



## **POLITICAL-MILITARY SECURITY DIMENSION OF THE HELSINKI PROCESS: ROLES OF THE OSCE AND CIVIL SOCIETY**

**Report on the proceedings of the expert seminar  
in the framework of the Helsinki+50 project organised by the Civic Solidarity Platform**

25 February 2025, Vienna

The seminar was held on 25 February 2025 in Vienna in the framework of the “Helsinki+50 initiative towards the 50th anniversary of the Helsinki Final Act: Reflection process on the future of the OSCE in the times of crises” project, implemented by the Civic Solidarity Platform with support from the Ministry of Foreign Affairs of Finland, the Ministry of Foreign Affairs of Germany and the Permanent Representation of the Kingdom of the Netherlands to the OSCE.

The seminar brought together 26 experts from the following organisations, many of whom combine analytical and academic expertise in the field of human rights/security and activist background, as well strong knowledge of the work of the OSCE and other inter-governmental organisations: Austausch (Germany), Austrian Centre for Peace and Conflict Resolution (Austria), Austrian Helsinki Association (Austria), Centre for Civil Liberties (Ukraine), Centre for Democratic Integrity (Austria), Centre for Solidarity International (Lithuania), Cornelius University (Slovakia), Dialogue Office for Civil Society Cooperation (Austria), Freedom Files (Poland), Friedrich Ebert Stiftung – Vienna Office (Germany/Austria), Geneva Centre for Security Policy (Switzerland), Helsinki Citizens Assembly – Vanadzor (Armenia), International Strategic Action Network for Security – iSANS (Poland), Libereco (The Netherlands), Movement of Social Democracy (Georgia), Netherlands Helsinki Committee (the Netherlands), Promo-LEX (Moldova), Swiss Helsinki Committee (Switzerland), Swisspeace (Switzerland), Truth Hounds (Ukraine), and Women’s International League for Peace and Freedom (Germany). Representatives of the OSCE Conflict Prevention Centre and the Office of the OSCE Representative on Freedom of the Media took part in the seminar as speakers.

The seminar programme included several sessions: introduction of the Helsinki+50 project, seminar goals, and introduction of the participants (opening session); security work of the OSCE (session 1); conflict prevention: early warning and early action (session 2); addressing disinformation and propaganda (session 3); and brainstorming on recommendations to the OSCE and other actors (session 4). Sessions 1, 2, and 3 started with introductory remarks by experts, followed by case-studies and a discussion.

The report applies Chatham House rules, meaning that neither the identity nor the affiliation of the experts who delivered introductory remarks and the participants in the discussions are revealed in

referring to statements made at the seminar, except those speakers who agreed to have their names and affiliations indicated.

**The first session of the seminar was dedicated to the current challenges for security, a role of the OSCE in strengthening security and space for this role to evolve, as well as a place for civil society in this field.**

In his introductory remarks, expert Walter Kemp (Geneva Centre for Security Policy and Institute for Peace and Diplomacy) noted that the idea that there was a need for new conversations on the future of security and cooperation work in Europe formed several years ago. One of the points of inspiration for the recent work<sup>1</sup> of Walter Kemp and his colleague Christos Katsioulis (Friedrich Ebert Stiftung Regional Office in Vienna), was looking back at the conversations called “Conversations on a Future International Peace and Security Organization” that started as long ago as in 1943. These conversations later became the discussions at the Dumbarton Oaks conference, which led to the creation of the United Nations. Those conversations started in the darkest days of the Second World War, before people knew what would happen. Nevertheless, they were talking about a new security structure, building on the experiences of the League of Nations.

Meanwhile, several years ago there were almost no conversations going on in the OSCE about the future of the organization, and, more importantly, the future of European security (meaning it broader than the EU). If the OSCE is not the place to have these conversations, where is it? A notion that these issues cannot be considered until the war is over, is wrong. There have to be some ideas in the drawer for a moment when the time is ripe, because that time might come relatively quickly, as the latest events prove. While it is not clear what will be the final arrangements, it is obvious that the OSCE is not ready to implement them. There is no planning unit in the Conflict Prevention Centre (CPC) to prepare a peace-keeping operation in Ukraine. Although there was a high-level planning group that was planning options for peacekeeping operation in Nagorno Karabakh for 25 years, it was never used. The OSCE will be in big trouble in case it could be relevant again, and it fails to act effectively.

The other consideration which should not be omitted is that there is not one, but two conflicts going on at the same time. One is between Russia and Ukraine, but another is between Russia and the West. Russia’s aggression against Ukraine has been going on for more than ten years. We are closer to ending it now than we have been for a long time, and Trump has been a game changer in that regard. Accordingly, there are different conversations that have to go on – one is between Russia and Ukraine, and the OSCE has no big role there at the moment, but the other is between Russia and the West, where the OSCE certainly does have a role, but has been underused.

The Peace Matrix, that was developed and presented by Walter Kemp and a second speaker of the session, Christos Katsioulis, not only visually looks great, but allows to demonstrate that there are different levels of conversations, not only between Russia and Europe, but also between Russia and the United States. There will be some things that these countries talk about bilaterally, where the Europeans don’t have to be at the table. These issues include strategic stability, arms control, nuclear non-proliferation. Then there is the level between the EU and Russia, and then Russia and

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<sup>1</sup> Walter Kemp, Peace by Pieces. Security and Human Rights Monitor, 17 February 2025, <https://www.shrmonitor.org/peace-by-pieces/>

Ukraine. Where does the OSCE come in? Walter noted that the conference in Helsinki in the end of July to commemorate the 50<sup>th</sup> anniversary of the signing of the Helsinki Final Act is a good opportunity for at least civil society to be reminding everybody about the importance of the principles of the Helsinki Final Act and the fact that the OSCE still exists and can be useful.

Returning to the matrix, Walter stressed that looking at these different levels of communication and issues to raise, its designers were not concentrating on the role of civil society in security processes and will be happy to see and hear where civil society might fit into some of those processes and deliverables. He stressed that this document should be seen not as a blueprint for the future of European security, but rather a discussion starter. He also underlined that he didn't know that the Civic Solidarity Platform existed and looks forward to further exchange of ideas and cooperation, including in his role of a co-editor of a special issue of Security and Human Rights Monitor (former Helsinki Monitor) which is interested in receiving articles from the seminar participants on the role of civil society in advancing the Helsinki Final Act principles.

The next speaker, Christos Katsioulis, noted that the matrix is very detailed, so it is easier to read it in hard copy. Its creators had the choice to either do this in a visualisation, boiling down three years of discussion held twice a year with experts, or publish a report of about 80–100 pages. It was decided to go for the visualisation, because that might capture far better the complexity of the situation, the plurality of the actors needed for a sustainable peace, and the plurality and multiplicity of issues that need to be on the table if we are going for a sustainable peace in Europe and a more stable European security architecture. The idea to develop this matrix, to prepare something for the 50<sup>th</sup> anniversary of the Helsinki Final Act, to develop ideas on how to revitalise European security appeared three and a half years ago. The meetings with experts continued in 2022, and 2023, and 2024. Those were experts from Ukraine, Russia, Europe, and the U.S. The very first meetings were more about reflections of what is going on, trying to get a common understanding of the events. There were moments, when the necessity of discussion of certain elements [of matrix] was obvious. It is the level that Walter described as “between Russia and the West”, which in itself consists of “Russia and the U.S.”, and “Russia and Europe”. And if we are talking about Europe, who speaks for Europe? Christos referred to the famous Kissinger's quote, “who do I call if I want to talk to Europe?” This complexity was visualised within the matrix where there are three levels. First, U.S.-Russia. Second, Europe and Russia. And third, Ukraine-Russia. And there is an objective behind such a division. The first objective was the need to talk about de-escalation. The second objective is the sovereignty of Ukraine. And the third one is a European security order that needs to become more stable than it is at the moment. And all of this is embedded and put on the right side in a global ecosystem.

The intent behind the matrix was to give, first of all, political decision makers a grasp of what is at hands. Because the ideas of negotiations that are being discussed publicly are very simplistic. “Two big guys sitting at a big table” approach is not going to work, and if we are talking about a stable European security order, there are so many actors that can sabotage the process and throw spanners in the wheels, there needs to be a far more holistic approach. There is also the reaffirmation of the OSCE principles in the centre of the matrix, because this visualization allows a better understanding of the indivisibility of security in Europe and how the OSCE principles need to be a glue binding all of these things together.

The different level of complexity is reflected in the matrix by colours. Various colours indicate things that have been already achieved or are rather easy to achieve, some that are more difficult, and some that are quite hard and very hard to achieve. Christos repeated that the idea of the matrix was not to give a roadmap to achieve peace in Europe. It is meant to help starting a conversation that needs to be held at different tables. And one of the tables is with civil society, and that is why he was thankful to have the opportunity to present the matrix at the seminar. The European future of Ukraine, for example, is not going to work if it is only the government pursuing that.

Concluding his introduction, Christos pointed out that the drafters of the matrix realised at a certain moment that discussions should be frozen, and everything already discussed should be mapped on the matrix. But the work will continue. So, every discussion, every criticism, every new idea will go into the updates of the matrix, and there will be versions 2.0, 3.0, and 4.0 of it. And in the end, hopefully, there will be more elements or the blanks filled, and maybe some new levels introduced to the matrix.

Walter Kemp added that the first reaction that they received was “wow, it looks really interesting, but it looks so complex and so overwhelming”. However, the idea was not “everything at once”, and it is not for one country or a group of countries to follow. There are going to be different tables to hold different discussions. And we need to use the ones we have such as the OSCE. There are issues that can be chosen from the matrix, and this is why the colour coding was done to indicate that there might be easier entry points to start with. Sadly, the topic that is in the colour red is overcoming the security dilemma. Everybody is asking for security assurances but there will never be any guarantees. That is the biggest challenge and this is why it is indicated in red. But if you can make progress on many other things, you will eventually be more likely able to overcome the security dilemma, which was one of the reasons why we have this conflict in the first place.

Olga Zakharova (International Strategic Action Network for Security – iSANS) presented a case-study which was an illustration of interconnections between several dimensions. She reported about the other side of the migration crisis on the border of Belarus and the European Union/NATO. There were lots of statements from official representatives of Belarus and Russia blaming, naming and shaming the Baltic states and Poland for not letting migrants through the border and using violence against them. There was, however, another side of the story, which shows that his situation was not purely a third dimension human rights crisis, as it may have seemed. The crisis became obvious after an unprecedented violent crackdown by the Lukashenka regime on the protestors in 2020, when Lukashenka stole the elections and denied victory of Sviatlana Tsikhanouskaya. Following a response from the West to the falsification of the elections and the wave of repression, including strong sanctions and political isolation of the regime, masses of refugees from the Middle East started storming the border between Belarus and the European Union/NATO.

It turned out that this channel of transporting people from crisis-affected areas, including Iraq, Afghanistan, and Syria, was established by the Lukashenka regime and the Putin regime long before 2020. The numbers of people that they smuggled through the border was much less visible before 2020, though. Numerous evidence of the role of the two regimes have been documented. The weaponisation of migration by two dictators trying to re-legitimize themselves as potential partners in addressing this artificial crisis and trying to dilute the international agenda has been proved. The rhetoric saying “well, you accept all those Ukrainians. Why can’t you accept several

thousand people from other places?” was used by the oppressive regimes. They diluted the agenda prominently. Defamation of the three EU countries bordering Belarus which were extremely active in putting pressure on both the Lukashenka regime and Russia, and destabilising the internal situation in these three countries was also an important part of the agenda. This conflict was artificially manufactured and instrumentalised by the Kremlin and the Lukashenka regime to instil the simmering crisis at the border and to divert attention from the crimes committed by the two regimes against Ukraine and their own people.

What could have been done in the OSCE framework about that, if the organisation would not have been in crisis and too busy handling other things, asked Olga. The first option is self-invocation of the OSCE Moscow Mechanism by Poland, Lithuania or Latvia. They could have done that, because if you have an alleged crisis on your border, you may ask for a fact-finding mission. Usually, the Moscow Mechanism is being seen as a “nuclear option” that is actually invoked by states in respect of a human dimension crisis in another OSCE participating State. But there is a way to do it yourself in respect of the situation in your own country or on its borders, in order to seek assistance in obtaining and exposing information that you want to draw attention to, and to ask for further assistance. The second option would be the application of the OSCE Vienna Mechanism by other states, which could have approached Latvia, Lithuania, and Poland, asking them in the framework of this mechanism about what is happening and offering them help in good faith. They also could have had their monitoring mission introduced.

The discussion that followed the presentations was dedicated not only to the matrix, introduced by the first speakers, but also to roles the OSCE and civil society have or could have in addressing security concerns and related issues, thus setting the basis for the further sessions.

The discussion of the matrix was quite extensive. In particular, it revealed issues to consider for inclusion in its 2.0 version and, at the same time, gave food for thought on a larger range of issues. Participants noted that there should be a cell for international law in the matrix – in all senses, in the sense of respect for sovereignty and territorial integrity of states, in the sense of the UN charter norms on peace and security, and a bit more concretely on how to deal with conflicts between states in line with international law, and then even more specifically, refer to norms of international human rights law and international humanitarian law. This, as well as the situation of civil society in Russia and the situation on the occupied territories of Ukraine, will probably add a lot of red colour to the matrix, but it needs to be on the table. Other cells to possibly add to the matrix were mentioned: provisions of OSCE commitments adopted after the Helsinki Final Act because there are many commitments, particularly in the human dimension, that were developed in the 1990s and afterwards, taking the Helsinki principles further; challenges in the implementation of human rights commitments; a problem of hybrid warfare, including the weaponisation of migration; a block on justice and accountability for international crimes. Also, it was noted that the box of reaffirming the Helsinki principles and OSCE commitments should be put to a much more central place. Another voice was for human rights to be in the centre of the matrix and be seen as the basis of all security-related conversations.

It was commented that though the deterrence was marked blue in the matrix, it is definitely not blue. If it is not red, it should be at least orange. One of the problematic issues with it is that even under the previous U.S. administration, the existing level of deterrence against possible aggression was not enough to ensure security in the OSCE region. There were numerous instances when

Russia and its allies were testing it. When the deterrence became too weak, the annexation of Crimea and the takeover of Donbas became possible. Unfortunately, the full scale invasion in 2022 became possible too, because the deterrence continued to be insufficient. We have to admit that deterrence is not at the sufficient level and it definitely and should be worked on. Therefore, it should not be coloured blue in the matrix.

The problem of deterrence was raised by several participants outside of the context of the matrix. In addition to preventing conventional military attacks, it is important to address such malign interferences as hybrid warfare, but it is not the only thing that is needed. The management of inter-state relations is important, including clearly setting what can be accepted and what cannot be accepted.

While there is a chance that the “collective West” as we knew it does not exist anymore due to the policies of the Trump administration, the question is whether a third pole can be developed, called “Europe plus Canada”. If such a third pole is developed, then we can start talking seriously about effective deterrence.

Another issue noted in the context of deterrence was the importance of the OSCE’s role in quick monitoring or quick fact-finding missions. One of the biggest values of the OSCE used to be that it has the quickest ability to deploy such missions, if a decision is not stuck by the absence of consensus. But there are mechanisms that do not actually require consensus such as the Vienna and the Moscow mechanisms. It is especially important, since the evidence collected within the framework of such missions is accepted by the UN and other intergovernmental organisations.

One more important issue related to deterrence against an aggression is the absence of a mechanism of enforcement of OSCE commitments. They are “politically obliging” but not legally binding. Lack of enforcement and accountability mechanisms remains to be the biggest challenge to the implementation of the Helsinki principles. When a state blatantly violates the key Helsinki principles, such as sovereignty and territorial integrity of another state, it should face international accountability, and that is a key to making these principles really work at the time when states disagree and when there is a lack of trust. Bringing states to account is not what can be ensured in the OSCE framework, but it is part of a larger picture where findings and conclusions of OSCE monitoring missions and Moscow Mechanism reports can become a basis for actions outside the OSCE, including for bringing the violating states and their representatives to account, such as in international judicial bodies.

A participant pointed out that there is danger of naming any unresolved issue a “security dilemma”. This problem was raised in the context of the EU developing its military umbrella in the NATO framework but also on its own, given its growing differences with the U.S. One of the fundamental Helsinki principles was the idea of common, shared security. However, in the current political discussions about prospects of ending the war between Russia and Ukraine, the question of peace building and demilitarization as a goal is not included. There is too much talk about “victory”. This is risky because it blocks the way towards all forms of diplomacy and negotiations. This leaves us with a lot of open questions. The issue of peace building and demilitarization as an important goal should be added to the matrix.

On this background, it was noted by another participant that Russia's understanding of sovereign decisions by neighbouring states as encroaching on its own security indeed represents a classic security dilemma with no obvious route to overcome it. Another voice called for ensuring the right to adhere to any military alliance or economic-political union as an absolute right of every single state – with no “buts” or “ifs”, without any contraposition to other countries' rights for security.

The issue of the target audience of the matrix was also raised. It was commented that “track one actors” (policy makers and diplomats) would be the main recipients, but it should also target civil society to involve it in the conversations similar to the one happening at the seminar.

Several participants expressed joint understanding that bearing in mind that the OSCE is not a single body, and instead there are executive structures, autonomous institutions, programmes, field operations, participating States – a patchwork of different elements and actors, it is necessary to put forward some concrete outline, a road map towards sustainable peace as part of efforts to end the Russian aggression against Ukraine. Otherwise, there will be a ceasefire, but not a sustainable peace. In developing this outline, many things identified in the matrix will come very handy or absolutely necessary. This roadmap should indicate some concrete actors taking responsibility for particular actions, and building a separate international arrangement (within or outside the OSCE) serving as a negotiation place, for conflict mediation, resolution, and control over implementing an agreement could be a possible option.

The creators of the matrix, however, expressed their doubts in regard to the idea of a roadmap, because this process is so complex and the initial aim of the matrix was to allow people to get a common understanding of what issues are at stake here and what needs to be discussed. It is more about transparency than outlining a concrete way forward, because there are so many actors involved. At the same time, understanding of how different actors could interact, and that the OSCE can be, for example, a coordinating body here, binding together all these different elements, might be the most practical way forward for making the organisation relevant in the new security situation.

Speaking about the OSCE's role in sustaining security, it was suggested by a participant that there is a need in a new independent body (created by the OSCE, but independent) to deal with resolution of conflicts in the region. It should be an international court-like body with a charter and binding decisions for disputes inside the OSCE region. The establishment of such a body is necessary, because people do not “call the OSCE” because the OSCE is by definition powerless, with no legally binding obligations and no enforcement mechanisms. It has been made powerless because of the consensus mechanism which is abused by state parties in a conflict. Because of this, you can never use the OSCE as an effective body resolving conflicts between OSCE participating States. The court-like body with binding decisions may change this.

The OSCE conflict resolution toolbox was mentioned, elements of which could be used to deal with the situation in Ukraine, including an international operation to monitor cease fire. An opinion was voiced that the OSCE Special Monitoring Mission in Ukraine worked quite well until it was blocked by Russia after the start of the large-scale invasion. Although it did not stop the war, it was certainly the eyes and the ears of the international community in a very difficult situation.

On the other hand, it was stressed that in the OSCE, we need to prioritise and formulate what really the nature of the OSCE work in a peace process, conflict resolution or more broadly in the security field should be. Presently, there is no one who would be ultimately responsible for this sphere, but there is an array of different bodies and processes dealing with these issues, and they have not worked altogether, including the tools called “confidence and security building measures”. Practical impact of the conflict cycle toolbox on policies and actions of states is not clear. When states do not want to cooperate with OSCE bodies and utilise instruments from the toolbox, these instruments become useless. Mediation formats have not helped in Georgia, Nagorno Karabakh, and Moldova. After twenty years the Minsk Group, being the most visible mediation mechanism, collapsed. Meanwhile, the process of the Geneva discussions for South Caucasus on conflicts in Georgia is not moving forward. Therefore, when there is no progress in the security field on the level of political dialogue between states and the OSCE toolbox has very limited impact, we need to reconsider why exactly we need to preserve the OSCE as a platform for dialogue, understand what its main value in this current context is, and choose priorities.

Another aspect to consider is the OSCE’s monitoring role, such as ODHIR’s documentation of war crimes. Is it really something that the limited resources available should be spent on, bearing in mind that there is so much civil society documentation, the UN examination mechanisms, and the ICC investigations?

The definition of “states in between” was mentioned in the context of the question “why would you call the OSCE?”. The countries that are neither in NATO or Russia’s sphere of influence are often referred to under this definition. It was noted that Ukraine was an “in between” country, and if the trend in ceasefire negotiations continues like we see in Riyadh, every country between Russia and the United States may end up finding itself as a “state in between”. In this situation, the OSCE would be the best option to turn to for “conversations”. They are not going to take place in the NATO-Russia Council because Russia thinks that it is an uneven relationship, plus there are plenty of other countries with a stake in European security, which are not NATO members. That conversation cannot take part in the EU alone or some kind of EU-Russia forum. The most inclusive forum with the most relevant set of tools to deal with the conversations that need to be taking place is the OSCE. The CSBMs (confidence and security-building measures), measures of restraint, measures for dealing with incidents or accidents at sea or in the air are going to be needed. That is all in the OSCE toolbox. Activities of the President of Finland are very strong in terms of foreign policy; Alexander Stubb could play an increasingly important role, and this could reinforce the role of Finland as the state holding OSCE Chairpersonship in 2025. Switzerland and Malta were also mentioned as members of the OSCE Troika and states which have a non-aligned position. Based on this, the OSCE could become a place where contentious issues could be talked through.

Participants expressed different attitudes towards the use of the OSCE on the basis of “because nothing else exists or would be acceptable” argument. Some expressed negative attitude to this view, claiming that the OSCE should be used because it can be a platform of negotiating, implementing or controlling agreements achieved elsewhere. In this case, the framework of sovereignty of states, territorial integrity, the prohibition of the use of force for aggression, and the principle of cooperative security should be placed in the centre of the matrix, or permeating it in a different way, not just be one of a hundred cells. The other view in this discussion was that there is nothing bad in the OSCE being “the least bad solution” when nothing else worked.



Discussing the question of what is missing today in the OSCE and what is the role of civil society in its work in the security field, some participants noted that back in the 1980s and 90s, civil society was more visible, including in the OSCE. Helsinki committees in various countries were more active, people were marching in the streets, holding their governments accountable to the commitments they had made. Today there is almost no participation of civil society in OSCE discussions on security and civil society ideas in this field are not coming to the attention of participating States. There should be more to the role of civil society than simply monitoring the human dimension.

This problem, however was not caused by civil society disengagement, as was stressed by several other participants. The Civic Solidarity Platform (CSP), for example, since 2010 has been a constant and the biggest source of information from the ground and expertise for different OSCE independent institutions and actors as well as for many participating States. Its work in the OSCE has been quite efficient for 15 years. There is a stream of recommendations, some of which were implemented and some of which are still actual. The CSP has repeatedly tried to develop cooperation with think-tanks and academic circles involved in OSCE-related issues, including attempts to organise joint sessions at the parallel civil society conference some ten years ago. For some reason, the results were not satisfactory. The situation deteriorated to the point when, after the Covid-19 pandemic started in 2020 and the start of Russia's full-scale invasion into Ukraine in 2022, civil society's input in the OSCE has become less visible. This, however, does not mean that civil society ceased its activities in the OSCE framework, although the impact of the big war and the massive repression against civil society in Russia, Belarus, Azerbaijan and other countries, and the subsequent forced closure of many NGOs and emigration of many activists have taken its toll. The key problem is that OSCE institutions and representatives of participating States have become less receptive to civil society information and recommendations and less proactive in engaging with CSOs.

Moreover, civil society has been systematically blocked from participation in the first dimension activities and have been "ghettoized" to the third dimension. The CSP has been making efforts to break through this wall, but even when we have conversations with the CPC (Conflict Prevention Centre) or the HCNM (High Commissioner on National Minorities) or states or the OSCE Secretariat, it is all very quiet, non-public, at the demand of our interlocutors. This is a problem we need to address.

The Stockholm Declaration<sup>2</sup> produced by the CSP and presented at the 2021 Parallel Conference contains a detailed analysis on the role of civil society along the conflict cycle. Also, the Malta Declaration<sup>3</sup> of civil society that was presented just in December 2024, has paragraphs talking about prioritising OSCE work on ensuring comprehensive cooperative security. It is still necessary to develop a concrete plan on how civil society can more effectively contribute to the OSCE's work in the security field. The 50<sup>th</sup> anniversary of the Helsinki Final Act is a good opportunity to punch holes in the wall of the Hofburg at the commemorative conference in Helsinki in the end of July,

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<sup>2</sup> Stockholm Declaration on the Need to Critically Review and Strengthen the OSCE's Work on Conflicts to Strengthen Security, Protect Human Rights and Uphold the Helsinki Principles, 2021, [https://civicsolidarity.org/sites/default/files/stockholm\\_declaration.pdf](https://civicsolidarity.org/sites/default/files/stockholm_declaration.pdf)

<sup>3</sup> Malta Declaration: A stronger and reformed OSCE is needed to ensure its ability to implement its mission and effectively respond to the crisis threatening our comprehensive security. In "Outcome documents of the OSCE Parallel Civil Society Conference, Malta, 4 December 2024, pp. 2-32, [https://civicsolidarity.org/wp-content/uploads/2024/12/Outcome-documents\\_OSCE-Parallel-CS-Conference\\_2024\\_Malta\\_ENG\\_final.pdf](https://civicsolidarity.org/wp-content/uploads/2024/12/Outcome-documents_OSCE-Parallel-CS-Conference_2024_Malta_ENG_final.pdf)

and get civil society's views heard there by the leadership of the OSCE and participating States. It is especially important now when people in the OSCE do not have answers and there is no clear understanding of what to do in the current extremely complex security situation.

There was a suggestion during the seminar discussions to reconceptualise the very basic understanding of civil society within our reasoning on security and the role of civil society in the OSCE, bearing in mind the fact that many aspects of state administration has been outsourced these days. State's role in providing social security and social cohesion has been dramatically shifting because after the end of the Cold War, states have been reducing their role in building social stability and cohesion. That part of the void has been filled by civil society. Therefore, a methodologically smart upgrading of the role of civil society in the OSCE would contribute to making the organisation more effective in the sense of conflict prevention, resolution, peace-making and post-conflict rehabilitation.

Finally, part of the discussion was dedicated the understanding of peace. All participants agreed on the necessity to aim at attaining a sustainable peace after the end of the Russian aggression against Ukraine, as opposed to a ceasefire. There has been a lot of research recently on past peace agreements and peace processes and why they have worked and why not. A "liberal peace" is referred there, meaning a comprehensive approach that also the OSCE takes when approaching security. Now, there is a situation where this is no dominant prism anymore, but rather all values are being massively challenged for the sake of interests, not only by the likes of Russia and similar states, but also by double standards that some Western countries apply in different contexts. So, it is even more difficult today than it used to be.

In this situation, stressed some participants, while the quality of the achieved peace is important, it is also important not to overload peace processes by too many conditions and "small things", because if you do that, they may distract you from the main goal of the negotiation process (or processes, as it was repeated several times, since there should be several such processes and their subjects). As a result, you may get side-tracked and not reach an agreement, and then nothing gets implemented properly in the end. Of course, this does not mean that you forget about all the elements that would lead to a sustainable peace or to a comprehensive approach to security.

There was a comment that peace should not only be sustainable but also just (which was not reflected in the matrix). Without justice, there will be no compensation, no reparation, no justice to the victims of the aggression and war crimes, on the one hand, and there will be lack of accountability and continued impunity. From civil society work and historical process, we know that impunity breeds new crimes, new aggression, and therefore there is limited preventive value of such peace arrangements that lack the justice component. The joint understanding was developed by the seminar participants that sustainable peace must be also just. Otherwise, it is not sustainable.

It was noted by some participants that although the link between security and human rights/justice is undeniable, the narrative among states in the short term is going be "peace through strength". Therefore, there will be a focus primarily on deterrence and military tools of conflict prevention. It would be ideal to have a sustainable and just peace, but instead we may well have a messy peace in Ukraine and Europe, and that is something that we have to deal with and try to push for at least some elements of sustainable and just peace along with "peace through strength".

**The second session was devoted to OSCE conflict prevention mechanisms and communication between participating states, OSCE bodies and civil society.**

Going deeper into the work of the OSCE in the field of conflict prevention, early warning and early action, Alexandra Pfefferle (the Conflict Prevention Centre and the Mediation Support Team, CPC) started with admitting that the war in Ukraine has seriously challenged the OSCE's core commitments and has raised questions about Europe's security order and the OSCE's role in maintaining this security order. The risk of other conflicts in Europe is high. Nevertheless, there is the OSCE toolbox to prevent conflict. These tools are used in the field and remain very valuable and appreciated, especially by the people on the ground.

The CPC, which is a part of the OSCE Secretariat in Vienna, supports political dialogue between participating states. It is part of the first dimension, the political and military dimension of the OSCE. But that doesn't mean that it does not work on other dimensions, including the third dimension, addressing human security concerns. It takes these concerns into account as part of its early warning function. The CPC provides policy advice to participating States, the Chairperson-in-Office and Secretary General, supports them with planning and analysis. It provides operational support. There is also a section in CPC that looks into monitoring and evaluation of the operational support. The CPC acts as the OSCE's early warning focal point and a mediation focal point. All the relevant information is actually gathered at the CPC.

The OSCE toolbox includes tools for different phases of what is called the conflict cycle, from early warning, to early action, to crisis management, then into post conflict rehabilitation and peace building, with the understanding it is a circle and it will feed again into the early warning aspect. The tools have evolved over time. New tools were added as the organisation was able to come up with new decisions on this topic.

This goes back to the Helsinki Final Act that provided the CPC with the basis for its work. MC decision 3/11 from 2011 on the elements of the conflict cycle further strengthened the OSCE's mandate on early warning, early action, and conflict prevention at large. It is also that decision from 2011 that mandated the Secretary General (SG) with an early warning mandate. Since then, there have been three formal early warning interventions by the SG. But SG can also provide more informal early warnings, and there have been several of these.

Zooming into concrete tools, Alexandra mentioned a network of early warning focal points in different field operations that report on the development on the grounds. They do so in interaction with civil society. Some of the field operations have monitoring units, others do not, but they also provide feedback to the Secretariat. This feedback it is considered when policy advice is prepared for Secretary General, the Director of the Conflict Prevention Centre, the OSCE Chair, and participating States. This information also feeds into CPC early warning assessment. With this information, if there is an understanding that a situation is developing in an alarming way, the CPC would not necessarily go and issue immediately a formal warning. There are more informal ways to bring it up in bilateral meetings with concerned participating States. Or, indirectly, the CPC would note that it was increasingly concerned about the developments in a certain country or region. These kind of framing are presented in the Permanent Council, to the point when the SG would speak a formal early warning. The latest when this happened was just before the invasion in Ukraine in 2022. Two other instances were in 2018 with the Russian activities in the Sea of Azov,

and in 2012 with the announcement of the flights via the Nagorno Karabakh airport. The Secretary General is not the only one that can present an early warning. There is also the High Commissioner on National Minorities that can do so as well, but he does it mostly through quiet diplomacy.

Apart from the early warning focal point network that the CPC has, there is the situational room that monitors the situation 24/7. It monitors all the news articles and all public information.

There is a space for civil society participation and contribution, both in early warning and in early action, and it is welcomed, Alexandra commented. In many ways, the information that the CPC gets from field operations on the ground is received through local interaction with civil society. This is not always featured in CPC reporting, though.

Moving over to early action, mediation and dialogue facilitation are the tools that the CPC has for conflict prevention and crisis management. Under conflict prevention, early conflict prevention is meant to address the first symptoms, when emerging conflict and first triggers are seen. The post-conflict rehabilitation phase includes building up of institutional structures to deal with conflict in a peaceful way. The CPC always refers to the conflict cycle as a conceptual framework for sustainable conflict prevention. Mediation and dialogue facilitation cut across that understanding of conflict prevention.

There are currently two formal negotiation processes in the OSCE that deal with conflicts in the OSCE area – the Transnistrian settlement process and the Geneva International Discussions on the conflicts in Georgia. These are the only two formats that are still left. There was the Trilateral Contact Group that dealt with the conflict in Ukraine that was discontinued with the start of the large-scale invasion in 2022, and the OSCE Minsk Group that dealt with the conflict between Armenia and Azerbaijan over Nagorno Karabakh, which is not active anymore. This is track one high-level mediation. Discontinuation of the previously existing processes reflects very well the current reality of shrinking mediation space. It is rare today that there is a comprehensive, inclusive process. There is little space at the table, and civil society is rarely included in these processes.

Increasing fragmentation of mediation processes is obvious as well. With fragmentation, you see negotiations now dealing with a ceasefire rather than looking at the broader political spectrum and addressing other questions such as power sharing, resource sharing, addressing human security concerns, etc. At the same time, there is still a lot of work being done at the track two and at the track three levels on dialogue facilitation among communities on the ground, between communities and national institutions, both within a country but also across borders. This is why last year, the CPC started mapping the OSCE's engagement and dialogue facilitation processes on the ground. The CPC looked at all OSCE structures to understand what are the kind of dialogues that are being facilitated; what kind of results are seen; what is the logic of interventions; what is the theory of change there; how are they connected to broader political engagements; if there is a formal process, are these processes on the ground connected to the formal process; and where there is no formal processes, should the processes on the ground be at some point leading to a formal process; what specifically can they contribute to, etc. The CPC mapped over 120 activities during the period of four years, 2020 to 2023, and saw that there is very rich engagement. The OSCE facilitates dialogues on a variety of issues, be it water management, resource management, democracy building, the rights of minorities, etc. Really plenty of issues with a number of different

stakeholders, from communities to the mayor, to security forces, to private actors, up to the higher political level.

There is a large range of different actors the CPC engages with, and at different levels. The field operations are very much at the forefront of this work. There are areas, like South Caucasus, where the OSCE does not have field operations, but supports civil society organisations. This includes the facilitation of dialogues on different topics of shared concern, which can also serve as confidence building measures and trust building.

Different types of dialogues are facilitated by the OSCE. The most prominent type, according to Alexandra, is the relationship and trust-building type of dialogue, where the CPC would bring communities and people from different conflicting background together. These can be different religious communities, ethnic communities, youth or women from different background, or people from across boundary lines, with an ultimate aim to foster the relationship between these groups, to allow them to share their perspectives, to ultimately work towards a better understanding, a mutual understanding, and then build trust.

Another type of dialogue is to focus on addressing issues. Often, when field operations monitor the situation on the ground, they are confronted with some kind of issues that are often symptoms of a larger issue. The CPC would be approached to facilitate the identification of a solution for that specific problem. Often it is not clear cut. You can address an issue, while at the same time contributing to fostering relationship and trust building.

In order to increase the effectiveness of the OSCE's engagement in dialogue facilitation, the organisation would benefit from a more strategic and cross-dimensional approach. Some of the field operations are already working towards that goal. The mission in Kosovo, for instance, is now engaging into developing a mission-wide strategy on how to use dialogue as a tool to implement its mandate. The mission in Bosnia has set up an internal dialogue advisory group to support specific dialogue processes that they are engaged in. But these are small steps.

Speaking about civil society engagement, there is an operational cooperation between the CPC and civil society at the level of field operations, as implementing partner or collaborators. The CPC also keeps civil society informed about its work. In the framework of the Geneva International Discussions (one of the two mediation formats that still exist), the OSCE Special Representative would travel to the region to hold consultations before every round of discussions that happen in Geneva. As part of these consultations, the Special Representative consults with civil society organisations to take up their perspectives into the discussions. That is done, because there has not been any actual seat for civil society at the table in Geneva. This is not because the CPC does not want to see civil society at the table, but because it has been established that way. The participants to the discussions have been very resistant to direct participation of civil society.

While it is important that the CPC is actively involved in these consultations, it is possible to do more. It is important to discuss, Alexandra stressed, what would participants of the seminar advise to do to ensure, that even if civil society is not sitting at the table, its expertise and perspectives are on the table and feed into the discussion. And then the other way around, it would be very helpful to have your recommendation on how the CPC could make sure that the discussions are feeding back to civil society and to the communities on the ground.

Answering participants' questions, Alexandra noted that participating States have evoked the Moscow Mechanism several times in the case of Ukraine and also in the case of Georgia. Rapporteurs came up with reports with good concrete recommendations. But, unfortunately, there is no enforcement and accountability mechanisms. There is no willingness to implement these recommendations at the current stage.

On the use of lessons learned, Alexandra noted that there is a debriefing of mediators once they finish their assignment, notes from which are included in guidance updates or are fed in when a new Special Representative is appointed. It is difficult to do this in an open space for processes that are so much politicized, and when nobody actually wants even to look at them critically, because that could mean the end of such a process.

Alexandra supported understanding that there is a need to have a more structured exchange on a more regular basis between civil society organisations and the Conflict Prevention Centre and reflect this in the seminar recommendations. She confirmed the CPC doors are open for civil society. She pointed to her colleagues at the geographic desks that are happy to hear from civil society organisations if they are interested in being consulted, if they have information to share, or want to be added to the CPC list of partners that it regularly consults with. Your help in broadening a list of contacts would be greatly appreciated, she concluded.

Proceedings moved to presentation of several case studies, a representative of Truth Hounds (Ukraine) shared her experience of conflict identification. She highlighted that each conflict has its specifics, and these specifics are mirrored in the conflict resolution models. Therefore, you cannot produce a unique general tool. She referred to a quote from the EU conflict early warning system, which provides for utilization of structured indicators, such as political instability, social fragmentation, media manipulation, etc. There is a bunch of indicators and different variations of them. Usually, the rule of law is part of it. Civil liberties and democratic rights also are an important indicator. But, as has been mentioned, there are different conflicts and different triggers. In the situation of the large-scale invasion of Ukraine, the main early warning indicator was not even the military troops build-up across the border from Ukraine. It was the fact that mobile blood banks in extensive quantities were brought to the area.

Serious problems in the existence and functioning of civil society in a participating State is also an indicator that may show that something wrong is happening in the country as regards the implementation of the Helsinki principles and that it may be part of a process leading to a security breach. That is why one of recommendations on ensuring comprehensive security and preventing conflicts should be strengthening civil society and reaffirming the values it has as a group.

Conflict prevention and mediation depend on political will. Deterrence, dialogue and negotiation models work only if we are operating within a civilized framework and believe in international law, which is based on the notion that we all mutually respect each other, that we unite in the face of aggression. Unfortunately, the reality proves to be different. Supranational organisations and agreements can help us only to a certain extent. What we still can do is to introduce some sort of "checks and balances" mechanisms, at least at regional level. This, however, requires lots of political momentum.

Possibility to meet at seminars like the one we have today, she stressed, is important until we have trust in these forms of cooperation. Such events have input, at least at the level of societies, which are represented here. It is vital for countries in conflict to know that they are not left alone face-to-face with the aggressor, that the world actually has something to say and is ready to defend shared values. To defend them effectively we, however, need to have a sustainable channel of cooperation between civil society and OSCE bodies including the Conflict Prevention Centre and the High Commissioner on National Minorities.

Another recommendation by her was to include representatives from women's organisations, youth and minorities groups into civil society communication with the OSCE. These organisations are usually the first who feel consequences if something goes wrong in a conflict situation.

It is important to support monitoring missions, including by civil society. Their work is vital for the establishment and functioning of accountability mechanisms as they assess and document developments on the ground, collect and verify information.

Civil society has to work on combating propaganda. It is important to invest in education of members of broad society, explaining the impact of propagandistic and disinformation narratives to them, promoting critical thinking and media literacy, and fostering community dialogue.

Realisation of all these ideas is, of course, possible only in case necessary funding for this work is secured. We have to advocate for enough resources to be able to actually implement all of these recommendations. Appointment by the OSCE CiO of a Special Representative on civil society knowledgeable of the challenges civil society faces today should be helpful.

Medea Turashvili (Movement of Social Democracy, Georgia) shared a Georgian perspective. She noted that from the very beginning of conflicts in Georgia, there has been an extensive international engagement. Various Georgian government chose to collaborate with different governmental, international and civil society actors in order to avoid staying alone vis-a-vis Russia. There was a vision that it is necessary to have the OSCE, the EU, the UN, other strategic partners to counterbalance the Russian dominance. However, after achieving the ceasefire, it was not possible to hold Russia accountable for violations of that ceasefire. Basically, although Russia committed to withdraw troops in accordance with the cease fire agreement, it has failed to do it. It has prevented EU monitoring mission to access occupied territories regardless of its initial commitment. There were security incidents, including killings committed by Russian troops or de facto authorities/troops under Russian effective control, for which nobody has been held accountable. Therefore, for many in Georgia mediation and international engagement is not delivering up to the expectations that local people have.

Conflict prevention should not be reduced to some technicalities, to simply using the toolbox. Conflict prevention should be based on a political commitment by states and collaboration of states. We do not have that, and that is why we are witnessing quite a lot of wars and security violations. In this context, when there is no political commitment to peace and security, the OSCE should start thinking about leverage – which it does not have at the moment, and cultivate this leverage.

The track two and track three processes and the OSCE engagement in them raise the question: why, bearing in mind that there are so many international NGOs doing track two and track three processes, the OSCE competes with those NGOs on the ground? What small fragile states that are neighbouring Russia are really looking for is a high-level political support and engagement, high-level political commitment from partners in order to not leave these countries alone amidst security threats and risks.

Medea shared a critical look at the role of the OSCE in the current situation. Unless it is reorganised or remodelled, it is going to lose whatever leverage it still has. It is already losing credibility and has limited expertise on the ground. Maybe the OSCE's comparative advantage is to work on the intra-state level, not the inter-state level, but the intra-state level requires that it more actively supports reforms in the countries and brings expertise on different dimensions of security. Unfortunately, at the moment, there is not much role for the OSCE when it comes to the kind of bigger security questions, like the war between Russia and Ukraine.

When it comes to the role of civil society in conflict resolution, peace building and decision-making in general in the OSCE region, we see that it is shrinking. We saw exodus of civil society from Russia, and the ones who remained are forced to be completely silent. The same picture is in Belarus. Now, a law on "foreign influence" was adopted in Georgia, which is putting civil society under increasing risks and attacks. If we continue this way, there will be no civil society to engage with at the OSCE level. This needs to be kept in mind. In these circumstances, international solidarity of civic groups, social movements, push from below by civil society groups towards their governments and multilateral organisations is really important, and this is something that we should invest our time and energy in.

Nazeli Movsesyan (Helsinki Citizen Assembly of Vanadzor, Armenia) started her case-study with a brief retrospective of the events around the Nagorno Karabakh conflict. She noted that there was international consensus that the dispute should be settled peacefully in the framework of OSCE principles, UN principles of the non-use of force, respect for territorial integrity, equal rights and self-determination of peoples, which was enshrined in both the UN Charter and the Helsinki Final Act. Nevertheless, there were constant violations of ceasefire agreement of 1994 followed by negotiations and periodic clashes with over a hundred deaths. Over the years, the OSCE Minsk Group had various peace proposals, including the Madrid principles in 2007, which called for territorial concessions and self-determination. In 2020, the aggressive war was unleashed by Azerbaijan causing thousands of deaths and people leaving their homes, because parts of Nagorno Karabakh went under the control of Azerbaijan. The OSCE was calling for peace, but its actions and its possibilities were limited. In 2021, Azerbaijan questioned the productivity of the Minsk Group and required that it be dissolved, claiming that the OSCE had completely failed in resolving the Armenia-Azerbaijan conflict and that the "Karabakh issue" has already been solved. Later, in 2022, Russia also promoted this idea on the level of its Ministry of Foreign Affairs, stating that the Minsk Group mandate within the framework of the Nagorno-Karabakh settlement has lost its relevance.

Speaking about early warning indicators, Nazeli referred the case of the blockade of the Lachin Corridor, the main path from Nagorno Karabakh to Armenia. It was blocked in 2022, and during nine month people were deprived of any possibility of medical care, any life sustaining items, anything. There was a lack of food, the gas pipelines and electricity access were damaged, and



people were starving and freezing. The international support was not enough and was not relevant at this stage of the conflict, which also later led to 2023 enforced displacement and ethnic cleansing of the Armenian population of Karabakh. Civil society organisations were holding a fact-finding mission and documented a lot of cases of human rights violations. Again, there was a limited international intervention. The OSCE applied some preventive diplomacy to mitigate the tensions, however, the lack of effective mediation mechanisms and limited enforcement of international agreements have weakened the trust between the parties. Confidence-building measures, such as third-party monitoring, peacekeeping deployment, and dialogue facilitation were hindered by ongoing hostilities. There should be more effective communication with state actors and international organisations. The OSCE role in mediation between Armenia and Azerbaijan should be enlarged and made more effective.

Olga Manole (Promo-LEX, Moldova) started her intervention citing a description of the OSCE mission mandate in the Republic of Moldova, which states that it was established “to facilitate a comprehensive and sustainable political settlement of the Transnistrian conflict in all its aspects, strengthening the independence, sovereignty and territorial integrity of the Republic of Moldova within its internationally recognised borders, with a special status for Transdnjestria”, and then in bold: “fully guaranteeing the human, political, economic, and social rights of the population”. Ironically, this bold part was never a priority since the OSCE mission was established in the Republic of Moldova. At the beginning, when in 2004 there was a crisis with schools teaching in Latin script in the Transnistrian region, the OSCE Mission intervened very promptly and assisted the schools. They helped to decrease the tension, and did not allow the conflict to escalate again. Later, however, the OSCE mission limited itself and totally excluded the human rights perspective from the dialogue and negotiations and focused only on the political aspects of the settlement. Meanwhile, the first warning signs in the region were the massive human rights violations, total impunity for these violations, and total disregard for human rights aspects in the political negotiations to settle the Transnistrian conflict. Promo-LEX submitted over 100 cases to the European Court of Human Rights and has won, so far, 50 of them. Only one ECtHR decision has been enforced, because it involved a Russian peacekeeper. All the others were declared by Russia to be political cases.

For many years the Moldovan government excludes human rights from negotiations agenda. Many years have passed, and the human rights situation has worsened. During the past four-five years, especially since the pandemic started, and then the war in Ukraine, Transnistrian authorities found every single possible reason to not only commit human rights violations, but make them a law in the region. There is not a single human right that has not been violated. In 2023, the European Court for Human Rights concluded that the Transnistrian justice system cannot be considered a valid one. And now, for the first time, when the gas crisis occurred in the Transnistrian region because Ukraine stopped the transit, the European Union and Moldovan government finally conditioned their assistance by progress in human rights, including the release of political prisoners from the region and the observance of the rights of particular groups.

It is crucial to convince all the parties to negotiations to stress and emphasize the importance of respecting human rights during these negotiations, because you can may restrict certain rights, in certain circumstances for a month or two, but it has been over thirty years since the beginning of the conflict. It is human lives, it is entire lifetime, you cannot put aside and suspend the observance of human rights for so long. Violation of human rights should be an early warning for everyone.

Every single support and technical assistance and funding, including trust building measures that the OSCE, the UN, and the European Union have been implementing, should be focused much more on human rights issues.

Case-study by Stefan Melle (Dialogue Office for Civil Society Cooperation, Austria) focused on the experiences of “Civil M Plus” international coalition, which united about 60 organisations and experts from Ukraine, Russia and many other European countries in order to help Ukraine to get back its territories of Donetsk and Luhansk regions in a peaceful way. The idea was to try to organise a civil societies rooted multilateral process in parallel to the official Minsk-based Trilateral Group which later moved from Minsk because it became impossible to continue its functioning in Belarus. A “Normandy” format of four countries and their governments was also created, with Russia, Ukraine, Germany, and France.

The “Civil M Plus” coalition’s work started with a seminar in 2017 in Warsaw with support of the OSCE ODIHR, focusing on how to strengthen civil society involvement in the resolution of this conflict and make its impact more visible. The information flow was quite good; there was readiness on part of the OSCE to work with the coalition and to see it more as a potential track of mediation and interconnecting people from the occupied regions with neighbouring Ukrainians.

However, we also saw the weakness of at least some aspects of the OSCE Special Monitoring Mission in Ukraine. They did a lot, they were really present. At the same time, although the information they published every day was public, it was not seen enough. It was not of much interest for political actors because it was massive and too detailed. Also, the information had to be confirmed by all sides. If there was a shot from the Russia-occupied territories, the Russians should have agreed that “this was us”. Often, they did not agree. And so, the wording in the report would change to “there was some shooting”. Early warning cannot work in such circumstances.

The decisive question of political will was already mentioned today. People working every day on security in Ukraine felt very soon that there wasn’t any political will from the Russian side and from the side of their proxies in the so-called Luhansk People’s Republic and Donetsk People’s Republic to overcome the separation of these territories from Ukraine. They did not open the checkpoint in Shchastye but continued blocking it for two years, although it was repaired by the OSCE and the international community and was ready for re-opening. The Russian side wanted people with Russian passports stationed there and distributed Russian citizenship amongst population of both regions. They were preparing a full-scale invasion, and it was becoming quite obvious. These observations were included in the monitoring reports of the CivilMplus coalition and the information it was sending to the OSCE and other political actors, including the EU and the MFAs of Germany and France.

The core question was what can be done by the OSCE and its participating States, when one of the biggest participating States would not stick to the common rules. This question has been raised several times today. It was the question of enforcement. It remains to be central.

Another important point, noted by Stefan Melle, is that democratic actors and human rights defenders cannot allow decriminalising Vladimir Putin and his aggressive and repressive regime. They cannot allow decriminalising of war crimes and other atrocities.

There was one attempt in the OSCE framework to find a way out from the deadlock of impunity: it was invocation of the Moscow Mechanism in respect of the situation in Belarus and afterwards establishment of a coalition of like-minded states in support of the creation of an International Accountability Platform for Belarus (IAPB), which is coordinated by the Danish NGO “Dignity” with participation of Belarusian and other international NGOs and stakeholders. Documentation collected in the Moscow Mechanism report and by the IAPB should be used in an official investigation by the International Criminal Court and national law enforcement bodies of various states, applying the universal jurisdiction principle. The ICC investigation has not been launched yet in the case of Belarus, despite the fact that Lithuania submitted a referral to the ICC Prosecutor in September 2024, requesting the Court “to investigate all past, ongoing and future crimes within the Court’s jurisdiction, including as referred, as committed in the territory of the Republic of Belarus, and partly on the territory of Lithuania, since at least 1 May 2020”. This model could become a form of acting in the upcoming years – to create, use and support informal coalitions of states and civil society groups who would stick to the Helsinki principles and look for practical solutions in this framework.

One more important question asked today concerns security guarantees for states: Is it really a claim only for big countries? No, it should be the same for all countries, including the smaller ones. We should not give this privilege solely to the biggest countries, like Russia and the U.S., which now seem to claim it and thereby insist on inequality in international relations in their favour. We cannot and should not accept it, but defend international law and the Helsinki principles.

We also should not give a single participating state the possibility to block the work of the whole OSCE, for instance, by abusing the consensus mechanism in decisions on the budget and events. If this happens, that would mean that other states should volunteer additional financial contribution in order to overcome the gaps. In this regard, we could consider the OSCE without the countries blocking its work for longer and/or repeatedly.

The session’s subsequent discussion was focused on several issues. One of the main issues raised was the need for the establishment of a sustainable contact between the CPC and civil society and development of a communication protocol. Participants suggested the CPC could share templates and a set of basic early warning indicators, mentioned earlier by Alexandra, to give civil society organisations an idea of requirements and a format of information which would be the most suitable for the use by the CPC. Trainings on the indicators, where the CPC explain civil society what is important and what is less important would be also beneficial for both sides.

As long as the collection of a lot of early warning signs is happening at the level of field missions, early warning focal points, and the situation room in the CPC, the practical question is whom civil society groups could pass information on, especially if there is no field mission in the country. An example of a solution at the ODIHR was referred to. The ODIHR Tolerance and Non-discrimination Department has a website where they collect information for their reports on hate crimes, and this website has a customer schedule and a template for reporting by NGOs, making the process of submitting information for ODIHR reports structured. Maybe it could be interesting and useful for the CPC and also for HCNM and RFoM to have such a website, where NGOs could upload information – of course encrypted with all the necessary protections.

It was mentioned that the notion of a human dimension crisis should actually be used as a kind of a baseline for conflict prevention, because the protection of civil society space itself is actually a matter of conflict prevention. From there came a recommendation of strengthening the mandate of the Special Representative on Civil Society and making sure it does not just exist from Chair to Chair, starting each time from scratch, but actually has a more established and continuous role within the OSCE. Moreover, in the context of the theme of the present seminar, the Special Representative should also to be involved in the conflict resolution work, looking at protection of civic space as part of conflict prevention.

Speaking about the experience of civil society involvement in mediation and negotiation processes, it was commented that in addition to consultations of Special Representatives with civil society ahead of official round of talks, a debriefing by the Special Representative after the talks with those NGOs who had been consulted before the talks would be beneficial.

As for the consultations themselves, the lack of transparency in this process was underlined. It is not clear how civil society interlocutors are selected for consultations, is there any kind of a database of NGOs that are the CPC's trusted contacts and is there an opportunity for civil society organisations to proactively come forward and request to be involved in such consultation processes.

**The third session was aimed at covering issues related to disinformation, propaganda, and hate speech as threats to security and a tool for justifying and escalating conflicts, approaches by the OSCE to these issues, and a role of civil society in addressing the problem.**

Bettina Ruigies (Office of the OSCE Representative on Freedom of the Media) started her presentation with underlining that the RFoM is an independent institution in the OSCE and does not have to always follow what other OSCE actors do, but of course, always tries to be in line with them. The mandate of the RFoM is to look into the situation in 57 participating States, study how they follow their commitments to respect media freedom, and assist them in implementing the commitments. Her personal observation is that there is often a sense of nostalgia for how the RFoM worked in the 1990s, when its mandate was set up and participating States were more visibly engaged and tried to follow the recommendations made. While the context and challenges have significantly evolved over time, the RFoM remains highly active using its unique mandate to engage directly with participating States. The main difference between activists and the RFoM is that the RFoM has the mandate to speak to participating States, who should respond. This makes the mandate very unique. Through tools like social media, the RFoM frequently highlights violations, calls for action, and provides guidance, demonstrating its ongoing commitment to media freedom across the OSCE region. Over time, the RFoM has remained essential in addressing media freedom issues, adapting to modern challenges and using its mandate to address violations, call for action and promote media freedom through direct engagement with states.

Disinformation, propaganda and hate speech have long been the focus of the RFoM's work. For example, six roundtables with media experts have been held to foster an active discussion on this issue. She has noted a significant change in the way this issue has been addressed after February 2022, as states started to give greater priority to security challenges. Several initiatives have been undertaken by participating States, including measures such as blocking websites or revoking licences of foreign media outlets to counter propaganda. In addition, new laws such as "foreign

agent” regulations, sovereignty acts, and others have been introduced or considered. While these initiatives are often justified as necessary for national security, they can also have an impact on what are, in her view, restrictions on media freedom. The RFoM is now exploring strategies to ensure that media freedom remains one of the key elements, whatever legitimate actions states are taking to combat propaganda and disinformation.

The RFoM has a well-established capacity to bring together media experts and a consistent practice of consulting with civil society. Currently, the office is working on bringing in stakeholders from the security and military sectors as well as from the interior ministries to collaborate and to raise awareness to incorporate media freedom considerations when implementing new security measures. The RFoM office recently joined efforts with OSCE colleagues from the security sector governance reform to jointly implement these activities and discuss how to address the issue. This is a trust building exercise, because we see that the rapidly changing environment requires that we quickly adapt and proactively engage with stakeholders from different sectors.

It is essential to keep media freedom included in the dialogue on security. It has been the key mission and the motto of the previous Representative, who stated that “there can be no security without media freedom”. This issue has been addressed through various initiatives, including publications on disinformation. But we also have projects that deal with, for instance, online violence. Female journalists know very well from their own work and experience that they face special harassment and hate speech. It can be also applied to female human rights activists. RFoM has published guidelines addressing these challenges.

Bettina stressed that the role of social media in spreading harmful disinformation is significant. The RFoM has been on the forefront of initiating project initiatives and dialogues with human rights activists, media experts, but also online platforms, to discuss challenges faced by big tech firms, which often amplify sensational news (that can contain harmful disinformation) to more relevant news. This has been an ongoing discussion for many years, and there are meetings with well-informed experts. From these discussions the RFoM, in turn, develops recommendations, guidelines for participating States to consider. The benefit for civil society organisations is that many of the RFoM’s publications can be helpful not only for states and the media but also for NGOs to justify their activities with an argument that “this has been also stated by the media freedom mandate holder”.

Answering a question about self-regulation in the media, Bettina referred to a program in Ukraine that was launched in response to the dissemination of distressing information about war crimes and disinformation. It is amazing to see how media professionals actively discuss how they can improve their work and how they continue applying self-regulation mechanisms when covering such atrocities. Journalists are really trying hard to build trust among their audiences by adhering self-regulatory standards.

Andrei Richter (Comenius University, Slovakia) started his presentation by stressing that international law does not ban disinformation as such. The Helsinki key principles do not generally speak about disinformation and propaganda.

In the 1990s, propaganda was not a big issue. Everything changed in 2014 with the Russian annexation of Crimea and invasion into Donbas, also inside the OSCE. One of the biggest concerns

for freedom of the media has become the danger of propaganda in the media, especially propaganda for war, because it was clear, at least for the OSCE, that the conflict in Ukraine can easily become a full-scale war. Russian state propaganda in 2014, and further on, was a big detrimental factor for freedom of the media, not only in Russia, because it reached several countries. And it was accompanied within Russia by wiping out all independent media to make propaganda work more successfully. There were some attempts to counter disinformation and propaganda from the very beginning, mostly by national organisations or national self-regulating bodies. One of the landmark decisions was one of the media self-regulation board in Russia in 2014 on a programme on state television, which not only condemned propaganda against Ukraine on state television, but also made a distinction between journalism and propaganda with a list of very clear criteria, and basically concluded then, in 2014, and also once or twice after that, in similar cases, that propaganda has nothing to do with journalism.

Three different Representatives on Freedom of the Media Andrei worked with, had three very distinct approaches to the problem of disinformation and propaganda. In 2014, under the first one out of the three, it was decided to provide the participating States with a review document that would allow them to draft their common or national policies in relation to the growing threat of propaganda for war and hatred. It has become clear for many that it is a very important development for freedom of the media and for security in the OSCE region. The publication issued by RFoM office was called “non-paper” because a “non-paper” is a diplomatic term which allows one state to present another state with considerations. The other state may take them into account or may ignore. So, that was a non-paper from the Representative on Freedom of the Media to all participating States. It was followed by a major expert meeting in 2016, where all the key experts on propaganda came together.

There is no state which says “we are for propaganda for war”, “we are for propaganda of hatred”. Everybody agrees that it is negative, at least for security, but also for freedom of the media. So, the idea at the time of that Representative was to facilitate adopting a decision of the Ministerial Council of the OSCE. That effort was blocked because an MC decision needs a consensus. Two participating States said “no”. Then Lithuania opted for another tactic by saying: let’s have a decision which does not demand consensus, and that will be the OSCE Parliamentary Assembly decision, which would at least have some force, not as much as Ministerial Council decision, but it will clearly say what we condemn and what we support. This plan, however, failed as well. The biggest output of all that activity was a joint declaration of the RFoM and other international Rapporteurs on freedom of the media – the UN, the African Union and the Organization of American States, which was called “On fake news and freedom of expression”, which was signed by them in 2017. It is probably today one of the most cited texts in regard of this topic.

The second RFoM changed the policy. Originally it was planned that we would produce a non-paper again, but on a more narrow topic “Disinformation and freedom of the media”. The non-paper was written, but following the pressure on the Representative from the certain delegations, it was never published. A couple of years later, in 2019, a document called “International Standards and Comparative National Approaches to Countering Disinformation” was suddenly and quietly released on the website of the RFoM. That was an analysis provided upon request of the Russian Federation (sic!). Neither the Russian Federation nor any other country reacted to it, although the Russian Federation replied that “we will study it”.

Then the third Representative came, and instead of the non-paper which of course becomes old with each year, it was decided to have a series of expert roundtables, so that participating States learn about most topical problems with disinformation. Six roundtables were conducted. The topics were: elections and disinformation, media self-regulation and disinformation, artificial intelligence and disinformation, international standards and disinformation, public service media and disinformation. Materials of these roundtables, however, are not easy to find on RFoM webpage today, and the topic is no more a priority.

Today, others organisations do a lot work on disinformation and security, and the leader is the EU, which, since 2015, provides important documents, parliamentary decisions, policy papers and legal acts, starting with the Digital Services Act, which addresses the problem of disinformation in the online platforms. A couple of years ago, the EU coined a very important political term for this discussion – FIMI (Foreign Interference and Manipulating Information), which is a nice way to avoid considering disinformation, propaganda and everything in the context of free speech and freedom of the media. We are talking about countering manipulation which supposedly has nothing to do with human rights.

At the same time, another important act was adopted by the EU last year, the European Media Freedom Act, which will be enforced directly in the EU member states in August 2025. It is as much about disinformation and propaganda as it is about freedom of the media, despite the name. It makes a very important distinction between three types of the media. One is “quality media services”, second is “rogue media services” or bad media services, and the third – everyone else. This act promises everyone inside the EU freedom to access quality media services. It also says that states and the EU should take measures to protect European market from rogue media services. Rogue media services are defined as foreign to EU media services, which are state-owned or state-controlled and which act in opposition to the standards adopted for the quality media services. Quality media services, in their turn, are defined as those that have independent editorial policy with due respect of owners. No state ownership. Media self-regulation and media standards are followed by the editorial offices.

The Council of Europe earlier adopted a soft decision – recommendation to support quality journalism in the CoE member states. In this recommendation it attempts to define what are the quality media because the word “quality” itself does not say much to anybody. It looks like the future policies on disinformation, propaganda and hate speech will also take more and more into account the issues of the professional standards of journalism, irrespective of whether the journalism is in traditional media, in the modern media, or in the future media.

Presentation of Anton Shekhovtsov (Centre for Democratic Integrity, Austria) was devoted to the research of the Centre on propaganda, disinformation and hate speech concerning Ukraine in contemporary Russia. One of the premises of the research was a response to some observations in Russia and outside of the country, asserting that Russia’s invasion of Ukraine was prompted by Moscow’s national security concerns over the enlargement of NATO. Meanwhile, these Moscow’s charges against NATO are not merely incorrect. They also divert attention from Russia’s most evident objective, which is the destruction of Ukrainian state and the elimination of the Ukrainian national identity. Russia’s war against Ukraine appears to be driven by anti-Ukrainian sentiments. We can also talk about Ukrainophobia, which became an intrinsic part of Russian chauvinistic imperialism.

Commenting on particular findings from the research, Anton described anti-Ukrainian sentiments, which are found among the Russian elites, and in particular, in statements of Nikolay Patrushev, who in many of his interviews and articles simply denies the legitimacy of a distinct Ukrainian nation. He portrays Ukraine as a U.S. controlled fascist state to justify Russia's aggression against Ukraine. He frames Ukrainian identity as valid only as a subset of Russianness, dismissing mainstream Ukrainian patriotism and its pro-Western orientation. He dehumanises Ukrainians who assert independence, labelling them as Nazis, in order to rationalize Russia's genocidal policies as "anti-fascist efforts".

There is a chapter in the research looking at various genocidal tropes that are found in Putin's writings. It is about denial of Ukraine's agency. And it is also about framing Russia's invasion as an act of self-defence. And, what is also interesting, it is about dehumanization of Ukrainians, about justification of violence as a means to restore "unity" between Russians and Ukrainians.

Another chapter looked at the role of so-called political technologists and the central concept of the "Russian world" that was crafted by them to create an artificial mega community transcending borders and aimed at opposing western influence. So, rather than acknowledging Ukrainian sovereignty or identity, this approach seeks to impose a Russian-centric narrative. It portrays Ukraine as an extension of Russia, corrupted by western forces. Again, we see this narrative about Ukrainians lacking their own national identity and being just a part of the greater Russian nation. This manipulation extends even to incitement to genocide. And again, Ukrainians are dehumanised by being considered as tools of western influence and are denied agency. Ukraine's rapprochement with the West and its willingness to become equal partners, equal family members of the European community, is seen as the western plot, a conspiracy against Russia. And in this context, Ukrainians do not matter. They are just instruments, just tools with which you can do what you want. Because these are not real people. This is how dehumanisation works.

The Russian public opinion towards Ukraine was studied in the course of the research. It was found that initially many Russians saw Ukrainians as a brotherly nation, with fluctuating views on whether Russians and Ukrainians were one people or distinct. The question about whether Ukrainians and Russians are one nation, or two separate nations, was not really important for the respondents. Even despite the invasion, many Russians still expressed positive or neutral attitudes towards Ukrainians, while differentiating between the Ukrainian people and the Ukrainian state, which they see negatively. Russian propaganda framed the conflict not as a war against Ukrainians, but against Nazis, NATO and the West. That would allow the Russians to dissociate from the violence and absolve themselves of guilt and responsibility. The "special military operation" was presented as a defensive act, protecting Russia from the Western encroachment.

It was interesting to see how those anti-Ukrainian sentiments were represented in today's higher education in Russia. Russian state has weaponised higher education and science to justify its aggression against Ukraine by promoting narratives that deny Ukraine's historical agency. Russian academia was co-opted to propagate state sanctioned ideology, particularly through the rewriting of Ukrainian history, to portray it as an artificial construct created by external forces. This effort was intensified after the annexation of Crimea in 2014, and universities and research centres increasingly started to produce propagandistic materials supporting Kremlin narratives. Ukraine-related academic research in Russia has been stifled, favouring projects that align with the official ideology, while dissenting scholars face repression or dismissal. Anti-extremist laws have been



used in Russia to ban academic materials that counter the Kremlin's version of Ukrainian history, further limiting intellectual freedom.

Finally, the role of the weaponisation of history in Russia in order to justify the aggression against Ukraine was researched. The overall conclusion is that spiritualized and weaponised history that Russia spreads to justify aggression portrays the war as an existential battle for Russia's survival.

Answering the question on the value of the research, Anton clarified that its aim was to inform policy advisers and policy-makers.

Presenting his case-study, Valentin Serdiuk (Centre for Civil Liberties, Ukraine) referred to the Ukrainian civil society experience in addressing the Russian propaganda and disinformation. The first example was the joint communication to the ICC, which was produced by a group of Ukrainian and international civil society organisations. This communication related to six famous Russian pro-Kremlin propagandists and media managers, namely Simonyan, Mardan, Gromov, Soloviov, Kiselyov, and Medvedev, who have allegedly committed the crime against humanity as a persecution of the specific national group in the form of hate speech. This communication was an important legal step, which can pave a way to an ICC decision to launch an investigation. If this happens, it will create a precedent, opening a path to accountability and becoming a development of international law.

The second example was a project by the Free Rights association. They put together a collection of intercepted phone calls of Russian soldiers to their families and friends. There were huge waves of telephone calls after Bucha, Irpin, Kherson, Kharkiv. A compilation of calls, where Russian soldiers talk with their families about war crimes committed by them, including the murder of Ukrainian civilians or imprisoned soldiers and are comforted by their relatives with words that mirror the justification of the grave atrocities which they have listened to for a long period of time on Russian TV and radio, demonstrates a direct link between the reason and the cause and shows how Kremlin rhetorics affected the mindset of the Russian soldiers and the Russian society.

Yuri Dzhibladze (Freedom Files and iSANS) referred in his case-study to a research project by iSANS that looked specifically at incitement to genocide as a particular type of a stand-alone international crime. A pilot research report by iSANS was published in 2023 and received attention by the Prosecutor General's office of Ukraine which asked for more materials. It was decided, therefore, to do more in-depth analysis and look into potential legal accountability mechanisms. iSANS approach is that the incitement to genocide is forbidden and punishable by article 3 of the Genocide Convention and a similar article in the Rome Statute. Importantly, it is a stand-alone crime, meaning that it is a crime regardless of whether genocide has actually happened. The report is almost finished. It should come out soon, hopefully.

The report argues that there is a considerable corpus of statements by Russian propagandists and politicians that incite to the elimination all or part of Ukrainians as a national group. The first group of statements is the ideological justification of the war, including quotes from Putin and Medvedev, starting quite some time ago. These statements are not criminal by themselves and do not represent incitement to genocide but are an important foundation to its emergence. Incitement to genocide does not just suddenly happen, but develops on the basis of very deeply ingrained conspiracy theories. "Ukraine is not a state, it does not exist", "Ukraine is not a country at all, just

a part of Russia and Eastern European countries”, “Ukrainians are part of the Russian people”, say Russian political leaders and propagandists. And then it all leads to the goal setting. The goal of the war is the “denazification” of Ukraine, which means extermination, elimination of Ukrainians if they do not agree to become Russians or acknowledge their Russianness or their belonging to the Russian national group. Essentially, it is the elimination of Ukrainian identity along with destruction of the Ukrainian statehood.

Top Russian officials set the tone of this policy. This kind of a government policy leads to the emergence of hate speech. There are tons of examples. Many of these statements are very reminiscent of the genocidal statements by the Radio Thousand Hills in Rwanda and other situations of genocide. As strange as it may seem, hate speech by itself is not criminalised, unless you can prove that it contains incitement to aggressive war, violence or discrimination.

iSANS research identified three types of statements inciting to genocide of Ukrainians as a national group. First is a direct call for extermination, physical murder of Ukrainians, if they do not get cured from the “bacillus of Nazism or Ukrainianism”. The number of such “incorrigible” Ukrainians who should be eliminated, varies in the appeals of propagandists, but in any case, such statements refer to millions of people. The second type is creating unbearable living conditions for civilian population by destroying critical infrastructure, power generating facilities, and civilian objects. Creating unbearable living conditions with an intent to kill a national group or a part thereof is a crime of genocide as such, according to the Genocide Convention and the Rome Statute. Therefore, incitement to destruction leading to creation of unbearable living conditions, authors claim, is incitement to genocide. And finally, the third type of incitement to genocide is incitement to forced deportation of Ukrainian children and their indoctrination in the “Russian world” spirit. This crime can be qualified as incitement to genocide because the Convention and the Statute include forced movement of children from the protected group to another group in the definition of genocide. Authors of the research believe that such actions by Russia and Belarus are not only a crime against humanity or a war crime that was incriminated to Putin and Lvova-Belova by the International Criminal Court (ICC) but a crime of genocide. The researchers’ goal in the study was to find incitement to such actions, and they have found a lot of these.

There are several types of responsibility for incitement to genocide, divided into the international legal responsibility of state and individual criminal responsibility. There are legal avenues available, some of which are not given proper attention. There are three types of state responsibility within the framework of the Genocide Convention. First one is a direct responsibility, when high level public officials that are themselves embodiment of the state, make such statements. Second is actions by propagandists when the state instructs and controls the media. And the third is a failure of state to prevent and punish incitement to genocide. State responsibility can be ensured through the International Court of Justice (ICJ), the principal UN judicial body. It reviews disputes between states on violation of various treaties and conventions. Authors of the research recommend concerned states to initiate disputes with the Russian Federation and the Republic of Belarus (as incitement to genocide of Ukrainians by Belarusian propagandists was also documented) for violation of the Genocide Convention and then bring this dispute to the ICJ.

As for the individual criminal responsibility, at the international level prosecution by the ICC is the only option, but we have national tools as well – in states on whose territory or against whose population these crimes were allegedly committed, and there are the highest hopes for Ukraine to

take action. There are three cases on incitement to genocide against Russian propagandists so far in Ukraine, two against Krasovsky (convicted two times) and one against Simonyan (charged), but the scope of the crime is much bigger than this, and it makes sense to activate the work in this direction. The Ukrainian national justice system is overwhelmed with war crimes, but incitement to genocide has tremendous impact on the commission of war crimes and crimes against humanity and on justifying these crimes and the aggression itself in the eyes of the international community and the Russian and Belarusian public, and therefore, there is a need for more active position and allocation of necessary resources. And then, importantly, in the future, if one day Russia and Belarus go through a democratic transition, they should also investigate and try the perpetrators. And then finally, other states who have universal jurisdiction principle in their criminal codes and include there the crime of genocide that includes incitement to genocide, can play an important role by investigating alleged crimes and prosecuting the perpetrators. None of the states have opened such cases so far, unfortunately. Proceeding with the application of the universal jurisdiction principle in such cases is another recommendation in the report.

Presentations and case studies gave ground for a dynamic exchange of opinions. One of the topics covered was the development of social media. An opinion was voiced that manipulation through social media comes not just from Russia, but also from the U.S. and that the private ownership of global social media platforms is dangerous, as the media then reflects the interests of billionaires that own them. The commercialisation of social networks is a problem for researchers, but also for the consumers of social media, as their algorithms are totally non-transparent. We do not know what particular information they are boosting and what particular information they are suppressing, so we do not see it even if it is posted. They call these social media an open space for discussion, but it is not. It is a space owned by oligarchs which do not have public interests in their mind when they build those networks of influence. Sometimes, they may pursue not only business interests but also political ones, as we see in the example of Elon Musk.

Another problem is a lack of information security and information sovereignty in Europe since the major social media companies are managed from outside of Europe. It should be addressed as information emergency. It was also noted that although RFoM works on healthy information spaces that bring up promotion of public interest information and on tech regulators, it is not clear how the EU Digital Services Act will influence all regulations. Development of new recommendations, including by the RFoM, may be necessary.

A question of the lack of legal basis for countering disinformation and propaganda in international law was further debated. As was commented earlier, the international law contains prohibition of propaganda of war and incitement of hatred. Propaganda of genocide and incitement to genocide are criminalised as well. While these legal norms are not sufficient for combating all forms of propaganda and disinformation, they could be used at least for informing, raising awareness, and discussion in the media.

Andrei Richter commented that there is no more than five words in Article 20 of the International Covenant on Civil and Political Rights which bans propaganda for war. The problem is that despite the fact that the ICCPR was adopted in 1966 and entered into force in 1976, there have been only three cases related to propaganda for war under review of UN bodies. There are no more cases. There is no discussion. There is no elaboration of these norms such as in the form of UN committee's general comments. You will find a lot of descriptions of what is propaganda, what is

war, what is propaganda for war, but there are no practical recommendations, no practical solutions, no clear cut prohibitions.

In addition to that, almost all democratic states have reservations against prohibition of propaganda for war, starting with United States of America.

Andrei underlined that the current situation has an important additional aspect of big social media platforms. It is taken into account at least by the EU, whose decisions are going to be called “censorship” by the new American leadership. As businessmen, owners of online platforms see problems in hiring additional fact-checkers and obliging with the demand to protect the audience. But we need to understand that freedom of the media is a human right, it is not freedom of the media companies, or of the newspapers, or television stations. It is first of all freedom of everyone. Therefore, the rights and freedoms of the members of the audience should come first.

With regard to the OSCE’s role in fighting propaganda, disinformation, and hate speech, it was observed that round tables with experts, and sometimes with states that RFoM organizes, are not an adequate response to the huge role which propaganda, disinformation, and hate speech now play in justifying conflicts, wars, aggression, and war crimes, and preparing them, and indoctrinating the public. More active line of work is obviously needed, with more conclusive recommendations and guidelines, more visible input, including more work on building alliances that would support this work through advocacy.

Another problem, that was already voiced during the previous session, was a lack of proactive enlargement of the pool of civil society partners/experts by OSCE institutions. RFoM’s usual circle of partners is mostly limited to media freedom NGO, while there is a whole world of NGOs, initiatives, civic groups, movements, etc., that could be RFoM’s allies, including in the efforts to combat propaganda and disinformation.

Referring to “smart downsizing” of the OSCE and trying to focus on what is the most important, it was commented that there is no need for the OSCE to duplicate the job of others and develop its own guidelines, positions, and assessments, but rather use the documents adopted by other bodies, mentioned today, including the European Union and the Council of Europe.

On the other side, it was noted that the OSCE is an organisation which includes the Russian Federation, Belarus, Central Asian countries, and Azerbaijan. For them, the OSCE is a very important institution because it is basically the only table where they can sit together with others at the international level, besides the UN. This table should be used in order to discuss with them and to come to consensus on issues, which is impossible to discuss in the EU, NATO and the Council of Europe.

**The final session aimed at reflecting on what was discussed during the previous sessions and brainstorming on recommendations to OSCE bodies, participating States and civil society.**

During the concluding session participants, in an open brainstorming fashion, tried to sum up what do they take home from the seminar and to formulate practical recommendations with the aim of making a contribution to strengthening the OSCE and expanding civil society’s role in upholding

the Helsinki principles in the field of security. Organisers underlined the recommendations can be on different levels, both conceptual and practical.

Reflecting on the day of presentations and discussions, several participants expressed their strong emotions with regard to the fact that the footprint from civil society in OSCE work is even less than they had imagined, even bearing in mind the fact that civil society space in the OSCE has been shrinking lately.

The lack of engagement with civil society and the lack of recognition of what civil society has been doing, thinking and saying about the OSCE work, is quite big and is particularly manifested in the political-military dimension. The first dimension persons that are active in the OSCE have not had a lot of engagement with civil society, at least not with the advocacy-oriented type of civil society. While the CSP has been claiming space in the human dimension and have been quite active there for many years, there is an obvious need to reach out to the first dimension and make civil society relevance there much more clear.

There is a range of possibilities for civil society to make it better known in this field. However, civil society should be clearer about what it has to offer. The typical things that we have to offer, which has traditionally been reporting about human rights violations, is not what they need in the first dimension, so we need to develop a more relevant work in that field and present it better.

As was noted during the previous seminars of the Helsinki+50 Reflection Project, a proper language should be used in communication with people outside of civil society. Issues of international human rights law and accountability need to be framed in different terminology if we want them to be taken into account in discussions on security. If you talk about conflict prevention, you have a lot of human rights issues there, and it is something that is recognized in the thinking of many people. This should be reflected by civil society in Helsinki this summer.

Another important reflection shared by many participants related to the importance of solidarity. Understanding that we have to invest in it was unanimous. It should be secured on different levels, starting from “the caring approach”, which presupposes “really seeing the others” and “telling the stories”, including to the officials nationally and internationally.

The comment on solidarity prompted the question on what kind of support the CSP, as the OSCE-wide network, could provide to colleagues that work in conflict-affected regions? Other than caring and compassion on a human level, what could it include on a more substantive level, such as amplifying their voices in dialogue with the OSCE officials and governments, providing critical reflection to the mediation mechanisms that do not work really, or something else?

This should be formulated by colleagues from Ukraine, Georgia, Armenia, Azerbaijan, Moldova, other places where conflicts have happened, are happening, or potentially may happen. CSP support to Ukrainian colleagues have been rather pronounced and clear and strong, but not with colleagues who work in conflict situations or war situations in other places. Strategizing and thinking about solidarity should be on the agenda of the CSP where we can learn from one another.

## **Recommendations:**

### *To OSCE bodies and institutions:*

- Establish more effective communication with state actors committed to the Helsinki principles, other intergovernmental organisations, and civil society to create informal coalitions working to promote and implement the Helsinki principles in general and in the field of security in particular.
- Create spaces and processes for systematically including civil society in meetings and discussions in the first dimension of the OSCE. More actively use the untapped potential of civil society's work in conflict prevention, including early warning and early action, conflict resolution, peace-building, and post-conflict rehabilitation. Make use of relevant civil society documents and recommendations in the field of security and working on conflict, including the 2021 Stockholm Declaration and the outcome documents of the Helsinki+50 Reflection Process.
- Consider suppression of civil society activities and backlash against NGOs in a participating State as an early warning indicator that may be part of a process leading to a human dimension crisis and further to a security breach at the international level. Treat efforts to strengthen civil society, oppose restrictive policies and legislation, and protect the persecuted activists as part of the OSCE work to ensure comprehensive security and prevent conflicts.
- Formulate what really the nature of the OSCE work in conflict resolution, peace building, or more broadly in the security field should be, what its main value in this current challenging context is, and prioritise the identified goals and activities. There is an array of different bodies and processes in the OSCE dealing with these issues, including the security toolbox; however, their impact on actions and policies of participating States has been very limited. When there is lack of political will and when states do not want to cooperate with OSCE bodies and utilise instruments from the toolbox, these instruments become useless. For example, mediation formats have not helped in the resolution of conflicts. This situation requires reconceptualising the OSCE's role in the security field.
- Discuss involvement of different international and national actors in efforts to rebuild security architecture in the OSCE region and consider OSCE's coordinating and monitoring role in this process, binding together these different elements. The OSCE can play an important role as a platform of negotiating, implementing or controlling implementation of agreements achieved elsewhere. This might be the most practical way forward for making the organisation relevant in the new security situation.
- Make sure that security guarantees is not a privilege of big states as some of them claim but are provided to all countries, including the smaller ones. Inequality in international relations in favour of big states is unacceptable and contradicts the Helsinki principles.
- Aim at attaining sustainable peace with necessary security guarantees as a way to end the Russian aggression against Ukraine as well as other conflicts, as opposed to a ceasefire. To ensure that peace is sustainable, it should also be just. Without justice, there will be no compensation, no reparation, no justice to the victims of the aggression and war crimes, no accountability, and continued impunity. Impunity breeds new crimes, new aggression, and therefore there is limited preventive value of peace arrangements that lack the justice component.

- Ensure that every programmatic activity in the field of conflict prevention, every support, technical assistance and funding, including organisation of dialogues and implementation of trust building measures that OSCE implements, is much more focused on human rights issues as an important part of the conflict cycle. This requirement should be implemented in the work on different conflict situations, including the Transnistrian region of Moldova, Georgia, and Nagorno Karabakh.
- Consider shifting the OSCE role from engaging in track two and track three diplomacy processes in conflict situations to high-level political engagement, leaving tracks two and three to international, national and local NGOs and supporting them in these efforts, rather than competing with them.
- Ensure more effective civil society involvement in mediation and negotiation processes. In particular, address the problem of the lack of transparency in selecting civil society representatives for consultations with Special Representatives on particular conflicts before a round of official of mediation or negotiation processes takes place. Create an opportunity for civil society organisations to proactively come forward and request to be involved in such consultation processes. Apart from the consultations of Special Representatives on particular conflicts with civil society before a round of official talks, hold debriefings by the Special Representative after the talks, involving those NGOs who had been consulted before the talks.
- Address the problem of hybrid (non-military) threats to security and sovereignty of states more actively, including such instruments as propaganda and disinformation, cyberattacks, artificial migration crises at the borders, and other tools.
- Expand the mandate of the Special Representative on Civil Society to include her/his engagement in the OSCE conflict resolution work to facilitate civil society engagement in this field and look at the problem of shrinking civic space as an early warning sign.
- More actively support monitoring missions in conflict-affected areas and more actively use the Moscow Mechanism when early warning signs are detected. Contribution of monitoring missions and the Moscow Mechanism investigation is essential for early action in conflict situations as well as for fighting impunity and establishing accountability mechanisms, as they can document developments on the ground and collect vital information.
- Reactivate the OSCE role in mediation between Armenia and Azerbaijan, taking into account experiences of the functioning of the Minsk Group.
- Work towards providing a role for civil society in the international Geneva dialogues on conflicts in Georgia.

*Specifically to the Conflict Prevention Centre:*

- Set up an effective communication channel with civil society, ideally in a standing format, aimed at developing a more structured exchange on a more regular basis between civil society organisations and the CPC. This should include the regional level where it could be implemented, for example, in a form of a regional advisory board. A first step could be designating a civil society liaison within the CPC, so that communication is not spread in a way that you have to go from one geographic desk to another and deal with every separate issue with another person.

- Expand a circle of CPC civil society partners both on the local and OSCE-wide level. Include representatives from women's organisations, youth and minorities groups into civil society communication with the OSCE. These organisations are usually the first who feel consequences if something goes wrong in a conflict situation.
- Consider changing the status of early warning indicators from an internal OSCE document to a public document in order to allow it to be shared with civil society to ensure a better flow of quality information. Meanwhile, organise dialogue with civil society on OSCE early warning methodology and on how civil society can best contribute to it, possibly leading to the establishment of a more formalised cooperation with the OSCE.
- Develop guidelines for civil society on effective provision of relevant information to the OSCE, specifically as regards early warning information and early action recommendations.
- Develop trainings for civil society organisations on early warning methodologies.
- Consider using the experience of ODIHR's Tolerance and Non-discrimination Department as a model for ensuring effective information input from civil society. This department has a website where they collect information for their reports on hate crime; this website has a template for reporting by NGOs, where NGOs could upload information, making the process of submitting information for ODIHR reports structured and safe for civil society.

*Specifically to the Representative on Freedom of the Media:*

- Activate RFoM's work to address propaganda, disinformation and hate speech with a view of their serious negative impact on security and sovereignty of states as well as them being a big detrimental factor for freedom of the media by undermining credibility of the media and often being accompanied by wiping out independent media by the authorities to make propaganda work more successfully. With regard to the OSCE's role in fighting propaganda, disinformation, and hate speech, round tables with experts and states that RFoM organises are not an adequate response to the huge role these malign tools now play in justifying conflicts, wars, aggression, and war crimes, and preparing them, and indoctrinating the public. More active line of work is clearly needed, with more conclusive recommendations and guidelines, more visible input, including more work on building alliances that would support this work through advocacy.
- Given unlikely prospects of adopting an OSCE Ministerial Council decision on addressing propaganda and disinformation, cooperate more actively in this field with other intergovernmental organisations which have recently had progress in adopting their norms and regulations to address the problem of propaganda and disinformation, such as the European Union and the Council of Europe.
- Develop recommendations or guidelines on addressing the problem of propaganda and disinformation, especially in the context of the functioning of online platforms.
- Activate the work on developing self-regulation by the media and building up on ethical standards of journalism in the context of addressing the problem of propaganda and disinformation.
- Promote the idea of developing international guidelines on the principles of countering propaganda and disinformation while protecting freedom of expression. Civil society and the academic community could play an important role in launching a process of



elaborating expert guidelines, like it was done, for instance, in developing the Rabat Principles on combating hate speech. These expert guidelines, developed by non-governmental experts, could afterwards be endorsed by one of or several official international bodies, including the RFoM.

- Work together with civil society groups by investing in education of society members, explaining to the public the dangerous impact of propagandistic and disinformation narratives, promoting critical thinking and media literacy, and fostering community dialogue.
- Address the lack of information security and information sovereignty in Europe in the context of functioning of global online platforms as information emergency.
- Develop internal procedures on more effective RFoM engagement with civil society. Expand the circle of civil society partners of the RFoM, going beyond the usual circle of partners mostly limited to media freedom NGO to involve other NGOs, initiatives, civic groups, movements, etc., that could be RFoM's allies, including in the efforts to combat propaganda and disinformation.

*To OSCE participating States:*

- Make sure that respect for international law is put in the central place in all conversations and decisions on re-building security architecture in the OSCE region. This should include the Helsinki principles and the UN charter norms on respect for sovereignty and territorial integrity of states, prohibition of the use of force for aggression, the concept of comprehensive and shared security, respect for norms of international human rights law and international humanitarian law, including OSCE commitments in the human dimension, and focus on sustainable peace through delivery of justice and accountability for international crimes.
- Ensure that civil society representatives play an active role in the ongoing discussions on re-building security in the OSCE region and in OSCE events and activities in the first dimension.
- Ensure that every support, technical assistance and funding, including dialogues and trust building measures that the OSCE, the UN, and the European Union implement in their conflict resolution and security work, are focused much more on human rights issues.
- Address the problem of the lack of enforcement and accountability mechanisms for violation of OSCE commitments which remains to be the biggest challenge to the effective implementation of the Helsinki principles. When a state blatantly violates the key Helsinki principles, such as sovereignty and territorial integrity of another state, it should face international accountability, and that is a key to making these principles work at the time when states disagree and when there is a lack of trust. While bringing violators to account is impossible in the OSCE framework, use findings and conclusions of OSCE monitoring missions and Moscow Mechanism reports more actively as a basis for actions outside the OSCE, including for ensuring accountability in international judicial bodies.
- Consider an idea of establishing a new body, created in the OSCE framework but independent, to deal with resolution of conflicts in the OSCE region. It could be an international court-like body with a charter and binding decisions regarding conflicts

between states in the OSCE region. This would allow to overcome the problem of the lack of legally binding obligations in the OSCE, absence of enforcement mechanisms, lack of political will, and the abuse of consensus decision-making mechanism by state parties in a conflict.

- Address the problem of hybrid threats to security and sovereignty of states more actively, including such instruments as propaganda and disinformation, cyberattacks, artificial migration crises at the borders, and other tools. States that are targeted by such hybrid instruments, should consider invoking the Moscow Mechanism in respect of the situation in their countries and ask for assistance. Other participating States should consider invoking the Vienna Mechanism and ask the targeted states questions that would help them to highlight the problem and receive assistance.
- Pay particular attention to the large-scale campaign of anti-Ukrainian hatred by Russian and Belarusian propagandists aimed at the elimination of the Ukrainian national identity and justifying the full-scale aggression and war crimes. This campaign includes denial of the existence of the Ukrainian nation and the agency of Ukrainians, calls for the destruction of the state of Ukraine, dehumanisation and delegitimization of Ukrainians, and even incitement to genocide of all or part of Ukrainians. Consider submitting new referrals to the International Criminal Court Prosecutor in a view of new information in order to encourage the ICC investigation into incitement to genocide of Ukrainians; initiating inter-state disputes with the Russian Federation and the Republic of Belarus for violation of the Genocide Convention in respect of state responsibility for incitement to genocide and further filing the disputes to the International Court of Justice; and opening investigations in the national justice systems on the basis of universal jurisdiction to bring alleged perpetrators to account.
- Support building up of case-law on combating propaganda for aggressive war, hate speech, and incitement to genocide by providing information and bringing cases to the UN treaty bodies, the ICJ, and the ICC.
- Support monitoring missions more actively, including missions by the OSCE and civil society. Their contribution is vital for the establishment and functioning of accountability mechanisms as they assess and document developments on the ground, collect and verify information.

*To civil society:*

- Restart efforts to make OSCE bodies and think-tanks working in the security field aware of the role of civil society in conflict resolution and the security field and of the many recommendations civil society has produced in the OSCE framework, including the Stockholm Declaration.
- Take active steps aimed at inclusion of civil society in OSCE meetings and activities in the first dimension. Research and map avenues of how we can reach out to political military people in the OSCE bodies and participating States. Consider such steps as sending a letter to Secretary General introducing ourselves and listing a number of things that we can offer to the OSCE and creating a list of target countries for active engagement, including states chairing the OSCE Forum for Security Cooperation.
- Papers civil society produces are mainly targeting policy makers, are of analytical nature, and often rather lengthy. More strategic communication needs to be developed, focusing

on wider target audiences, including promotional video, annual fact sheets for every institution, highlighting the main recommendations from civil society.

- Take on board and try to actively reach out to other types of civil society organisations outside the “human rights bubble”. There is a broader civil society working on peace and security issues. We need to map this field and include them in our work.
- Invest in international solidarity of civil groups and social movements, in building a stronger push from below by civil society groups towards governments and multilateral organisations, invest our time and energy in this.
- Establish a sustainable channel of engagement between civil society and relevant OSCE bodies, including the Conflict Prevention Centre, the RFoM, and the High Commissioner of National Minorities.
- Actively engage in collecting information on early warning indicators and passing them on to the Conflict Prevention Centre.
- More actively work on combating propaganda and disinformation. Invest in education of societies explaining narratives to them, promoting media literacy and critical thinking, fostering community dialogue.
- Use regional interest (South Caucasus, Central Asia) to build broader alliances. States and civil society in these regions are still interested in the OSCE because it is one of the few international formats they participate in.
- Develop an concept of a training by the CPC for civil society, including our recommendations on a human right based approach to early warning and early action.
- Propose to the CPC to hold an expert round table or a training to talk about methodologies of early warning monitoring. Building on this, consider suggesting establishment of a permanent group of experts or an advisory panel to work on early warning and early action on a regular basis.
- Reflect on the idea of establishing by the OSCE an independent court-like body dealing with resolution of conflicts in the OSCE region.
- Support efforts to develop accountability for propaganda for aggressive war, hate speech and incitement to genocide and to build up case-law by more actively working on documentation for bringing relevant cases to the UN treaty bodies, the ICJ, the ICC, and the national justice systems.