzed in this book, contributing to the OSCE's inadequacy in addressing issues affecting security in the Euro-Atlantic area, is the differences among OSCE members regarding the legitimacy of using certain instruments within the military and human dimensions. It has been previously demonstrated that such divisions exist and negatively impact the organization's effectiveness. However, it is also essential to determine the factors driving such behavior.

Within the OSCE's military dimension, states differ in their assessment of the legitimacy of instruments such as arms control mechanisms and confidence-building measures. Western states, including most NATO members, support risk-reduction initiatives as tools that enhance the transparency of military operations. In contrast, the Russian Federation, while formally participating in confidence-building processes, often disregards them or acts contrary to their intent. Russia perceives these mechanisms as tools used by the West to interfere in its internal affairs and constrain its defense policy. This approach was evident in the context of Russia's refusal to provide

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<sup>407</sup> OSCE *Rapporteur's Report on Belarus*, Organization for Security and Co-Operation in Europe, 16 June 2011, at <https://www.osce.org/files/f/documents/6/b/78705.pdf> (accessed: 5 October 2024), p. 9.

explanations for troop mobilizations near Ukraine's border in 2022 and its disregard for calls to comply with the Vienna Document.

Mechanisms for the peaceful resolution of disputes, such as the Court of Conciliation and Arbitration, do not enjoy widespread support among OSCE participating States. Countries that could potentially be subject to international scrutiny of their actions, such as Russia and the United States, have not ratified agreements allowing for the effective implementation of these mechanisms. As a result, this has led to a situation where mechanisms for peaceful dispute resolution are effectively dormant and cannot be successfully applied to conflicts between participating States.

The OSCE's human dimension instruments, such as the Moscow Mechanism, elicit varied reactions. Western states consider their use essential for protecting human rights and monitoring violations, as evidenced by the activation of this mechanism in response to Russia's actions in Ukraine. In contrast, countries closely aligned with Russia, such as Armenia, Kazakhstan, and Uzbekistan, often express skepticism toward the application of such instruments. These states did not support the deployment of expert missions under the Moscow Mechanism, reflecting their reluctance to endorse actions that could set a precedent for interference in their internal affairs. Furthermore, these countries frequently emphasize that instruments like monitoring missions should only be implemented with the consent of all parties involved. This stance effectively limits the mechanism's practical application in situations where one party is the violator, as in the case of Russia.

**Taking into account the conclusions of the analysis of the three aspects that make up the OSCE's capacity, it should be concluded that it has not effectively demonstrated that the OSCE is an organization adapted to solving contemporary security problems in the Euro-Atlantic area. Thus, the first hypothesis (H1) was confirmed.**

### **The Selection of a Decentralized and Flexible Model for Managing Poland's OSCE Chairmanship in 2022.**

Over the past two decades, the role of the Chairperson-in-Office within the OSCE system has become more formalized and clearly defined, with the aim of increasing the institution's efficiency. Key decisions regarding this role were made during the Ministerial Council in Porto in 2002. It was confirmed that the OSCE Chairmanship lasts for one calendar year and is held by the foreign minister of the designated state. Most importantly, the scope of the Chairmanship's competencies was clarified, resulting in

the identification of four key functions performed by the Chairperson-in-Office. The first is the coordination function, whereby the foreign minister of the chairing state coordinates actions and reports on their activities to the OSCE's key bodies, while also consulting with participating States through formal and informal dialogue channels. The second is the creative function, which grants the Chairperson the authority to appoint personal representatives in crisis or conflict situations or to enhance coordination in specific areas. The third is the representative function, where the Chairperson represents the OSCE externally. However, their actions must be consulted with other participating States and aligned with the outcomes of these consultations. The fourth is the political leadership function, which empowers the Chairperson to set the OSCE's political agenda and initiate diplomatic actions, particularly in crisis situations. The political weight of this agenda largely depends on effective diplomacy and close collaboration between the Chairperson, the Troika, and the OSCE Secretariat. In practice, these instruments also strengthen the Chairmanship's position within the OSCE system, allowing it to respond flexibly and adapt to changing international circumstances. At the same time, they prevent the Chairmanship from remaining passive in the face of the OSCE's functional crisis, which is often manifested in the instrumental use of the organization's mechanisms by certain states.

Before 2022, Poland had chaired the OSCE only once, in 1998. Therefore, the prior experience in leading the organization could not be effectively utilized in the second decade of the 21<sup>st</sup> century. Nevertheless, Poland had ample time to prepare for this responsibility, as the decision approving Poland's candidacy to chair the OSCE was made during the Ministerial Council in Bratislava in early December 2019. The first key task was selecting the model for managing the Chairmanship. One option, the centralized model, involved directing the Chairperson-in-Office's activities from the country's capital. For pragmatic and staffing reasons, Poland opted for a decentralized model, where a team based at the country's permanent representation in Vienna was granted greater autonomy in managing day-to-day affairs, while the Ministry of Foreign Affairs provided substantive and organizational support for the Chairmanship's tasks. Russia's attack on Ukraine in February 2022 demonstrated that the choice of this decentralized model allowed for more effective coordination of activities and quicker responses to the dynamically changing situation within the OSCE area.

With the adoption of a decentralized model for managing the OSCE Chairmanship, Poland's diplomatic preparations had to proceed along two parallel tracks: strengthening the Permanent Mission of the Republic of Poland to the OSCE in Vienna and adapting the organizational structure of the Ministry of Foreign Affairs (MFA) in Warsaw. As early as 2020, Ambassador Adam Hałaciński was appointed as Poland's Permanent

Representative to the OSCE, tasked with overseeing the preparations and later the work of the Chairmanship. The number of diplomats at the Permanent Mission in Vienna was increased from six to approximately eighteen, including diplomats seconded from other participating States (so-called secondments). In Warsaw, in September 2020, the MFA appointed a Special Envoy for the Organization of the Chairmanship, initially held by Bogusław Winid, whose responsibilities included coordinating preparations, developing the program, and creating the Chairmanship's schedule. In July 2021, the Office for the Organization of Poland's OSCE Chairmanship was established, taking over key organizational tasks and, starting in 2022, also coordinating the Chairmanship. The Office acted as direct support for the Minister of Foreign Affairs, the Chairperson-in-Office. In addition to this unit, an informal structure consisting of experts from various departments within the MFA was created. This task force provided substantive and operational support to the Office and the Chairperson-in-Office. Looking retrospectively at how Poland's Chairmanship addressed challenges within the OSCE area in 2022, the significant impact of the flexible organizational structure surrounding the Chairperson-in-Office is evident.

### **A Systemic Assessment of Poland's OSCE Chairmanship Program in 2022**

The analysis of Poland's OSCE Chairmanship in 2022 presented in this book is based on a systemic assessment. This approach allows for the formulation of objective and scientifically grounded criteria that evaluate how a given state performs tasks determined by its position within the OSCE institutional system. The first criterion was relevance, which enabled an assessment of whether the goals planned by Poland were adequate to the problems and challenges within the OSCE area. This criterion also facilitated distinguishing whether the goals were precise, innovative, and whether their implementation was feasible in the short or long term. The second criterion was effectiveness. This focused on whether Poland, during its Chairmanship, selected appropriate tools to achieve its objectives and to what extent it succeeded in meeting its goals. The effectiveness criterion also considered the necessity of adapting to changing geopolitical conditions.

Poland's OSCE Chairmanship program for 2022 included a total of 21 goals – nine in the politico-military dimension, six in the economic-environmental dimension, and six in the human dimension. The program was dominated by broadly defined objectives requiring extensive and long-term diplomatic efforts and international cooperation, such as “Striving to promote constructive dialogue with Mediterranean and Asian

partners” or “Supporting inter-parliamentary dialogue”. This approach was partly due to the natural practice of continuing the initiatives of preceding Chairmanships and partly to a pragmatic diplomatic stance that avoided overly precise agendas, which could constrain flexibility in responding to current events. However, it is worth noting that Poland introduced new priorities into its program, absent from the agendas of the two preceding Chairmanships, as well as objectives with a short-term implementation horizon. Examples of new priorities included “Combating hybrid threats by strengthening dialogue on military transparency,” “Facilitating discussions on human rights and freedom of religion or belief,” and an initiative that Poland had addressed as a member of the UN Security Council in 2018–2019: “Working to improve the conditions of the most vulnerable – children and persons with disabilities”. Short-term objectives achievable within the one-year Chairmanship included “Increasing the participation of youth organizations in OSCE events” and “Striving to collaborate with civil society organizations and enhance their involvement in OSCE activities”.

### **Adaptation of Poland’s OSCE Chairmanship Program and Activities as a Consequence of the Outbreak of War in Ukraine**

The program of the Polish Chairmanship of the OSCE was significantly modified under the influence of Russia’s aggression against Ukraine. The focus on a direct and rapid response to the war, support for Ukraine and coordination of international diplomatic efforts meant that some of the goals were no longer relevant at all, and some were relegated to the background. This is exemplified primarily by goals from the political-military dimension. The termination of the Trilateral Contact Group’s activities and the non-renewal of the OSCE Special Monitoring Mission’s mandate in Ukraine hindered the utilization of existing diplomatic mechanisms aimed at achieving a peaceful resolution to the conflict in Ukraine. In turn, as a consequence of Russian aggression, the freezing of the 5+2 format has hindered progress in resolving the Transnistria issue by limiting opportunities for stronger dialogue and confidence-building measures.

Despite the radically new reality in which Poland had to navigate after 24<sup>th</sup> February 2022, significant progress was made in promoting human rights, advancing the economic empowerment of women, and fostering cooperation between the Chairmanship, youth, and civil society. Poland actively co-organized the Economic and Environmental Forum, which included two preparatory meetings – in February in Vienna and in May in Łódź – and a concluding meeting in Prague in September. In the Czech capital, Chairman-in-Office, Zbigniew Rau, emphasized, among other issues, the impact of

the war in Ukraine on the stability of the OSCE's second dimension, including food and energy security. In November 2022, the Polish Chairmanship, together with the OSCE Office of the Coordinator for Economic and Environmental Activities organized the OSCE Economic and Environmental Dimension Implementation Meeting. During the discussions, calls were made to continue fulfilling commitments related to the economic empowerment of women and to address the specific needs of Ukrainian women, a group particularly affected by the consequences of the conflict. Throughout 2022, Poland also promoted greater involvement of youth organizations. This was reflected, among other things, in the participation of students and youth activists in events organized by OSCE representatives in Bosnia and Herzegovina, Albania and Turkmenistan.

Despite objective difficulties, Poland tried to continue its efforts to resolve the conflicts in Georgia, Transnistria, and between Armenia and Azerbaijan, albeit with limited resources. In the case of Georgia, despite the suspension of the Geneva International Discussion following Russia's aggression against Ukraine, Poland actively supported the functioning of the Incident Prevention and Response Mechanism (IPRM) in Ergneti. This enabled the continuation of dialogue at the operational level between the Georgian government and representatives of South Ossetia. A key element on this regard was the visit of the Minister of Foreign Affairs, Zbigniew Rau, who visited Georgia between March and April 2022 and confirmed OSCE support for the country. As a result of efforts by the Polish Chairmanship, among others, the Geneva International Discussions were resumed in October 2022 after a 10-month break. This development was welcomed not only by the Georgian side but also by the United Nations and the European Union, which had a vested interest in maintaining this platform.

In the case of the Transnistria issue, the actions of the Polish Chairmanship contributed to deescalating tensions and preventing the spread of the Russian-Ukrainian conflict into Moldovan territory. Minister Zbigniew Rau and Special Envoy of the OSCE Chairman-in-Office Ambassador Artur Dmochowski discussed avoiding such a scenario with the authorities in Chisinau and representatives of Transnistria during their visit to Moldova in March 2022. Furthermore, given the suspension of the "5+2" format, Poland supported direct negotiations between Moldova and Transnistria under the "1+1" format. These talks focused on practical issues aimed at normalization, such as transport and agricultural land use, fostering stability and cooperation in the region.

At the outbreak of the full-scale war in Ukraine, the activities of the Minsk Group, which had facilitated dialogue for a peaceful resolution of the Nagorno-Karabakh conflict, were effectively frozen. From the outset of its Chairmanship, Poland consistently

called for de-escalation of tensions and the use of existing mediation mechanisms. During meetings in Baku and Yerevan in April 2022, Minister Zbigniew Rau discussed with representatives of Azerbaijan and Armenia the possibilities of cooperation with the OSCE and ways to mitigate the risk of conflict escalation in the context of the destabilization caused by the war in Ukraine. The increase in tensions in Nagorno-Karabakh in September 2022 prompted both the OSCE Chairperson-in-Office and the organization's Secretary General to issue a call for an immediate ceasefire between the parties. Despite these efforts, the peace process in the Nagorno-Karabakh region began to deteriorate due to Russia's obstruction of the Minsk Group's activities and Azerbaijan's decision to cease recognition of the format. This deterioration culminated in Azerbaijan's full control over the territory of Nagorno-Karabakh at the beginning of 2024.

### **Polish OSCE Chairmanship's Efforts to Maintain a Coherent, Principled and Decisive Response to Russia's Actions**

A fundamental challenge for Poland during its OSCE Chairmanship in 2022 was the war in Ukraine and its impact on the functioning of the organization itself. An open conflict between two OSCE participating States, with the involvement of a key country essential to the proper operation of the mechanisms and security measures developed within its organization, posed the risk of complete paralysis of the OSCE. Therefore, at the time of Russia's attack on Ukraine, two key priorities emerged for the Polish Chairmanship, determining the effectiveness of its actions. First, it was essential to uphold the principle of legality in initiatives aimed at countering Russia's aggressive actions and its attempts to legitimize them within the OSCE. This meant acting, despite objective difficulties, in strict compliance with the organization's principles and the statutory competencies of its bodies. Second, the Chairperson-in-Office had to maintain the cohesion of OSCE participating States by convincing them of the necessity for a decisive and principled response to Russia's violations of OSCE principles and norms of international law.

Even before the outbreak of the war, OSCE Chairman-in-Office, Zbigniew Rau, proposed to Russia an initiative agreed upon with other OSCE member states: the Renewed OSCE European Security Dialogue (RESD). Through this initiative, Poland sought to channel the escalating demands arising from the growing tensions between Russia and Ukraine into a framework of peaceful dialogue, utilizing existing OSCE risk reduction mechanisms.

Another example of Poland's Chairmanship respecting existing OSCE procedures and rules was the application of the Moscow Mechanism. Throughout 2022, this mechanism, aimed at identifying and reporting serious human rights violations, was invoked three times in relation to Russia and Belarus.

From the perspective of upholding the principle of legality, adherence to the principle of consensus in decision-making was crucial. The anticipated opposition from Russia and its allied states posed a significant threat to the OSCE's governance and decision-making capacity. In the absence of consensus on extending the mandates of the Special Monitoring Mission and the OSCE Project Coordinator in Ukraine, Poland, in collaboration with the OSCE Secretariat, undertook alternative actions in accordance with the organization's regulations. These actions drew on solutions previously implemented in regions such as the Caucasus and Central Asia. In early August 2022, Minister Zbigniew Rau announced the launch of a special Support Programme for Ukraine (SPU), which would not require unanimity as it would be financed through extrabudgetary sources, specifically voluntary contributions from OSCE participating States.

Examples such as the Special Monitoring Mission and the OSCE Project Coordinator in Ukraine highlighted Russia's misuse of OSCE institutions to pursue its own particular interests. In a similar vein, Russia sought to exploit the annual OSCE Human Dimension Implementation Meeting (HDIM) by demanding the inclusion of the issue of combating resurgent neo-Nazism in some OSCE participating States on the agenda. In response, the Polish Chairmanship, in coordination with ODIHR and other OSCE participating States, decided to organize a Human Dimension Conference from 26<sup>th</sup> September to 7<sup>th</sup> October, funded through extrabudgetary means. This initiative was fully compliant with OSCE regulations, mirrored the format and content of review meetings, and enabled the continuation of critical discussions without requiring Russia's approval for their organization. Another example where Poland, adhering to OSCE rules and garnering support from other participating States, prevented Russian manipulation was the rejection of Russia's demand to change the venue of the Geneva International Discussions (GID) and to hold preparatory meetings in Moscow.

The aforementioned Support Programme for Ukraine and the Human Dimension Conference demonstrated the effectiveness of alternative OSCE mechanisms despite Russia's obstruction of the decision-making process. These initiatives strengthened the conviction among OSCE members that the organization could function effectively even amidst an internal crisis. This, in turn, helped garner support for the Chairmanship's actions, which, from the outset of the war, adhered to the principle of "no business as usual". This principle assumed that Russia's invasion of Ukraine had fundamentally

altered the regional situation, making it impossible to pursue the OSCE's previous agenda or engage in discussions on European security with the Russian side. Any negotiations with an aggressor state would have contradicted OSCE principles. Convincing other participating States of this policy and securing support from a group of like-minded countries was essential to maintaining cohesion and unity within the organization.

Poland built broad support for the "no business as usual" principle through intensive consultations with OSCE member states, emphasizing the necessity of a decisive response to Russia's actions. It was argued that Russia's aggression constituted a blatant violation of the OSCE's fundamental principles, such as respect for sovereignty, territorial integrity, and human rights. This position was strongly endorsed by the OSCE Parliamentary Assembly, whose cooperation with the Chairmanship helped demonstrate the organization's unity. A crucial factor in shaping other states' perceptions of Russia's role in the conflict and its broader impact on the OSCE's achievements was Poland's decision to expand the focus on Ukraine to include the economic-environmental and human dimensions of the OSCE. This involved the Chairperson-in-Office and Polish diplomats consistently raising the issue of Russia's unprovoked aggression against Ukraine at all major OSCE events. These issues were also reiterated during the Chairperson-in-Office's meetings with representatives of the United States, the European Union, NATO, and the Council of Europe. These efforts proved effective, as Russia's accusations against Poland of "Ukrainizing the OSCE agenda" and abandoning the neutrality expected of the Chairmanship failed to gain broader approval among OSCE participating States.

**The above conclusions indicate that, despite the extraordinary circumstances under which Poland's OSCE Chairmanship took place, the country actively utilized the organization's mechanisms and institutions to counter Russia's aggressive policies and diplomacy toward Ukraine. The initiatives undertaken by the Polish Chairmanship were widely consulted and aligned with OSCE principles and procedures. At the same time, the Chairperson-in-Office and Polish diplomats launched numerous initiatives aimed at maintaining the organization's unity and effectiveness. It should therefore be acknowledged that the second hypothesis (H2) could not be refuted during the course of the research.**

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## Summary

The book *Poland's Chairmanship in the Organization for Security and Co-operation in Europe in 2022: Objectives and Their Implementation in the Face of the Russian-Ukrainian War* provides an in-depth analysis of Poland's role during the OSCE Chairmanship in 2022. It explores the institutional challenges of the OSCE, Poland's diplomatic strategies, and the impact of Russia's full-scale invasion of Ukraine on the organization's activities.

### **The OSCE in the Context of the Russian-Ukrainian War**

The first part of the book seeks to address research questions about how the institutional evolution of the OSCE has unfolded since 1995 and whether the institutional and organizational changes implemented over the past three decades have improved the OSCE's functioning across its three dimensions: politico-military, human, and economic. By updating our understanding of these issues and analyzing them in the context of the ongoing Russian-Ukrainian war, this part of the book allows us to answer the question of what initiatives the OSCE has undertaken to resolve the conflict in Ukraine since 2014 and how effective these efforts have been.

Based on the analysis conducted in the first two chapters of the book, the following hypothesis (H1) will be verified: The OSCE is an organization not adapted to addressing contemporary security challenges in the Euro-Atlantic area.

The publication begins by examining the broader role of the OSCE as a regional security organization and its ability to address contemporary threats to Euro-Atlantic security. The first chapter by Agnieszka Nitszke assesses the role of the OSCE in the evolving security landscape of the Euro-Atlantic region, particularly in light of new threats. It traces the institutional development of the OSCE from its origins as the Conference on Security and Cooperation in Europe and evaluates its effectiveness as a security guarantor. The chapter also examines the OSCE's relationships with NATO and the EU, highlighting its limited ability to enforce security provisions in contrast to these organizations.

The second chapter by Olesia Kryvenko focuses on the OSCE's role in mitigating the Russian-Ukrainian conflict that began in 2014. It examines OSCE-led initiatives, such as the Special Monitoring Mission and the Trilateral Contact Group, and the organization's diplomatic engagement in ceasefire agreements. The chapter highlights the OSCE's structural weaknesses, particularly its reliance on consensus, which has allowed Russia to obstruct its crisis-response mechanisms. The OSCE's failure to effectively intervene in Crimea and the Donbas is critically analyzed, illustrating its limited capacity to handle conflicts involving major powers.

### **Poland's Role during OSCE Chairmanship**

The second part of the book seeks to answer the following research questions: What criteria can be used to evaluate the effectiveness of a country's OSCE Chairmanship? How has the role and significance of the Chairperson-in-Office evolved within the OSCE structure over the past two decades? How did Poland prepare for its OSCE Chairmanship? What were the objectives of Poland's OSCE Chairmanship program? Did the program change as a result of Russia's attack on Ukraine in February 2022? What was Poland able to achieve from the original goals of its Chairmanship program? What actions did Poland undertake to promote peace and security in the Central and Eastern European region?

The analysis conducted in the third, fourth, fifth and sixth chapter, that the second part of this book is composed of will allow for the verification of the following hypothesis (H2): During its OSCE Chairmanship, Poland actively utilized the mechanisms and institutions of the organization to increase international pressure on Russia and counteract the escalation of the conflict with Ukraine.

Poland assumed the OSCE Chairmanship at a critical juncture, with the Russian invasion of Ukraine unfolding just weeks into its tenure. This part of the book examines how Poland structured its Chairmanship, opting for a decentralized and flexible management model that allowed it to respond swiftly to the war.

The third chapter by Michał Dulak outlines the criteria used to evaluate Poland's performance as OSCE Chair. It distinguishes between political, expert, social, and systemic evaluations, arguing that Poland's chairmanship should be assessed based on diplomatic adaptability rather than traditional policy effectiveness metrics. The chapter highlights the assessment of parliamentary committees, expert think tanks, and public discourse, and evaluation models developed in previous OSCE Chairmanships such as in Switzerland's 2014 tenure.

The fourth chapter by Michał Dulak and Eugeniusz Portny traces the evolution of the OSCE Chairmanship from its initial conception in the 1990s to its current form. It discusses the chairmanship's functions—coordination, representation, political leadership, and creative diplomacy—and examines its constraints within the OSCE's decision-making framework. The chapter contextualizes Poland's tenure within the broader history of OSCE chairmanships, noting how the role has changed due to geopolitical developments.

The fifth chapter by Wiktor Kęsy and Eugeniusz Portny details Poland's OSCE agenda, which was initially based on long-term security goals but had to be radically adjusted due to Russia's invasion of Ukraine. The program was structured around the three OSCE dimensions—politico-military, economic-environmental, and human—and was heavily influenced by Poland's broader foreign policy priorities. Before Russia's full-scale invasion of Ukraine, Poland aimed to strengthen OSCE mechanisms for conflict resolution, enhance cooperation with international partners, and promote stability in regions facing protracted conflicts. The chapter details how these objectives were formulated, drawing on past OSCE Chairmanships while introducing new priorities specific to Poland's tenure.

The sixth chapter by Eugeniusz Portny and Wiktor Kęsy provides a detailed analysis of how Poland's OSCE Chairmanship in 2022 was forced to adapt to the radical shift in the European security landscape following Russia's full-scale invasion of Ukraine on 24 February 2022. Poland's OSCE Chairmanship in 2022 was fundamentally reshaped by Russia's full-scale invasion of Ukraine, forcing a shift from long-term diplomatic engagement to crisis management. Initially, Poland sought to leverage OSCE mechanisms such as the Normandy Format, Trilateral Contact Group, and Special Monitoring Mission to Ukraine (SMM) to mediate the conflict, but Russia's aggression rendered these tools ineffective. Moscow blocked the renewal of the SMM's mandate and obstructed OSCE operations, prompting Poland to launch the Renewed OSCE European Security Dialogue (RESD) in an effort to maintain diplomatic engagement. However, Russia showed no interest in the initiative, effectively ending hopes for a negotiated resolution within the OSCE framework. In response, Poland adopted the “no business as usual” policy, ensuring that the war dominated OSCE discussions and actively opposing Russian attempts to manipulate the organization. Despite Russia's obstructionist tactics—such as blocking the OSCE budget and key operational decisions—Poland worked closely with the Like-Minded Group of Western states to maintain institutional cohesion and counter Moscow's influence.

Faced with OSCE institutional paralysis, Poland pursued alternative strategies to support Ukraine, notably establishing the OSCE Support Programme for Ukraine (SPU),

which provided aid in mine clearance, legal assistance of reforms, and countering disinformation. Since the SPU was financed through voluntary contributions, it bypassed Russia's ability to veto OSCE funding. Beyond the military and political dimensions, Poland also integrated the economic-environmental and human rights aspects of the OSCE agenda into its response, organizing the Warsaw Human Dimension Conference to address Russian war crimes and forced deportations, as well as the OSCE Economic and Environmental Forum in Prague to discuss the war's impact on food and energy security. While Poland's Chairmanship reaffirmed the OSCE's role as a diplomatic platform, it also exposed the organization's deep structural weaknesses, particularly its reliance on consensus-based decision-making, which allowed Russia to paralyze key functions. The chapter concludes that, despite Poland's efforts to sustain OSCE unity and adapt its priorities, the war underscored the urgent need for institutional reforms to prevent authoritarian states from exploiting the organization's mechanisms in future crises.

The book confirms two key hypotheses. First, **the OSCE is not adequately adapted to contemporary security challenges**. The gap between the OSCE's formal mandates and the reality of international security crises—exacerbated by Russia's actions—demonstrates the organization's declining effectiveness. Second, **Poland actively used OSCE mechanisms to counter Russian aggression and maintain the organization's cohesion**. Despite institutional limitations, Poland played a critical role in ensuring that the OSCE remained a platform for diplomatic pressure against Russia.

The publication ultimately questions the future of the OSCE, particularly in the wake of the war in Ukraine, and explores whether institutional reforms could enhance its effectiveness. It highlights the need for stronger enforcement mechanisms, a reevaluation of the consensus-based decision-making model, and deeper integration with other international security institutions.

**Keywords:** OSCE Chairmanship, Poland's OSCE Chairmanship-in-Office, Russian-Ukrainian war, international security, conflict resolution, institutional reform

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Poland's Chairmanship in the Organization for Security and Cooperation in Europe in 2022 took place during an unprecedented crisis—Russia's full-scale invasion of Ukraine. This book provides a comprehensive analysis of Poland's OSCE Chairmanship, assessing both its diplomatic efforts and the broader challenges facing the organization.

The first part of the book examines the evolution of the OSCE, its institutional weaknesses, and its ability to respond to contemporary security threats. It critically evaluates the OSCE's engagement in Ukraine since 2014, including the Special Monitoring Mission and Trilateral Contact Group, exposing the organization's structural limitations in conflict resolution.

The second part focuses on Poland's leadership in the OSCE, detailing how its initial objectives were reshaped by war. It explores Poland's strategic decisions, such as implementing the "no business as usual" policy and launching the OSCE Support Programme for Ukraine. The book concludes with a discussion on the future of the OSCE, questioning whether institutional reforms are necessary to prevent authoritarian states from obstructing its mission.

A must-read for scholars, diplomats, and policymakers, this publication offers **critical insights into European security governance**, Poland's diplomatic strategy, and the OSCE's role in a **rapidly changing geopolitical landscape**.

