

Cornelius Friesendorf | Argyro Kartsonaki (Eds.)

# OSCE Insights

Securing States and People



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# The Vienna Document 2011 and Military Applications of Artificial Intelligence

Nicolò Miotto\*

## Abstract

The development and deployment of military applications of artificial intelligence (AI) is raising concerns about their negative implications for international security. Misperception, unintended escalation, and proliferation are some of the key potential risks stemming from military uses of AI. This article argues that states within and outside the OSCE region should draw on the OSCE Vienna Document 2011 to develop confidence- and security-building measures (CSBMs) applicable to the military uses of AI. Such CSBMs could help foster dialogue and co-operation by increasing transparency and predictability concerning military applications of AI.

## Keywords

OSCE, artificial intelligence, Vienna Document 2011, CSBMs, military transparency

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## Introduction

Artificial intelligence (AI) is expected to bring about unprecedented innovation in numerous sectors of society, including defense.<sup>1</sup> Its use in the military promises various technical benefits, including improvements in data collection, strengthened analytical capabilities, and faster decision-making processes. As several countries have manifested their interest in developing military applications of AI, a fierce public debate surrounding their potential technical, (geo)political, and ethical risks has been taking place. While some observers have highlighted that, despite the risks, AI can improve

key military capabilities such as early warning and target identification, others have warned against potential risks such as misperception, unintended escalation, and proliferation.<sup>2</sup> In noting these challenges, many have engaged in reflection on potential means of mitigating such threats.

Among other tools, diverse stakeholders have suggested developing confidence- and security-building measures (CSBMs) for military applications of AI to increase transparency, enhance predictability, and avert escalation. Hence, research on CSBMs is expanding, receiving contributions from academia, governments, and the private sector.<sup>3</sup> With that said, these

studies mainly focus on developing new measures that can address both the technical limitations of AI and their potential implications for international security. Little attention has been paid to exploring the applicability of well-established CSBMs to the military uses of AI. In particular, what is lacking—with the single exception of a rather general study<sup>4</sup>—is an analysis of the contribution that the OSCE Vienna Document 2011 (VD11) could make in this regard.<sup>5</sup>

Reflecting on the contributions of the VD11 to the multilateral governance of military uses of AI is of the utmost importance at a time when international discussions on the matter have stalled.<sup>6</sup> Due to the erosion of trust and confidence caused by Russia's war of aggression against Ukraine, it is unlikely that the VD11 will be updated any time soon to cover military applications of AI. Nonetheless, this study argues that states within and outside the OSCE region should draw upon the VD11 to implement CSBMs to increase the transparency and predictability of military uses of AI.

This paper starts by outlining the definitions of AI and CSBMs adopted in this research. It then addresses prominent issues pertaining to military uses of AI and key CSBMs that have been recommended to mitigate related threats. It then explores the main problems underlying the application of CSBMs to military uses of AI, noting that despite these challenges, certain arrangements could likely be implemented successfully. Finally, it shows how key VD11 provisions could be drawn on to establish CSBMs for milita-

ry uses of AI and provides recommendations in this direction.

## Definitions and terminology

### Artificial intelligence and its military applications

AI is a much-used umbrella concept that incorporates numerous related technologies and areas of research, including machine learning (ML) and deep learning (DL). Definitions of AI vary depending on the capabilities of the systems in question and their functionalities.<sup>7</sup> Despite their diversity, however, these definitions point to certain general features related to the overall rationale and objectives of AI technologies. Such characteristics include the capacity to simulate human reasoning and perform cognitive tasks that are generally associated with human intelligence.<sup>8</sup>

A closer look at the quantity and quality of the cognitive tasks simulated by these technologies helps to further clarify what AI is by marking the difference between so-called “artificial general intelligence” (AGI)/“artificial super intelligence” (ASI) and “narrow AI.” AGI/ASI represents a strictly hypothetical form of AI which would be capable of equaling or surpassing human intelligence and behavior, becoming self-conscious and acquiring the ability to perform tasks, learn, and plan autonomously as humans do.<sup>9</sup> The category of narrow AI, to which current uses of AI belong, comprises “complex software programs that can execute discrete ‘intelligent’ tasks such

as recognizing objects or people from images, translating language, or playing games.”<sup>10</sup> Narrow AI programs include ML and its sub-field, DL.

This paper looks at military applications of AI as an ensemble of narrow AI programs used to carry out specific military tasks such as image recognition, autonomous navigation, and training. This research only considers uses of narrow AI to enhance the capabilities of the weapon and equipment systems covered by the VD11 (e.g., battle tanks, armored combat vehicles, and combat aircrafts).<sup>11</sup> Therefore, certain conventional and non-conventional weapon and equipment systems not covered by the VD11, such as warships and nuclear command, control, and communications, are not considered by this study.

### Confidence- and security-building measures (CSBMs)

This paper adopts a general definition of CSBMs, as outlined in early research, as arrangements designed to enhance

an assurance of mind and belief in the trustworthiness of the announced intentions of other states in respect of their security policies, and the facts with regard to military activities and capacities which are designed to further the objectives of a nation’s security policy.<sup>12</sup>

The main objectives of CSBMs are to increase transparency by publicly displaying a state’s non-aggressive posture and to enhance predictability by allowing for

the detection of inconsistencies in other states’ behavior vis-à-vis established CSBMs.<sup>13</sup> The ultimate intended impact of CSBMs is to reduce the risk of unintended escalation and conflict between countries, which could be triggered by misperceptions about other states’ military postures and activities. Examples of CSBMs include the notification of military exercises, the observation of military activities, the establishment of communication channels between countries, inspections of military facilities, and the exchange of information on military forces and budgets.<sup>14</sup> These cases mirror the principles and practices outlined in pivotal OSCE documents such as the 1975 Helsinki Final Act<sup>15</sup> and the VD11.

### Military applications of AI, associated risks, and CSBMs

Several countries, including the United States, Russia, and China, are heavily investing in AI to modernize their military capabilities.<sup>16</sup> This interest in developing military applications of AI stems from the technical opportunities they offer (such as improvements in target identification and the acceleration of decision-making processes)<sup>17</sup> and from the ambition to equal or surpass competitors’ actual and/or perceived capabilities.<sup>18</sup> Projects aimed at integrating AI into military systems encompass a wide range of tools, including unmanned aerial and maritime vehicles, missile technology, nuclear capabilities, and space systems. AI is being developed and tested to support other military tasks,

including command and control, information management, logistics, and training.<sup>19</sup> Existing AI capabilities in these sectors include collateral damage estimation, the geolocation of images, the provision of recommendations on best paths and transport modes, and the tracking of individuals' learning progress.<sup>20</sup> The strong interest in further improving these tools and developing new ones is driven by the advantages AI offers, such as enhanced assessment accuracy, faster analysis and communication, and lower logistics costs.<sup>21</sup>

Despite these promising opportunities, researchers, public institutions, and civil society organizations have expressed several concerns about the military uses of AI. Indeed, the technology is vulnerable to several limitations. For instance, technical issues such as changes in the data distribution can negatively impact the performance of AI models.<sup>22</sup> Furthermore, malicious actors can affect the integrity of data by manipulating the training datasets, thus leading AI models to fail or to act differently than expected.<sup>23</sup> Additional issues such as psychological constraints can affect human-machine interactions; for example, end-users can act upon erroneous analytical outputs due to unconditional trust in AI data analysis capabilities.<sup>24</sup>

In a military context, these and further issues can have serious security implications, potentially undermining international security. Possible technical failures range from errors in autonomous navigation to target misidentification, paving the way for concerning scenarios such as diplomatic tensions, escalation, and even

overt military conflict.<sup>25</sup> In response to these challenges, academics, policymakers, and private companies have recommended different types of CSBMs. These can be grouped into two main categories based on the issues they aim to address: (1) CSBMs that address potential technical issues with AI software; and (2) CSBMs that address inter-state security dynamics underlying the development and deployment of military applications of AI. The first category includes measures such as the publication of system cards<sup>26</sup> to provide information about the capabilities and limitations of AI models and the use of content provenance and watermarking methods to verify the authenticity and integrity of AI-generated data.<sup>27</sup>

CSBMs from the second category include broader arrangements such as the establishment of Track II initiatives<sup>28</sup> to promote dialogue on the risks posed by military uses of AI and the releasing of joint political declarations on the maintenance of human control over decisions concerning target engagement.<sup>29</sup> Additional measures include tabletop exercises to simulate crisis scenarios and develop tailored responses, the establishment of hotlines between countries, and the development of incident sharing agreements to consolidate knowledge of AI technical failures and their impact on security.<sup>30</sup>

These CSBMs represent valuable measures to mitigate key potential threats. However, their effective implementation faces several challenges stemming from the current geopolitical environment and the intrinsic characteristics of AI technol-

ogy. Analyzing these limitations can help us to understand which CSBMs are more likely to contribute to the goals of enhancing transparency and predictability.

### **Challenges and opportunities for the application of CSBMs to the military uses of AI**

#### **Geopolitical and technical challenges**

While the need to engage in talks about military applications of AI and their regulation has been recognized by the academic and policymaking community, several dilemmas continue to pose obstacles to the implementation of concrete measures. Geopolitical tensions following Russia's war of aggression against Ukraine represent a prominent example of the challenges affecting the negotiation of CSBMs. Indeed, CSBMs can be seen as the ultimate representation of a shared understanding of what constitutes common security concerns.<sup>31</sup> Their effective negotiation depends on the establishment of confidence and trust between states. Hence, their development is conditional on rebuilding trust and confidence and achieving a common notion of which issues pertaining to military applications of AI represent security matters of reciprocal interest.

Moreover, in such a contested environment, it is unlikely that states will adopt intrusive AI software-focused CSBMs such as system cards. This has already been highlighted in the research on cyber CSBMs, which notes that non-likeminded countries are unlikely to im-

plement intrusive measures such as the observation of cyber exercises in order to maintain a degree of secrecy over cyber capabilities.<sup>32</sup> Indeed, states that have deployed cutting-edge military applications of AI are unlikely to publicly acknowledge the limitations or potential biases that affect their functioning, especially vis-à-vis adversaries' deployment of such technologies. This would be detrimental to their security interests and could reveal gaps in military effectiveness. When AI software transparency is weighed up against the projection of military power, the balance often tips in favor of the latter.

Dilemmas inherent to the technology only add to these geopolitical challenges. As noted by recent research, there is much uncertainty about whether AI and its military applications can be effectively tested to verify that systems are functioning and behaving as originally intended, designed, and expected and about which techniques and methods can be employed to best conduct technical assessments.<sup>33</sup> This overall uncertainty has serious implications for CSBMs as it calls into doubt what can be verified with certainty about the military uses of AI. In the face of this uncertainty, not only are countries likely to refrain from implementing AI software-related CSBMs, but, even if circumstances were different, they would face technical challenges to effectively ensuring the safety of military uses of AI.

Despite these notable challenges, shedding light on existing co-operative dynamics between states in the international environment and shifting

the focus from AI software to military hardware can help us to assess whether less intrusive measures are more feasible and can be effectively implemented.

### Opportunities for politically and technically feasible CSBMs

While the security environment is competitive and characterized by strong tensions, multilateral discussions on the military applications of AI have already taken place at intergovernmental fora before and following Russia's war of aggression against Ukraine, including at the OSCE. At the OSCE, formal and informal discussions have been particularly focused on the impact of AI on law enforcement and crime,<sup>34</sup> freedom of expression and media pluralism,<sup>35</sup> human rights,<sup>36</sup> and international law.<sup>37</sup> Attention has also been paid to the military uses of AI. For example, informal discussions on these issues took place between 2014 and 2021, bringing to the table governmental and non-governmental representatives from OSCE participating States.<sup>38</sup>

Most importantly, from 2019 to 2021 the OSCE Parliamentary Assembly (PA) and the Forum for Security Co-operation (FSC) hosted formal political discussions between OSCE participating States on the military uses of AI.<sup>39</sup> Such engagement also included discussions on whether existing arms control frameworks, including the VD11, should be updated to account for the military uses of AI. While such discussions have not taken place at either the PA or the FSC recently, they have continued in other formats, expand-

ing formal political engagement beyond Europe by including the OSCE Asian Partners for Co-operation.<sup>40</sup>

Therefore, while geopolitical tensions are hindering in-depth discussions on the overall arms control architecture and eroding trust and confidence, evidence also points to the fact that more limited but important informal and formal discussions are already taking place at the multilateral level within and outside the OSCE region. Although such engagement primarily involves like-minded countries, it nevertheless represents an important step, paving the way for future discussions when the security environment allows.

Technical issues concerning the verification and validation of AI software should not overshadow the potential benefits of applying less intrusive and more technically feasible CSBMs to AI-integrated military hardware.<sup>41</sup> Research on cyber CSBMs has shown that arrangements such as the exchange of information on cyber doctrines and the organization of cyber forces are likely to be implemented, even among non-likeminded countries.<sup>42</sup> Moreover, likeminded states are more open to discussing and implementing even intrusive CSBMs such as those concerning the prior notification and observation of military cyber exercises.<sup>43</sup> This is not mere theory, as the OSCE already represents an existing successful model. Between 2013 and 2016, the Organization served as a platform for adopting a total of sixteen voluntary cyber CBMs which encompass a wide set of arrangements, ranging from information exchanges on cyber doctrines, strategies,

and policies to the voluntary reporting of cyber vulnerabilities.<sup>44</sup>

Furthermore, key CSBMs can be applied to AI-integrated military hardware. For example, if a state were to deploy an unmanned aerial vehicle (UAV) equipped with AI autonomous navigation software to better conduct military intelligence gathering at its borders, its neighbors may be more interested in why it deployed such technology and whether this indicates a change in its military posture than in whether the UAV's AI software works effectively. This observation opens the door for the implementation of certain CSBMs to increase transparency between states by signaling a non-aggressive military posture and to enhance predictability by helping to detect anomalies in states' behavior. If the AI software cannot be inspected due to security concerns, secrecy requirements, and lack of effective methodologies, then measures should focus on the deployment of military hardware and its implications. In this sense, the VD11 could serve as a basis for implementing concrete measures to mitigate certain detrimental inter-state security dynamics underlying the development and deployment of military applications of AI.

### **CSBMs for military uses of AI: The VD11 as a source**

The VD11 does not cover military uses of AI, and therefore its applicability to this domain is strictly dependent on future updates to the document. Due to existing politico-military tensions, it is unlikely

that the VD11 will be amended in the near future. Nonetheless, OSCE participating States should draw upon VD11 provisions to create voluntary CSBMs to increase transparency and predictability concerning the military uses of AI. Similarly, states outside the OSCE region should use the VD11 as an inspiration for similar measures. The feasibility of applying the various CSBMs outlined in VD11 to military uses of AI can be assessed following the same logic as that used in the previous section's discussion of which measures are more likely to be implemented in the near future. The CSBMs set out in the VD11 offer a crucial means of improving transparency, allowing states to assess each other's intentions and military postures. They could also enhance predictability by providing diplomatic channels for discussing states' behavior with regard to the development and employment of military applications of AI.

Because it is unlikely that states will adopt intrusive CSBMs allowing for the inspection of AI software, other more feasible VD11 arrangements could be considered. Moreover, because it is highly difficult to validate and verify AI models,<sup>45</sup> such arrangements would need to tackle other issues first. For example, states could address the destabilizing implications of reciprocal uncertainty concerning military budget allocations and weapons development.<sup>46</sup> Additionally, countries could dispel concerns related to newly developed military doctrines that contemplate the use of new and emerging technologies.<sup>47</sup> If they are not addressed, these matters risk destabilizing

inter-state relations, leading to misperceptions and erroneous assessments of other countries' intentions and military postures. These uncertainties are particularly impactful in the case of AI since states are competing to develop its military applications and, consequently, are heavily investing in this endeavor.<sup>48</sup> The VD11 contains numerous CSBMs to shed light on military expenditure, military research and development, and military doctrines and strategies, thus providing an effective means of assessing countries' intentions.

While it is unlikely that states will implement CSBMs concerning the demonstration of military cyber capabilities,<sup>49</sup> this does not necessarily apply to the military uses of AI. Indeed, if the capabilities are looked at from a hardware (rather than a software) perspective, states may be interested in showcasing how AI is being employed to enhance the performance of a given weapon and equipment system. For instance, a state might be interested in demonstrating (including to its adversaries) its use of AI to improve the navigation capabilities of an armored vehicle, as a means of showcasing advances in its defense capabilities. In doing so, it would not need to share the technical characteristics of the AI software, the algorithm underlying the ML model, or the training dataset used. Certainly, such a demonstration would be limited in scope, but it would provide insight into how that state intends to use military applications of AI. The VD11 therefore offers an important basis for providing general information about AI-integrated weapon and equipment systems.

Although intrusive CSBMs are less likely to be implemented, this does not mean that arrangements should not consider the security implications of potential technical failures of AI software. Indeed, a mere technical failure could be read as a discrepancy in a state's behavior and military posture and could thus generate tensions. If the autonomous navigation system of an AI-powered UAV were to fail, for example, causing it to accidentally cruise into the airspace of a rival neighboring country, this could be mistakenly interpreted as a hostile act. In such cases, there is a need to quickly reassure adversaries in order to dispel concerns and avert unintended escalation. In this sense, crisis hotlines are a valuable means of responding to such emergencies. The VD11 provides for well-structured measures that could support states under these circumstances.

## Recommendations

The following recommendations focus on often overlooked but prominent VD11 CSBMs, in particular key provisions outlined in Chapter II ("Defence Planning"), Chapter III ("Risk Reduction"), and Chapter IV ("Contacts"). These measures, in contrast to provisions such as the annual exchange of military information, have yet to receive sufficient attention. In addition, they provide a feasible field for action in contrast to other VD11 provisions such as Chapter VI ("Observation of Certain Military Activities"), which would likely be perceived as particularly sensitive and

intrusive. Drawing on the CSBMs set out in the VD11, states within and outside the OSCE region should consider:

*Implementing information exchange on defense planning concerning military applications of AI.* VD11 Chapter II, “Defence Planning,” foresees information exchange between OSCE participating States regarding their

intentions in the medium to long term as regards size, structure, training and equipment of [their] armed forces, as well as defence policy, doctrines and budgets related thereto.<sup>50</sup>

The exchange of such information aims to increase transparency and promote dialogue between participating States. These provisions require participating States to exchange information on the “training programmes for their armed forces and planned changes thereto in the forthcoming years,” as well as the “procurement of major equipment and major military construction programmes [...], either ongoing or starting in the forthcoming years.”<sup>51</sup> In addition, if information is available, participating States are expected to provide “the best estimates specifying the total and figures for [...] research and development” with regard to the last two years of the forthcoming five fiscal years.<sup>52</sup> As part of their information exchange, OSCE participating States should consider the voluntary provision of details and estimates on budget allocations, military research and development, AI-integrated weapon and equipment systems, and new military doctrines that include the employment of military applications of AI. States outside the OSCE re-

gion should establish similar mechanisms to provide insights into their intentions and military postures in the medium and long term.

*Using existing platforms and/or developing new ones to discuss the information exchanged.* According to VD11 Chapter II, any participating State can ask for clarification on the defense planning-related information provided by another participating State. High-level discussions on the information are envisaged in the format of the Annual Implementation Assessment Meeting (AIAM), the High-Level Military Doctrine Seminar (HLMDS), and study visits.<sup>53</sup> The HLMDS is a particularly relevant format for discussing such matters. It brings together high-level military and civilian representatives such as chiefs of defense and/or chiefs of general staff, diplomats, and academics, who discuss doctrinal changes, their impact on military structures, and the military information exchanged. OSCE participating States should consider voluntarily discussing the information exchanged at the HLMDS. States outside the OSCE region should use similar structures or develop new ones to engage in dialogue on the impact of AI on military structures and doctrines, exchanging views on white papers, defense policies, and military doctrines.

*Establishing co-operation as regards hazardous incidents of a military nature involving military applications of AI.* VD11 Chapter III.17, “Co-operation as Regards Hazardous Incidents of a Military Nature,” outlines measures to prevent possible misunderstandings in the event

of a military incident.<sup>54</sup> If a hazardous incident of a military nature occurs, the participating State whose military forces are involved in the incident should provide information to other participating States, and any participating State affected by the incident can also request clarification. This general mechanism could be employed in the event of incidents involving military applications of AI such as the hypothetical cases concerning AI-powered UAVs outlined in the previous sections. In line with the provisions of this chapter, participating States have an established point of contact (PoC) to better co-ordinate communications in the event of a hazardous incident of a military nature. In the context of military uses of AI, participating States should employ this mechanism to dispel concerns. States outside the OSCE region should develop similar measures, such as crisis hotlines, thus reducing the risk of accidental military escalation. PoCs can quickly provide both technical and political information to the relevant counterpart(s), warning against potential weapon system failures and dispelling concerns about the nature of the military activity.

*Holding discussions on hazardous incidents of a military nature involving military applications of AI.* As outlined in Chapter III.17, hazardous incidents of a military nature can be discussed at the FSC and at the AIAM.<sup>55</sup> In the context of the military applications of AI, these discussions could help to clarify the nature of the incidents and to pave the way for broader dialogue on the security risks posed by AI and means of averting escalation. In particular, discussions could address

the possible repercussions of diverse technical malfunctions for international security. OSCE participating States should hold these talks at the AIAM to foster dialogue. States outside the OSCE region should bring discussions to existing venues or create new platforms for discussing such matters.

*Using existing data-sharing tools and/or developing new ones as incident sharing repositories.* Details on incidents involving military uses of AI such as location, type of weapon or equipment system involved, and the nature of the incident (for example airspace infringement, target misidentification) should be shared between states within and outside the OSCE region. An example of a data-sharing tool that participating States could employ is the OSCE Communications Network, which is used for information exchange under the VD11. Following the example of the Communications Network, states outside the OSCE region should develop data-sharing tools to share information on the incidents and engage in political discussions informed by accurate, evidence-based analyses.

*Organizing demonstrations of new types of AI-integrated major weapon and equipment systems.* VD11 Chapter IV.31, “Demonstration of New Types of Major Weapon and Equipment Systems,” requires any participating State that deploys “a new type of major weapon and equipment system” to “arrange [...] a demonstration for representatives of all other participating States.”<sup>56</sup> As countries are deploying military applications of AI, these demonstrations could be particularly helpful in creating occasions for dialogue and

co-operation. Participating States should consider applying this CSBM to the military uses of AI. Accordingly, participating States that deploy new types of AI-integrated major weapon and equipment systems should arrange demonstrations for the representatives of all other participating States. For instance, a participating State could demonstrate how new types of armored vehicles employ autonomous navigation for path planning and real-time path adjustment and explain how these new types of weapon and equipment systems fill the gaps of previous versions of military hardware. States outside the OSCE region should consider implementing similar measures at the bilateral and multilateral levels. Notably, such demonstrations would still allow countries to maintain their technological advantage, as general information about the relevant military hardware capabilities could be shared without requiring the sharing of AI software.

*Discussing the results of the demonstrations.* According to VD11 provisions, following up on the demonstrations, participating States can discuss observations and results at key OSCE fora such as the FSC and the AIAM. States outside the OSCE region should bring these discussions to existing regional fora or develop new venues for such engagement. Such discussions could be particularly valuable as opportunities not only for addressing present concerns but also for raising technical and political matters related to future deployments of military applications of AI.<sup>57</sup>

## Notes

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- 57 The author would like to express his gratitude to Lara Maria Guedes and Andrea Miotto for discussions on the implications of artificial intelligence for international security. He is also grateful to Anna Nadibaidze, Argyro Kartsonaki, two anonymous reviewers and the language editor for their valuable feedback on previous drafts. All opinions expressed in this paper are those of the author alone and do not reflect the positions of the OSCE.

# The Moscow Mechanism of the OSCE: Rules, Practice, and Possible Improvements

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## Abstract

While the Moscow Mechanism has remained relatively dormant for some time, the emergence of major challenges for the human dimension of the OSCE and a lack of alternative means of quickly investigating issues concerning alleged violations of human rights have resulted in a resurgence of its use. After outlining the rules governing its construction and the different ways in which it has been invoked, this contribution analyzes how the Moscow Mechanism is used in practice. It provides an overview of past missions and considers the advantages and challenges associated with its application. It then assesses the missions' outcomes and follow-up activities, explores the Mechanism's strengths and weaknesses, and closes with recommendations for its future implementation.

## Keywords

Moscow Mechanism, Vienna Mechanism, OSCE, ODIHR, human dimension, human rights fact-finding

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## Introduction

The Moscow Mechanism allows OSCE participating States to obtain, without the need for consensus, a fact-finding report written entirely by independent experts on an issue or situation related to the human dimension commitments of the OSCE.<sup>1</sup> It was adopted at the Moscow Meeting of the CSCE on the human dimension in 1991, when the CSCE was seeking new tools to address the challenge of protecting its human dimension commitments. This meeting reconfirmed previous agreements stemming from the Vienna Follow-up Conference (ending in

1989), known as the Vienna Mechanism, and from the Charter of Paris (1990).<sup>2</sup> It adopted additional rules to strengthen them, providing for the possibility of investigating their alleged violations.

The Moscow Mechanism was applied a number of times in the 1990s, mostly in the context of the war in the Balkans, and then very rarely until 2018, when it was used to investigate reports of a clampdown on LGBTQ+ people in Chechnya. According to the OSCE, the Moscow Mechanism has been invoked fifteen times.<sup>3</sup> Its increased use since 2018 has revealed its advantages and shortcomings, as well as the challenges associated

with its application. One such challenge, for example, pertains to the refusal of some participating States, such as Russia and Belarus, to co-operate when the issue to be investigated concerns activities under their purview. These states have sought to justify their non-cooperation by arguing that the Mechanism has become outdated and that the OSCE can discuss these matters in its bodies.<sup>4</sup> The vast majority of OSCE participating States have taken a different position, however, and have increasingly made use of the Mechanism. Its reports serve a wider function than merely informing debates in the OSCE. Nonetheless, experience also shows that there is room for methodological improvement. This contribution therefore ends with several recommendations for how to make the Mechanism more effective.<sup>5</sup>

## The rules

The Vienna Follow-up Conference, which ended in 1989, decided to hold three meetings on the human dimension of the CSCE, to take place in Paris (1989), Copenhagen (1990), and Moscow (1991). The Vienna Mechanism, agreed in the Vienna Concluding Document of 1989,<sup>6</sup> was a first step toward improving the implementation of commitments in the human dimension. It set out an obligation to provide a written response to requests for information by other participating States. In Moscow, in order to enhance the effectiveness of the Document on the Copenhagen Meeting on the Human Dimension of 1990<sup>7</sup> and to strengthen and

expand the Vienna Mechanism, the deadlines first introduced by the Copenhagen Meeting were shortened.<sup>8</sup> Upon the issuing of a formal request, participating States now had to respond within ten days, while requests for bilateral meetings had to be replied to as soon as possible, as a rule within one week. In addition, the Moscow Document laid out the elements of a new mechanism that would allow for the establishment of ad hoc missions by independent experts to investigate alleged violations of human dimension commitments, i.e. the “Moscow Mechanism.”<sup>9</sup> The final version of the Moscow Mechanism contains minor amendments by the CSCE made in Helsinki (1992) and in Rome (1993).<sup>10</sup>

There are different ways of invoking the Moscow Mechanism and very strict rules for its application.<sup>11</sup> It may in certain cases be preceded by an invocation of the Vienna Mechanism. In general, the Moscow Mechanism can be applied via self-invocation or the invocation of another participating State (or States), and the process can take either a co-operative or a contentious approach. In the case of self-invocation, the aim is “to address or contribute to the resolution of questions in [a state’s own] territory relating to the human dimension” (Moscow Mechanism, para. 4).<sup>12</sup> Such an approach would be co-operative. Table 1 at the end of this section summarizes the main terms associated with the invocation of the Moscow Mechanism.

One or more participating States may also request that another participating State invite a mission of experts “to address a particular, clearly defined

question on its territory relating to the human dimension” (para. 8). If the other state agrees, the mission of experts is established according to the same procedure as self-invocation, which again falls under the co-operative category. In such cases, the inviting state selects the experts who will take part in the mission, which in practice is done in consultation with the initiating state(s). The report must be provided within three weeks. When a situation requiring investigation arises in the territory of another state and no invitation is issued, however, this is deemed a refusal to co-operate, and the approach thus falls under the “contentious” category. In most such cases in the past, the states to be investigated recognized that they had a duty to provide information according to the Vienna Mechanism but chose not to co-operate with the Moscow Mechanism procedure.

For contentious cases, the rules provide that the requesting state, with the support of at least five other participating States, may initiate a mission of up to three rapporteurs to investigate the facts and give advice on possible solutions (paras 9–11). Again, the expectation is that the Vienna Mechanism will have already been applied. The report must be submitted within two weeks following the appointment of the last rapporteur. In principle, the requesting states and the requested state may each appoint one rapporteur from the resource list, and the two should agree on a third, forming a joint mission. Should the requested state fail to co-operate and to appoint its rapporteur within the six-day deadline following notification by the first rappor-

teur, however, the expert appointed by the requesting states must submit the report as a single rapporteur. The experts selected must not be nationals of the requesting or the requested state.

As a fast-track procedure, if a participating State requests an investigation of “a particularly serious threat to the fulfilment of the provisions of the CSCE human dimension” in another participating State, it can, with the support of at least nine other participating States, request an expert mission as described above without first resorting to the Vienna Mechanism (para. 12). A mission of experts may also be by established the OSCE Permanent Council upon the request of any participating State (para. 13). This option has never been applied, mainly because in such cases consensus would be required, which is unlikely. The main advantage of the Moscow Mechanism is that, except in such a case, no consensus is required, and the Mechanism cannot be blocked at any point.<sup>13</sup>

In order to avoid disputes on the selection of experts, the Moscow Mechanism provides for the establishment of a resource list or roster of experts, which is managed by the OSCE Office for Democratic Institutions and Human Rights (ODIHR). For this purpose, each participating State may appoint up to six experts who are eligible to serve for one or two mandates of three years each. No particular qualifications are required. Other participating States may voice reservations about up to two experts, in response to which the appointing state may either make other appointments or insist on its appointments, in which case

the appointed experts cannot take part in missions related to the state that voiced the reservation. In order to be operational, at least forty-five experts must be appointed to the roster (para. 3).<sup>14</sup> In the case of self-invocation or the invitation of a mission of experts upon request, the three experts are selected by the inviting state; in contentious cases, the first expert or rapporteur is selected by the invoking state(s). In the event of a lack of co-operation, he or she may remain a single expert/rapporteur.

The terms of reference are determined by the requesting and/or inviting state(s). In the case of self-invocation, paragraph 5 of the Moscow Mechanism provides that the state concerned will agree with the mission on the precise terms of reference, which may include fact-finding and advisory services to facilitate the observance of OSCE commitments. In practice, the experts play no role in defining the mandate, although they do have some discretion in interpreting it in light of feasibility considerations (for example, they may limit themselves to what they consider possible in view of time and resources). The purpose is indicated as facilitating the resolution of a particular question or problem related to the human dimension. If invited, the mission may even use its good offices and mediation services to promote dialogue and co-operation among the interested parties. In contentious cases, the establishment of facts, proposals, and advice on possible solutions is expected (para. 11). Accordingly, the report should also include a number of recommendations.

The cost of the mission is covered by the requesting states (para. 14), which usually distribute the costs among themselves. This includes operative costs for services provided to the experts by ODIHR, such as travel, translation, and light editing, while staff costs for administrative and logistical support must be covered by ODIHR. ODIHR also provides the experts with a list of useful contacts and establishes a mailbox through which they can receive relevant information. Neither ODIHR nor the OSCE in general provides substantive support to the experts, however, as this is not their role. For their work, the experts receive a lump sum from which they are to cover the costs of personal assistants, whom they are free to hire.

While the required co-operation of an inviting state is usually not a problem, when the process is contentious the requested state cannot be forced to co-operate. The Moscow Mechanism only provides that the participating States must refrain from taking reprisals against persons, organizations, or institutions who make contact with or submit information to the experts. Only the inviting state must provide the mission with state officials to accompany it, facilitate its work, and guarantee its safety (para. 6).

Regarding the drafting of the report, it is written by the experts themselves, and ODIHR only assists with light editing. In the case of self-invocation, the report is first shared with the invoking state, which has two weeks to provide its own comments on it, which it can add to the report. In contentious cases, the report is first shared with the requested

state, which has two weeks to provide its own observations, should there be any. The report must then be placed on the agenda of the next Permanent Council to be discussed. There is no need for a formal adoption, which would be diffi-

cult given the consensus requirement on all Permanent Council decisions. In practice, the report is generally published on the OSCE website immediately following the discussion and is thus made publicly available.<sup>15</sup>

<b>Vienna Mechanism</b>	Obligation of participating States to provide written information on a human dimension issue upon the request of other participating States within ten days and to engage in a bilateral dialogue within one week.
<b>Moscow Mechanism</b>	Right of a participating State to invite an expert mission to facilitate the resolution of questions related to the human dimension on its own territory or of a certain number of invoking states to send an expert mission to address a particular question regarding, or a serious threat to, the fulfillment of the human dimension provisions on the territory of another participating State.
<b>Requesting (or invoking) state(s)</b>	Participating State(s) that invoke(s) the Mechanism; possibility of self-invocation for the resolution of questions in a participating State's own territory.
<b>Requested state</b>	State subject to the invocation of the Mechanism.
<b>Co-operative approach</b>	Mission of experts is established and undertaken with the co-operation of the requested state.
<b>Contentious approach</b>	Mission of experts is established and undertaken without the co-operation of the requested state.
<b>Rapporteur(s)</b>	Expert(s) who serve(s) on the mission to facilitate the resolution of a human dimension issue through a fact-finding report and advisory services or to investigate a particular question or a particularly serious threat related to the human dimension and who produce(s) a report with recommendations.
<b>Resource list</b>	Roster of experts, nominated by participating States, from which experts can be chosen to serve on a Moscow Mechanism mission.
<b>Terms of reference</b>	Mandate of the expert missions, to be defined by the requesting state(s).
<b>Deadlines</b>	Strict timelines regulating the composition of the expert missions, the delivery of the reports, and the opportunity to comment on them.

Table 1. Definitions of major terms.

### The practice

#### Application of the Vienna Mechanism

The Vienna Mechanism may be employed on its own or as a first step toward the use of the Moscow Mechanism

(para. 8). In 1989, for example, the Vienna Mechanism was used by sixteen countries to inquire into the arrest of the playwright Vaclav Havel.<sup>16</sup> In the case of the Chechen Republic, the Vienna Mechanism was used by the invoking states first. Unsatisfied with the results,

they subsequently invoked the Moscow Mechanism. The Vienna Mechanism was invoked in November 2021 by thirty-five participating States to gain information on the implementation of the recommendations made by the Moscow Mechanism rapporteur to Belarus.<sup>17</sup> While the Russian Federation and Belarus have sought to justify their non-cooperation by arguing that the Moscow Mechanism is outdated and obsolete, they claim to recognize the Vienna Mechanism and, at least in principle, co-operated with it in the above examples. However, in the case of the invocation of the Vienna Mechanism by forty-one participating States in March 2024 as a follow-up to the Moscow Mechanism report on alleged human rights violations in the Russian Federation in 2022, Russia refused to respond to the questions asked.<sup>18</sup>

### Application of the Moscow Mechanism: Cases

According to a list maintained by the OSCE, the Moscow Mechanism has been invoked fifteen times thus far. This list also contains an invocation by the Russian Federation in the case of NATO strikes on Yugoslavia in 1999, for which no report is available (this despite the fact that other sources only consider it an invocation of the Vienna Mechanism).<sup>19</sup> Among the four other cases from the 1990s, two were related to the war in the former Yugoslavia. They were requested by twelve members of the European Community and the United States and concerned reports on atrocities and at-

tacks on unarmed civilians in Croatia and Bosnia-Herzegovina. The request resulted in a report on Croatia alone, as the mission could not be sent to Bosnia-Herzegovina for security reasons. A follow-up mission in 1993 at the request of the Ministers of Foreign Affairs of CSCE participating States led to a proposal for the establishment of an International War Crimes Tribunal for the Former Yugoslavia and thus contributed to its later creation by the UN Security Council. Also in 1993, the CSCE Committee of Senior Officials established a mission to investigate human rights violations in Serbia and Montenegro, which, however, was unable to deliver due to a lack of co-operation on the part of the Federal Republic of Yugoslavia.<sup>20</sup>

The list includes two self-involutions: in 1992, Estonia requested a review of the conformity of Estonian legislation on citizenship with universal human rights norms, and in 1993 Moldova requested an examination of its legislation and policies regarding the implementation of minority rights.

In the case of Turkmenistan in 2003, ten OSCE participating States requested a report on the November 2002 attack on Turkmen President Saparmurat Niyazov and related investigations. In 2011, fourteen OSCE participating States invoked the Mechanism with regard to human rights violations following the presidential elections in Belarus of December 19, 2010. In both cases, the country under investigation did not co-operate, but the rapporteur was able to produce a substantive report based on multiple sources,

which was discussed in the Permanent Council.

After another period of non-use, the Moscow Mechanism was invoked again in 2018 by sixteen OSCE participating States to investigate alleged human rights violations, mainly against LGBTQ+ people in the Chechen Republic of the Russian Federation. In 2020, seventeen participating States invoked the Mechanism against Belarus under paragraph 12 to examine alleged human rights violations related to the presidential elections of August 9, 2020. In these cases as well, the requested states refused to co-operate. As a result, there was no opportunity to form a commission of experts, and the single rapporteur had to provide a report to the Permanent Council within the two-week deadline.<sup>21</sup>

Since 2020, the popularity of the Moscow Mechanism has increased, leading to a growing number of cases. In 2022, following consultation with Ukraine, forty-five OSCE participating States invoked the Mechanism under paragraph 8 to investigate “the human rights and humanitarian impacts of the Russian Federation’s invasion and acts of war, supported by Belarus, on the people of Ukraine, within Ukraine’s internationally recognized borders and territorial waters.”<sup>22</sup> A commission of three experts was established by Ukraine, which presented its report on alleged violations of international humanitarian and human rights law, war crimes, and crimes against humanity committed in Ukraine since February 24, 2022, within the three-week deadline. There was no co-operation from the Russian Federation, although it was invited

to share information in accordance with paragraph 6 of the Moscow Mechanism. As the inviting state, however, Ukraine pledged full co-operation. It also made use of its right to attach its comments to the report (para. 7). Due to the urgency of the matter, the commission of experts presented its report at a special meeting of the Permanent Council convened by the Polish Chairpersonship on April 13, 2022.<sup>23</sup> In the debate, only Russia and Belarus criticized the report. Because of the report’s narrow deadline, it could not investigate the atrocities and other human rights violations committed by Russian soldiers in Bucha and other locations (such as Hostomel) in any depth. Therefore, the same states triggered a follow-up report under the Moscow Mechanism, which was delivered by a different commission in July 2022.<sup>24</sup>

From July 2022 to February 2024, the Moscow Mechanism was invoked four more times: in July 2022 by thirty-eight participating States (under para. 12) on alleged human rights violations in the Russian Federation; in March 2023 by thirty-eight participating States to examine human rights violations and abuses in Belarus; in March 2023 by forty-five participating States following consultation with Ukraine on the forcible transfer of children from occupied Ukrainian territories and their deportation to the Russian Federation;<sup>25</sup> and in February 2024 by forty-five participating States following consultation with Ukraine on the arbitrary deprivation of liberty of Ukrainian civilians by the Russian Federation.<sup>26</sup> Consequently, the Moscow Mechanism has already been used four times

to investigate allegations of violations of human dimension commitments related to the Russian invasion of Ukraine. In both the implementation of the Moscow Mechanism and the relevant follow-up processes, but also with regard to reflections on how to strengthen it, civil society organizations have played an important role.<sup>27</sup>

### Application of the Moscow Mechanism: Main issues

The application of the Moscow Mechanism raises several practical issues. The mandate, as indicated in the terms of reference, is usually too broad to be fully covered. Agreement is more likely when the mandate is broad, covering the concerns of all invoking states; nevertheless, the purpose of the Moscow Mechanism is to facilitate the resolution of a particular question or problem (para. 5) or of a particular, clearly defined question (para. 8). Only in the case of the fast-track or emergency mode, when a particularly serious threat to the provisions of the human dimension is at issue (para. 12), is a wider approach foreseen. In practice, not least because of the narrow deadlines, the experts are free to write their report in a way that allows for the mandate to be met in its main substance. For example, the report on the mission carried out in 2022 to investigate alleged human rights violations in the Russian Federation, which was given a very broad mandate by the invoking states, limited its scope to assessing Russia's legal and ad-

ministrative practice in light of its OSCE human dimension commitments.<sup>28</sup>

The methodology used by the experts is crucial to reaching results within tight deadlines. This requires co-operation with trusted local and international human rights nongovernmental organizations (NGOs) and gaining access to victims and witnesses. Although human rights fact-finding methodologies have evolved significantly in recent years,<sup>29</sup> thanks in part to the availability of online open-source information and the use of geolocation and satellite imagery,<sup>30</sup> there are obvious limits to what can be done by the experts of the Moscow Mechanism within the given time and resource constraints. However, besides their own investigations, they may be able to draw on interviews conducted and analytical reports produced by local and international NGOs. All this material, as well as reports from investigative media, need to be cross-checked with other sources. These sources can be diverse, including interviews conducted by the mission as well as reports and material from international organizations (such as the United Nations and the Council of Europe) and university research teams. With an eye to transparency and credibility, it is important to indicate the sources in the methodology section of the reports, albeit in a way that does not put anyone at risk.

The tight deadlines are an obvious challenge for any serious report. They may be explained by the original purpose of addressing “a particular, clearly defined question” (para. 8). In co-operative cases, the deadline can be prolonged, if necessary, as paragraph 7 indicates a

deadline of “preferably” three weeks. In practice, however, this has been avoided as far as possible, as an important advantage of the Moscow Mechanism is that it provides quick results. Ideally, the experts envisaged will have been alerted to their task before the formal decision on the invocation is taken, providing them with extra time, yet in concrete cases how well the experts perform their task within the limited time will depend on their expertise and network.

The situation regarding the experts is aggravated by the fact that, unlike most other international missions, the organization hosting the experts does not, as a matter of principle, provide substantive input, as ODIHR (and the OSCE in general) does not see this as their role and has no budget for such input. While the strong commitment of ODIHR/OSCE staff to assisting the experts logistically must be recognized, the rules of the Moscow Mechanism do not prohibit the provision of more substantive support for experts, and there is no reason to think that such support would jeopardize their full independence. This could take the form of a focal point which assists the rapporteurs in pinpointing relevant information. Experts also benefit from information received from other international organizations, such as the United Nations and the Council of Europe. Certainly, the short timelines make any co-operation on issues of substance difficult; nevertheless, providing access to existing knowledge within OSCE executive structures should be possible.<sup>31</sup>

### **Outcomes of the reports under the Moscow Mechanism**

Following their presentation and discussion in the OSCE Permanent Council, the reports are published on the OSCE website in English, and where appropriate also in Russian and the local language of the relevant state (for example Ukrainian). Because of the consensus requirement, which gives de facto veto power to each participating State, it is nearly impossible to agree on common OSCE follow-up activities. However, this does not mean that the implementation of further activities is impossible. In practice, based on the reports under the Moscow Mechanism, side events have taken place at the subsequent annual OSCE Ministerial Conferences, and the reports were also discussed at the Warsaw Human Dimension Conferences in 2022 and 2023, which were held despite Russia’s blocking of the annual Human Dimension Implementation Meeting. As noted above in the case of Belarus and the Russian Federation, the Vienna Mechanism has been invoked as a follow-up mechanism for inquiring into whether the recommendations of the report were taken up. As another type of follow-up, the Moscow Mechanism was invoked a second time to investigate repression and political detentions in Belarus since the first report of October 2020.<sup>32</sup> In the case of the reports on Ukraine, it is worth noting that since June 2022, ODIHR has published semiannual reports on violations of international humanitarian law and human rights in Ukraine. This has been made possible through an extrabudgetary fund

for rapid monitoring missions which has supported other missions in the past. The monitoring, which began right after the military attack on Ukraine, has been stepped up with the deployment of monitors on the ground since May 2022. These regular reports could also serve as follow-up for the ad hoc missions carried out under the Moscow Mechanism.<sup>33</sup>

The reports under the Moscow Mechanism have an even broader set of uses, however. As the (co-)author of three reports, for example, I have been invited to present reports at hearings in the US Senate, informal meetings of the Political and Security Committee of the European Union, Arria formula meetings of the UN Security Council and side events of the UN General Assembly, and various pertinent academic and other conferences, in addition to responding to numerous media requests. The purpose of this engagement is to share the results contained in the reports, which may be taken into account in the political and legal decisions of these organizations and institutions. In all these activities, the rapporteurs are free to accept or decline invitations and in how to present their report. However, they may only speak about their findings following the publication of the report. When accepting their mandate, rapporteurs may not be fully aware of this part of their role, which is not regulated in any way.

Finally, the reports are widely read and used by a variety of actors, including local and international NGOs, whose work the reports both confirm and encourage and who can also draw on the reports in their consultations with policymakers.

The Council of Europe and the Human Rights Council have acknowledged the reports in their own work. As an example of best practice, the establishment of the International Accountability Platform for Belarus (IAPB) has served as a follow-up to the report on human rights violations related to the presidential elections of 2020. It is based on a joint declaration by nineteen states, seventeen of which had already invoked the Moscow Mechanism in the case of Belarus, and was also supported by the European Union.<sup>34</sup> The IAPB was founded in response to a recommendation made in the report on Belarus to ensure accountability for human rights violations and to prevent a culture of impunity. It was formed as a coalition of independent international and Belarusian NGOs with the purpose of “collect[ing], consolidat[ing], verify[ing] and preserv[ing] evidence of gross human rights violations constituting crimes under international law.”<sup>35</sup> It is led by the Danish Institute against Torture (DIGNITY), the Viasna Human Rights Centre, the International Committee for the Investigation of Torture in Belarus, and REDRESS, and it co-operates with additional international and local human rights NGOs on its advisory council. Its professional legal and medical staff has experience with criminal investigations and prosecutions and with a victim- or survivor-centered approach. It may also share its findings with the Office of the United Nations High Commissioner for Human Rights in its examination of the human rights situation in Belarus and with national prosecution authorities.

## The particularities of the Moscow Mechanism

Applying the Moscow Mechanism comes with both advantages and challenges. Among the advantages is the fact that the Moscow Mechanism is relatively easy to invoke, ensures a fast procedure with quick results, cannot be obstructed, and is very flexible in its implementation. In addition, the operational costs of the missions are mainly covered by the invoking states, and the report is swiftly discussed in the Permanent Council and published on the OSCE website. Importantly, the speed with which the procedure is carried out also signals to victims and human rights defenders that their situation will be given the necessary attention.

Among the challenges are the often overly broad mandates, the very narrow deadlines, the limited resources, the lack of experienced staff, the frequent lack of co-operation, and the lack of regulations regarding the protection of witnesses and evidence. Regarding the selection of rapporteurs, more information should be provided on their expertise, although the invoking states certainly examine the pool closely before choosing an expert for a mission. Beyond the report itself, there is no other record of the collection of evidence relied on by the rapporteurs. There are no specific security arrangements for the rapporteurs and no rules (and only limited guidance) governing the activities of the rapporteurs following the completion of their missions. The ad hoc nature of the investigation only allows for an assessment of the situation at a given time. Finally, there is no established

monitoring procedure regarding the implementation of the reports' recommendations.

## Recommendations

*Narrowing the mandate of the missions.* The mandates under the Moscow Mechanism are generally too broad. It would be preferable to be more specific, so as not to raise unrealistic expectations. The possibility foreseen in the rules of the Moscow Mechanism to the effect that the state concerned "will agree with the mission on the precise terms of reference" (para. 5) has yet to be put into practice but could be in the future.

*Implementing a thorough expert selection process.* In view of the highly demanding task carried out by the experts/rapporteurs, their selection should take their experience and networks, as well as their ability to present the results following the missions, into account.

*Supporting the experts.* The experts should be well briefed on their role and on the support available from the invoking/requesting states and ODIHR, regarding both their mission and possible follow-up activities. Meetings with former experts could be organized by ODIHR to share pertinent experience. Relevant knowledge gleaned by OSCE structures should also be shared.

*Improving co-ordination among experts.* In the case of missions comprised of three experts, there is a need for co-ordination regarding both the sharing of tasks and follow-up activities such as media engagements. ODIHR could assist in this, but

in the end, it is the responsibility of the three experts to ensure a consistent approach to responding to requests. For this purpose, the experts should co-ordinate their activities using safe channels of communication.

*Engaging in more structured follow-up activities.* Follow-up activities ought to be made more structured, for example by holding regular debriefings and debates on the implementation of the recommendations, by using either the Vienna Mechanism or the regular meetings of the Permanent Council. The practice of holding side events on the reports at ministerial meetings and the Human Dimension Conferences should be continued and could be extended to involve the OSCE Human Dimension Committee. The International Accountability Platform for Belarus offers an example of how to institutionalize a professional follow-up mechanism, although it was organized outside the auspices of ODIHR and the OSCE for reasons of ensuring its independence, but also in view of ODIHR's limited engagement.

Finally, in view of the recent increase in Moscow Mechanism missions, ODIHR and interested participating States could arrange meetings of former experts to discuss best practices and consult on ways to strengthen the Moscow Mechanism.

## Notes

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Rights, 2022), <https://www.osce.org/odihr/human-dimension-commitments-thematic>; OSCE ODIHR, *OSCE Human Dimension Commitments*, vol. 2, *Chronological Compilation*, 4th ed. (Warsaw: OSCE Office for Democratic Institutions and Human Rights, 2022), <https://www.osce.org/odihr/human-dimension-commitments-chronological>

2 See CSCE, Charter of Paris for a New Europe (Paris: November 21, 1990), <https://www.osce.org/mc/39516>

3 For an overview, see OSCE, "Human Dimension Mechanisms," <https://www.osce.org/odihr/human-dimension-mechanisms>

4 See the responses received by the rapporteur to his requests for co-operation by the representatives of the Russian Federation and of Belarus, annexed to the reports related to Chechnya (2018) and Belarus (2020). The reports can be accessed at: OSCE, cited above (Note 3).

5 The author has had the opportunity to serve as a single expert for the reports on Chechnya (2018) and on Belarus (2020) and as a member of the first Commission of Experts on Ukraine (April 2022).

6 CSCE, Concluding Document of the Vienna Meeting 1986 of Representatives of the Participating States of the Conference on Security and Co-operation in Europe, Held on the Basis of the Provisions of the Final Act Relating to the Follow-up to the Conference (Vienna: January 19, 1989), <https://www.osce.org/mc/40881>

7 See CSCE, Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE (Copenhagen: June 29, 1990), paragraph 42, <https://www.osce.org/odihr/elections/14304>

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- 16 See US Helsinki Commission, cited above (Note 11).
- 17 See the joint letter of the thirty-five participating States to Belarus at: [https://assets.publishing.service.gov.uk/media/6186bdbbd3bf7f56080b1d32/20211104\\_Joint\\_letter\\_to\\_Belarus\\_\\_Vienna\\_Mechanism.pdf](https://assets.publishing.service.gov.uk/media/6186bdbbd3bf7f56080b1d32/20211104_Joint_letter_to_Belarus__Vienna_Mechanism.pdf). See also the statement on the response by Belarus at: <https://www.gov.uk/government/speeches/response-by-belarus-to-the-vienna-mechanism-joint-statement>
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- 35 For more details on the work of the IAPB, see <https://iapbelarus.org>

# The OSCE Academy in Bishkek: A Potential Yet to Be Unleashed

Asel Doolotkeldieva\*

## Abstract

This paper traces the development of the OSCE Academy in Bishkek since its inception in 2002 and highlights its recent achievements against the background of a strained institutional and geopolitical context. After outlining the Academy's mission, structure, and activities, the paper analyses its programmatic successes in higher education, research, and internationalization. These are weighed against structural challenges, especially financial and institutional uncertainty, and current geopolitical crises in Eurasia. These challenges undermine any fragile achievements the Academy's faculty, students, and management have seen. The paper closes by providing a list of recommendations that address these issues.

## Keywords

OSCE, Academy, Bishkek, education

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## Introduction

This paper discusses major developments in one of Kyrgyzstan's leading institutions of higher education: the OSCE Academy. It argues that, thanks to the efforts of its previous leadership and international support, the OSCE Academy has grown into a chief regional platform for education and research on Central Asia. With that said, the institution remains vulnerable to internal and external challenges that have inhibited its strategic development. The paper seeks to alert governments, international donors, and pol-

icymakers to this problematic constellation, as securing stable space for academic freedom in Kyrgyzstan and Central Asia is essential to sustaining critical civil society and training future professionals in the region.

After providing a brief overview of the Academy's history, the paper outlines its mission, structure, and activities. It then charts its programmatic successes in higher education, research, and internationalization. These achievements are analyzed against the backdrop of structural challenges (in particular financial and institutional uncertainty), as well as the current geopolitical crises in Eurasia and the Academy's position within the OSCE. The paper shows that these challenges

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have begun to undermine the fragile achievements of the Academy's faculty, students, and management. The final section offers a list of recommendations for how to maintain the Academy's unique role and standing in the region.

## Historical overview

The OSCE Academy in Bishkek was founded in 2002 upon the request of the Kyrgyz government, under Askar Akaev. The institute's primary aim was to educate and train future state professionals in Central Asia. A Memorandum of Understanding was signed, following which the OSCE tasked the Centre for OSCE Research (CORE), Institute for Peace Research and Security Policy at the University of Hamburg (IFSH), to support the establishment of the Academy, which formally came into being in 2003. Following the resolution of initial challenges—such as securing the necessary facilities, staffing, and directorship, as well as the question of the Academy's legal status—the first participants of professional training programs were given the opportunity to study subjects such as human rights, conflict prevention, and media and democracy.<sup>1</sup> These training initiatives were supported by international partners such as the Austrian Study Center for Peace and Conflict Resolution and the Geneva Centre for Security Policy (GCSP), and later the Raoul Wallenberg Institute of Human Rights and Humanitarian Law.<sup>2</sup>

In 2004, a pilot course for a master's program in political science with a focus

on Central Asia was implemented, soon becoming a core activity of the Academy.<sup>3</sup> In thirteen months, up to thirty students from all five Central Asian countries and beyond were selected to attend lectures and seminars. The vision behind the program was to form a pool of professionals to take on regional transformation and development challenges and to promote the improvement of their societies.<sup>4</sup> As a rule, a quota was set to allow five students from each Central Asian country to join the Academy. Due to variations in the number of applicants from each country, these quotas were regularly adjusted to allow for higher enrolment rates. Lectures were conducted by faculty from regional universities and partnering academic institutions in other OSCE participating States.<sup>5</sup>

The everyday programmatic activities of the OSCE Academy were managed by the director, and its institutional affairs were governed by the Board of Trustees, on which OSCE structures, members of the donor community, and representatives of the Central Asian participating States had a seat.<sup>6</sup> A consultative body was created—referred to as the Academic Advisory Board—and charged with overseeing the quality of education and research.<sup>7</sup> With regard to the institute's governance, a special role was given to the Head of the OSCE Program Office in Bishkek, who has served as the chair of the Board of Trustees since the Academy's inception.<sup>8</sup> The OSCE Ambassador in Bishkek was also tasked with raising funds among OSCE participating States and with lobbying for the Academy's interests in Vienna. Governance of the

Academy's affairs was further institutionalized through the selection of staff at the OSCE Program Office in Bishkek to support the Academy in its financial and organizational dealings.

In the first years of its existence, the OSCE Academy managed to establish itself as a reference point for exchange between young Central Asian professionals. In 2006, it opened its doors to its first master's students from Afghanistan.<sup>9</sup> Afghanistan had become an OSCE Partner for Co-operation in 2003, and the Academy assisted development processes in Afghanistan in the absence of an OSCE presence on the ground. This new link also corresponded with other efforts, namely at the American University in Central Asia, to support exchange between the Central Asian region and Afghanistan. Afghan students also joined the ranks of applicants to the new Master's program in Economic Governance and Development, launched in 2012.<sup>10</sup> This newly created program was developed with the help of the Norwegian Institute of International Affairs (NUPI), which has become one of the OSCE Academy's strongest supporters in terms of both academic input and financial assistance.<sup>11</sup>

With the re-registration of the Academy's license and the signing of a new Memorandum of Understanding with the Kyrgyz authorities in 2016, the institute's standing continued to grow. Facilities for the Academy were provided by the Kyrgyz government free of charge and on an unlimited basis, and the educational and academic mission was likewise free of limitations.<sup>12</sup> The OSCE Academy

was set to expand its activities and to embark on new collaborations.

## The OSCE Academy in Bishkek as of 2024

The OSCE Academy in Bishkek, registered as a public foundation with a license to operate programs in higher education, runs its programmatic activities in line with Kyrgyz legislation. Its bachelor's and master's programs are aligned with educational standards approved by the Kyrgyz Ministry of Education, and its master's diplomas are state degrees.<sup>13</sup> At the same time, the Academy is governed by an extended Board of Trustees with up to eighteen members, following another change to its charter in 2020 and its re-registration in 2022. The scope of its cooperation with OSCE structures and institutions has also increased. The board includes not only the Head of the OSCE Program Office in Bishkek, who serves as chair, but also representatives of the OSCE Conflict Prevention Center and the OSCE Chairpersonship-in-Office. Five seats are reserved for representatives of the Central Asian participating States, and eight are granted to those participating States who support the Academy financially. Two seats are filled by representatives of the Academy's academic partner institutions.<sup>14</sup> Due to their longstanding support, these two seats are filled by representatives of NUPI and the GCSP.

The Kyrgyz Republic is represented on the Board of Trustees via the state's Mission to the OSCE in Vienna. More concretely, the Kyrgyz Mission represents

the interests of the Ministry of Education, which formally occupies the seat on the Board of Trustees. This structure requires the close co-operation of the Academy, the OSCE Program Office in Bishkek, the Kyrgyz Ministry of Foreign Affairs, and the Ministry of Education in co-ordinating the implementation of the institute's activities and the development of new programs. Over the years, one of the challenges has been maintaining reliable communication channels, especially in times of geopolitical crisis or the deterioration of relations between Kyrgyzstan and the OSCE, as occurred in 2016 and 2017.<sup>15</sup>

In the last five years, the OSCE Academy has secured a wide range of supporters among OSCE participating States. This is largely reflected in financial support provided by the latter to the Academy. Alongside funding from the Norwegian Ministry of Foreign Affairs, which is implemented via multi-year collaborations between the Academy and NUPI, extrabudgetary pledges are regularly made by Finland, Switzerland, Austria, the United States, and Germany.<sup>16</sup> While the OSCE's Chair traditionally makes a contribution, funding has also been secured from third parties, especially for the Academy's growing field of research. A large portion of the funding, allocated to cover running costs, still stems from the OSCE's Unified Budget (UB).<sup>17</sup> Despite the OSCE's political stalemate on questions concerning the UB (in particular its "zero nominal growth policy"), the Academy's management has successfully lobbied for an increase in its share of the UB over the past six years and was able to

increase its UB support from €180,000 in 2016 to €480,000 by 2020.<sup>18</sup> Financially, the Academy has thus been on a good path, following years of uncertainty and a lack of financial sustainability despite early calls to work towards achieving it.<sup>19</sup>

### **Programmatic achievements of the OSCE Academy in Bishkek**

By 2023, the OSCE Academy had succeeded in developing its core activity and had launched two new programs, a Master of Arts in Human Rights and Sustainability (MAHRS) and a Bachelor of Arts in Economics.<sup>20</sup> The establishment of the MAHRS program followed extensive discussions at the Academy and in the OSCE over the launch of a third MA program in the field of law. What was broadly imagined as a correspondence with the three dimensions of OSCE engagement (the politico-military dimension, the economic and environmental dimension, and the human dimension) was also the result of repeated calls by students and the wider academic community to engage in the field of legal inquiry and to offer young professionals in Central Asia the chance to train in international law and human rights. As for the bachelor's program, it represents the Academy's first attempt to fill the gaps in regional undergraduate education in economics. In light of the decreasing quality and number of students enrolling in its Master of Arts in Economic Governance and Development, the bachelor program was conceived by the Academy as a means of giving undergraduates the training they

need to satisfy the rigorous selection criteria for entrance into the MA program.<sup>21</sup>

The new programs strengthen the OSCE Academy's educational engagement and outreach. By the end of 2023, 619 students had graduated from its master's programs. Most of these were from Kyrgyzstan, although Tajiks and Afghans formed a further significant share. Kazakh and Uzbek graduates formed a third major contingent, followed by thirty-one graduates from Turkmenistan.<sup>22</sup> These alumni have been loyal supporters of their alma mater. The OSCE Academy runs a dedicated alumni program to promote community development, and every three years it invites its former graduates to visit Bishkek within the framework of an alumni reunion. The Academy's ties with its former students have significantly affected the former's standing in the wider region; many alumni have entered high-ranking positions in various professions and continue to promote the Academy and its benefits to Central Asia. Thanks not least to regular alumni conferences, chapter meetings, and special alumni teaching and travel grants, the Academy has kept in close contact with its former students and invites them to make their own contributions to the institute's development. In particular, the Junior Public Officers program has proven a valuable means by which alumni can engage within their home countries. Through Memoranda of Collaboration, the selected graduates are invited to intern at Central Asian ministries of foreign affairs for up to six months and are given the opportunity to forge diplomatic careers.<sup>23</sup>

Attractive internships at home and abroad, included in the mandatory curriculum of the master's programs, have been a strong motivation for students to apply. Students can intern in various OSCE structures, and academic partners such as NUPI, the GCSP, and the European Centre for Minority Issues offer sought-after places to conduct research and gain international professional experience. The Erasmus+ collaborations established in 2019 have provided students with an additional opportunity to spend a semester abroad and for the Academy's staff to engage in professional exchange.<sup>24</sup>

Without a doubt, the Academy's greatest achievement has been the development of a long-awaited research capacity at the institute. From 2017 to 2022, additional third-party funding was secured, and the inclusion of the Academy's faculty in international research clusters was also pursued. The funding was designed to support scholars, mostly from the region, in conducting their field research and increasing their publications. New collaborations and active outreach to other academic institutions in the wider Central Asian region during this period laid the foundation for the Academy's emergence as a regional research platform and a safe space for free academic exchange in the social sciences.<sup>25</sup>

Within this new regional platform, several research directions were established to examine important regional developments, such as the Belt and Road Initiative's impact on Central Asia, Afghan-Central Asian relations, and the Central Asia Forecast. A large number of academic conferences and presentations

were carried out during this period,<sup>26</sup> supported by the creation of various short- and long-term research positions at the OSCE Academy. These research activities have helped to boost the Academy's publications. Its flagship series, the Policy Papers (fully re-branded and transformed into short, analytical information pieces), has seen a steady rise in numbers, and new formats such as the Academy Papers (conference summaries), the Analytical Yearbook, and the Research Paper series have also been developed, allowing for a wider variety of analytical insights to be distributed to a growing audience interested in developments in Central Asia.<sup>27</sup> A big step has been the launch of the Springer publication series—a joint effort by the Academy and steered by former German Academic Exchange Service (DAAD) Prof. Dr. Anja Mihr—which has resulted in numerous collective volumes and a few monographs, all of which have helped to raise the Academy's visibility.<sup>28</sup>

### Structural challenges

If the OSCE Academy is to achieve financial and institutional sustainability—a prerequisite for growth in its programmatic and research activities—several structural challenges must be addressed. These challenges are largely financial, administrative, and political in nature. Financial sustainability has regularly been spoken of by executives and governing bodies alike but has never actually been achieved.<sup>29</sup> Extrabudgetary pledges by participating State donors are often one-time actions and rarely allow for planning

beyond one to two years. The Unified Budget contribution has been increased, yet it remains to be seen whether a further increase is possible given the deadlock in which the OSCE presently finds itself. Third-party funding has been the most stable of all sources, with NUPI's contributions covering the three- to four-year program periods.<sup>30</sup> The EU funding for the new MAHRS program, directly allocated to the Academy via its partner, the Venice-based Global Campus of Human Rights, follows similar implementation cycles and allows for mid-term planning.<sup>31</sup> Thus, the Academy's financial sustainability will likely remain a matter of wishful thinking given that the bulk of its funding is from OSCE participating States, whose funding decisions for OSCE projects (of which the OSCE Academy is but one among many) are politically motivated.

Perhaps more complicated against this background is the difficulty of administering funding and flexibly allocating it according to actual needs. The Academy, situated in a highly volatile region, must often shift its focus on an ad hoc basis, re-directing funds from one activity to another and ensuring that they remain free of overly strict conditions. This has proved problematic. Donors often require that their funds be directed toward activities rather than overhead costs, and the cross-financing of different sources of funding requires additional approval.<sup>32</sup> This has remained a challenge for the Academy and other public foundations working in Kyrgyzstan and Central Asia in general. State and public regulations often lack clarity, and procedures such as obtaining visas for faculty and stu-

dents require the increased mobilization of in-house capacities, stretching actual resources thin in the process.

The Academy has been affected by these structural challenges in many ways. Staff numbers have been extremely low, for example, and do not match the burgeoning scope of the activities pursued. The creation of the Research and Training Unit in 2019 and the subsequent merger of the MA programs' management were key restructuring developments, without which the successes achieved in both fields of activity would likely have been impossible. All this required additional staffing, which was hard to come by given the constant pressure to cut overhead costs and reduce spending on staff.

This challenge has grown in recent years with the Academy's attempt to create full-time positions for lecturers in order to anchor research, teaching, and student supervision at the institute. Previously, faculty were employed on a short-term basis and through visiting fellowships, which impeded lasting engagement with the Academy's students and activities. Following complaints from students and professors alike, and with the aim of fostering research capacity, the first full-time teaching and research positions were created in 2018 and 2019.<sup>33</sup> This unprecedented effort at further institutionalization contributed to making the Academy a place of academic excellence.

With more personnel, scholars, and young researchers joining the Academy, however, physical space has become a problem. International students have

been asking for further support to find housing, and the addition of new programs means that more classrooms are required.<sup>34</sup> The Academy has been unable to garner the necessary support from the Kyrgyz government to find a lasting solution. Equally tricky has been the government's response to the Academy's plea for help with student visas and registration. Obtaining visas for Afghan students at the time of the Taliban's takeover of power was particularly challenging.<sup>35</sup> Registration was also problematic for students who rented accommodations that did not come with the mandatory residency documentation. Navigating these everyday legal requirements, the associated burden of which is not properly reflected in the Academy's budget, has been a constant source of stress. Most foreign donors have failed to grasp the intricacies of these recurring challenges.<sup>36</sup>

Another critical challenge has been the historical problem of extended interregnums linked to uncertainty regarding the directorship of the Academy and its consequences for institutional operation and development. Without clarity on how the OSCE arranges such appointments, the result will remain a protracted process that leaves the institution headless for lengthy periods of time. The previous interregnum in 2023 suspended the Academy's many projects and plans for fourteen months, to the detriment of the Academy's fragile achievements, which will be discussed below. Once finally appointed, the new director held the position for only six months, from February to July 2024. As of August 2024, the position is filled on a temporary basis,

reflecting the Academy's institutional unsustainability.

### **The political environment in Kyrgyzstan and the wider Central Asia region**

Most of these structural challenges would not put such stress on the Academy and its community if it were not for the OSCE's vulnerability to (geo)political turbulences that have affected its operations. While the COVID-19 pandemic imposed constraints that all institutions had to manage, the Academy, despite its impressive efforts to switch to online forms of teaching and learning, had to work harder to integrate all enrolled students in the face of unreliable internet access in many parts of the region and the sporadic availability of electricity in Afghanistan.<sup>37</sup>

The political fallout from the pandemic and the general increase in geopolitical tensions have prompted an even greater call for adaptive maneuvers. While the third Kyrgyz revolution in October 2020 did not have an immediate impact on the Academy's activities, the violent conflict on the border between Kyrgyzstan and Tajikistan in April 2021 and September 2022 and the subsequent travel restrictions have caused disruptions. Tajik students who sought to leave Kyrgyz territory could do so only via one open land corridor in the south of the country, and the enrolment of new Tajik students was largely impossible. Further, the Taliban takeover in the summer of 2021 jeopardized the Academy's outreach to Afghan students and brought all existing collaborations with Afghan partners—including

co-operation with the Afghan Ministry of Foreign Affairs—to an abrupt end.<sup>38</sup>

Domestic political developments in five Central Asian states have not helped the Academy's cause. Application numbers for Uzbek students have persistently remained below their actual potential, and applications from Turkmenistan have never exceeded single digits. Creeping authoritarianism throughout the region has had direct implications for the Academy's activities. The closure of political systems has made it difficult for the Academy to spread its message, substantiate collaborations, and develop its full outreach to the wider Central Asia region, which it is meant to be serving. Challenges to academic freedom—including self-censorship by students and faculty as a result of the political environment—remain a real concern.

Last but not least, Russia's war against Ukraine has put the OSCE in deadlock. The 2023 Ministerial Council saw the extension of the chief positions (including that of the General Secretary) for only nine months rather than the usual three years, and progress on the budget, which must be renewed annually, has been null.<sup>39</sup> These organizational constraints have added to the political situation, in which every action is measured against its repercussions for the ongoing war in Ukraine. The Central Asian states' attempt at geopolitical balancing and a multi-vector foreign policy has certainly paid off for the countries (and the regimes), yet it led to the strict surveillance of public debates in the region. Rapidly changing geopolitical constellations have led to an increase in security

apparatuses across the region who survey public spaces for “sensitive” topics such as Chinese and Russian influence and decolonization—an environment that is not overly conducive to academic freedom and the free exchange of opinions. Pressure on academic freedom across educational institutions has been particularly felt during interregnum periods, when these institutions are especially vulnerable.

### **A unique but unrealized opportunity**

Against the background of these structural challenges and a difficult political environment, the Academy continues to present an opportunity for the wider academic community in Central Asia. As a platform where Central Asians can connect to each other and to a wider group of partners and as a space to engage in a growing range of research projects, the Academy has begun to fill a gap in the academic landscape of the region. For too long, Central Asian scholars have been stripped of the opportunity to come together on their own terms and to decide on agendas for research and debate without external pressure. The OSCE Academy, although funded and supported by Western donors and in some regards shaped by external educational and academic agendas, nevertheless offers young scholars from the region (or with an interest in the region) the opportunity to engage in serious discussion of what constitutes an original research program in and for Central Asia.

Increased collaboration with academic institutions in the region has allowed for the formation of a budding network that, if maintained, will promote lasting exchange among the Central Asian academic community. Thus far, such exchange has only taken place in the form of strategic think tank roundtables or within the framework of regional conferences held by the Central Eurasian Studies Society and the European Society for Central Asian Studies. Although such meetings have undoubtedly been stimulating, the formation of a genuine Central Asian association of social scientists, in whatever format, would be a welcome development. The growing network created by the OSCE Academy could serve as the backbone of such an initiative. The consortium of regional partners of the recently launched MAHRS is a further step in this direction.

The question remains whether the OSCE Academy can deliver on these promises. Its failure to realize earlier plans to establish two crucial research clusters/centers (focused on the Belt and Road Initiative and Chinese affairs in Central Asia in general, on the one hand, and Afghan security and development, on the other) did not bode well for the Academy and its researchers.<sup>40</sup> Such centers/clusters would have drawn many more resources and researchers to study two significant developments in the region. The Afghan Research Centre in particular would have been a flagship initiative for the OSCE Academy, reflecting the region’s need for knowledge regarding the situation in southern Central Asia and communica-

tion with Taliban-ruled Afghanistan.<sup>41</sup> Such a step would also have provided valuable support to the Afghan alumni of the Academy, who, with their extended contacts in the country and ideas for feasible research projects, would have been best positioned to staff such a center. Given the urgent need to identify avenues by which Western donors can assist young Afghan women and men, such a center would have easily secured the means necessary for its operation, especially since it had the support of the Kyrgyz Ministry of Foreign Affairs.<sup>42</sup>

The discontinuation of research fellowship programs has further undermined earlier efforts to make the Academy a sustainable research platform.<sup>43</sup> The recurrent calls for applications for full-time positions suggests that the Academy can no longer fill the positions required to maintain its in-house teaching capacities.<sup>44</sup> Most of the previous full-time lecturers have already left the OSCE Academy, the only remaining full-time presence being the DAAD-funded visiting professorship.

A further cause for concern is decreasing support for publications. While in 2023 the Academy was still engaged in projects initiated in previous years, by the end of that year publications had almost ground to a standstill, and only one contribution to the Springer series was published in the first four months of 2024 (in January 2024).<sup>45</sup> This represented a serious drop in the Academy's rankings, with implications for its visibility and international collaborations. Unless the new management and governing bodies of the OSCE Academy can remedy

the problems outlined here, the Academy risks becoming just another teaching facility among many others, losing its initial appeal to students and scholars alike and failing in its charter-enshrined mission to provide a Central Asian platform for dialogue.<sup>46</sup> Against the background of the hard work that has already been accomplished, this would be a regrettable outcome.

## Recommendations

Greater effort should be made to engage in regular political dialogue with the Kyrgyz government and the governments of other Central Asian states in order to strengthen the institution's regional roots. The OSCE missions present in Central Asia can contribute to this process, as their heads could be more involved in oversight over the Academy's affairs. Both elements would seem to be essential to the Academy's endeavor to attract the best applicants from all of the countries in the region in sufficient numbers. With respect to the issue of financial sustainability, new modes of funding allocation must be developed to grant the Academy the autonomy to decide how best to adapt to a changing environment.

With regard to the Academy's human resources, it is important to reestablish the former full-time lecturer and researcher positions. A permanent faculty is not only indispensable to the Academy's normal functioning but also key to its interest in further rooting itself in the region and to internationalization. In the past, full-time scholars afforded

the Academy unprecedented outreach in Central Asia and beyond by increasing in-house publications and visibility at conferences and policy circles. They contributed to successful fundraising activities and research development, including the establishment of new PhD and postdoctoral positions, and played an important role in securing EU grants. The Academy has yet to reach its full potential when it comes to boosting its budget and increasing its attractiveness to new and former students. It is only by restoring this institutional capacity that the Academy will be able to achieve and extend its developmental goals.

Success in this regard will require mobilizing additional financial resources. The OSCE Academy operates in a fast-growing higher education institution environment, where quality candidates, especially from the wider Central Asia region, too often choose to work for better-paying international organizations, if not for academic institutions that offer competitive salaries and attractive packages. The Academy and its supervisory bodies should consider developing a research strategy, a financial plan to support it, and an academic council to steer it. The revival of plans for focus projects on Afghanistan and the Belt and Road Initiative could serve such a purpose, as both projects continue to be highly relevant to the region. Other important areas include climate and water security and intra-regional co-operation, especially in trade and transport connectivity.

Finally, with a view to maintaining the Academy's unique position in the region, it is crucial to further develop and

widen its academic networks. Here, the alumni community is a chief resource that has yet to be fully exploited. The annual alumni conference should be transformed into an actual platform for progressive regional dialogue, where scholars and policymakers from Central Asia can discuss the regional agenda. As mentioned above, such a platform is needed in the region, and its absence has prevented the development of a Central Asian scholarly community and a sense of ownership of the regional agenda. The OSCE Academy still has the potential to bring such a platform into being, provided its scattered intellectual capital, networks, and resources can be brought together and mobilized.

## Notes

- 1 On the early period of the OSCE Academy in Bishkek, see Frank Evers, "A New Think-Tank for the OSCE and Central Asia: Establishing the OSCE Academy in Bishkek," in *OSCE Yearbook 2003*, ed. IFSH (Baden-Baden: Nomos, 2004), <https://ifsh.de/file-CORE/documents/yearbook/english/03/Evers.pdf>; Annette Krämer, "The OSCE Academy in Bishkek," in *OSCE Yearbook 2004*, ed. IFSH (Baden-Baden: Nomos, 2005), <https://ifsh.de/file-CORE/documents/yearbook/english/04/Kraemer.pdf>
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- 8 See the introductions by OSCE heads of missions in the annual reports by the OSCE Academy, for example OSCE Academy in Bishkek, cited above (Note 3), and OSCE Academy in Bishkek, Annual Report 2014 (Bishkek: OSCE Academy in Bishkek, 2015), <https://osce-academy.net/upload/file/AnnualReport14.pdf>
- 9 See OSCE Academy in Bishkek, Annual Program 2008 (Bishkek: OSCE Academy in Bishkek, 2009), 6, [https://osce-academy.net/upload/file/Annual\\_Program\\_2008\\_brochure.pdf](https://osce-academy.net/upload/file/Annual_Program_2008_brochure.pdf)
- 10 For an overview of the recent history, see OSCE Academy in Bishkek, “History of the Academy,” <https://www.osce-academy.net/en/about/history/>
- 11 See Norwegian Institute of International Affairs, “Cooperation between the OSCE Academy and NUPI,” <https://www.nupi.no/en/projects-centers/cooperation-between-the-osce-academy-and-nupi>
- 12 See Bermet Sarlykova and Pal Dunay, “The OSCE Academy in Bishkek,” *Security Community*, no. 2 (2016): 31.
- 13 See, for example, the state license for the MA in politics and security program: Ministry of Education and Science of the Kyrgyz Republic. License to conduct specialized education No LD180000049 [Кыргыз Республикасынын Билим Беруу жана Илим Министерлиги. Кесиптик билим беруу тармагында билим беруу ишмердүүлүгүн жүргүзүүгө беруучу лицензия No LD180000049], [https://osce-academy.net/upload/file/License\\_PS.pdf](https://osce-academy.net/upload/file/License_PS.pdf)
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- 17 OSCE Academy in Bishkek, cited above (Note 16).
- 18 See presentations to the Board of Trustees with budget projections: OSCE Academy in Bishkek, “Presented to the Board of Trustees, Vienna, 26 May 2017,” <https://www.osce-academy.net/upload/file/BoT20170526.pptx>; OSCE Academy in Bishkek, “Meeting of the Board of Trustees, Bishkek/Vienna (Zoom), 22.07.2020,” [https://www.osce-academy.net/upload/file/20200722\\_PPT\\_OSCE\\_Academy\\_Final.pptx](https://www.osce-academy.net/upload/file/20200722_PPT_OSCE_Academy_Final.pptx)
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- 24 See OSCE Academy in Bishkek, cited above (Note 16), 8–10.
- 25 See OSCE Academy in Bishkek, “Meeting of the Board of Trustees, Bishkek/Vienna (Zoom), 09.12.2020,” [https://www.osce-academy.net/upload/file/20201209\\_PPT\\_BoT\\_OSCE-Academy.pptx](https://www.osce-academy.net/upload/file/20201209_PPT_BoT_OSCE-Academy.pptx); OSCE Academy in Bishkek, cited above (Note 21).
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- 29 See Krämer, cited above (Note 1), 474.
- 30 Compare the budget figures presented in the annual reports, which can be found on the OSCE Academy’s website: <https://osce-academy.net/en/about/annualreports/>
- 31 See OSCE Academy in Bishkek, cited above (Note 5).
- 32 Discussion with an OSCE employee, November 2023.
- 33 The author was included as a member of the selection commission responsible for filling the first full-time positions at the OSCE Academy in 2018.
- 34 Discussions with students in the period from 2023 to 2024.
- 35 Discussions with Afghan alumni and an OSCE Academy employee, 2024.
- 36 Informal talks with donors present in Bishkek in the period from 2023 to 2024.
- 37 The author was employed as a teaching fellow at the OSCE Academy at the time of the COVID-19 pandemic and experienced these challenges first-hand.
- 38 Discussions with OSCE Academy students and faculty, Bishkek, May 2023.
- 39 See OSCE, Ministerial Council Decision No. 3/23, Extension of the Appointment of the OSCE Secretary General, MC.DEC/3/23 (Skopje: December 1, 2023), <https://www.osce.org/files/f/documents/8/5/560001.pdf>
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- 42 Informal talks with employees of the Kyrgyz Ministry of Foreign Affairs, 2023.
- 43 For information on fellowships, see OSCE Academy in Bishkek, “Fellowship Programmes,” <https://www.osce-academy.net/en/research/fellowships/>
- 44 See the repeated calls for applications in the monthly newsletter of the OSCE Academy, which can be accessed at: <https://mailchi.mp/osce-academy/osce-academy-newsletter-february2024-17382821?e=e1c138ec45>
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# Addressing the Climate-Security Nexus at the OSCE

Anselm Vogler\*

## Abstract

This *OSCE Insights* paper discusses the growing risks posed by climate-related insecurities within the OSCE area and explores how the Organization, including its Parliamentary Assembly, can respond effectively. Drawing on existing research on the climate-security nexus, the paper identifies four critical climate policy pitfalls: an overemphasis on symptoms rather than root causes, inadequate policy responses, fragmentation and siloization, and societal backlash. In response to these challenges, the paper proposes four guiding principles for addressing climate security, arguing that future policies should (1) be oriented toward prevention, (2) embrace ambitious objectives, (3) encourage whole-of-government coordination, and (4) ensure political feasibility. After briefly reviewing the OSCE's current responses to climate-related insecurities, the paper concludes with recommendations for better integrating these guiding principles into the Organization's existing strategies.

## Keywords

OSCE, OSCE Parliamentary Assembly, climate change, climate security, policy principles

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## Introduction

Climate change significantly impacts individuals and societies, including those within the OSCE area. As a result, it is increasingly regarded as a security issue by governments and international organizations worldwide. Approximately 70 percent of national security strategy documents published between 2007 and 2020

referenced climate change.<sup>1</sup> Similarly, international organizations, including the OSCE, link climate change and security in their agendas.<sup>2</sup> Academic research emphasizes the broader human security implications of climate change, warning that if these wider consequences are not addressed, they may escalate into more conventional security risks.<sup>3</sup> Given the complexity of climate-related insecurity, policy responses must be informed by a clear understanding of the problem and supported by effective policy design. To this end, the OSCE, including the OSCE Parliamentary Assembly, should aim to implement a climate security policy that

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(1) is oriented toward prevention, (2) embraces ambitious objectives, (3) encourages whole-of-government coordination, and (4) ensures political feasibility.

To support this argument, the paper briefly reviews current scientific findings on the climate-security nexus and the challenges it poses for policymaking. It then proposes four guiding principles for responding to this nexus, while also acknowledging the OSCE's previous efforts to address climate-related insecurities. The paper concludes with recommendations for how the OSCE can further refine and advance its approach to the climate-security nexus.<sup>4</sup>

### How does climate change affect security?

Climate change impacts security both directly and indirectly. Direct impacts encompass the immediate consequences of climate change such as heat waves, more frequent and more intense extreme weather events, shifts in local ecosystems, ocean warming and acidification, and rising sea levels. Such events pose a direct threat to the safety, wellbeing, and livelihoods of individuals and communities, manifesting in crises such as heat emergencies and water shortages.<sup>5</sup>

The OSCE area has already experienced several direct impacts of climate change,<sup>6</sup> with serious repercussions for the security and wellbeing of individuals and communities in its participating States. Heat stress is responsible for an estimated 175,000 deaths annually in Europe,<sup>7</sup> and regions in Central Asia that

have been identified as climate hotspots continue to face particular challenges related to water resources, agricultural output, and the energy sector.<sup>8</sup> Likewise, North America has increasingly been affected by extreme climate events, including record-breaking wildfires.<sup>9</sup> Beyond human security, the direct effects of climate change also threaten critical strategic resources. Coastal regions, which are essential to global freight trade—responsible for 90 percent of its volume—are particularly vulnerable to rising sea levels.<sup>10</sup> As a result, climate change poses a substantial risk to supply chains across the OSCE area.<sup>11</sup>

Indirect climate impacts—defined as the consequences of individuals' and communities' responses to either the experience or anticipation of direct climate change impacts—can exacerbate insecurity through forced migration and the outbreak of violent conflict. Research highlights that both slow-onset disasters (e.g., droughts)<sup>12</sup> and sudden-onset events (e.g., floods) can increase the risk of armed conflict in fragile states.<sup>13</sup> Under certain conditions, however, severe climate change impacts may also result in (at least temporary) conflict de-escalation, creating openings for peace processes. In 2010, for instance, disasters weakened conflict parties in the Pakistani government's struggle with Tehrik-i-Taliban and in Somalia's fight against Al-Shabaab, reducing the capacities of at least one faction and leaving the others unable to exploit the situation.<sup>14</sup>

As noted above, climate change also affects mobility, contributing to involuntary immobility ("entrapment"), forced

displacement, and voluntary migration.<sup>15</sup> Climate migrants often face heightened risks during their journeys, including exposure to extreme weather events.<sup>16</sup> Research from Kenya indicates that individuals displaced by climate-related impacts are more likely to join social protest movements in their destination areas<sup>17</sup> and sometimes encounter tensions with host populations.<sup>18</sup>

The OSCE region is not immune to these dynamics. News reports have documented local clashes over water rights in Turkmenistan,<sup>19</sup> France,<sup>20</sup> and Spain,<sup>21</sup> and climate-related displacement has been observed in Moldova, Portugal, and Spain.<sup>22</sup> Direct and indirect climate change impacts thus pose an immediate danger to the security of OSCE participating States. At the same time, the rise of xenophobic, populist movements continues to heighten the risk of hostility toward climate-displaced populations.

Besides these insecurities, political tensions surrounding climate policies—or their absence—can also trigger conflict and thereby contribute to insecurity.<sup>23</sup> Security is increasingly impacted by political struggles over the socioeconomic transformations required to address climate change, with movements such as Fridays for Future, Last Generation, and Extinction Rebellion driving public protest. These highly visible climate protests have provoked substantial backlash from right-wing populist parties across Europe, such as Germany's *Alternative für Deutschland*, in the form of anti-climate policy proposals.

## Addressing the climate-security nexus

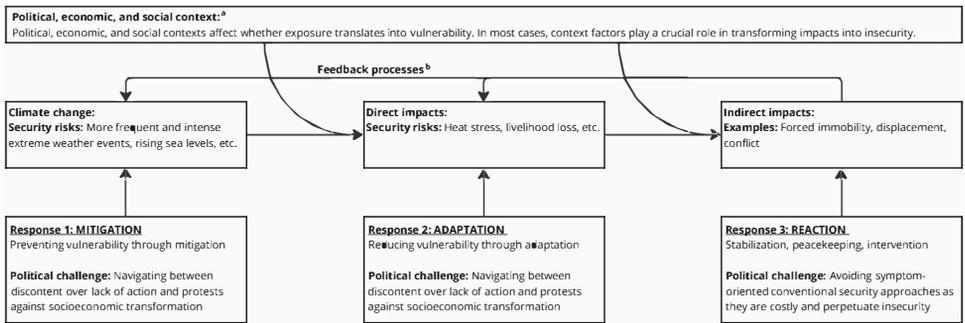
Many domestic political institutions and intergovernmental organizations have sought to respond to various aspects of the climate-security nexus. Their approaches differ significantly depending on their respective tasks. Governments have integrated climate change into their security policies by identifying it as a threat, risk, or policy priority within their national security strategies.<sup>24</sup> At the same time, a growing number of governmental institutions, such as development agencies and ministries of energy and the environment, are increasingly focusing on the security implications of climate change in their respective domains.<sup>25</sup>

Organizations and structures such as NATO and the United Nations Security Council approach climate-related insecurity with a focus on traditional security and diplomacy, whereas institutions such as the United Nations Framework Convention on Climate Change (UNFCCC), the United Nations Environment Programme (UNEP), and the United Nations Development Programme (UNDP) emphasize the links between climate change, peace and conflict, and development. Other UN bodies, including the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), the United Nations Office for Disaster Risk Reduction (UNDRR), and the Office of the United Nations High Commissioner for Refugees (UNHCR), approach the climate-security nexus with a particular focus on disaster risk reduction and supporting displaced populations.<sup>26</sup>

Climate security policies aim to interrupt the causal chain linking climate change to security-relevant impacts at three key points (see figure 1). First, *mitigation* seeks to tackle the anthropogenic drivers of climate change itself. Second, *adaptation* seeks to reduce vulnerability

to the impacts of climate change. Beyond these conventional climate policy areas, a third approach involves *responding* to indirect climate change impacts such as displacement and violent conflict once they have occurred.

Figure 1. Context-sensitive pathways to climate-related insecurity and policy options



Notes: <sup>a</sup> Climate-related insecurities arise only within specific political, economic, and social contexts, which often play a more important role than climate change as such. <sup>b</sup> Climate-related insecurity manifests itself along nonlinear pathways. For example, indirect impacts (e.g., displacement and conflict) can increase a population’s vulnerability to direct impacts. By complicating sustainable transformations, these impacts can in turn contribute to further climate change.

Organizing and institutionalizing responses to climate change–related insecurity is far from straightforward, and some approaches have been shown to be counterproductive.<sup>27</sup> Scholars have identified four problematic features of climate security policies that warrant careful consideration. First, there is a risk of focusing too narrowly on symptoms. Climate security policies too often concentrate on indirect impacts such as violent conflict and displacement, which are only partially caused by climate change<sup>28</sup> and which would be better addressed by targeting

the direct impacts of climate change through robust adaptation measures.

A second concern is that climate security policies may prove insufficient, particularly if political attention centers primarily on indirect impacts. Unlike direct climate impacts, which are readily observable and measurable in the present, indirect impacts tend to be perceived as future threats. This perspective encourages reactive responses to uncertain long-term consequences at the expense of addressing the immediate and observable effects of climate change in the here and now.<sup>29</sup>

Third, scholars have warned of fragmentation and siloization. As discussed above, climate change and climate policies can contribute to diverse forms of insecurity along various pathways. As a result, goals and strategies for addressing climate change as a security policy problem diverge both within and between institutions and organizations. This lack of coherence complicates the implementation of comprehensive security policies.<sup>30</sup>

Fourth, socioeconomic feasibility remains a central concern. Addressing climate change requires urgent, fundamental socioeconomic transformations. Many governments within the OSCE area have committed to achieving net-zero emissions by 2045–2060,<sup>31</sup> in line with Article 4.1 of the Paris Agreement. This entails reducing greenhouse gas emissions to a level that can be offset by natural or technological sinks, that is, “any process, activity or mechanism which removes a greenhouse gas, an aerosol or a precursor of a greenhouse gas from the atmosphere.”<sup>32</sup> Striving for such a balance will profoundly affect individuals and communities, as essential aspects of daily life—such as mobility, heating, and industrial production—remain heavily reliant on fossil fuels. The prospect of fundamental change may stoke fears and concerns, which can in turn fuel resistance to climate policies. Populist parties across OSCE participating States have capitalized on these anxieties, promoting climate change denial and opposing transformative policies.<sup>33</sup>

#### Four guiding principles to address the climate-security nexus

To address the pitfalls faced by climate security policies to date, this paper proposes four guiding principles to enhance their effectiveness. In short, climate security policies must be (1) preventative, (2) ambitious, (3) all-governmental, and (4) politically feasible.

##### A preventative climate security policy

Preventative policy approaches to the climate-security nexus aim to break the causal chain between climate change and insecurity at the earliest possible stage. They prioritize adaptation over reaction, protecting individuals, communities, and other entities by reducing their exposure and vulnerability to climate impacts.<sup>34</sup> By doing so, these approaches prevent indirect climate change impacts such as displacement and conflict.

Preventative policies pay equal attention to mitigation efforts to limit the impacts of climate change. While adaptation is essential to address the inevitable consequences of climate change, mitigation remains critical to prevent future impacts from becoming so severe that adaptation becomes impossible. Mitigation measures include reducing greenhouse gas emissions and implementing low-risk carbon capture solutions such as reforestation, afforestation, and other nature-based solutions. Notably, OSCE participating States include some of the highest per capita carbon dioxide emitters worldwide and collectively account for

approximately one-third of global carbon dioxide emissions. Mitigation measures within the OSCE area therefore have the potential to contribute significantly to regional and global climate security while reducing the risk of additional direct impacts.

Adopting a preventative approach to the climate-security nexus would come with clear advantages. First, it would align OSCE participating States' activities with their commitments under the Paris Agreement. Second, unabated climate change is certain to cause increasingly severe security-related challenges. Climate security policies that focus on mitigation and adaptation would curtail this process, thereby limiting the overall scope of the challenges to which OSCE participating States will need to respond. Third, addressing climate change directly through mitigation and adaptation, while challenging, is generally less complex than responding to violent conflicts or managing displacement and other indirect impacts on security after they arise. Fourth, by reducing the risk of violent conflict, preventative policies would safeguard earlier achievements in mitigation and adaptation, which are often jeopardized during armed conflicts. War can shift political priorities from long-term climate mitigation toward short-term needs and destroys critical infrastructure such as renewable power plants, forests (which serve as carbon sinks), and coastal and riparian levees. Preventing such setbacks is essential to protecting the long-term benefits of climate security policy. Finally, preventative responses to climate-related insecurity are far more compati-

ble with multilateralism than reactive approaches. Reactive approaches that prioritize responses to indirect climate change impacts once they have arisen (e.g., immobility, displacement, conflict) carry a greater risk of inducing zero-sum competition for shrinking resources.

### An ambitious climate security policy

An ambitious climate security policy is one that is responsive to the urgency of disrupting the causal link between climate change and insecurity as quickly and comprehensively as possible. It is not enough to design preventative climate security policies; they must be implemented immediately and on a broad scale. Signatories to the Paris Agreement pledged to "hold the increase in global average temperature to well below 2 degrees Celsius above pre-industrial levels, and to pursue efforts to limit the temperature increase to 1.5 degrees Celsius above pre-industrial levels."<sup>35</sup> According to estimates, this will likely require achieving net-zero emissions by 2050.<sup>36</sup> In addition to formulating ambitious long-term goals, however, an ambitious climate security policy will lay out clear pathways to decarbonization, intermediate goals, and transparent monitoring mechanisms to ensure steady progress.<sup>37</sup>

### A whole-of-government climate security policy

Whole-of-government climate security policies engage all sectors of government to coherently and collectively address the climate-security nexus. This involves collaboratively setting long-term and intermediate goals and ensuring a clear division and coordination of responsibilities among all participating entities, for example through the appointment of influential high-level climate security policy coordinators. Such an approach strives to prevent siloization and counterproductive turf wars between different organizational units.

### A politically feasible climate security policy

Politically feasible climate security policies seek to maintain political support while disrupting the causal link between climate change impacts and insecurities as early and ambitiously as possible. As achieving the latter goal will require fundamental social transformation, carefully crafted policy tools that ensure the long-term support of OSCE participating States' electorates will be essential. Ensuring that climate security policies are regarded as legitimate by citizens and avoiding polarization, which could undermine democratic and institutional security, requires robust and transparent communication regarding (planned and implemented) climate mitigation and adaptation policies, including their relative costs compared to the costs of

runaway climate change. Equally essential is countering disinformation spread by actors opposed to climate policy,<sup>38</sup> as well as providing monetary incentives to engage in climate-friendly behavior. Market-based solutions, such as taxes paired with financial transfers, can encourage climate-friendly behavior. Examples include Austria's *Klimabonus* (climate bonus) and Germany's proposed *Klimageld* (climate money), which are designed to redistribute revenue from carbon taxes to benefit low-carbon consumers.<sup>39</sup>

### Climate security policy at the OSCE: Recommendations

The OSCE has adopted several political decisions on tackling climate change and security issues. These include the Ministerial Council's adoption of the OSCE Strategy Document for the Economic and Environmental Dimension,<sup>40</sup> the Madrid Declaration on Environment and Security,<sup>41</sup> the Ministerial Council Decision on Improving the Environmental Footprint of Energy-Related Activities in the OSCE Region,<sup>42</sup> the Ministerial Council Decision on Enhancing Disaster Risk Reduction,<sup>43</sup> and the Ministerial Council Decision on Strengthening Co-operation to Address the Challenges Caused by Climate Change.<sup>44</sup>

In parallel, the OSCE Parliamentary Assembly has taken substantial steps to engage with the climate-security nexus. Each recent annual session declaration has taken a clear stand on climate change and its security-relevant impacts,

emphasizing the severity of the challenges and the urgency of action. Most recently, this includes the Bucharest Declaration of 2024, the Vancouver Declaration of 2023, and the Birmingham Declaration of 2022.<sup>45</sup> Additionally, in 2023, the OSCE Parliamentary Assembly appointed a Special Representative on Climate Change, further solidifying its commitment to the issue.<sup>46</sup>

Through these actions, the OSCE has established itself within the climate-security nexus with a clear agenda. Despite the already considerable tensions over Russia's political course, the OSCE managed to unanimously adopt the 2021 Ministerial Council Decision on Strengthening Co-operation to Address the Challenges Caused by Climate Change.<sup>47</sup> Still, despite this and other important achievements, there is room for improvement.

The 2021 Ministerial Council decision set a clear, preventative focus by emphasizing the environmental and economic impacts of climate change and their relation to developmental challenges and by highlighting the need for mitigation and adaptation. Even so, the decision lacks a sense of urgency and fails to clarify the specific role that the OSCE—as the world's largest regional security organization—should adopt on climate change. As societies within the OSCE area face increasing “transformation conflicts” linked to climate change, the Organization should find ways to address them.

With Russia's war of aggression against Ukraine further complicating unanimous decision-making within the

OSCE, the OSCE Parliamentary Assembly has an essential role to play in raising awareness about climate-related insecurity and possible policy options. One avenue in this regard is through the Parliamentary Assembly's annual session reports. Currently, statements on climate-related insecurity are largely confined to dedicated resolutions and the section authored by the General Committee on Economic Affairs, Science, Technology and Environment.

Moving forward, the other two General Committees could also make important contributions. The General Committee on Political Affairs and Security could adopt a position on the role of military forces in responding to climate security (e.g., disaster response, reducing greenhouse gas emissions), thereby aligning itself with other international organizations<sup>48</sup> and with the guiding principle of encouraging a whole-of-government approach. With that said, the involvement of conventional security actors must be undertaken in a way that adheres to the guiding principle of focusing on prevention. Clear communication is needed to emphasize that conventional security actors can only make limited contributions in responding to the climate crisis and to avoid overemphasizing indirect climate change impacts.

The General Committee on Democracy, Human Rights and Humanitarian Questions could also promote prevention by adopting texts highlighting the humanitarian and intergenerational dimension of climate security. Climate change both causes and exacerbates humanitarian crises and disproportionately affects

young and future generations. Intergenerational and North-South climate justice could be integrated into the third chapter of future Annual Declarations. Additionally, the third committee could develop a position on populist backlash against climate policies, advocating for incentive-based decarbonization tools.<sup>49</sup> Such measures would help to ensure that climate security policies remain politically feasible.

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- 49 Incentive-based climate policy tools combine market-based solutions such as carbon taxation with financial transfers to encourage citizens to reduce their emissions. The Austrian *Klimabonus* (climate bonus) provides a successful example (Otter, cited above, Note 39).

# Russian Federation Citizens in Latvia: A Real or Exaggerated Security Threat?

Vello Pettai\*

## Abstract

In September 2022, Latvia introduced stringent new requirements for long-term Russian Federation (RF) citizens in the country, obliging over 25,000 people to pass a Latvian language test and undergo a security review or else face expulsion. This paper provides an overview of this policy and its security implications for the region. Although by the end of 2024 a majority of these RF citizens had either re-established their legal status or departed the country, many thousands remained to be processed before the final June 2025 deadline. If the policy comes to a head and Latvia begins expelling a significant number of RF citizens, security tensions in the region are likely to escalate.

## Keywords

Latvia, Russian Federation citizens, language requirements, security screening, immigration law

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## Introduction

Russia’s invasion of Ukraine in February 2022 has had countless reverberations for national minorities in Europe. One prominent shift has been how Russian-speaking minorities have been treated in different European countries and by the West as a whole. Starting with the suspension of rebroadcasting of Russian Federation media in the European Union and permeating down to heightened scrutiny of the loyalties of Russian minor-

ity communities, there is an ever more complicated relationship with, or even gaze toward, Russians with respect to who they are or what they arguably represent. While legitimate security concerns underpin and justify some of the policies and discourses that have surfaced in the past three years, it is clear that these measures have also had a ratcheting effect over time, underscoring the long-term impact of Russia’s war on ethnic politics in the region.

One such transformation has been unfolding in Latvia. In September 2022, the Latvian parliament amended the country’s Immigration Law, mandating the reprocessing of permanent residen-

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cy permits for some 25,000 Russian Federation (RF) citizens in order to implement security checks on them and verify their basic proficiency in Latvian.<sup>1</sup> These amendments unleashed a process whereby thousands of RF citizens were compelled to take Latvian language exams and reapply for residency permits—all within a year's time. Although the Latvian authorities later extended the deadline to mid-2025, the mere fact that these long-time residents would be subjected wholesale to language and security checks in such rapid order constituted an unprecedented policy shift in Latvia's approach to ethnopolitical issues.<sup>2</sup> To be sure, RF citizens in Latvia do not qualify as a national minority, and thus the country has been spared criticism concerning its commitment to minority protection. Still, both the OSCE High Commissioner on National Minorities (HCNM) and the Council of Europe's Advisory Committee on the Framework Convention for the Protection of National Minorities expressed concern about these policy changes. The stakes of the matter concerned whether the policy would end up alleviating or aggravating the security situation in the Baltic region.

The key political dimension of the controversy pertained to the perceived and/or constructed security threat posed by RF citizens on the basis of (a) their seemingly low levels of integration into Latvian society (to be addressed by the language exams) and (b) their potential sympathies for Moscow's aggression in Ukraine (to be addressed by security questions and special service reviews conducted during the reapplication process).

While public debate and the media have focused largely on the former, it is the latter that has featured as a recurring theme in official documents, including a constitutional court ruling in favor of the policy.

Critics have questioned whether the policy might be disproportionate, given that three-quarters of the affected RF citizens are aged between sixty and seventy-five. This demographic is predominantly female (61 percent), socioeconomically vulnerable, and arguably poses minimal security risks.<sup>3</sup> The potential gains for Latvian national security—whether in preventing territorial aggression from Russia, combating disinformation, or averting societal unrest—are arguably marginal compared to the added administrative cost, social strain, and international ramifications.

The central aim of this paper is to lay out the key parameters of this policy change and to describe the varied developments that have followed from it. Particular attention is given to the degree to which RF citizens have been able to satisfy the necessary language requirements and the impact of the special security questions included as part of the reapplication process. The paper also analyzes a special ruling by the Latvian Constitutional Court in favor of the policy. A final section outlines the OSCE's involvement and offers recommendations for policymakers.

## Russian citizens in Latvia

Russia's invasion of Ukraine in February 2022 triggered an unparalleled wave of security and defense reactions across Europe and the Western world. Alongside moves related to military deterrence, the presence of RF citizens in these countries also quickly came under scrutiny. As the Russian government was increasingly denounced as a criminal regime, questions arose about the political, and even moral, responsibilities of its citizens, wherever they were located.

In Latvia, the presence of RF citizens initially escaped significant debate, despite their disproportionately high share of the national population—the second highest in the European Union (after Estonia). By the end of 2022, approximately 48,000 RF citizens resided in Latvia, representing roughly 2 percent of the country's population.<sup>4</sup> Of these, around 23 percent held temporary residency permits or had entered Latvia under more recent regulations involving background checks. Some 70 percent of the remaining 40,000 were long-term residents of Latvia, meaning that they had lived in Latvia since birth or prior to the restoration of independence in 1991 and had acquired RF citizenship through simplified procedures offered by Russia following the collapse of the Soviet Union.

Moreover, many of these individuals had previously been without any citizenship, as Latvia's stringent post-1991 citizenship laws had limited automatic citizenship to those who had been citizens of Latvia prior to 1940 and their descendants. Those who had arrived in Latvia

following the beginning of the Soviet occupation in 1940, as well as their descendants, were eligible for Latvian citizenship only through a separate naturalization process. As a result, up to 27 percent of Latvia's population was rendered stateless following the collapse of the Soviet Union in December 1991, neither recognized as Latvian citizens nor automatically declared citizens of Russia.<sup>5</sup> Over the years, a majority of these people decided either to acquire Latvian citizenship through naturalization, to remain stateless, or to leave the country, but a significant number opted for RF citizenship due to family ties or identity preferences. In addition, there was a wave of RF citizenship adoption in the 2010s, as many of these stateless individuals realized they could also claim a Russian Federation pension alongside their Latvian one. The Latvian authorities continued to accord permanent residency to both stateless persons and RF citizens without imposing language requirements or other special conditions.

## Policy change

All of this changed in September 2022, when the Latvian government introduced a bill to annul existing permanent residency permits for long-term RF citizens unless they passed an A2-level Latvian language exam and resubmitted their residency applications within one year. Those who failed to meet the deadline could still apply for a temporary residency permit but would receive limited welfare and health benefits. Those who

failed to take action would eventually be subject to expulsion from the country. Given that the vast majority of the RF citizens in question were pensioners, the amendments exempted those over seventy-five, children under fifteen, and those with serious, medically certified illnesses from the language test.<sup>6</sup> Nonetheless, all RF citizens who were long-term residents of Latvia were required to reapply for residency permits.

Moreover, the government asked parliament to consider the bill under an “expedited procedure,” meaning that only two readings would be necessary and that these could take place within a matter of days, with minimal debate and amendments. This urgency was partly driven by the looming parliamentary elections, which were set to be held within three weeks of the bill’s submission (on October 1, 2022). In its final lame duck weeks, the legislature fast-tracked the amendments. The bill was passed by parliament on September 22, 2022, and was promulgated by the president the following day.<sup>7</sup> No noteworthy discussion of the bill took place either in the parliamentary chamber or in the public sphere, as the country’s political focus had already shifted to the approaching elections.

Indeed, the elections resulted in Prime Minister Krišjānis Kariņš’s return to office, although now with a different governing coalition that included the center-right United List, from whose ranks a new minister of interior, Māris Kučinskis, was appointed. Kučinskis was responsible for implementing the immigration regulations for RF citizens via the Office of Citizenship and Migration

Affairs (OCMA). Meanwhile, the National Center for Education (under the Ministry of Education and Science) was tasked with administering the thousands of language tests that were expected to be held as part of the screening process. By February 2023, the Center had established a registration procedure for the tests, with three designated locations: Rīga, Daugavpils, and Liepāja. Over a period of seven weeks, some 7,500 RF citizens reportedly registered for the exams; however, this was less than half of the 18,000 the government had projected would be affected by the new rules.<sup>8</sup> This prompted Minister Kučinskis to warn that the government’s system would be unable to handle the anticipated administrative burden. In April, the Latvian parliament approved an extension of the processing deadlines to December 2023, with the stipulation that applicants must attempt the Latvian language test at least once before September 1, 2023.

## Language tests

Yet, the issue of administrative overload was not the only complication emerging from the unprecedented reform. Data from the National Center for Education revealed that more than half of all applicants were failing the Latvian language test, with some even failing multiple times.<sup>9</sup> These figures underscored the sociolinguistic complexities of the new policy. On the one hand, many RF citizens in Latvia, particularly those who had opted for RF citizenship after the collapse of the Soviet Union, were less integrated

in mainstream Latvian society. While they considered Latvia their home and had little interest in moving to Russia, they also tended to live in predominately Russian-speaking areas of cities such as Rīga, Daugavpils, Ventspils, and Liepāja and had little contact with Latvians and the Latvian language. This isolation and lack of integration also extended to many stateless people in Latvia (mostly Russian speakers). However, to the extent that RF citizens were classified as foreign nationals, the Latvian authorities were in a position to institute new language requirements and threaten expulsion—an option that was unavailable when it came to stateless persons.

In any case, the debate over language proficiency became a major dimension of the Latvian authorities' justification for demanding that thousands of elderly people undergo new language tests on pain of possible expulsion.<sup>10</sup> Needless to say, the fact that many of these people had lived in Latvia their entire lives and were not in a position to pass a relatively basic-level Latvian language exam was a stark commentary on how separated the Latvian- and Russian-speaking communities had become as a result of Soviet rule. Tens of thousands of Russian speakers had entered the country during the Soviet era with no expectation of having to learn Latvian, since Russian was considered the primary language of the USSR. This led to major sociolinguistic divides that persisted long after independence. Latvian interpretations of this phenomenon went even further, hinting that the inability of these long-term residents to communicate in even rudimentary

Latvian indicated a lack of affinity with, or respect for, the country as a whole. In this regard, the new language requirements represented a final chance for these populations to demonstrate their commitment to Latvia and to acquiring the basic skills necessary for integration.

### Security dimension

These reforms were not solely aimed at fostering societal cohesion, however. The fact that the legal provisions concerned the citizens of the Russian Federation—Latvia's neighbor and the instigator of an illegal war against Ukraine—framed their presence as a potential security risk. These security concerns revolved around the loyalties of RF citizens and their susceptibility to Russian dis- and misinformation in the course of the war, especially if they lacked knowledge of the Latvian language. These arguments reverberated throughout legislative debates on the first extensions of the residency permit renewal deadlines.<sup>11</sup> Many nationalist politicians highlighted the participation of RF citizens living in Latvia in Russia's presidential elections, pointing to Vladimir Putin's overwhelming victories as evidence that large segments of this community supported the Russian dictator and thus posed an implicit security risk for Latvia.<sup>12</sup>

This aspect of the new policy received little public attention in the media and among Russian community leaders. As the language testing process began, the OCMA prepared the ground for receiving the final residency permit applications.

It released a special application form for RF citizens that differed from that used for other third-country nationals.<sup>13</sup> This form requested a staggering amount of personal information (see table 1) and included an appendix requiring applicants to declare that they were not affiliated

with any private army or paramilitary organization, were not subject to conscription or mobilization by the Russian Federation or Belarussian Army, and would immediately inform the Latvian authorities if contacted by either force.

Table 1. List of information required as part of the application for renewed permanent residency in Latvia for Russian Federation citizens

- Personal CV
- Spouse or partner’s CV
- Parents’ CVs
- Spouse or partner’s parents’ CVs
- Siblings’ or stepsiblings’ CVs
- Adult children’s CVs
- Prior employment in third-country government offices or elected posts
- Prior service in the armed forces of the Russian Federation or Belarus
- Prior activity in any non-governmental, governmental, inter-governmental, transcontinental, or other organization
- Property ownership
- Possession of a vehicle with which it would be possible to cross a Schengen border
- Possession of a residency permit, visa, or citizenship of another country
- List of close contacts in Latvia
- Future plans in Latvia for the next one to five years
- Account statements for one year from all financial institutions, payment portals, or cryptocurrencies where the applicant holds an account, especially those sanctioned as part of the Ukraine war

Source: Pilonības un migrācijas lietu pārvalde [Office of Citizenship and Migration Affairs], <https://www.pmlp.gov.lv/lv/media/12084/download?attachment>

Importantly, the application contained a series of surprising political questions related directly to the applicant’s views on Russia’s military aggression. Going back more than a decade, applicants were asked to reply “Yes” or “No” to the question “Do you believe that Russia annexed Crimea (the Crimean Peninsula)

in 2014, or illegally included it in the Russian Federation?” Further questions included: “Do you support the annexation of Crimea (the Crimean Peninsula) or any other part of Ukraine (Zaporizhia, Donetsk, Luhansk, Kherson) to the Russian Federation?” and “Do you think Russia is carrying out unprovoked military

aggression against Ukraine?” Topping off this stream of questions, the application asked pointedly: “Do you condemn the military invasion of Ukraine by the Russian government and its army and consider it a criminal act?”

While these questions aligned with Western legal and political stances on Russia’s invasion of Ukraine, the Latvian authorities also touched on local issues, asking: “Is the dismantling of Soviet memorials in Latvia justified?”—a reference, *inter alia*, to the Latvian authorities’ removal of a 79-meter-high Soviet victory monument in Riga in August 2022 and the renaming of numerous Soviet and Russian placenames across the country. In other words, the government’s form also required applicants to take a stand on memory politics in the country. These issues had been particularly contentious in both Latvia and Estonia going back to April 2007, when the relocation of a Soviet-era monument in Tallinn precipitated two nights of rioting by Russian-speaking youths and prompted a broader discussion on the salience of historical memory issues for societal integration and cohesion.

The Latvian authorities justified these questions as promoting their legitimate interest in probing the political beliefs of RF citizens residing in Latvia. The scale of pro-Kremlin sympathies in the country was of genuine concern, magnified by the documented brutality and war crimes committed by Russia in Ukraine. These issues were also not academic to a country like Latvia, which (like Ukraine) shared a border with Russia and remained vulnerable to any number of

threats from Moscow. To this end, the application also asked legitimate security questions such as whether applicants had provided material support to the Russian or Belarussian military since February 2022, whether they had violated any of the EU sanctions imposed on Russia, and whether they had posted pro-Kremlin, anti-Latvian, or anti-EU content on social media.

At the same time, the political questions included in the new application form clearly constituted an ideological loyalty test, with any problematic answers potentially raising red flags. Moreover, signing the application form implied a commitment to maintaining or defending these views in the future. Indeed, applicants risked putting themselves in criminal jeopardy should they ever return to the Russian Federation, as Russian authorities could interpret any such declaration as a “discreditation” of the Russian army or a critique of the Kremlin’s “special military operation.” In a Russian-language television show from April 2023, Ingmar Lidaka, chair of the Latvian parliament’s Citizenship, Migration, and Social Cohesion Committee, described these questions as a signaling effort meant more to alert applicants of where the Latvian state stood on these issues than to screen for potential Putinists.<sup>14</sup> Even so, in September 2023, a Latvian television program reported that the Latvian State Security Service had recommended that the OCMA deny eighty applications for renewed residency permits specifically on security grounds.<sup>15</sup> Although it remained unclear how many of these rejections were based

on objectionable answers to the questionnaire, it was evident that the Latvian authorities were monitoring these declarations.

### Policy relaxation

By the summer of 2023, it was becoming evident that the number of failed language tests and the administrative challenge of implementing the new policy were both set to cause major problems as the initial deadlines approached. In August, the Kariņš government—then acting in a caretaker capacity following its resignation over unrelated issues—asked parliament to extend the policy deadlines once again. One day later, Latvia's president, Edgars Rinkēvičs, publicly endorsed the move, criticizing the previous parliament for having underestimated the administrative demands of the policy.<sup>16</sup> In September, the legislature approved an extension of the application period to June 20, 2025, on the condition that applicants must have attempted the language test at least once before the original September 2023 deadline. In this respect, the amendment recognized that many applicants would need additional time to attend courses or otherwise prepare to meet the A2-level language requirement. At the same time, the policy as a whole would stay in place.

By September 2023, the Latvian authorities were in a position to begin addressing those individuals who had thus far made no effort to comply with the new law. The OCMA announced that at least 3,541 RF citizens had neither sub-

mitted an application nor informed the Office that they had left the country. This figure was later revised to 1,213 by the end of the year, and according to border control officials over 900 individuals had emigrated from Latvia.<sup>17</sup> Still, the Office indicated that it would begin expulsion procedures in the case of individuals who continued to ignore the requirements while also refusing to leave the country voluntarily. In June 2024, it was reported that the Latvian authorities had issued sixty expulsion orders to RF citizens, fifteen of which had been carried out, some even by force.<sup>18</sup> It was also estimated that around 2,000 RF citizens had emigrated from Latvia, representing roughly 10 percent of those affected by the new policy. While it remained unclear whether these individuals had left for Russia in particular, their departure was a tangible consequence of the new policy, which had effectively encouraged a significant portion of RF citizens to leave Latvia.

### Minority reaction and legal appeals

Public debate over Latvia's new policy was subdued among Russian community leaders. Initially, many took a wait-and-see approach, believing that legal action in the Latvian courts might actually reverse the dramatic change in policy. In January 2023, the first of four separate complaints to the Latvian Constitutional Court was submitted by various groups of RF citizens in Latvia affected by the policy shift. Their calls to annul the amendments pertained to their potential to break up families, citing the

threat that possible expulsion posed to the inviolability of private life. Likewise, while the plaintiffs agreed that the new policy had legitimate links to national security, they questioned whether parliament had adequately assessed the actual degree of the threat posed by RF citizens and whether the measures enacted by the amendments were proportional and sufficiently effective to justify the impact (or burden) on individuals' rights. Additionally, they argued that by changing the rules for a category of people who, for the previous two decades, had reasonably anticipated that their residency permits would be renewed without issue, Latvian authorities were undermining the principle of legal expectations and opening the door to arbitrary governance.<sup>19</sup>

Following a year of study, hearings, and deliberation, the Constitutional Court ruled against the plaintiffs in February 2024, arguing that a combination of national security concerns and broad autonomy in the area of immigration law afforded the Latvian state a wide prerogative in dealing with this issue.<sup>20</sup> It stressed additionally that in the given instance, the Russian Federation—having been internationally denounced as supporting terrorism and military aggression—constituted a particularly pressing danger to Latvia. The Court added that one could not overlook the fact that individuals who had voluntarily acquired RF citizenship (as all of these individuals had) bore a responsibility for the loyalty and identity implications of their decision.<sup>21</sup> This justified subjecting each of them to a review by the competent authorities (the Court did not mention the significance of the extensive questionnaire

developed as part of the policy). The Court disagreed with the claim that the new policy was arbitrary, reaffirming that each application would be reviewed individually. Finally, it defended the language requirements contained in the new policy as serving not only to strengthen the status of the Latvian language but also to protect Latvian speakers' right to use the state language in all social interactions. This, the Court asserted, was integral to safeguarding democratic order.<sup>22</sup>

In a dissenting opinion, one Court justice argued that the Latvian state policy was inconsistent to the extent that RF citizens who had acquired permanent residency under a much earlier law (in force until 2003) had been excluded from the new policy.<sup>23</sup> The Latvian parliament ultimately resolved this discrepancy by passing a further amendment to the Immigration Act in June 2024 to include this group (estimated at 4,650 individuals) under the new registration and language test requirements, with a compliance deadline set for mid-2025.<sup>24</sup>

By August 2024, the OCMA reported that nearly 16,000 of the estimated 25,000 RF citizens affected by these policy changes had completed the procedures and had been issued new permanent residency permits.<sup>25</sup> This figure included those who had passed the new language test as well as those who had been exempted from it for age or health reasons. Another 5,500 individuals were granted two-year residency permits (with continued welfare and health insurance rights), allowing them additional time to meet the language and other application requirements. The remaining RF citizens

had either left Latvia or were awaiting a decision on their application. A total of sixty-two expulsion orders had been issued.

### OSCE involvement and recommendations

From the standpoint of human and minority rights, Latvia's decision to tighten regulations on foreign residents aligned with existing European (OSCE and Council of Europe) standards. While RF citizens formed part of Latvia's sizable Russian-speaking minority, their legal status was more limited than that of stateless persons or Latvian citizens, and they constituted only around 5 percent of the entire Russian-speaking population. To some extent, the Latvian state was simply seeking to unify its approach by requiring a certain level of Latvian language proficiency from all of its long-term foreign residents, ostensibly in the name of social cohesion. Nevertheless, by specifically targeting citizens of its eastern neighbor, Latvia undeniably heightened the already tense security climate in the region.

In March 2024, Kairat Abdrakhmanov, then OSCE HCNM, visited Latvia and, among other issues, addressed the country's policy shift regarding RF citizens. While RF citizens in Latvia did not constitute a national minority under the HCNM's mandate, the potential for the policy to exacerbate tensions with Moscow was evident. In this respect, the Latvian authorities were called upon to consider lowering the age threshold for exemption from the new language cer-

tification requirements down to the legal retirement age and to relax the income verification requirements. At this stage, however, the Latvian government declined to adopt either of these adjustments, likely because the policy was already too far advanced. Still, the Latvian government demonstrated some flexibility by extending the original application deadlines and treating the forcible expulsion of noncompliant RF citizens as an absolute last resort, thereby preventing significant public and international backlash. A more aggressive approach, such as widely publicized expulsions or the use of force against RF citizens, might have provoked a stronger international reaction.

Russia's public response to Latvia's policy was muted. In September 2023, Maria Zakharova, spokesperson for Russia's Foreign Ministry, criticized the reforms as discriminatory and in gross violation of international legal norms.<sup>26</sup> However, at no point did she attempt to demonstrate how Russia would seek to influence Latvia to reverse its policy and secure Russian citizens' opportunities to stay in the country. Instead, she stressed the multiple ways in which Moscow could help individuals to resettle in Russia if necessary. Within the OSCE, while Russia's ambassador lamented the HCNM's inability to persuade the Latvian government to relax its immigration policy, his comments were generally directed more at the plight of Russian-language media in the country and the denigration of Russian historical memory.<sup>27</sup>

Looking ahead, the real challenge will lie in monitoring these processes, espe-

cially as the June 2025 language requirement deadline approaches. Should hundreds of RF citizens continue to fail the language exam, the Latvian authorities will face the difficult choice of having to either encourage voluntary departures or enforce expulsion orders to uphold the policy's integrity. From a human rights perspective, the political questions included in Latvia's new application form raise serious concerns, placing RF citizens in legal jeopardy as long as Moscow continues to criminally prosecute those who voice the slightest objection to its aggression in Ukraine. While Latvia may be trying to ensure its own national security by posing these questions to RF citizens, it is placing them in the impossible position of having to choose between the two countries. Those who answer these political questions in favor of Latvia risk jeopardizing their ability to return to their legal homeland, which, paradoxically, could serve as an incentive for them to remain in Latvia. Those who answer these questions in favor of Russia, by contrast, risk expulsion from Latvia as a security risk. The room for maneuver for RF citizens is thus growing ever narrower.

## Notes

1 For the precise statistics, see "Likumprojekta 'Grozījums Imigrācijas likumā' Anotācija" [Legislative bill "Amendments to the Immigration Law" abstract], September 5, 2023, <https://titania.saeima.lv/LIV/S14/saeimalivs14.nsf/0/3B590F71E6A48554C2258A210049356F?OpenDocument>. Formally, the policy change also affected long-term citizens of Belarus, as this

country was allied with Russia in its aggression against Ukraine. This group will not be discussed separately in this paper, however, since they constituted a much smaller number of people (around 340) and were rarely mentioned directly in the media or by politicians. The overwhelming focus of the policy and debates around it was on RF citizens.

- 2 The change comes on top of a decision to end Russian-language education in the country by 2026 and possibly discontinue Russian-language public broadcasting by the same year.
- 3 Demographic figures extrapolated from data on the age and gender distribution of the total population of RF citizens in Latvia as accessed from the Official Statistics Portal of the Central Statistical Bureau of the Republic of Latvia, [https://data.stat.gov.lv/pxweb/lv/OSP\\_PUB/START\\_POP\\_IR\\_IRV/IRV020](https://data.stat.gov.lv/pxweb/lv/OSP_PUB/START_POP_IR_IRV/IRV020), October 12, 2024.
- 4 Extracted from the website of the Office of Citizenship and Migration Affairs; permanent and temporary residency permit holders combined as of December 31, 2022: <https://www.pmlp.gov.lv/lv/statistika-uztauresanas-atlaujas-2022>
- 5 Central Statistical Bureau of Latvia, database table "IRV020. Iedzīvotāji pēc dzimuma, valstiskās piederības un pa vecuma grupām gada sākumā 1996 – 2024" [Residents by sex, citizenship and age group]; see data for 1996.
- 6 Hence, around 20 percent of the RF citizens in question were exempted from the language tests based on age and another estimated 8 percent based on medical conditions.
- 7 "Grozījumi Imigrācijas likumā" [Amendments to the Immigration Law], <https://likumi.lv/ta/id/335817-grozijumi-imigracij-as-likuma>
- 8 Vita Anstrate, "Valodas pārbaudei pieteikusies nepilna puse Latvijā dzīvojošu Krievijas pilsoņu" [Less than half

- of Russian citizens living in Latvia have applied for language testing], *LSM.lv*, March 24, 2023, <https://www.lsm.lv/raksts/zinas/latvija/24.03.2023-valodas-parbau-dei-pieteikusies-nepilna-puse-latvija-dzivo-josu-krievijas-pilsonu.a502284/>
- 9 LSM, “Valsts valodas pārbaudi nokārto aptuveni puse Krievijas pilsoņu” [About half of Russian citizens pass the state language test], *LSM.lv*, January 12, 2024, <https://www.lsm.lv/raksts/zinas/latvija/12.01.2024-valsts-valodas-parbaudi-nokarto-aptuveni-puse-krievijas-pilsonu.a538685/>
- 10 See remarks by Rihards Kols during the debate in the Latvian parliament, September 7, 2023, [https://www.saeima.lv/lv/transcripts/view/2485#section\\_105](https://www.saeima.lv/lv/transcripts/view/2485#section_105)
- 11 Madara Līcīte, “Latvijas iedzīvotājiem ar Krievijas pasēm dod papildu laiku atkārtotai valodas pārbaudei” [Latvian residents with Russian passports given additional time to retake language test], *LSM.lv*, April 5, 2023, <https://www.lsm.lv/raksts/zinas/latvija/05.04.2023-latvijas-ie-dzivotajiem-ar-krievijas-pasem-dod-papild-u-laiku-atkartotai-valodas-parbaudei.a503747/>
- 12 Edvīns Šnore, “Latvijas ļaudis ar Putinu sirdī” [The people of Latvia with Putin in their hearts], *lr*, March 20, 2018, <https://lr.lv/2018/03/20/latvijas-laudis-ar-putinu-sirdi/>
- 13 See point 5, “Anketa,” at the bottom of the following OCMA press release: <https://www.pmlp.gov.lv/lv/jaunums/informacija-krievijas-federācijas-pilsoniem-kuri-pirms-kf-pilsonības-iegūšanas-bijusi-latvijas-pilsoni-vai-latvijas-nepilsoni-un-s-anemusi-pastāvīgas-uztūresanas-atlūgas>
- 14 LSM+, “С паспортом РФ — на выход?” [With a Russian passport—on the way out?], April 3, 2023, <https://rus.lsm.lv/statja/novosti/analitika/03.04.2023-video-programma-tck-s-pasportom-rf-na-vyход.a503486/>; see as of 37:07.
- 15 LTV, “Pēc pieteikšanās uzturēšanās atļaujām par 80 Krievijas pilsoņiem —
- negatīvs Drošības dienesta atzinums” [After applying for residence permits 80 Russian citizens receive negative opinion from the Security Service], September 4, 2023, <https://www.lsm.lv/raksts/zinas/latvija/04.09.2023-pec-pieteikšanas-uztūresanas-atlūjam-par-80-krievijas-pilsoniem-negatīvs-drošības-dienesta-atzinums.a522633/>
- 16 Rus.LSM.lv, “Было мало призывов к гражданам РФ учить язык и записываться на экзамен — президент” [There were few calls for Russian citizens to learn the language and sign up for the exam, says president], August 23, 2023, <https://rus.lsm.lv/statja/novosti/politika/23.08.2023-bylo-malo-prizyvov-k-grazdana-m-rf-ucit-yazyk-i-zapisyvatsya-na-ekzamen-prezidenta.a521259/>
- 17 LETA, “Imigrācijas likuma prasību nepildīšanas dēļ no Latvijas plāno izraidīt vismaz 1213 Krievijas pilsoņus” [At least 1,213 Russian citizens are planned to be deported from Latvia due to non-compliance with immigration law requirements], December 27, 2023, <https://www.lsm.lv/raksts/zinas/latvija/27.12.2023-imigrācijas-likuma-prasību-nepildīšanas-as-del-no-latvijas-plano-izraidit-vismaz-1213-krievijas-pilsonus.a536837/>
- 18 Zanda Ozole-Balode, “4650 Krievijas pilsoņiem jāiesniedz PMLP dokumenti uzturēšanās atļaujai” [4,650 Russian citizens must submit PMLP documents for residence permit], July 18, 2024, <https://www.lsm.lv/raksts/zinas/latvija/18.07.2024-4650-krievijas-pilsoniem-jaiensniedz-pmlp-dokumentu-uztūresanas-atlūjai.a561948/>. One of the expelled individuals was Boris Katkov, an 82-year-old military pensioner who was head of a Latvian-Russian cooperation association. LSM.lv and Krišs Kairis, “Latvijas varasiestādes izraidījušas no valsts prokrievisko aktīvistu Borisu Katkovu” [Latvian authorities have expelled pro-Russian activist Boris Katkovs from the country], January 13, 2024, <https://www.lsm.lv/raksts/zinas/latvija/13.01.2024-latvijas-varasiestades-izraidiju-sas-no-valsts-prokrievisko-aktivistu-borisa-katkovu.a561948/>

- ija/13.01.2024-latvijas-varasiestades-izraidi-jusas-no-valsts-prokrievisko-aktivistu-bori-su-katkovu.a538830/
- 19 See summaries contained in the Court's final ruling: Satversmes Tiesa, "Spriedums lietā Nr. 2023-04-0106," February 15, 2024, <https://www.vestnesis.lv/op/2024/36.7>
- 20 Satversmes Tiesa, cited above (Note 19), 39.
- 21 Satversmes Tiesa, cited above (Note 19), 40.
- 22 Satversmes Tiesa, cited above (Note 19), 42.
- 23 Jānis Neimanis, "Satversmes tiesas tiesneša Jāņa Neimaņa atsevišķās domas lietā Nr. 2023-04-0106," <https://www.vestnesis.lv/op/2024/72.33>
- 24 Pilsonības un migrācijas lietu pārvalde, "Jaunākie Imigrācijas likuma grozījumi attiecas uz aptuveni 4650 Krievijas Federācijas pilsoņiem" [The latest amendments to the Immigration Law apply to approximately 4,650 citizens of the Russian Federation], July 17, 2024, <https://www.pmlp.gov.lv/jaunums/jaunakie-imi-gracijas-likuma-grozijumi-attiecas-uz-aptuveni-4650-krievijas-federacijas-pilsoniem>
- 25 LR4, "Из Латвии выдворили трех граждан РФ, 1500 уехали сами — глава УДГМ" [Three Russian citizens expelled from Latvia, 1,500 left on their own—head of OCMA], August 21, 2024, <https://rus.lsm.lv/statja/novosti/politika/21.08.2024-iz-latvii-vydvorili-trex-grazdan-rf-1500-uexali-sami-glava-udgm.a565812/>
- 26 Ministry of Foreign Affairs of the Russian Federation, "Ответ официального представителя МИД России М.В.Захаровой на вопрос издания 'Аргументы недели' в связи с принятием властями Латвии нового дискриминационного закона против постоянно проживающих в стране граждан России" [The response of the official representative of the Russian Foreign Ministry M.V. Zakharova to a question from the publication "Arguments of the Week" in connection with the adoption by the Latvian authorities of a new discriminatory law against Russian citizens permanently residing in the country], September 6, 2023, <https://mid.ru/ru/maps/lv/1903291/>
- 27 Ministry of Foreign Affairs of the Russian Federation, "Выступление заместителя Постоянного представителя Российской Федерации при ОБСЕ А.А.Волгарёва на заседании Постоянного совета ОБСЕ, 11 июля 2024 года" [Statement by the Deputy Permanent Representative of the Russian Federation to the OSCE A.A. Volgarev at the meeting of the OSCE Permanent Council, 11 July 2024], <https://mid.ru/ru/maps/lv/1961655/>

# Beyond High-Level Diplomacy: The OSCE and Intra-Societal Dialogue in Ukraine

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## Abstract

Since 2014, the OSCE has actively supported intra-societal dialogue processes in Ukraine. These efforts involve promoting the use of dialogue for fostering social cohesion and supporting nationwide reforms in the territories controlled by Kyiv, including decentralization, citizens' involvement in government decision-making, and solving community problems such as the (re)integration of internally displaced persons and war veterans. This paper examines the OSCE's attempts to foster intra-Ukrainian dialogue before and after February 2022. It argues that the Organization's contribution to maintaining social cohesion through intra-societal dialogue and the professionalization of a local community of dialogue practitioners in Ukraine has been underappreciated. As the war continues, maintaining trust within communities and strengthening communication channels between central government authorities and the public remain critical to societal resilience. These efforts will become even more crucial in the post-war reconstruction phase. Given its experience and lessons learned, it is time for the OSCE to increase its engagement in this area.

## Keywords

OSCE, dialogue, Ukraine

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## Introduction

The OSCE's importance as a facilitator of dialogue has been widely recognized by scholars and practitioners, its current

crisis notwithstanding.<sup>2</sup> However, its contributions extend beyond providing a platform for high-level diplomacy and negotiations among participating States. The Organization has also supported multitrack dialogue processes between and within participating States, including Track 2 and Track 3 initiatives, which engage policymakers, experts, non-governmental groups, and (in the case of Track 3 initiatives) private citizens.<sup>3</sup> The aim of this paper is to highlight this lesser-known part of the OSCE's work

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through a case study of its involvement in intra-Ukrainian dialogue.

Following Russia's annexation of Crimea and its covert intervention in Ukraine's Donbas in 2014, the OSCE emerged as a key international actor in supporting what became known as intra-societal dialogue in Ukraine. This type of dialogue was used to mitigate possible tensions in state-society relations and at the community level stemming from the armed conflict, though it did not directly address the armed conflict itself. Notably, it did not involve Russia or individuals from territories not controlled by Kyiv, instead encompassing dialogue between Ukrainian government officials—at both the central and the local level—and Ukrainian citizens in government-controlled territories, with a view to fostering social cohesion and supporting nationwide reform processes. Discussions focused on decentralization, healthcare and education reforms, citizen participation in political decision-making, and addressing local challenges such as infrastructure reconstruction and the (re)integration of internally displaced persons (IDPs) and war veterans.

Between 2014 and 2022, intra-Ukrainian dialogue initiatives proliferated with support from international donors and Ukrainian civil society, facilitated by an already established professional community of local mediators and dialogue facilitators.<sup>4</sup> Although the OSCE was not the only international actor involved in these efforts, it was a frontrunner in terms of the number of such dialogues convened before the outbreak of full-scale war.<sup>5</sup> Russia's invasion of

Ukraine in February 2022 marked a watershed moment, triggering, among other things, a major identity crisis for the OSCE as a convenor and facilitator of dialogue among its participating States. But how did the war affect the Organization's support for intra-societal dialogue in Ukraine? What lessons were learned from the period preceding the full-scale invasion? And what challenges lie ahead?

This paper sheds light on the Organization's efforts to facilitate intra-Ukrainian dialogue before and after February 2022. The study draws on one of the author's experiences collaborating with the OSCE Project Co-ordinator in Ukraine (PCU), as well as eight semi-structured expert interviews with former and current OSCE representatives and their local partners in Ukraine. These interviews were conducted in Vienna, Kyiv, and online between October and December 2024. Based on these insights, we argue that the OSCE's contribution to maintaining social cohesion through intra-societal dialogue and the further professionalization of the local community of dialogue practitioners in Ukraine has not received the recognition it deserves. Intra-societal dialogue—between Ukrainian government officials and citizens on the ground and within local communities—has not lost its relevance during the full-scale war. Maintaining trust within communities and ensuring effective communication between central government authorities and the public remain critical and will become even more essential during post-war reconstruction. Given its experience in these matters, it is

time for the OSCE to scale up its engagement in this area.

In what follows, we first review the OSCE's initial efforts to foster intra-societal dialogue in Ukraine after the start of the conflict in 2014. We then examine the three pillars of the PCU's dialogue-centered work: connecting Ukrainian state institutions and civil society through dialogue forums aimed at resolving community-level tensions, advancing the professionalization of local mediators and dialogue facilitators, and strengthening the dialogue capacities of Ukrainian state institutions. In the final two sections, we turn to the OSCE's support for intra-Ukrainian dialogue following Russia's full-scale invasion, reflecting on lessons learned and possible responses to the challenges ahead.

### The OSCE's initial attempts to promote intra-Ukrainian dialogue

The OSCE began engaging in intra-societal dialogue in Ukraine at a very early stage of the conflict in 2014. In an effort to prevent further violence in eastern Ukraine, the PCU attempted to convene a National Dialogue in March 2014 that would bring together the central government in Kyiv, regional leaders from Donetsk and Luhansk, and other stakeholders. Although this initiative ultimately failed, it laid the groundwork for subsequent intra-Ukrainian dialogue efforts.<sup>6</sup>

Simultaneously, another development played a crucial role in the establishment of the OSCE's intra-societal dialogue

agenda in Ukraine. In May 2014, as violence escalated between pro- and anti-Euromaidan protesters in Odesa, Ambassador Vaidotas Verba—then team leader of the OSCE Special Monitoring Mission Field Office in Odesa—met with the Odesa Regional Mediation Group (Ukraine's oldest mediation center) and its leader, Inna Tereschenko, to discuss possible approaches to mitigating violence. Their exchange resulted in OSCE support for the first-ever conference on dialogue in Ukraine in December 2014 and further dialogue projects in Odesa.

The OSCE's further engagement in intra-Ukrainian dialogue grew out of these early initiatives and was shaped by Verba's personal commitment to dialogue, as well as the presence of a self-organized and highly motivated community of professional mediators in Ukraine. After being appointed OSCE Project Coordinator in Ukraine later in 2014, Verba sought to reinvest unspent funds from the National Dialogue project into intra-societal dialogue efforts, viewing them as a way to maintain trust within communities and prevent outbreaks of local-level violence.<sup>7</sup> He established close ties with Ukrainian dialogue practitioners, including the National Association of Mediators of Ukraine (NAMU), whose first president, Diana Protsenko, had collaborated with the PCU prior to 2014. Verba's active exchanges with local mediators and dialogue facilitators led to the OSCE's long-term commitment to local ownership in intra-societal dialogue in Ukraine and the institutionalization of dialogue-centered practices within the PCU itself. Consequently, dialogue support became

one of the PCU's strategic objectives from 2019 to 2021, and dialogue approaches were mainstreamed across all its activities. This meant that, in addition to the PCU's dedicated intra-societal dialogue projects, dialogue principles were applied across the PCU's activities, including in the areas of human, economic, environmental, and politico-military security.<sup>8</sup>

### **Connecting the state and society through dialogue**

From late 2014 onwards, the PCU “re-branded and reinvigorated” the initial idea of a National Dialogue,<sup>9</sup> transforming it into a series of projects including National Dialogue for Reforms, Justice and Development (2015–2016), Dialogue for Reform and Social Cohesion (2016–2018), Facilitating Dialogue on Reforms in Ukraine (2017, 2018, 2019, 2020), and Enhancing Dialogue Capacity for Reforms Implementation (2021).<sup>10</sup> These projects aimed to support national reform efforts (including decentralization), promote more accountable governance and conflict resolution processes, and strengthen mutual understanding across Ukraine's diverse communities and regions (social cohesion), thereby contributing to conflict prevention and sustainable peace.<sup>11</sup>

From 2016 to 2017, guided by these aims, the PCU focused on connecting the central government with regional and local authorities and people on the ground through a series of “forums.” Given its limited resources, the PCU prioritized

conflict-affected, government-controlled territories in eastern Ukraine. These forums allowed government representatives from Kyiv to meet face-to-face with local officials and community members in Kramatorsk, Lysychansk, Mariupol, Severodonetsk, and other locations. Their goal was to address various challenges faced by local communities, including water and energy supply, environmental protection, demining, civil-military relations, and support for IDPs.

In designing these forums, the PCU relied on Ukrainian dialogue practitioners, who served as facilitators and co-convenors. This partnership was decisive in enabling a bottom-up approach to agenda-setting, whereby Ukrainian dialogue facilitators held preliminary meetings with potential forum participants to identify the most pressing local issues to be raised with central government representatives. The PCU ensured that facilitators had sufficient time and resources to coordinate the locally driven agendas. Moreover, the active involvement of Ukrainian dialogue practitioners made the forums more interactive, distinguishing them from the traditional top-down approaches that had long characterized government communication with local communities.<sup>12</sup>

Naturally, not all of the complex issues raised by local communities could be resolved within the few days of a forum. Retaining the central government's attention and persuading officials in Kyiv to travel to remote areas in the east (where the forums often took place) also proved challenging. As a result, the PCU adopted a more request-based approach in 2018,

organizing dialogues in response to requests from government agencies while maintaining the active involvement of Ukrainian dialogue practitioners in the design and facilitation of these events.

Despite some difficulties, the forums demonstrated that a constructive exchange between central government officials and conflict-affected communities on the ground was both possible and necessary, which generated further requests for dialogue.<sup>13</sup> Moreover, there is evidence that these dialogues produced tangible results. Before 2022, for instance, the PCU convened a series of dialogues at the request of the Ministry of Reintegration of the Temporarily Occupied Territories (MTOT, as it was then known), the Ministry of Finance, and the Ministry of Education and Science. These dialogues brought together local government bodies, civil society organizations, and business representatives. One such dialogue focused on a municipal program that provided social support to war veterans and their families; as a direct result of this exchange, civil society organizations and a local government department agreed to share data on veterans' families on a regular basis and to begin work on a memorial for fallen soldiers. Another dialogue, which involved public consultations on a draft law developed by the Ministry of Finance, enabled civil society and business representatives to contribute concrete recommendations that were subsequently incorporated into the legislation.<sup>14</sup> Finally, a long-term dialogue process concerning school education in minority languages (primarily Hungarian and Romanian) in villages and towns in

western and southern Ukraine brought together the Ministry of Education, local education departments, schools, and civil society activists, spurring changes to the implementation of the Law on Education. This helped to reduce inter-ethnic tensions within local communities and to establish regular communication channels between all parties involved in the process.<sup>15</sup>

While these examples are telling, the dialogues convened by the PCU and Ukrainian dialogue facilitators also led to less tangible (but equally significant) developments, including the personal transformation of participants and a greater openness among state institutions to engaging with civil society. The forums and other dialogue formats promoted intra-societal dialogue as a tool for building trust between different levels of governance and addressing social tensions in the regions. Most importantly, they ensured that intra-societal dialogue was integrated into the operational agendas of key Ukrainian government agencies.

### **Advancing the professionalization of local dialogue practitioners**

Convening dialogues went hand in hand with another pillar of the PCU's dialogue-related engagement: the further professionalization of Ukraine's dialogue facilitator community and the promotion of local ownership of the process. Local ownership was at the heart of the PCU's work in general, which was partly conditioned by structural constraints. Under its mandate, the PCU was permitted

to deploy only three international staff members in Ukraine: a head of mission, a deputy, and a financial officer. As a result, the PCU office was largely staffed by local Ukrainian managers, experts, and administrative personnel. In addition to enabling a thorough understanding of the context on the ground, this allowed the PCU to quickly establish strong connections with Ukrainian partners, including local mediators and dialogue facilitators.<sup>16</sup>

The PCU proved to be flexible and responsive to the needs of the local dialogue community. At the latter's request, the PCU facilitated access to international expertise by bringing in prominent foreign trainers and organizing training sessions, mentorship programs, and exchanges with international colleagues. This knowledge exchange allowed Ukrainian dialogue practitioners to build on international practices and design a methodology for dialogue interventions at both the grassroots and the government level, specifically tailored to the Ukrainian context.

NAMU, an all-Ukrainian non-governmental organization (NGO) representing the interests of local mediators and dialogue facilitators, became a long-standing partner in the PCU's dialogue initiatives.<sup>17</sup> In 2015, the PCU began funding annual conferences for Ukrainian dialogue practitioners, organized by NAMU, which served as a platform for professional exchange and development. The PCU also supported the creation of Ukraine's first-ever online course in dialogue skills, bringing together practitioners from different schools of thought

to harmonize their approaches into a coherent methodology. Since 2017, building on these methodological foundations, additional online and offline dialogue courses have been developed and introduced.<sup>18</sup>

The PCU was the first international actor in Ukraine to engage local dialogue practitioners not only as facilitators but also in preliminary conflict analysis, process design, preparatory work with participants, post-dialogue support, and dialogue evaluation. It was also the first to recognize that local facilitators were capable of offering a comprehensive range of services that had previously been the domain of international dialogue and mediation consultants. This bolstered the emergence of dialogue facilitation as a professional field in Ukraine.<sup>19</sup> In an effort to strengthen this emerging professional identity, Ukrainian dialogue facilitators drew on their ties to the PCU in 2017, when Ambassador Vaidotas Verba published an article titled "Why You Need a Professional Facilitation for a Productive Dialogue" in a leading national media outlet.<sup>20</sup> The article served as an agenda-setting vehicle for dialogue professionalization and enhanced the standing of Ukrainian dialogue practitioners vis-à-vis other communities of practice.

The PCU also responded positively to requests by the local dialogue community for support in developing their own set of norms for conducting and funding intra-societal dialogue in Ukraine. In 2018, a group of Ukrainian dialogue practitioners, led by the Institute for Peace and Common Ground, drafted a document titled "Dialogue Standards: Definition and

Principles.” This document was a bottom-up response to the wide range of dialogue concepts and approaches introduced to Ukraine by international donors in earlier years. It provided a common vision of what dialogue initiatives should entail, along with a set of principles to be followed by those implementing and funding intra-societal dialogue projects in Ukraine.<sup>21</sup> Later, the PCU offered similar support to a locally led initiative to develop a context-specific methodology for evaluating the impact of intra-societal dialogue—a project that remains ongoing, even after the full-scale invasion.<sup>22</sup>

### **Developing the dialogue capacities of state institutions**

Given the PCU’s mandate, the Ukrainian government was its primary partner and beneficiary, including in the field of intra-societal dialogue. From 2015 onward, the PCU began strengthening the dialogue capacities of state institutions, working with the MTOT and the Ministries of Infrastructure, Communities and Territories Development, Healthcare, Finance, Economy, and Education and Science, among others. The PCU’s most sustainable partnerships were with the Reforms Delivery Office of the Cabinet of Ministers of Ukraine and the National Agency of Ukraine on Civil Service. As with the professionalization of the local dialogue community, personal connections were key to designing and implementing dialogue capacity-building programs within state bodies.

The development of dialogue capacities within state agencies was intended to address internal tensions (e.g., disputes between different departments) and to promote the use of dialogue and participatory approaches in their engagement with citizens. Thus, the focus was on institutionalizing dialogue practices within state institutions and integrating dialogue-centered approaches within their decision-making procedures, fostering a culture of dialogue within government structures.

Given the Soviet legacy of Ukrainian state agencies and public service, fostering an innovative culture of dialogue within these institutions posed significant challenges. Partnerships between the PCU and state agencies often began with introductory training sessions on dialogue skills for government employees. From 2015 to 2021, more than 7,000 officials from central and local government agencies and self-government institutions completed these trainings.<sup>23</sup> Of these, around 1,000 participants were recruited through the National Agency for Public Service’s online system for continuous education, where an online dialogue course was offered as part of the curriculum for public servant professional development. Other trainees from state agencies were recruited by the agencies that had requested training from the OSCE. According to interviewees, these trainings spurred the emergence of mid-level “dialogue champions” within government institutions—officials who, after completing their training, began promoting new approaches to communication

and dispute resolution within their respective agencies.<sup>24</sup>

Most importantly, the PCU initiated efforts to establish a conflict management system within Ukraine's civil service. This system supported local dialogue practitioners in conducting research on internal conflicts within state agencies, analyzing international experiences in intra-organizational conflict resolution, and developing recommendations for resolving disputes within local and central government agencies.<sup>25</sup> As a tangible outcome, these recommendations were endorsed by the National Agency on Civil Service through executive orders.<sup>26</sup>

### Post-2022 developments

Russia's full-scale invasion of Ukraine in February 2022 was a watershed moment not only for Ukraine but also for the OSCE. As an organization that depends on consensus among its participating States in its decision-making bodies, the OSCE's ability to respond to the outbreak of war was hampered by Russia's veto and the blocking of all decisions related to Ukraine. As a result, the OSCE Permanent Council was unable to extend the PCU's mandate beyond June 30, 2022, forcing the mission to close its doors. However, an alternative means of continuing some of the PCU's previous activities emerged with the establishment of the OSCE Secretariat Extra-Budgetary Support Programme for Ukraine (SPU). Unlike the PCU, the SPU did not require consent from all OSCE participating States, as it could draw on financial sup-

port directly from individual states and the European Union. Formally launched on November 1, 2022, the SPU was designed to address urgent challenges posed by the full-scale war while also supporting the long-term democratic resilience of Ukrainian state institutions and civil society.<sup>27</sup>

The transition from the PCU to the SPU was far from smooth. This was most evident in the challenges surrounding the signing of a new Memorandum of Understanding between the Ukrainian government and the OSCE—a process that ultimately stalled, leaving the 1999 memorandum in force.<sup>28</sup> After February 2022, PCU projects that had been in the pipeline before Russia's full-scale invasion had to be redesigned and approved by both the OSCE Secretariat and the Ukrainian government before they could be implemented by the SPU. This also applied to OSCE engagement in intra-societal dialogue. Consequently, a dialogue project that had initially been foreseen for 2022 was not approved by the Ukrainian Ministry of Foreign Affairs until September 2023, delaying its actual implementation by the SPU until 2024.<sup>29</sup>

The failure of the Minsk agreements to prevent full-scale war, combined with the decision-making deadlock in the OSCE Permanent Council, resulted in another major challenge for the OSCE: the complete loss of the Organization's perceived legitimacy as a facilitator of high-level diplomacy in the eyes of the Ukrainian government and society. However, the PCU's continuous engagement in intra-societal dialogue in the years preceding the full-scale invasion, its long-term

commitment to promoting a culture of dialogue in Ukraine, and its reliance on the principle of local ownership mitigated the OSCE's negative image among Ukrainian stakeholders who had previously worked with the PCU. Despite increased workloads and the adoption of new priorities after February 2022, long-standing PCU partners continued their cooperation with the newly launched SPU. These partners included the Secretariat of the Cabinet of Ministers of Ukraine, the Reforms Delivery Office, the National Agency of Ukraine for Civil Service and its High School of Public Governance, and NAMU. This continuity allowed the SPU to proceed with its dialogue-related work in the post-2022 period, building on the PCU's earlier initiatives.

As of January 2025, the SPU's work in the field of intra-societal dialogue has focused on training public servants in conflict management, building on the recommendations previously developed by Ukrainian dialogue practitioners. Additionally, the SPU is working to enhance the skills of local mediators and dialogue facilitators—helping them to operate effectively in a war-affected environment—and to develop a methodology for assessing the effectiveness of facilitated intra-societal dialogues. Since Russia's full-scale invasion in 2022, Ukrainian mediators and dialogue facilitators have remained active, adapting their methodologies to incorporate mental health and psycho-social support approaches into community-based conflict management. They continue to convene and facilitate dialogues at the community level, as well

as within and between government institutions such as the Ministry of Education and the Reforms Delivery Office.<sup>30</sup>

### Lessons learned and challenges ahead

Looking back on a decade of engagement in intra-Ukrainian dialogue, the OSCE has shown a remarkable ability to learn from failure—as evidenced by the National Dialogue initially attempted in 2014—and to adapt to rapidly changing and highly challenging circumstances, including Russia's full-scale invasion. Despite the limitations of its mandate—such as its inability to implement Track 2 and Track 3 dialogues across the conflict line—the PCU has found its purpose in fostering a culture of dialogue and social cohesion within Ukraine. Furthermore, it has managed to cope with the challenges of bureaucratic inertia, financial constraints, and a limited number of international personnel on the ground by relying on local ownership and engaging Ukrainian mediators and dialogue facilitators as equal partners in implementing intra-Ukrainian dialogue projects.

Although many actors have supported intra-societal dialogue in Ukraine, the PCU has carved out two specific niches in this field: (1) strengthening the professional community of Ukrainian dialogue facilitators, and (2) building dialogue capacities within the civil service. These efforts have laid the groundwork for future intra-societal dialogue on a wide range of issues, whether related to refugee reintegration, demining, or government reform. Whatever thematic priorities the

OSCE and the Ukrainian government choose to focus on in the years ahead, they now have established methodologies, professional dialogue facilitators, and trained public servants ready to step in.

As the continued engagement of the SPU and local dialogue facilitators shows, intra-Ukrainian dialogue remains as crucial as ever in the context of full-scale war. Moreover, dialogue-based approaches to mitigating possible tensions in state-society relations and at the community level will remain highly relevant long after the active phase of the war has ended. The return and reintegration of war veterans, IDPs, and refugees from abroad carries the potential for within-community conflict. At the same time, miscommunication between government authorities and local communities risks fueling intra-societal discontent. Maintaining trust within communities and ensuring effective communication channels between central government authorities and the public—particularly in remote regions most affected by destruction—will be critical for post-war reconstruction and reform efforts. Given these challenges, the OSCE would be well advised to sustain and expand its work on intra-societal dialogue, drawing on its past achievements and lessons learned.

At the same time, there are a number of challenges that need to be addressed moving forward. One key issue is the OSCE's negative image in Ukraine, particularly since the start of the full-scale war. Remarkable stories of transformation—of both individuals and institutions that have participated

in PCU and SPU dialogue training initiatives—remain largely confined to confidential OSCE evaluation reports and the recollections of local dialogue facilitators, project managers, and participants. Developing and implementing a targeted awareness-raising campaign highlighting the transformative potential of intra-societal dialogue would help the SPU to secure broader support for its dialogue work from the Ukrainian government and civil society.

A second challenge stems from the fact that the PCU/SPU's continuous cooperation with a select group of local actors—both Ukrainian dialogue practitioners and state agencies—has had a negative side effect, described by our Ukrainian interviewees as a “donor trap.” Working with the same institutions and, more importantly, the same people for over a decade, while convenient, comes with its own risks; local actors may have fewer incentives to be inventive in their work with donors, while donors may become overly reliant on path dependencies, overlooking alternative ideas, approaches, and expertise. This risk is particularly relevant to the OSCE's intra-Ukrainian dialogue engagement, where the local dialogue community consists of a dozen practitioners who have become long-standing PCU/SPU partners. While such partnerships are crucial for continuity, the SPU would benefit from involving additional partner institutions through public tenders. This would ensure a steady influx of new knowledge and provide opportunities to test alternative approaches. To this end, the SPU could also promote the inclusion of a younger generation of local

dialogue facilitators in its ongoing and future intra-societal dialogue initiatives.

A final challenge lies in the tension between the OSCE's request-based approach to intra-societal dialogue—where Ukrainian state institutions, as the primary beneficiaries, initiate requests—and the SPU's (and previously the PCU's) limited capacity to plan and implement activities. In some cases, when the PCU and Ukrainian dialogue facilitators convened initial dialogues, participating institutions requested follow-ups and were open to initiating dialogues on other pressing issues. Yet, due to resource constraints, the PCU was often unable to meet this demand, leaving such requests unfulfilled. This challenge has become even more pronounced for the SPU, which has inherited the PCU's limited capacities and bureaucratic struggles while operating in an environment that requires dynamic and rapid responses. To address this, the SPU could strengthen its connections within the broader dialogue ecosystem, which includes Ukrainian NGOs and international donors, to ensure that requests for dialogue are not dropped but rather redirected to other practitioners beyond the SPU who have the capacity to respond. Creating an integrated system for information exchange among those supporting intra-societal dialogue in Ukraine would allow for a more strategic approach and for the optimization of these actors' collective resources in the years to come.

## Notes

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