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REPORT

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

Implementing OSCE Commitments: The Role of Parliaments

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Introduction

Given the current political landscape, it is now more crucial than ever for the OSCE to pursue the successful and complete implementation of its principles, which are expressed through the Organization's core documents and the commitment made by participating States to uphold these. Hindrances to the implementation of OSCE commitments exist, not least due to the current geopolitical tensions in the OSCE region. These tensions revolve around various matters, such as the division within Europe resulting from the situation in and around Ukraine, the persistent issue of protracted conflicts in the OSCE area, as well as continuing tensions in the Western Balkans, rising extremist and terrorist threats and the topic of migration. Further developments straining the OSCE region can be seen in the decline in confidence in non-proliferation- and arms-reduction agreements.

It is only by upholding the values and commitments of the Organization that the OSCE space can be made more secure. OSCE participating States have agreed to a comprehensive set of commitments in the politico-military sphere to ensure security in the region, which include a variety of confidence- and security-building measures, such as regular information exchanges, means for verification and compliance, and various forms of military co-operation. These procedures aim to increase trust among OSCE participating States and contribute to greater openness and transparency in the field of military planning and activities. Various forums exist within the Organization to support participating States' efforts to stay in keeping with OSCE principles.

This report will be structured in two parts. The first part will address central commitments made by participating States and the channels through which the OSCE facilitates their implementation, as well as forums that exist to facilitate dialogue and reform. The second part will touch upon five main points: non-proliferation, protracted conflicts, the crisis in and around Ukraine, cyber-security, and counter-terrorism.

OSCE Commitments in the Politico-Military Sphere

In the first dimension of the OSCE's work, core commitments address arms control, disarmament, and non-proliferation, as well as democratic control of armed forces. These commitments are deepened and expressed through a set of (military) confidence- and security-building measures (CSBMs), meaning primarily agreements to exchange military information. Newer commitments have been made on a voluntary basis in the field of cyber-security. In this field confidence-building measures foster transparency and co-operation between States on cyber- and ICT security matters. Many of these commitments are interrelated, together establishing the overall security regime which applies to the OSCE area. Together they enhance predictability, transparency, and military stability and reduce the risk of major conflict in Europe.

The Vienna Document is one of the most important tools the OSCE has to ensure reliable information exchange. First adopted in 1990, and updated several times since then, it is one of the most sophisticated CSBMs the Organization possesses. Building on the Helsinki Final Act's

provisions for early notification of military exercises, this politically binding agreement requires its signatories to annually provide each other with information about their military forces, notify each other ahead of time about major military exercises, accept inspection and evaluation visits, invite other States to observe certain activities, and to consult and co-operate in case of unusual military activity or increasing tensions.

Another central commitment in the politico-military sphere is expressed in the **OSCE Document on Small Arms and Light Weapons (SALW)**. Adopted in 2000, it provides guidelines on dealing with threats such weapons can pose, as well as providing assistance upon request in securing stockpiles, disposing of small arms, and enhancing border controls to reduce illicit arms trafficking. By promoting common norms, principles, and tools for its participating States on SALW issues, the OSCE encourages a shared understanding of the key principles to counter the spread and accumulation of illicit small arms and light weapons. Hindering illicit trafficking and promoting demilitarization and defence transformation projects is enabled through various forums of the OSCE, including the recently adopted OSCE Best Practice Guide on Deactivation of SALW.

Finally, a landmark document in security sector governance, **the Code of Conduct on Politico-Military Aspects of Security**, deserves particular emphasis when considering the commitments made by national governments in the political and security dimension of the OSCE. Adopted in 1994, the Code of Conduct regulates how States control armed forces within their constitutional framework, ensuring that the military, paramilitary and security forces, intelligence services, and the police are at all times subject to civilian control and the authority of a democratically elected body. This direct involvement of national parliaments must be seen as especially relevant to the work of the Parliamentary Assembly in its efforts to implement first dimension commitments.

The Code of Conduct deepens and codifies the important principles of the Helsinki Final Act that guide relations between States, particularly concerning the non-use of force, but goes beyond this conventional framework by adding unique norms of politico-military conduct within States. Both the scope of the Code of Conduct, as well as its politically binding nature, leave it unparalleled in any other organization.

Implementation of OSCE Commitments

Implementation of the Code of Conduct is enabled through various channels, such as the Annual Discussion on the Implementation of the Code of Conduct, through the organization of awareness and outreach conferences, as well as through workshops and seminars, which are held for participating States and other interested States and Partners for Co-operation to address issues surrounding the Code of Conduct.

Another tool relating to the Code of Conduct is the Code of Conduct Questionnaire. Beginning in 1999, participating States have annually exchanged information on their implementation of the Code of Conduct by making use of the Questionnaire. Newer versions have since been introduced that added a number of sub-questions, for instance on anti-terrorism efforts. As the Code of Conduct takes a comprehensive approach to security and addresses issues that go far beyond the boundaries and competencies of politico-military establishments, its ultimate implementation requires the participation of parliamentarians and civil society.

National parliaments play a central role in facilitating effective oversight of the private and public security sectors. When active political support is given, parliaments greatly increase the Code of Conduct's legitimacy and relevance, which improves oversight and control of their national intelligence services and ensures respect for the human rights of service members. The OSCE PA has issued comprehensive resolutions on the Code of Conduct that urge all participating States to acknowledge and agree to its instruments, in particular regarding parliamentary oversight of the security sector. Among these OSCE PA resolutions are the 1992 Budapest Declaration, which states that elected parliaments must have the ultimate authority and responsibility for the activities of the military forces.

Implementation of OSCE commitments is assessed by various forums. The **Forum for Security Co-Operation (FSC)** is an autonomous decision-making body where representatives of participating States meet weekly to consult on military stability and security. Its main tasks include regular consultations and intensive co-operation on military security matters. Aside from developing norms and providing practical assistance, the FSC further facilitates annual exchanges of military information (AEMI), an Annual Security Review Conference (ASRC), various seminars, workshops, and politico-military retreats, as well as Annual Implementation Assessment Meetings (AIAM). Another source for assessing implementation is offered by the **Conflict Prevention Centre (CPC)**, which issues a monthly report on major implementation activities. The CPC supports the work of the FSC and enables exchange of information through the OSCE communications network.

Annual Implementation Assessment Meeting

At the Annual Implementation Assessment Meeting (AIAM), participating States discuss the present and future implementation of agreed upon confidence- and security-building measures. During the 2018 AIAM, the working sessions addressed the implementation of the Global Exchange of Military Information (GEMI), as well as specific chapters of the Vienna Document related to the annual exchange of military information (AEMI), defence planning, risk reduction, as well as compliance and verification issues.

The final working session pointed to three concrete improvements to the implementation and modernization of the Vienna Document. Firstly, it was contended that this could be achieved by utilizing a variety of other military-to-military contacts and collaborations besides classic inspection and evaluation activities. Secondly, it was suggested that there is a need for a greater level of analysis of the information provided. A more thorough analysis of the data at hand could enhance the confidence- and security-building effect of the already existing amount of exchanged information, adding a qualitative overview to the quantitative assessment provided by the Conflict Prevention Centre.

Finally, it was stressed that the AIAM itself could be made better use of by, for example, enhancing the flow of information between the AIAM and the Heads of Verification Centres (HoV), which both provide platforms to discuss present and future implementation of agreed upon CSBMs but are arguably not being used to their full potential. Improving how these meetings interrelate with each other may contribute to a more effective use of these platforms.

OSCE Structured Dialogue

An important process for informal dialogue in the politico-military sphere of the OSCE's work can be seen in the **Structured Dialogue (SD)**. Launched under Germany's 2016 OSCE

Chairmanship, continued by Austria's 2017 Chairmanship, and considered a priority of the current Italian Chairmanship, the Structured Dialogue includes discussions on threat perceptions, security concerns and challenges to the European rules-based security order, as well as mapping of military trends. It emphasizes the role of military communication in de-escalation and risk reduction and allows for in-depth analyses of force postures and military exercises. By providing participating States with access to official and reliable sources, the Structured Dialogue furthermore increases transparency and seeks to foster understanding and find common ground to reverse the negative trends in the arms control architecture and to revitalize co-operative security in Europe. The informal working group on the Structured Dialogue has set out to solidify the SD as a state-driven process that in the coming year will emphasize stronger dialogue and greater exchange among military experts.

Security Sector Governance and Reform

Security Sector Governance and Reform (SSG/R) is recognized by the OSCE and its participating States as playing an essential role in conflict prevention, early warning, crisis management, and post-conflict rehabilitation. Although Security Sector Governance and Reform is a relatively new concept, it goes hand in hand with the OSCE's comprehensive understanding of security, fostering transparency and accountability. Through its institutions and field operations, the Organization has provided expertise to participating States on many important aspects of SSG/R, co-ordinating with external partners while respecting national ownership of SSG/R. Important areas of SSG/R include police reform, border management and security, and counter-terrorism. Other central aspects of SSG/R are reforms aiming at ensuring gender sensitivity and creating greater inclusivity for women in the military, as stipulated in the UN Security Council's Resolution 1325.

In order to enable implementation of OSCE-led SSG/R, in 2016 the OSCE released a set of guidelines that support OSCE executive structures and their staff in their pursuit of a coherent and co-ordinated approach to supporting nationally led SSG/R processes. It furthermore released a guidebook on intelligence-led policing to assist with national efforts at police reform. Practical activities in the area of reform and co-operation in the security sector include legislation reform, downsizing and conversion of armies, and training personnel on the rights of servicemen and servicewomen. These activities are conducted by OSCE field operations, the OSCE Secretariat, and a number of other OSCE institutions, such as the OSCE Office for democratic Institutions and Human Rights (ODIHR) and the Conflict Prevention Centre.

Non-Proliferation

The OSCE region is increasingly affected by a decline in confidence in and adherence to nuclear non-proliferation agreements, as support for commitments to nuclear non-proliferation and disarmament have lessened on a global scale. Coinciding with this trend of declining confidence in nuclear weapons reduction agreements is a heightened confrontational rhetoric of world leaders, which contributes to and exacerbates the decline in nuclear security.

Given these circumstances, the importance and necessity of implementing non-proliferation treaties such as the United Nations Security Council Resolution 1540 on preventing the proliferation of nuclear weapons (UNSCR 1540) are of greatest importance and fully supported by the OSCE. This also applies to the Comprehensive Nuclear-Test-Ban Treaty (CTBT), of

which all OSCE participating States are signatories.¹ Comprehensive tracking of nuclear activities is enabled through the Preparatory Commission for the Comprehensive Nuclear Test-Ban Treaty Organization (CTBTO), which makes sure that no nuclear explosion goes undetected through the International Monitoring System (IMS). The OSCE PA, as a facilitator with direct links to civil society, has a strong potential to support the CTBT. The importance and necessity of these resolutions and treaties is particularly relevant in the light of today's volatile and unpredictable nuclear environment.

Despite these heightened tensions, some progress is being made. The 2017 Treaty on the Prohibition of Nuclear Weapons stands out as the first legally binding international agreement to comprehensively prohibit nuclear weapons, with the goal of their total elimination. As of the April 2018, fifty-eight States have signed the Treaty.

Protracted Conflicts

The lack of progress towards the settlement of the Nagorno-Karabakh conflict and the numerous violations of the ceasefire on the Line of Contact in recent years are cause for concern. A return to the negotiation table by all parties is needed to avoid further military confrontation and to de-escalate the situation. The High Level Planning Group was established for this purpose within the framework of the OSCE with a mandate issued in 1995 aimed at the preparation of a future peacekeeping operation in the area of the Nagorno-Karabakh conflict. The OSCE should utilize the full potential of its conflict resolution mechanisms, through the work of the Minsk Group, as well as through the Parliamentary Assembly, to stabilize the situation and work toward a comprehensive peace agreement.

The Transdniestrian conflict, which was a priority of the 2017 Austrian OSCE Chairmanship, remains high on the agenda of the work of the OSCE. In 2016, under the German OSCE Chairmanship and with the help of mediators and observers, the Transdniestrian Settlement Process resumed its "5+2 format", with a commitment from both sides to produce results. It remains essential to reach a comprehensive, peaceful, and sustainable settlement of this conflict based on the sovereignty and territorial integrity of the Republic of Moldova. Parliamentarians play a key role in reaching a long-lasting settlement, and the OSCE PA encourages the resumption of formal contact between the legislative bodies on both sides, without preconditions and in good faith, to ensure political support for the solutions identified in the talks.

In relation to the conflict in Georgia, the Russian Federation should implement the EU-brokered Six-Point Ceasefire Agreement of 12 August 2008 that ended the conflicts in Abkhazia and the Tskhinvali region/South Ossetia nearly ten years ago. The Russian Federation should also refrain from using and withdraw its military forces in order to create conditions for a peaceful resolution of the conflict. Parliamentary diplomacy should enhance confidence-building between both sides and create an atmosphere of co-operation and mutual trust. The OSCE PA rejects the holding of parliamentary elections in Abkhazia and the approval of a military deal between South Ossetia and the Russian Federation, as well as unilateral decisions such as changing the name of the South Ossetia region.

¹ Of these, all but the United States of America have ratified the Treaty.

Ukraine

The OSCE PA has been clear that the annexation of the Crimean Peninsula by the Russian Federation was illegal and illegitimate. At the same time the OSCE PA continues to promote dialogue and a diplomatic resolution to the crisis in and around Ukraine, organizing some of the only contacts between Russian and Ukrainian parliamentarians since the conflict began. The crisis can only be resolved through constructive and inclusive dialogue. The Assembly has held debates on the situation and parliamentarians have led the OSCE's short-term election observation activities in Ukraine.

The implementation of all provisions of the Minsk II agreement of 11 February 2015 by all sides remains the key for a comprehensive peace agreement in the Donbas. Despite setbacks, the goals set forth in these agreements are still achievable and remain the best path forward for Ukraine and the region. The Italian Chairmanship is dedicated to ensuring that full political support will be given to the efforts to seek a solution to the Ukraine crisis on the basis of the Minsk agreements and in the Normandy format.

Cyber-Security

Central risks posed by cyber-attacks pertain to States' critical infrastructure such as water supply systems, power grids and transport networks. Given the importance of critical infrastructure to national security and the rapid expansion of the cyber space, it has become more likely that tensions will arise between States over Information Communication Technologies (ICTs) incidents involving critical infrastructure. Consequently, efforts to enhance cyber stability between States, which can prevent tensions and even conflicts, increasingly focus on effectively protecting critical infrastructure from cyber- and ICT security threats.

A key focus is on the development of confidence-building measures (CBMs) between participating States to reduce the risks of conflict stemming from the use of ICTs. The OSCE has adopted two sets of CBMs aimed at reducing the risk of conflict stemming from the use of ICTs. The first set of transparency measures established official contact points and communication lines to prevent possible tensions resulting from cyber activities. The second set is focused on further enhancing co-operation between participating States — including, for example, to effectively mitigate cyber-attacks on critical infrastructure that could affect more than one participating State.

In addition to the cyber- and ICT security CBMs, the OSCE and its institutions also focus on tackling cyber- and ICT security threats from non-state actors, such as organized criminals and terrorists. The OSCE therefore addresses various cyber threats, including cybercrimes and the use of the Internet for terrorist purposes, by promoting adequate and timely responses by national authorities to these evolving threats, ranging from better forensics to innovative approaches to prevent ICTs from becoming tactical facilitators for terrorists.

Counter-Terrorism

The OSCE promotes a co-operative and co-ordinated approach to countering terrorism at all levels, including co-ordination among national authorities, co-operation among States, co-operation with relevant international and regional organizations and, where appropriate, establishment of public-private partnerships between state authorities, the private sector, civil

society and the media. The increasing threat to domestic security posed by the radicalization of mainly young people and resulting in terrorism represents an imminent risk to the entire OSCE area and was a major focus of the 2017 Austrian OSCE Chairmanship.

Strategic focus areas of the OSCE in countering terrorism include promoting the implementation of the international legal framework against terrorism and enhancing international legal co-operation in criminal matters related to terrorism, countering violent extremism and radicalization that lead to terrorism, and preventing and suppressing the financing of terrorism. Countering the use of the Internet for terrorist purposes, strengthening travel document security, and promoting and protecting human rights and fundamental freedoms in the context of counter-terrorism measures are further areas in which the OSCE is active.

Relevant activities are carried out by OSCE executive structures within their mandates, particularly the Ad Hoc Committee on Countering Terrorism (CCT), which was established by the OSCE PA's Standing Committee at the 26th Annual Session in Minsk and sets out to assess terrorism trends in the OSCE region to identify priority areas of engagement for the PA, aiming to advance its efforts in the field of countering terrorism.