# OSCE CP

### OFF

#### [PLAN TEXT BUT OSCE INSTEAD OF NATO]

#### Only the CP solves---it taps the same stakeholders, but as part of an inclusive security architecture that can spill over to include adversaries---it broadly revitalizes the OSCE

Anna Nadibaidze 22, PhD fellow at the University of Southern Denmark’s Centre for War Studies, “Commitment to Control Weaponised Artificial Intelligence: A Step Forward for the OSCE and European Security,” Geneva Centre for Security Policy, Issue 22, January 2022, <https://dam.gcsp.ch/files/doc/ssa-2022-issue22>

Strengthening human control: the role of the OSCE

Reaching a common position on weaponised AI regulation is challenging. The current global and European political atmosphere is one of distrust, particularly between two major European security players: Russia and the United States. In June 2021 both President Joe Biden and President Vladimir Putin said that the bilateral relationship “has deteriorated to its lowest point in recent years”.34 There is also distrust of technologies such as the Internet, AI, 5G, and robotics, not least because they can be weaponised and used for threatening activities such as cyber attacks. This environment makes it difficult to attain a common understanding and commit to agreed principles on the use of weaponised AI. Nevertheless, the OSCE possesses some key advantages that could make it the platform for taking a step forward in the global debate.

Just like the CCW, the OSCE operates by consensus, which requires it to seek a compromise among participating States on whatever issue is being discussed. However, the organisation has been historically known for its ambition to form an inclusive security community and to build practices that “suggest a new model of international security” that is “comprehensive”, “indivisible”, and “cooperative”.35 The OSCE’s predecessor, the Conference on Security and Cooperation in Europe, was a symbol of détente between the United States and the Soviet Union, and a place for two rivals to find compromise on security issues, demonstrating the possibility of coexistence on the European continent.36 The OSCE has not only been able to survive, but also to adapt to the rising security challenges of the new world order. Its broad membership and comprehensive approach to security make it a key – if not the most – legitimate institution for European security.37 At a time when some experts debate whether Russian-US relations have entered a new cold war, the OSCE’s inclusive approach is needed to show that tensions can be dealt with in a forum rather than on the battlefield.

Other international institutions have demonstrated their ambitions to create some form of AI regulation. In April 2021 the European Commission presented its legal framework proposal, which could lay down a path towards defining a regional approach to governing weaponised AI.38 The North Atlantic Treaty Organization (NATO) has also set out its principles for the responsible use of AI in the area of defence.39 The key difference is that these institutions have favoured exclusive membership in terms of which prospective countries need to fulfil specific conditions to join. However, the OSCE has relatively broad accession rules because it was initially based on the concept of geopolitical diversity.40 Settling the differences and misunderstandings between different actors, especially Russia and the United States, is a key step in achieving a security agreement such as a commitment to human control over weaponised AI. In recent years the Russian discourse has expressed disappointment that Western countries have made NATO the main European security organisation.41 By engaging with Russia on the issue of weaponised AI within the OSCE framework, the United States would contribute to easing the tensions between it and Russia, while also diminishing the chances of misunderstanding and misinterpretation. The OSCE’s inclusive membership is thus a valuable advantage in terms of building trust and mitigating the security implications of modern technologies.42

What should be the way forward? In the 2019 Luxembourg Declaration on Advancing Sustainable Development to Promote Security, the OSCE Parliamentary Assembly urged “participating States to support international negotiations to ban lethal autonomous weapons with a view to establishing international, legally binding rules”.43 A legally binding treaty banning the development of weaponised AI would be challenging, given that, unlike nuclear weapons or blinding lasers, AI is not a specific type of weapon and can also be applied for civilian use.44 Some participating States hold the position that a ban will affect the development of useful civilian technology. Within the framework of the CCW, Russia has argued that banning LAWS too hastily could “hinder technological progress”,45 while the UK government believes that “a legally binding instrument which hampers the legitimate development and use of such technologies would be counterproductive”.46

As a realistic starting point, the OSCE’s confidence- and securitybuilding measures (CSBMs) could provide a framework to exchange information and observations on the use of weaponised AI, in order to facilitate communication and dialogue.47 The OSCE already has CSBMs for information communication technologies, which, like weaponised AI, create “an area with much room for speculation, doubt, and ambiguity” and “increase the potential for tensions between States”.48 There is also the potential to go further than exchanging information informally within the CSBMs framework.

Based on the recommendations of the International Panel on the Regulation of Autonomous Weapons, the next step should be to “focus on the obligation to maintain human control over the use of force”, which would “apply to all conventional weapons”.49 Taking this path will avoid the debate on defining LAWS, which has been hindering the progress of the CCW discussions. In 2019 the GGE on LAWS adopted a set of guiding principles that are broad, have no legally binding force and do not clarify the concept of human control, only stating that “human responsibility for decisions on the use of weapons systems must be retained since accountability cannot be transferred to machines”.50 While OSCE member States accept in principle the importance of human control, they have until now not been able to agree on a common definition of this concept. The commitment to human control should be enshrined in a normative framework such as a political declaration or a manual of best practices. Any such document would already be a step forward. It could be part of the Vienna Document or the result of a new OSCE working group.

Importantly, an OSCE political declaration or guide on human control and weaponised AI would not undermine or negate the efforts at the CCW but would build on them. Shifting the discussion towards the current impacts of weaponised AI rather than the potential future impact of “killer robots” would help to mitigate the risks inherent in these technologies. It would demonstrate that finding consensus, especially in an atmosphere of political distrust, is possible. While debates at the CCW continue, the operational trend towards further autonomy in the armed forces of OSCE participating States is a reality. Practices related to the use of weaponised AI have the potential to shape warfare norms. Yet this trajectory is not inevitable, and with the right approach, a political declaration containing a common definition of human control would be a realistic achievement.

A political declaration should therefore contain a commitment to retaining human control over AI-driven weapons systems. This would be a crucial step towards addressing regional security threats and creating an international framework on weaponised AI. The history and membership of the OSCE make it the most appropriate organisation to build trust and take a key step forward on weaponised AI when global discussion at the UN is stalling and operational trends continue to increase the use of autonomous weapons systems.

Conclusion

Current practices related to the use of weaponised AI are already impacting European stability and security. Operational trends that reflect a reduction in the level of human control over weapons with increasingly autonomous features pose significant legal, ethical and security risks. Moreover, the lack of definition of LAWS and agreement on an appropriate level of human control among states creates uncertainty and potential misinterpretation. However, the trajectory of AI is not permanently set to be an “arms race”. Finding a common agreement is a challenging, but not impossible task. The OSCE is a promising platform to build on the stalled discussions at the CCW, because it has a history of acting as a bridge between various perspectives of European security. It is an inclusive organisation that brings together the key developers of weaponised AI and players in European security. By debating this issue at the OSCE and agreeing on a political declaration containing a commitment to human control, participating States will address some of the risks of autonomous weapons systems and demonstrate the relevance of the OSCE in tackling the impact of modern technologies and their use in conventional weapons.

#### That’s the only path to a sustainable European détente---failure causes escalating conflict in numerous hotspots

Olesya Vartanyan & David Lanz 22, Vartanyan is Crisis Group's Senior Analyst for the South Caucasus region; Lanz is Crisis Group’s Representative for Dialogue Promotion, trained mediator with fifteen years’ experience supporting international mediation processes and leading dialogue efforts, “Preserving the OSCE at a time of war,” ReliefWeb, 3/21/2022, https://reliefweb.int/report/world/preserving-osce-time-war

Russia’s invasion of Ukraine risks incapacitating one of the only remaining multilateral spaces for cooperation between Russia and the West, the Organization for Security and Co-operation in Europe (OSCE). Participating states must work to prevent this outcome and preserve the OSCE’s critical role in containing conflicts.

Russia’s 24 February invasion of Ukraine has sent shock waves through the Organization for Security and Co-operation in Europe (OSCE), a body that has been instrumental in containing conflicts that erupted after the dissolution of the Soviet Union. Russia’s actions in Ukraine are a glaring violation of the OSCE’s commitment to respecting sovereignty, territorial integrity and human rights, memorialised in its founding principles. They have poisoned the atmosphere at the organisation’s seat in Vienna – which hosts the 57 participating states, including Ukraine and Russia as well as all European Union (EU) and North Atlantic Treaty Organization (NATO) members – and compromised its ability to take decisions on matters big and small.

But for all the challenges it faces, the OSCE remains an essential forum. It is one of the only remaining multilateral spaces outside the UN for dialogue between Russia and the West; in the words of an OSCE official, the organisation has been “sort of an airbag that opens any time we face echoes of tensions” between Russia and the West. The OSCE is one of the few international organisations with the potential to play an important role in implementing any ceasefire arrangement that the conflict parties might reach in Ukraine, where prior to the war’s current phase it led a sizeable monitoring mission. It also helps manage the risk of escalation in conflicts from Moldova to Georgia to Central Asia.

Governments should do all they can to prevent the OSCE’s incapacitation. Russia must refrain from holding the OSCE hostage and letting core operations collapse. Western states, in turn, should resist pushing for Russia’s suspension from the OSCE. Suspension would likely lead Russia to withdraw, as it did on 15 March from the Council of Europe.

The OSCE in Ukraine

With roots that date back to the 1970s, the OSCE assumed its current institutional form in 1994 as a forum for peace, stability and democracy issues. It runs fifteen field operations that perform a range of tasks, from monitoring conflict situations and violence prevention to promoting governance reform.

Even before recent events, Ukraine was an important theatre for the OSCE. In 2014, following Russia’s annexation of Crimea and the onset of a Russia-backed separatist insurgency in eastern Ukraine, the OSCE mounted a far-reaching response. It deployed a monitoring mission – one of the largest field operations in its history – that served as eyes and ears on the ground and helped to reduce violence along the line of separation between government-controlled Ukraine and the separatist entities in Donetsk and Luhansk. When Russia’s invasion began on 24 February, that mission still had close to 500 international monitors on the ground and continued its reporting as evacuation commenced. The mission has now essentially paused activities, although some Ukrainian staff remain present to carry out limited office functions in some locations.

Aside from monitoring, the OSCE acted as a mediator bringing together Russia, Ukraine and the de facto entities in eastern Ukraine within the so-called Trilateral Contact Group. The negotiations failed to settle the conflict in line with the 2014 and 2015 Minsk Agreements, which brought the war’s first phase of major fighting to a halt. But they did broker truces, for example in July 2020, which led to a marked reduction in hostilities. The talks also helped improve the situation of the civilian population in the areas affected by the conflict in eastern Ukraine, for example by enabling civilians to cross the line of separation.

The framework for these mediation efforts no longer exists. Russia’s recognition of the de facto separatist entities, and its 24 February invasion, have rendered meaningless the Minsk Agreements, which foresaw the reintegration of Donetsk and Luhansk with Ukraine. The OSCE still has a special representative for Ukraine, Mikko Kinnunen, who was the main mediator within the Trilateral Contact Group, but his role is unclear at this point.

Since the start of the war, Poland, which chairs the organisation in 2022, has suspended all regular business, holding meetings only of two political bodies – the Permanent Council and the Forum for Security Cooperation – which were entirely dedicated to Ukraine. These meetings featured strongly worded condemnations of Russia and coordinated walkouts. Along similar lines, in the annual address of the OSCE Chair-in-Office at the UN Security Council on 14 March, Polish Foreign Minister Zbigniew Rau likened Russia’s actions in Ukraine to “state terrorism”.

Beyond symbolic acts, the OSCE has only a handful of available tools for responding to the war in Ukraine, given the polarisation among its participating states and its convention of operating by consensus. On 3 March, it mandated a fact-finding expert group to collect information about violations of human rights and international humanitarian law committed during the war. But this enquiry will be limited, as the group has to submit its report within a few weeks. Another tangible and important step it might take would be to preserve the OSCE’s monitoring mission in Ukraine, whose mandate expires at the end of the month. Participating states will shortly commence negotiations, but it is questionable they will extend the mission’s mandate as doing so would require Russia and Ukraine to agree. Absent consensus, they can and should at least agree to “hibernating” it, rather than shutting it down completely. Hibernation would mean preserving the mission as a legal entity and maintaining core administrative functions, even as its operations remain paused. In the event of a ceasefire, hibernation would allow for rapid reactivation, saving precious time. Another, though less likely, possibility is that a reactivated OSCE monitoring mission could serve as a stopgap until the deployment of a more robust UN or hybrid UN-OSCE peacekeeping mission.

When it comes to diplomatic engagement, the OSCE is unlikely to serve as the main mediator aiming to broker a settlement between Russia and Ukraine, given that Poland – which has an especially tense relationship with Moscow – now holds the chair. But the OSCE special representative for Ukraine could use his good offices to address specific issues, for example facilitating agreements on humanitarian access.

Beyond Ukraine

In countries beyond Ukraine, the OSCE continues to play a crucial conflict management role. A prime example is Georgia, whose two breakaway regions – Abkhazia and South Ossetia – Russia has recognised as independent states. Since the 2008 war between Russia and Georgia, the OSCE has acted as one of three international mediators, along with the EU and the UN. Together, the trio are responsible for organising the Geneva International Discussions, a negotiating format that brings together Georgia, the de facto entities, Russia and the United States. The talks in Geneva have kept communication channels open and helped address incidents that otherwise could have escalated.

In South Ossetia, the OSCE’s role has been particularly important. Much less visible than the EU, which runs a 200-person monitoring mission on the territory controlled by the Georgian government, the OSCE is considered an acceptable interlocutor by Russia and the allied de facto leadership in South Ossetia. The OSCE has therefore been able to broker deals, for example on water supply and access to farm land, which have reduced the risk of violence and improved the lives of people on both sides of the line of separation.

The Ukraine war risks reopening wounds from 2008 and could upend the OSCE’s diplomatic efforts. Both breakaway regions have demonstrated strong support for Russia’s actions in Ukraine, while Georgia, although not joining sanctions against Russia, has still sent in an application for EU membership and voted to condemn Russia’s aggression within international institutions. These developments could have an impact on prospects for future cooperation and even on negotiation formats that have helped keep these conflict zones stable for over a decade. A worrying sign is that the UN, EU and OSCE co-chairs decided to cancel the forthcoming round of the Geneva talks scheduled at the end of March, following postponement of their pre-talks visit to the region and to Russia. The absence of regular talks undermines the OSCE’s ability to act as a mediator just when its role as a go-between may be most needed to maintain communication between the conflict parties and help address incidents that could spark violence.

In Moldova, the OSCE plays an important role, too, acting as a mediator between the Moldovan government and de facto authorities in separatist Transdniestria. Its work has helped contain the conflict, stabilising the situation in a country that is vulnerable to being inflamed by tensions between Russia and the West. Likewise, the OSCE runs field operations in the Western Balkans and in Central Asia that perform local conflict management functions and aim to promote governance reforms, though the results in each place vary.

The Need to Preserve the OSCE

The deepening rift between Russia and the West threatens the OSCE’s very functioning. As noted, the organisation requires consensus to take decisions, which in effect bestows veto power on all participating states. The war in Ukraine risks not only paralysing the OSCE but also unravelling its core operations. For example, absent agreement among participating states, the OSCE’s field operations, which work to advance stability and governance reforms across the region, will collapse as they require annual mandate extensions. It is both possible and essential to avoid this scenario.

Russia bears the primary responsibility. It must refrain from holding the OSCE hostage and letting core operations fall apart. Western states also need to do their part. Their diplomats in Vienna need to find ways of engaging Russia and seeking pragmatic cooperation, even if it is difficult to do so in the face of an escalating war that rides roughshod over OSCE principles. They should refrain from pushing Russia out of the organisation via the “consensus minus one” rule, which states invoked in the early 1990s to temporarily exclude the former Yugoslavia on the grounds of massive human rights violations. Using this rule to suspend Russia from the OSCE would be both ineffective and dangerous – ineffective because even if Russia were excluded, its close ally Belarus could still block decisions, and dangerous because it would probably lead to Russia’s withdrawal, as it did in the Council of Europe. Russia’s exclusion would likely spell the end of the organisation’s ability to mediate in its neighbourhood, jeopardising its conflict management role in Bosnia, Moldova, Georgia, Nagorno-Karabakh and various Central Asian states. These are precisely the areas that may now experience increased tensions, as parties come under political pressure from Moscow and the West to take sides.

Moreover, over the long term in Ukraine, the OSCE could come to play an important role if Moscow and Kyiv come to a compromise on a ceasefire or settlement. The existing monitoring mission could be repurposed to help oversee a ceasefire agreement, shedding light on violations and facilitating dialogue between the parties. It could also be deployed to monitor specific agreements, for example ones reached to ensure the safety of nuclear power plants in Ukraine. The OSCE High Commissioner on National Minorities could help find creative compromises related to the place of the Russian language in Ukraine, long a controversial issue, and OSCE election observers could be deployed in the event of post-war elections in Ukraine. However far off such issues may seem in the face of an escalating war, they will be among the issues the parties will have to grapple with when the fighting stops.

All of these are reasons not to burn the bridge between Russia and the West that the OSCE represents, even as it faces the most serious threat since its creation. Participating states should work to ensure the OSCE’s continued functioning, preserving its precious remaining space for pragmatic cooperation on international security matters in Europe. They must also try to shield the OSCE’s work beyond Ukraine – in places like Moldova, Georgia and Bosnia, where it helps to keep communication channels open, promote dialogue and resolve incidents that could spark violence. These efforts have helped lower tensions for years, and they are all the more valuable now that the fallout of the war in Ukraine creates fresh escalation risks.

## Solvency

### Solvency---2NC

#### The CP solves better---it brings Russia on board, which is the only shot to create a global norms architecture.

Tatiana Parkhalina 19, Татьяна Пархалина, deputy director at the Institute of Scientific Information on Social Sciences of the Russian Academy of Sciences, President of the Association of Euro-Atlantic Cooperation, “Россия - Запад: Перманентная Конфронтация Или Выход Из Кризиса?,” or, “Russia - The West: Permanent Confrontation or A Way Out of the Crisis?,” Европейская Безопасность: События, Оценки, Прогнозы, no. 53 (69), 2019, translated by Yandex

Триггером послужили события в и вокруг Ук­ раины 2013-2014 гг., когда Украина и ЕС обсуж­ дали подписание соглашения об ассоциации этой страны с Евросоюзом, результатом чего явился сначала мирный, а затем вооруженный Майдан, российская операция по присоединению Крыма и развитие событий на юго-востоке Украины. Россия и Запад по-разному оценивают причины сегодняш­ него кризиса: Россия считает, что Запад перешел Рубикон, когда поддержал вооруженное свержение законного режима Януковича после того, как пред­ ставители трех стран Евросоюза дали ему гарантии безопасности; Запад считает, что Россия перешла Рубикон, когда нарушила Будапештский меморан­ дум 1994 г., являясь одним из трех гарантов терри­ ториальной целостности Украины в обмен на отказ последней от ядерного оружия, а затем вмешалась в развитие событий на юго-востоке этой страны.

Различная трактовка причин кризиса приводит к тому, что ни одна из сторон не готова «посту­ питься принципами» и начать серьезный разговор об основах новой разрядки. На наших глазах про­ исходит дальнейшая эскалация. В рамках острей­ шей информационной войны обе стороны исполь­ зуют любые средства, дабы подорвать репутацию друг друга, и как бы исключают возможности для будущих договоренностей.

Вместе с тем по линии взаимодействия с инсти­ тутами - НАТО, ЕС, ОБСЕ, Совет Европы - на протяжении ряда кризисных лет наблюдалась оп­ ределенная сдержанность.

Россия - НАТО. 1 апреля 2014 г. в ответ на дейст­ вия России в Крыму НАТО приостановила все виды практического сотрудничества по линии Совета Рос­ сия - НАТО, аргументируя свою позицию тем, что «бизнес как прежде невозможен». Вместе с тем, работа самого Совета не была заморожена; за период с 2014 по 2018 г. он собирался несколько раз на уровне послов. Следует отметить, однако, что послы обменивались взаимными обвинениями, и результаты заседаний были практически нулевыми. Решения Уэльского саммита Альянса (сентябрь 2014 г.) свиде­ тельствовали о том, что НАТО от отражения новых угроз вернулась к истокам - к обеспечению коллек­ тивной обороны. В декларации по итогам саммита отмечалось, что план действий по готовности НАТО (НАТО Кеабте88 АеТюп Р1ап) отвечал «на изменения среды безопасности на границах Альянса» и на «вы­ зовы, порожденные Россией и их стратегические последствия»2. План предполагал постоянное присут­ ствие триады вооруженных сил и существенную военную активность НАТО в восточной зоне на по­ тенциальной основе.

Варшавский саммит Альянса 2016 г. продемон­ стрировал готовность трансатлантических союзни-ков пойти на символическое укрепление (в виде четырех батальонов по 1 тыс. человек каждый) оборонных структур на восточном направлении, но неготовность пожертвовать Основополагающим Актом Россия - НАТО 1997 г., на чем настаивал ряд стран Центральной и Восточной Европы (речь шла о том положении ОА, где говорилось об отказе НАТО от постоянного размещения существенных боевых сил в новых районах базирования)1.

В начале 2018 г. генсек Альянса Столтенберг даже сделал заявление, согласно которому он при­ звал союзников учитывать тот факт, что они имеют дело с «более самоуверенной Россией». «Мы не хотели бы повторения холодной войны и гонки вооружений, мы выступаем за политический диалог с Москвой»2. В начале 2018 г. начальник Генераль­ ного штаба МО РФ Г. Герасимов посетил штаб- квартиру НАТО и вел переговоры с официальными военными представителями Альянса, в ходе кото­ рых затрагивались такие вопросы, как ситуация в Украине, в Афганистане, транспарентность военной деятельности и снижение рисков военных столкно­ вений (здесь следует отметить, что только в 2016 г. в регионе Балтийского моря произошло более 60 военных инцидентов в воздушном пространстве между самолетами РФ и стран НАТО).

Россия и НАТО проявляют так называемую стратегическую сдержанность: Россия - когда не размещает дополнительные военные контингенты в Псковской и Калининградской областях (кроме систем ПВО), НАТО - когда не хочет выходить из ОА РФ - НАТО и размещать существенные воору­ женные силы на восточном фланге.

Безусловно, в краткосрочной и среднесрочной перспективе России и НАТО вряд ли удастся вер­ нуться к тому уровню сотрудничества, который су­ ществовал в 2000-е годы, когда в рамках СРН было создано 25 рабочих групп, включая совместное миро­ творчество и создание ПРО европейского ТВД.

Особенно в условиях, когда российский МИД в середине апреля 2019 г. объявил о решении о пол­ ном разрыве отношений между Россией и НАТО по военной и гражданской линиям. За этим решением, вероятно, стояло осознание тупиковости сохране­ ния видимости отношений, понимание того, что на самом деле несмотря на определенную риторику со стороны представителей Альянса, реальных наме­ рений и подготовки к военному конфликту НАТО не ведет, надежды на то, что реалистичнее догова­ риваться с США, а не со значительным количест­ вом их европейских союзников, ряд из которых настроены категорически антироссийски.

Представляется, что как решение НАТО от 1 апреля 2014 г., так и решение России от апреля 2019 г. не являются оптимальными. Во-первых, потому, что именно в периоды кризисов надо оста­ваться за столом переговоров, а не захлопывать двери. Во-вторых, потому, что отсутствие каналов оперативного взаимодействия между военными может привести к инцидентам как в воздушном, так и морском пространстве в районе Балтии, где самолеты и корабли стран НАТО и РФ встречаются достаточно часто. В этом контексте хочется наде­ яться на то, что сохраняются хотя бы неформаль­ ные контакты между военными.

Ни у России, ни у НАТО нет намерений эскала­ ции кризиса и трансформации его в реальную во­ енную конфронтацию, несмотря на достаточно жесткую пропагандистскую риторику с обеих сто­ рон в рамках ведущейся информационной войны.

Геополитическая неопределенность, характери­ зующая нынешний этап мирового развития и отно­ шения по линии Россия - Запад, является не самым лучшим фоном для возможности какого-либо пози­ тивного развития на треке Россия - НАТО. Вместе с тем не следует забывать, что Альянс не переводит в практическую плоскость вопрос об интеграции Гру­ зии и Украины, что означало бы готовность к воен­ ной конфронтации с Россией. Россия, понимая, что военный бюджет Альянса в 20 с лишним раз превос­ ходит военные расходы РФ, также не имеет намере­ ний развивать конфликтный потенциал отношений.

Подобные намерения дают возможность пред­ положить, что интересы в сфере безопасности (например, Афганистан) приведут обе стороны к такому уровню сотрудничества, который исключал бы взаимное сдерживание и восприятие друг друга в качестве противников.

Россия - ЕС. После событий в Крыму и начала боевых действий на юго-востоке Украины Евро­ союз (по инициативе Германии и Великобритании) прекратил проведение совместных мероприятий и ввел санкции против РФ. Была приостановлена работа всех совместных органов и мероприятий, которые до этого составили каркас провозглашен­ ного во второй половине 2000-х годов стратегиче­ ского партнерства.

В своей Глобальной стратегии по внешней по­ литике и политике безопасности ЕС провозгласил следующее: «Нарушение Россией международного права и дестабилизация ситуации в Украине наряду с затяжными конфликтами в регионе Черного моря стали вызовом для основ европейской системы безопасности. Мы будем едины в защите междуна­ родного права, демократических прав человека, сотрудничества и права каждого государства сво­ бодно определять свое будущее...

Мы не признаем незаконную аннексию Крыма Россией и не смиримся с дестабилизацией всей Украины»3.

Весной 2016 г. ЕС провозгласил пять принципов построения взаимоотношений с Россией, главным из которых является принцип «избирательного взаимо­действия», который предполагает, что ЕС будет сотрудничать с Москвой только по вопросам, кото­ рые представляют интерес для самого Евросоюза. Однако непонятно, как при этом будут учитываться вопросы, представляющие интерес для РФ.

Брюссель неоднократно подчеркивал, что пово­ дом для, так сказать, «разблокировки» отношений будет являться прогресс в реализации Минских со­ глашений по урегулированию в Украине. И здесь очень много неясностей: ЕС считает Россию участни­ цей конфликта, вместе с тем Москва никогда не при­ знает себя таковой. Возникает вопрос - как могут соглашения, основной целью которых было прекра­ щение огня и спасение украинской армии (кстати говоря, эту задачу они выполнили и в 2014 г. после Иловайска, и в 2015 г. после Дебальцево), являться основой для разрешения конфликта в целом, ибо требования политического характера, предъявляемые Киеву, будут означать поражение любого режима, находящегося в Киеве. Второй вопрос - о релевантно­ сти «нормандского формата», эффективность которо­ го вызывает большие сомнения в связи с очередным обострением отношений между Россией и Западом.

При всем этом следует отметить, что рабочие контакты между Россией и ЕС продолжаются, а това­ рооборот между ними в 2017 г. вырос на 27%, однако они не могут способствовать замещению стратегии по созданию «общих пространств», которая была провозглашена в первой половине 2000-х и которая потерпела фиаско по той причине, что Россия и ЕС не имели общих целей по их формированию, а рассмат­ ривали друг друга в качестве конкурентов. Идея сотрудничества двух интеграционных образований - ЕС и ЕАЭС - пока, видимо, неосуществима по при­ чине слабости ЕАЭС и вследствие позиции союзни­ ков России - Белоруссии и Казахстана.

Представляется рациональным вернуться к идее формирования Совета ЕС - Россия по вопросам безопасности, которая обсуждалась после Кавказ­ ского кризиса осенью 2008 г. Это обусловлено тем, что, как считает известный российский европеист Ю. Борко, главной сферой общих интересов на ближайшие годы будет именно сфера безопасности1. И хотя в настоящий момент обе стороны заняты наращиванием собственных военных потенциалов (ЕС совместно с НАТО), основными и реальными угрозами их безопасности будут воинствующий исламский терроризм, последствия изменения кли­ мата, непредсказуемость, исходящая из центра за­ падного мира - из Вашингтона (фактор Трампа), распространение ОМУ и средств его доставки, ми­ литаризация космоса, киберугрозы и ряд других. По всем этим вопросам ЕС и Россия не имеют аль­ тернативы взаимному сотрудничеству.

Пока же с обеих сторон отсутствует политиче­ ская воля к осознанию причин нынешнего кризиса, их оценки и переосмысления. Не просматривается потенциал формирования архитектуры общеевро­ пейской безопасности на основе баланса интересов Россия - ЕС.

В этой связи представляется важным обратить внимание на ряд инициатив европейских стран (прежде всего Франции) по созданию так называе­ мой «европейской армии», РЕ8СО, Европейского фонда обороны и т.д. С этими инициативами связа­ ны иллюзии части российских политиков и экспер­ тов по поводу того, что следствием явится ослабле­ ние и даже раскол НАТО.

Попытаемся разобраться в том, что же происхо­ дит на самом деле? Не следует забывать, что 22 госу­ дарства ЕС являются одновременно членами НАТО. На Варшавском (2016) и Брюссельском саммитах (2018). НАТО были приняты совместные декларации двух евро-атлантических институтов, где подтвер­ ждается принцип стратегического партнерства. А до этого в глобальной стратегии ЕС для внешней поли­ тики и обороны признавалось, что «НАТО остается самой важной инстанцией для большинства госу­ дарств-членов в сфере безопасности»2. Соответствен­ но ЕС будет углублять отношения с Североатланти­ ческим альянсом, стремясь к «взаимодополняемости и синергии», но «сохраняя автономию - в приня­ тии решений»3. В совместных декларациях ЕС - НАТО были определены семь направлений стратеги­ ческого партнерства: 1) противодействие гибридным угрозам; 2) оперативное сотрудничество (в том числе на море и по вопросам миграции); 3) кибербезопас­ ность и оборона; 4) оборонные потенциалы; 5) обо­ ронная промышленность и оборонные исследования; 6) совместные учения; 7) поддержка формирования потенциала на юге и востоке. Определены 74 сферы сотрудничества в районах реализации совместных деклараций, 20 из которых сосредоточены на проти­ водействии гибридным угрозам, включая создание Европейского центра передового опыта по противо­ действию гибридным угрозам.

Принципами сотрудничества ЕС - НАТО явля­ ются открытость, прозрачность, инклюзивность, зер­ кальность, полное уважение независимости принятия решений. Определены механизмы реализации декла­ раций: совместные тренинги, учебные курсы, обмен предупреждениями об угрозах, кросс-брифинги, сов­ местные инициативы по антикризисному управлению в сфере кибербезопасности.

Такие инициативы Евросоюза как РЕ8СО, Ев­ ропейский оборонный фонд (Е^Р), План развития потенциала ЕС, Ежегодный скоординированный обзор по вопросам обороны (САКВ) и соответст­ вующие программы в НАТО, а именно: процесс оборонного планирования, программа планирова­ ния и анализа, партнерство во имя мира координи­ руются между собой. Штабы НАТО и ЕС сообща работают над повышением военной мобильности. Развивается диалог по вопросам военной промыш­ ленности. Особое внимание уделяется вопросу доступа предприятий малого и среднего бизнеса к цепочке поставок и инноваций в сфере обороны.

В октябре 2017 г. были проведены первые па­ раллельные и скоординированные учения НАТО и ЕС, в ходе которых была проведена проверка меха­ низмов практического сотрудничества при реаги­ ровании на кризис, в том числе в условиях гибрид­ ной войны. В ноябре 2018 г. прошли вторые совме­ стные учения.

Укрепляется политический диалог между ЕС и НАТО. В практику вошли взаимные приглашения на соответствующие министерские заседания, кросс­ брифинги.

Учитывая все вышеперечисленные моменты, в штаб-квартире НАТО не проявляют никакой обеспо­ коенности по поводу европейских инициатив, по­ нимая, что все они носят комплементарный (т.е. взаимодополняющий) характер и не подрывают веду­ щую роль НАТО в сфере обороны и безопасности (так, например, РЕ8СО увеличит мобильность НАТО и т.д.). А представители Еврокомиссии и Евросо­ вета подчеркивают, что они дополняют инициативы НАТО и не представляют угрозу ни для РФ, ни для ВПК США.

Выборы в Европарламент в мае 2019 г. явились этапом на пути развития Евросоюза в целом. С одной стороны, они продемонстрировали опре­ деленное «дряхление» традиционных партий в ряде стран ЕС и повышение роли правых популистов, которые получили в общей сложности на 35 мест больше, чем на предыдущих выборах (связано это помимо всего прочего с европейским миграцион­ ным кризисом, который пережила Европа в период между выборами). С другой стороны, тот факт, что Европейская народная партия и Прогрессивный Альянс социалистов и демократов, потеряв опреде­ ленное количество мест (что не позволяет им со­ хранить большинство в ЕП), все-таки лидируют, подтвердил настроения европейских избирателей в поддержку европейского интеграционного проекта.

Смогут ли относительно усилившиеся популист­ ские партии повлиять на политику Евросоюза в от­ ношении России, покажет время. Однако тем экспер­ там и политикам в России, которые связывают с этим усилением надежды на снятие антироссийских санк­ ций и начало нового этапа в российско-евросоюзов­ ских отношениях, следует напомнить, что такие же надежды они связывали с приходом в Белый дом в Вашингтоне Д. Трампа. Действительность оказалась куда более жестокой и беспощадной.

Россия - ОБСЕ. Единственной организацией в сфере евро-атлантической безопасности, членом которой является Россия, остается ОБСЕ. До на­ чала 2000-х годов Россия утверждала, что именно эта организация является краеугольным камнем европейской безопасности, и именно с ее помощью пыталась противодействовать расширению НАТО. Однако когда этого не получилось, поскольку все страны бывшего советского блока и даже респуб­ лики бывшего СССР - все члены ОБСЕ - выразили четкое желание интегрироваться в Североатланти­ ческий альянс, а также, учитывая тот факт, что деятельность ОБСЕ к этому моменту сосредото­ чилась на мониторинговых миссиях по отслежива­ нию демократических процессов на постсоветском пространстве, Россия перешла на позиции резкой критики ОБСЕ. В период так называемой «золотой эры» во взаимоотношениях России и НАТО (2002­ 2007 годы) у российских элит видимо складыва­ лось впечатление, что многие проблемы безопасно­ сти могут быть решены на площадке Совета Россия - НАТО.

Однако в 2008 г. после Бухарестского саммита НАТО, в ходе которого США попытались (правда, безуспешно, поскольку этому воспрепятствовали европейские союзники) предоставить Украине и Грузии План действий по членству в НАТО, Рос­ сия через предложение по Договору о европейской безопасности (ДЕБ) вновь попыталась вернуть ОБСЕ былое значение. После пятидневной войны на Кавказе (август 2008 г.) различные варианты ДЕБ обсуждались с Францией и Германией, а затем сти­ мулировали начало дискуссии в рамках ОБСЕ о будущем европейской безопасности, которая выли­ лась в так называемый «процесс Корфу». Были созданы 10 специализированных групп: по вопросам выполнения всеми государствами норм и принципов ОБСЕ; по роли организации в решении задач ран­ него предупреждения, предотвращения и урегули­ рования кризисов и конфликтов; постконфликтной реабилитации; контролю над вооружением и мерам укрепления доверия; невоенным угрозам безопасно­ сти; вызовам в области экономики и экологии; правам человека, демократии и верховенству закона; повышению эффективности ОБСЕ и др1.

Россия и страны Запада не пришли к общему знаменателю в ходе обсуждаемых вопросов, поэто­ му на саммите в Астане в 2010 г. не удалось согла­ совать новую повестку дня.

На фоне серьезной деградации отношений Рос­ сии с рядом евро-атлантических институтов в усло­ виях украинского и сирийского кризисов ОБСЕ остается единственной площадкой, где еще возмож­ ны какие-то договоренности. Во-первых, речь может идти о возобновлении процесса контроля над воо­ ружениями и формировании на новом этапе мер доверия, без чего невозможно представить выход из существующего кризиса. Во-вторых, об организации миротворческой миссии на юго-востоке Украины, но, по-видимому, не только для охраны сотрудников ОБСЕ, а в более широком масштабе. Наконец, о создании площадки в рамках ОБСЕ, на которой изучались бы и обсуждались причины нынешнего кризиса с извлечением уроков из него, без чего невозможно продвижение вперед.

При этом следует иметь в виду, как отмечает российский исследователь А. Загорский, что ны­ нешний стратегический курс России сложился не под влиянием отдельных событий, но вследствие определенного числа явлений, проблем и кризисов, выстроенных в цепочку (вольно или невольно) встраивания России в существовавшую тогда сис­ тему безопасности на условиях Запада, что само по себе, учитывая фактор стратегической независимо­ сти РФ, не могло не вызвать противодействия1.

В нынешних условиях, когда скорее всего (со­ гласно концепции бывшего советника Б. Обамы, президента Совета по международным отношениям США Ричарда Хааса)2 мир движется к бесполяр- ному миропорядку, а международные отношения подвергаются серьезной трансформации, значение традиционных государств и межгосударственных объединений будет снижаться, утверждения о том, что удел России - это «стратегическое одиноче­ ство», что ей не нужны союзники и она самодоста­ точна и что ее судьба - это конфронтация с коллек­ тивным Западом (включая Европу) крайне опасны. Они неизбежно приведут страну к самомаргинали- зации, исключению ее из мировой экономической и политической системы.

«Россия есть держава европейская» - утверждала Екатерина II еще в конце XVIII столетия. И она, безусловно, была таковой до октября 1917 г. Затем, когда вследствие большевистского переворота Россия стала «выламываться» из своей «европейскости», она потерпела чудовищное поражение в мирном противо­ стоянии с Европой и США. Представляется, что Россия не имеет права на повторение подобной исто­ рической ошибки, а должна вместе с европейскими партнерами искать пути выхода из сложившегося тяжелейшего кризиса.

В качестве первых шагов можно было бы пред­ ложить следующие.

- Остановить начавшуюся гонку вооружений (в том числе в сфере кибербезопасности), наращи­ вание военных потенциалов, проведение широко­ масштабных военных учений; разрабатывать новые меры доверия.

- Разрабатывать совместные подходы по разбло­ кировке конфликта на юго-востоке Украины, по­ скольку без решения этой острейшей проблемы невозможно решать никакие вопросы безопасности в Европе.

- Начать подготовку совместных проектов с Евросоюзом по восстановлению регионов, постра­ давших от конфликтов.

[TRANSLATION]

The trigger was the events in and around Ukraine in 2013-2014, when Ukraine and the EU discussed the signing of the association Agreement with the European Union, which resulted first in a peaceful and then armed Maidan, the Russian operation to annex Crimea, and the development of events in the south-east of Ukraine. Russia and the West have different views on the causes of the current crisis: Russia believes that the West crossed the Rubicon when it supported the armed overthrow of the legitimate Yanukovich regime after the representatives of the three EU countries gave it security guarantees; the West believes that Russia crossed the Rubicon when it violated the Budapest Memorandum of 1994, being one of the leaders of the three guarantors of the territorial integrity of Ukraine in exchange for the latter's renunciation of nuclear weapons, and then intervened in the development of events in the south-east of this country.

Different interpretations of the causes of the crisis lead to the fact that neither side is ready to "stick to the principles" and start a serious conversation about the basics of a new detente. We are witnessing a further escalation. In the context of the most acute information war, both sides use any means possible to undermine each other's reputation and, as it were, exclude the possibility of future agreements.

At the same time, cooperation with institutions - NATO, the EU, the OSCE, and the Council of Europe - has been somewhat restrained over a number of crisis years.

Russia - NATO. April 1, 2014 in response to the action In response to Russia's intervention in Crimea, NATO suspended all types of practical cooperation through the Russia-NATO Council, arguing that " business as before is impossible." However, the work of the Council itself was not frozen; it met several times at the ambassadorial level between 2014 and 2018. It should be noted, however, that the ambassadors exchanged mutual accusations, and the results of the meetings were almost zero. Decisions of the Alliance's Wales Summit (September 2014) showed that NATO has returned from repelling new threats to its roots in collective defense. The declaration following the summit noted that the NATO Readiness Action Plan (NATO Ceabte88 AeTup R1ap) responded "to changes in the security environment at the borders of the Alliance" and to "challenges generated by Russia and their strategic consequences"2. The plan assumed a permanent presence of the triad of armed forces and substantial NATO military activity in the eastern zone on a potential basis.

The Warsaw Summit of the Alliance in 2016 demonstrated the readiness of the transatlantic allies to undertake symbolic strengthening (in the form of four battalions of 1 thousand people each) of defense structures in the eastern direction, but they were not ready to sacrifice the Fundamental Act of Russia-NATO of 1997, which was insisted on by a number of Central and Eastern European countries (it was where it was mentioned that NATO refused to permanently deploy significant combat forces in new areas of deployment) 1.

In early 2018, NATO Secretary General Stoltenberg even issued a statement, according to which he called on the allies to take into account the fact that they are dealing with a "more confident Russia". "We would not want a repeat of the Cold War and the arms race, we are in favor of a political dialogue with Moscow"2. At the beginning of 2018, the Chief of the General Staff of the Russian Ministry of Defense, G. V. Gerasimov visited NATO headquarters and held talks with NATO military officials, during which issues such as the situation in Ukraine, Afghanistan, transparency of military activities and reducing the risk of military confrontations were discussed (it should be noted here that in 2016 alone, more than 60 military incidents occurred in the Baltic Sea region). in the airspace between the aircraft of the Russian Federation and NATO countries).

Russia and NATO exercise so-called strategic restraint: Russia - when it does not deploy additional military contingents in the Pskov and Kaliningrad regions (except for air defense systems), and NATO - when it does not want to withdraw from the Russian - NATO Alliance and deploy significant armed forces on the eastern flank.

Of course, in the short and medium term, Russia and NATO are unlikely to return to the level of cooperation that existed in the 2000s, when 25 working groups were established under the NRC, including joint peace-building and the creation of a missile defense theater.

Especially in the context when the Russian Foreign Ministry in mid-April 2019 announced a decision to completely break off relations between Russia and NATO on military and civilian lines. This decision was probably based on an awareness of the impasse in maintaining the appearance of relations, an understanding that in fact, despite certain rhetoric from representatives of the Alliance, NATO does not lead to real intentions and preparations for a military conflict, hopes that it is more realistic to negotiate with the United States, rather than with a significant number of them. European allies, some of which are categorically anti-Russian.

It seems that both the NATO decision of April 1, 2014 and the Russian decision of April 2019 are not optimal. First, because it is precisely in times of crisis that we need to stay at the negotiating table, and not slam the door. Secondly, because the lack of channels of operational interaction between the military can lead to incidents both in the air and sea space in the Baltic region, where aircraft and ships of NATO countries and the Russian Federation are quite common. In this context, Nadia would like to despite the fact that at least informal contacts between the military remain.

Neither Russia nor NATO has any intention of escalating the crisis and transforming it into a real military confrontation, despite the rather harsh propaganda rhetoric on both sides in the ongoing information war.

The geopolitical uncertainty that characterizes the current stage of global development and relations along the Russia - West line is not the best background for the possibility of any positive development on the Russia - NATO track. At the same time, it should not be forgotten that the Alliance does not translate the issue of integration of Georgia and Ukraine into a practical plane, which would mean readiness for a military confrontation with Russia. Russia, realizing that the Alliance's military budget exceeds Russia's military expenditures by more than 20 times, also has no intentions to develop the conflict potential of relations.

Such intentions make it possible to predict that security interests (for example, Afghanistan) will lead both sides to a level of cooperation that would exclude mutual deterrence and the perception of each other as opponents.

Russia - EU. After the events in Crimea and the outbreak of hostilities in the south-east of Ukraine, the European Union (at the initiative of Germany and Great Britain) stopped holding joint events and imposed sanctions against the Russian Federation. The work of all joint bodies and activities that had previously formed the framework of the strategic partnership announced in the second half of the 2000s was suspended.

In its Global Strategy for Foreign and Security Policy, the EU has declared the following:: "Russia's violation of international law and the destabilization of the situation in Ukraine, along with the protracted conflicts in the Black Sea region, have become a challenge to the foundations of the European security system. We will stand united in defending international law, democratic human rights, cooperation and the right of each State to freely determine its own future...

We do not recognize Russia's illegal annexation of Crimea and will not accept the destabilization of all of Ukraine. " 3

Spring 2016 The EU has proclaimed five principles for building relations with Russia, the main one being the principle of "selective interaction", which assumes that the EU will cooperate with Moscow only on issues that are of interest to the European Union itself. However, it is unclear how this will take into account issues of interest to the Russian Federation.

Brussels has repeatedly stressed that progress in the implementation of the Minsk agreements on the settlement of the conflict in Ukraine will be the key to "unblocking" relations. And there are a lot of ambiguities here: The EU considers Russia a party to the conflict, but Moscow never recognizes itself as such. The question arises-how can agreements whose main goal was to end the fire and save the Ukrainian army (by the way, they fulfilled this task both in 2014 after Ilovaisk and in 2015) work? after Debaltseve), be the basis for resolving the conflict as a whole, because the political demands imposed on Kiev will mean the defeat of any regime in Kiev. The second question is about relevant The effectiveness of the Normandy format is highly questionable due to the latest aggravation of relations between Russia and the West.

At the same time, it should be noted that working contacts between Russia and the EU continue, and trade turnover between them increased by 27% in 2017, but they cannot help replace the strategy for creating "common spaces", which was proclaimed in the first half of the 2000s and which failed due to the fact that Russia and the EU did not have common goals for their formation, but considered each other as competitors. The idea of cooperation between two integration entities-the EU and the EAEU-is probably not feasible yet due to the weakness of the EAEU and the position of Russia's allies - Belarus and Kazakhstan.

It seems reasonable to return to the idea of forming an EU-Russia Security Council, which was discussed after the Caucasus crisis in autumn 2008. This is due to the fact that, according to the well-known Russian Europeanist Yu.Borko, the main area of common interests in the coming years will be the security sphere. 1 And while both sides are currently engaged in building up their own military capabilities (the EU together with NATO), the main and real threats to their security will be militant Islamic terrorism, the consequences of climate change, unpredictability coming from the center of the western world - from Washington (the Trump factor), the proliferation of WMD and their means of delivery, and militarization space, cyber threats, and a number of others. On all these issues, the EU and Russia have no alternatives to mutual cooperation.

In the meantime, there is a lack of political will on both sides to understand the causes of the current crisis, assess them, and rethink them. The potential for forming an architecture of pan - European security based on a balance of interests between Russia and the EU is not visible.

In this regard, it is important to pay attention to a number of initiatives of European countries (primarily France) to create the so-called "European army", RE8SO, the European Defense Fund, etc. These initiatives are linked to Some Russian politicians and experts are under the illusion that the result will be a weakening and even a split of NATO.

Let's try to understand what is really happening. It should not be forgotten that 22 EU States are simultaneously members of NATO. At the Warsaw (2016) and Brussels (2018) summits. NATO adopted joint declarations of the two Euro-Atlantic institutions, which affirm the principle of strategic partnership. Before that, the EU's Global Strategy for Foreign Policy and Defence recognized that "NATO remains the most important security authority for most Member States"2. Accordingly, the EU will deepen its relations with the North Atlantic Alliance, striving for "complementarity and synergy" but "maintaining autonomy in decision-making"3. The EU - NATO joint declarations identified seven areas of strategic partnership: 1) countering hybrid threats; 2) operational cooperation (including at sea and on migration); 3) cybersecurity and defense; 4) defense capabilities; 5) defense industry and defense research; 6) joint exercises; and 7) support for capacity-building in the south and east. 74 areas of cooperation have been identified in the areas of implementation of the joint declarations, 20 of which focus on countering hybrid threats, including the establishment of the European Center of Excellence for Countering Hybrid Threats.

The principles of EU - NATO cooperation are openness, transparency, inclusiveness, transparency, and full respect for the independence of decision-making. The mechanisms for implementing the declarations are defined: joint trainings, training courses, exchange of warnings about threats, cross-briefings, joint initiatives on crisis management in the field of cybersecurity.

EU initiatives such as the PE8SO, the European Defence Fund (EEF), the EU Capacity Development Plan, the Annual Coordinated Defence Review (ACP) and related programmes in NATO, namely the defence planning process, the Planning and Analysis Programme, and the Partnership for Peace, are coordinated among themselves. NATO and EU headquarters are working together to increase military mobility. A dialogue on military industry issues is developing. Special attention is paid to the issue of access of small and medium-sized businesses to the supply chain and innovations in the field of defense.

In October 2017, the first parallel and coordinated NATO-EU exercises were held, which tested practical cooperation mechanisms in crisis response, including hybrid warfare. The second joint exercise was held in November 2018.

The political dialogue between the EU and NATO is being strengthened. Mutual invitations to relevant ministerial meetings and cross-briefings have become part of the practice.

Taking into account all the above points, NATO headquarters does not show any concern about European initiatives, understanding that they are all complementary (i.e. complementary) and do not undermine the leading role of NATO in the field of defense and security (for example, RE8CO will increase NATO mobility, etc.). Representatives of the European Commission and the European Council emphasize that they complement the NATO initiatives and do not pose a threat to either the Russian Federation or the US military-industrial complex.

The European Parliament elections in May 2019 marked a milestone in the development of the European Union as a whole. On the one hand, they demonstrated a certain "decrepitude" of traditional parties in a number of EU countries and an increase in the role of right-wing populists, who won a total of 35 more seats than in previous elections (this is due, among other things, to the European migration crisis that Europe experienced in the period between the elections). On the other hand, the fact that the European People's Party and the Progressive Alliance of Socialists and Democrats, having lost a certain number of seats (which does not allow them to retain a majority in the EP), are still leading, confirmed the mood of European voters in support of the European integration project.

Time will tell whether the relatively strengthened populist parties will be able to influence the EU's policy towards Russia. However, those experts and politicians in Russia who attribute this increased hope to the lifting of anti-Russian sanctions and the beginning of a new stage in Russian-EU relations should be reminded that they had the same hopes when Donald Trump came to the White House in Washington. The reality turned out to be much more cruel and merciless.

Russia - OSCE. The OSCE remains the only Euro-Atlantic security organization of which Russia is a member. Until the early 2000s, Russia claimed that this organization was the cornerstone of European security, and it was with its help that it tried to counteract the expansion of NATO. However, when this failed, because all the countries of the former Soviet bloc and even the republics of the former USSR - all OSCE members-expressed a clear desire to integrate into the North Atlantic Alliance, and also, given the fact that the OSCE's activities led to this Russia has focused on monitoring missions to monitor democratic processes in the post-Soviet space, while Russia has taken a position of harsh criticism of the OSCE. During the so-called "golden era" in relations between Russia and NATO (2002-2007), Russian elites apparently had the impression that many problems were solved These issues can be resolved on the platform of the NATO - Russia Council.

However, in 2008, after the Bucharest NATO Summit, during which the United States tried (but unsuccessfully, as it was prevented by European allies) to provide Ukraine and Georgia with an Action Plan for NATO Membership, Russia, through a proposal for the European Security Treaty (ESC), again tried to restore the OSCE to its former importance. After the five-day war in the Caucasus (August 2008), various options for DEB were discussed with France and Germany, and then a discussion was initiated within the OSCE on the future of European security, which resulted in the so-called "Corfu process". 10 specialized groups were created: on the implementation of OSCE norms and principles by all States; on the organization's role in early warning, crisis prevention and conflict management; on post-conflict rehabilitation; on arms control and confidence-building measures; and on non-military threats. economic and environmental challenges; human rights, democracy and the rule of law; and enhancing the effectiveness of the OSCE and dr1.

Russia and the West did not come to a common denominator in the course of the issues discussed, so the Astana summit in 2010 failed to agree on a new agenda.

Against the background of the serious deterioration of Russia's relations with a number of Euro-Atlantic institutions in the context of the Ukrainian and Syrian crises, the OSCE remains the only platform where any agreements are still possible. First, we can talk about the resumption of the process of arms control and the formation of confidence-building measures at a new stage, without which it is impossible to imagine a way out of the existing crisis. Secondly, about the organization of a peacekeeping mission in the south-east of Ukraine, but, apparently, not only for the protection of OSCE employees, but on a larger scale. Finally, the creation of a platform within the OSCE to study and discuss the causes of the current crisis, drawing lessons from it, without which it is impossible to move forward.

At the same time, it should be borne in mind, as the Russian researcher A. Zagorsky notes, that the current strategic course of Russia was formed not under the influence of individual events, but as a result of a certain number of phenomena, problems and crises built up in a chain (willingly or unwittingly) of integrating Russia into the then existing security system on the conditions of the West, which This, given the factor of strategic independence of the Russian Federation, could not but cause opposition.1

In the current conditions, when most likely (according to the concept of former adviser to Barack Obama, President of the Council on Foreign Relations of the United States Richard Haas)2 the world is moving towards a nonpolar world order, and international relations are undergoing a major transformation, the importance of traditional states and interstate associations will decrease, the claims that Russia's destiny is "strategic solitude", that it does not need allies and is self-sufficient, and that its fate is a confrontation with the collective West (including Europe) are extremely dangerous. They will inevitably lead the country to self-marginalization, its exclusion from the global economic and political system.

"Russia is a European power," Catherine II said at the end of the eighteenth century. And it certainly was so until October 1917. Then, when, as a result of the Bolshevik coup, Russia began to "break out" of its "Europeanness", it suffered a monstrous defeat in a peaceful counter-revolution. the United States and Europe. It seems that Russia has no right to repeat such a historical mistake, but must work together with its European partners to find ways out of the current severe crisis.

The following could be suggested as the first steps.

- Stop the beginning of the arms race (including in the field of cybersecurity), build up military capabilities, conduct large-scale military exercises; develop new confidence-building measures.

- To develop joint approaches to resolving the conflict in the south-east of Ukraine, since without solving this acute problem, it is impossible to solve any security issues in Europe.

- Start preparing joint projects with the European Union to restore regions affected by conflicts.

### Solvency---AI

#### All OSCE members have a baseline consensus on AI rules of the road---dissensus is on the details. This means agreement is possible and solves security dilemmas.

Anna Nadibaidze 22, PhD fellow at the University of Southern Denmark’s Centre for War Studies, “Commitment to Control Weaponised Artificial Intelligence: A Step Forward for the OSCE and European Security,” Geneva Centre for Security Policy, Issue 22, January 2022, <https://dam.gcsp.ch/files/doc/ssa-2022-issue22>

Introduction

Recent technological and political developments in OSCE participating States suggest a strong interest in pursuing, testing and using weaponised AI and weapons systems with increasingly autonomous features controlled by algorithms. In May 2021 Defence Minister Sergei Shoigu announced that Russia had begun producing combat robots “capable of fighting on their own”,1 while the French Army is planning to introduce robotic systems by 2040.2 The United Kingdom (UK) government has stated its objective of achieving “a leading role in critical and emerging technologies”3 and has established a Defence Artificial Intelligence and Autonomy Unit to better understand them.4 In the United States, the National Security Commission on Artificial Intelligence has urged the government “not [to] be a witness to the AI revolution in military affairs”.5

The global discussion about autonomous weapons systems is often framed in a futuristic way and focuses on lethal autonomous weapons systems (LAWS) – colloquially called “killer robots” – or the “AI arms race”. But weaponised AI is already a reality of European security. Thus far participating States have been reluctant to utilise the OSCE platform to address the risks caused by the increasing autonomy of weapons systems. Building on this issue, this essay intends to address the following questions: (1) how does the lack of regulation of weaponised AI affect security and stability in Europe? and (2) what role can the OSCE play in mitigating the risks related to weaponised AI?

Weaponised AI practices: implications for European security

A United Nations (UN) Security Council report published in March 2021 stated that “lethal autonomous weapons systems were programmed to attack targets without requiring data connectivity between the operator and the munition” during the Libyan civil war, referring to the Turkish-made Kargu 2 armed loitering drone.6 This sparked a wave of worldwide media reaction, with many headlines claiming that the “age of autonomous killer robots” has arrived.7 While it is difficult to assess whether a weapon system has been operated in an autonomous mode, whether in Libya or elsewhere, this episode indicates that there is increased public awareness that AI-based weapons are currently being developed, tested and used.8 In fact, more attention should be paid to the fact that AI-based autonomy at various levels is already present, among others in armed aerial loitering drones, ground vehicles and air defence systems. The concept of autonomy has many definitions and interpretations but is generally understood to be the ability of a machine to perform an intended task without human intervention by using the interaction of its sensors and computer programming with the environment.9

Weaponised AI is affecting European security and stability in two main ways. Firstly, due to the absence of international regulations on the use of weaponised AI, the growing trend of automation and autonomy in weapons systems is silently changing the way in which humans are involved in the use of force.10 Current applications of weaponised AI are shifting the understanding of human control involved in critical functions of weapons systems, especially those of identifying and attacking targets.11 For example, many OSCE participating States use air defence systems with automatic or semi-automatic features. The automation of critical functions of air defence systems “has diminished the capacity of human operators to exercise meaningful human control over specific targeting decisions”.12 The use of autonomy is gradually changing warfare norms, similarly to the way in which the proliferation of armed drones has encouraged targeted killing operations.13 Such developments pose legal, ethical and security risks.

The diminishing role of human control over weapons systems also infringes upon several principles of international humanitarian law (IHL) applicable to armed conflict.14 The principles of moral responsibility and accountability are challenged by the process of delegating crucial decisions such as selecting and attacking a target to an autonomous function that has no moral agency.15 Current AI-based weapons systems are said to be unable to satisfy the requirements of distinction between legitimate and illegitimate targets during combat. These types of weapons systems lack the situation awareness necessary to discriminate between combatants and civilians.16

Moreover, a diminishing human involvement in the operation of weapons systems with autonomous features has substantial security risks, since the risk of potentially catastrophic failure “can never be entirely eliminated”.17 Humans do not fully understand AI-based weapons systems, and the declining role of humans in their operation exacerbates this knowledge gap. As a UN Institute for Disarmament Research report has noted, “All complex weapon systems can have failure modes that cannot be foreseen. But it is likely to be harder to anticipate, quantify and characterize the risks associated with those issues in autonomous weapons”.18 The factors causing these risks include an acceleration of the speed of warfare,19 a destabilising effect,20 the strengthening and “normalisation” of practices such as targeted killings,21 an increase in the asymmetries of warfare,22 and the proliferation of autonomous weapons among terrorist organisations and non-state actors.23

Both Azerbaijan and Armenia used uninhabited aerial vehicles during the 2020 Nagorno-Karabakh conflict, and several IHL violations such as indiscriminate attacks on civilians were recorded.24 While these weapons systems are not officially classified as LAWS, many analysts have deemed their use to be an efficient way of conducting warfare that could contribute to other states’ pursuit of similar technologies. Since there is no way of verifying the level of human control over these systems, operational practices are silently continuing to change the norms of war and legitimise the use of weaponised AI. In other words, “the operational trend towards developing AI-enabled weapon systems continues and is on track to becoming established as ‘the new normal’ in warfare”.25 While there are no legal norms defining a responsible use of weaponised AI, the way in which states use this technology will continue to shape the way warfare is conducted and may increase risks to European and global security.

Secondly, the discourse surrounding weaponised AI – i.e. how OSCE participating States talk about LAWS – also has a considerable impact on European security. Both a common definition of LAWS and agreement on the appropriate level of human control over weapons systems are lacking, resulting in the misinterpretation of the risks that arise. Looking at the discourse of three major players in European security − France, Russia, and the United Kingdom − one sees that their official positions converge on the importance of retaining human control over these weapons. The French Armed Forces minister has said that “France refuses to entrust the decision of life or death to a machine that would act in a completely autonomous manner and would be beyond any human control”.26 Russia has said that it “is committed to the need to maintain human control over LAWS, no matter how ‘advanced’ these systems may be”.27 The UK Ministry of Defence has noted, “the operation of our weapon systems will always be under human control and no UK weapons systems will be capable of attacking targets without this”.28

Nevertheless, autonomy and the concept of appropriate human control over weapons systems are perceived differently. Russia remains opposed to a legally binding treaty that would ban LAWS, arguing that the definition of LAWS should “strike a balance between humanitarian concerns and [the] legitimate defence interests of states”.29 France has suggested a division between “fully” and “partially” LAWS and is only prohibiting “fully” autonomous weapons.30 Meanwhile, the UK has stated that “an autonomous system is capable of understanding higher-level intent and direction”, a definition that is more precise and constraining on the user31 and is “clearly out of step with the definitions used by most other governments”.32

As a common denominator, these states agree on the principle that weapons systems should not function completely autonomously. However, the differences in their views create misperceptions about the uses of AI, specifically among the leading states in this sphere, which are all carefully watching one another’s technological developments. There are risks of misunderstanding, for instance when one state is developing a weapon system that another state considers to be a lethal autonomous system. Such communication issues can lead to a security dilemma in which “one state’s pursuit of greater automation and faster reaction times undermines other states’ security, leads them to similarly pursue more automation just to keep up” and encourages experts to speak of an “AI arms race”.33

As a possible response, several states, scholars, and civil society organisations have been arguing for a ban on LAWS. Since 2013 this issue has been discussed in the framework of the UN Convention on Certain Conventional Weapons (CCW). A Group of Governmental Experts (GGE) on emerging technologies related to LAWS was established in 2016 to pursue the debate in a more formal setting. However, the discussions are often framed in futuristic terms, focusing on “killer robots” and their potential to operate fully autonomously and without human oversight, while existing weapons systems with increasingly autonomous features already have the potential to affect security and stability.

At the same time, the implications of weaponised AI for European and international security are not set in stone. Ultimately, AI is not an agent that decides its own path. The trajectory of weaponised AI, as other technologies in the military sphere used for conventional weapons, is not inevitable. The AI arms race scenario may or may not develop: much will depend on how states decide to use the AI capabilities that they are pursuing.

### Solvency---AI---AT: Stanley-Lockman

#### Concludes NATO not key

Zoe Stanley-Lockman & Lena Trabucco 22, Stanley-Lockman is an Associate Research Fellow in the Military Transformations Programme at the Institute of Defence and Strategic Studies at the S. Rajaratnam School of International Studies in Singapore; Lena Trabucco is a dual degree candidate pursuing a PhD in political science at Northwestern University and a PhD in Law at iCourts Center of Excellence in International Courts at the University of Copenhagen, “NATO’s Role in Responsible AI Governance in Military Affairs,” The Oxford Handbook of AI Governance, edited by Justin Bullock et al., Oxford University Press, 03/18/2022, DOI.org (Crossref), doi:10.1093/oxfordhb/9780197579329.013.69

Importantly, we do not argue NATO is the only—or even the most important—actor shaping AI governance in international security. Other contributors in this Handbook impressively detail efforts at both state and regional levels. Our aim has been to convince sceptics that NATO has a role that is not replicated by other stakeholders in the international security environment. NATO has particular influence, procedures, and the competency to institute certain governance mechanisms—namely standardization and policy planning—that it can build on without needing to expend time building new institutions from scratch. Beyond just a role, NATO is incentivized to emerge as a steward of AI governance and use these mechanisms for future operations, should the Alliance wish to maintain its unique position as a leader encouraging policy alignment, defense planning, and military standardization.

More broadly, this chapter illustrates that regional and international organizations have high stakes for military AI governance. As development, procurement, and implementation of AI is accelerating, it is imperative that international organizations facilitate cooperation among states and industry partners to guide responsible military AI implementation aligned with core values and legal obligations. The convening and coordinating power of international organizations, among other governance tools, is a necessary step for state cooperation and policy alignment. How exactly NATO interacts with other international organizations in the security architecture, including the UN and EU, is a political topic that will also have important implications for the composition of international technology governance regimes, and is a subject for further research.

#### Concedes NATO alone fails---limited-membership organizations can’t create norms with sufficiently wide buy-in.

Zoe Stanley-Lockman 21, Associate Research Fellow in the Military Transformations Programme at the S. Rajaratnam School of International Studies in Singapore, “Emerging AI governance for international security: The stakes and stakeholders of responsibility,” Azure Forum, 3-10-2021, https://www.azureforum.org/the-azure-forum-strategic-insights/emerging-ai-governance-for-international-security-the-stakes-and-stakeholders-of-responsibility/

Which stakeholders?

The distribution of risk across a technology’s lifecycle is no small challenge because it requires looping in the host of stakeholders involved in – and responsible for – each aspect of the technology’s design, development, diffusion, and deployment. Stakeholders like international organisations, states, and the European Union are already mentioned above. Yet, to meet the wide-ranging risks, anticipatory governance requires upstream involvement from other relevant entities such as the private sector, civil society, academia, and more nebulously defined research networks or communities of practice. Given the rate at which technologies converge to culminate in new inventions, no single individual or entity can single-handedly manage risk and shape the trajectory of innovation to the benefit of humanity.

This means that to conduct responsible innovation – also called responsible research and innovation (RRI) in EU nomenclature), anticipatory, deliberative, and responsive governance can only be achieved by including these diverse perspectives with unique responsibilities. This inclusivity of many stakeholders is also deemed necessary to make sure that social and cultural aspects are considered on top of technical ones. Responsible innovation not only entails safety and security – it goes further to consider moral obligations that are embedded in hard and soft law, and in human activity to help keep the focus on impact and outcomes,rather than inputs.

In practice, this requires a change in paradigm from one of liability to a broader emphasis on accountability and responsibility. In addition to the aforementioned ongoing attempts of the European Commission to marry these concepts, interested parties may look toward other organisations that have deep experience working with safety-critical and high-risk systems. At the national level, democratic governments, including their armed forces, are situated to take on these responsibilities given that they are structured to adhere to strict legal processes and reduce risks. For example, Australian defence researchers and ethicists recently offered practical tools to manage ethical risks, including a checklist, risk matrix, and a more formal documentation program for high-risk AI systems. Such documentation practices, which require different parties to register their involvement in the system across its lifecycle, could apply equally to civilian or defence processes.

Conclusion

A number of middle powers and small states have increased their interest in shaping the international technology order, seeking to play an outsized role in international technology governance. In the past, coalitions of small states and civil society organisations have proven decisive in disarmament and non-proliferation initiatives. Ireland, for instance, was part of the “core group” of the Ottawa Process that led to the 1997 Anti-Personnel Mine Ban Convention. For such core groups to establish the rules of the international technology order today, facilitating governance changes to responsible innovation may be key, while managing technological risks affecting human rights and power dynamics in the international system are equally relevant.

It is not new to focus technology management on practices such as norms, standards, and regulations. But the interrelationships between governments and other crucial governance actors – in the private, public, academic, and civil society sectors – will be important to shape innovation in alignment with core values. Weaving together coherent governance regimes whereby actors understand their responsibilities in mitigating risk is important to preventing negative consequences across the technology lifecycle. What is more, in this modern-day competitive international system, the earlier that attempts to shape the international technology order take place, the greater the opportunity to create democratic accountability.

### Solvency---Cyber

#### It’s the only thing that solves---cyber norms fail if they’re confined to insular alliance communities like NATO.

Adina Ponta 21, advisor to the Committee on Information Technology and Communications in the Romanian Parliament, teaching lecturer at the Babeș-Bolyai University in Romania and a postdoctoral researcher at the Law School’s Center for Business Law & Information Technology, “Legal Instability in Cyberspace and OSCE’s Mitigation Role,” Juridical Tribune, vol. 11, no. 3, 12/28/2021, DOI.org (Crossref), doi:10.24818/TBJ/2021/11/3.01

4. The process of consolidating existing norms under the OSCE umbrella

4.1 The old and new role of the OSCE

The more we try to perceive conflict as a manifestation of failed management of disagreements, the higher are the chances of developing efficient conflict prevention measures.35 Norm-making processes offer valuable opportunities for stakeholders to recognize the effects of limited trust between major powers and the means to overcome them. Regional organizations such as the OSCE were created as a response to the need observed by States to build trust and strengthen cooperation and are often regarded as holding the key to the impasse at the global level.36

Regional organizations have a long history of working with CBMs in conventional security areas.37 The OSCE, the world’s largest security-oriented regional organization, has a direct mandate to work on reducing risks of conflict in Europe, and successfully played the role it assumed in 2011 to strengthen cybersecurity.38 In 2017, the OSCE had already developed sixteen practical and actionable measures in this area, which can be grouped into two main clusters: transparency and cooperation measures. These tools aim at enhancing cooperation, transparency, predictability, and stability, to reduce the risks of misperception, escalation, and conflict, that may stem from the use of ICTs.39 These goals are tackled through information-sharing, improvement of national protective capacities, cooperation on incident response, and refrainment from destabilizing State practices.40

Due to its long history of promoting constructive dialogue, the OSCE is best suited to continuously respond to regional concerns or needs, not only of like-minded participating States, but also to bring together non-likeminded States which are in different stages of cyber development.41 OSCE’s active efforts in shaping developments in the cyber domain, including setting the global tone for the development and operationalization of norms and CBMs, is broadly recognized by its partner organizations and in GGE reports.42

As the current OSCE’s focus is to implement already agreed CBMs, rather than pursuing additional cyber norms, this paper aims at arguing several tools of effective consolidation.43 First, this process should build on previously agreed principles and norms, and focus on issues which received broad support by individual States, or by parallel processes, such as the GGE. Although due diligence is not widely endorsed as a binding rule of international law, there is currently widespread support of this non-binding norm of responsible State behavior.44 Voluntary non-binding norms can progressively acquire customary international law status, as well as third party endorsement. Efficient norms may generate productive imitation, especially if these are agreed by soft powers, as the espionage case illustrates.45 Therefore, simplicity might be the key, by reaching political commitments among a group of like-minded actors, by operationalization of agreements and development of culturally grounded behavioral expectations.46 The potential for practical implementation of CBMs makes them unique instruments, not just in the OSCE area, but as a source of good practices for other organizations to replicate.47

Second, the OSCE efforts escape many of the hurdles of high-level political commitments, including vague language, and focus on directive steps.48 The stakeholders should identify and capitalize on the benefits of regional bodies, including their capacity to be more responsive to the changing environment, and the closed sessions with less public scrutiny, where States’ concerns can be more effectively addressed.49 Moreover, benefiting from an established Secretariat and attached procedures, States can adapt OSCE information-sharing platforms to even more robust frameworks. As a neutral organization, with a clear mandate, the OSCE can act as an objective forum, because it does not have defense or sanctioning prerogatives.

Third, the OSCE should capitalize on the participation of its stakeholders, which are States, primary actors of international law. While other norm-making laboratories, such as the Tallinn Manual 2.0, are influential resources, these multilateral efforts are criticized for only addressing the members of a particular system or alliance, and therefore, their lack of impact on States that are not involved in that process.50 The USA and the Russian Federation, two of the States that are far apart on fundamental questions of application of international law to cyberspace, have participated in the GGEs and are standing members of the OSCE.

#### OSCE solves norm-setting for cyber and biotechnology

Matthew Rojansky 18, Director of the Kennan Institute, Wilson Center, “Can a US-Russia conflict be contained?,” European Leadership Network, 10/17/2018, https://www.europeanleadershipnetwork.org/commentary/can-a-us-russia-conflict-be-contained/

Secondly, on broadening the scope and participants of the dialogue: Current US and European sanctions on Russia have undoubtedly had a punishing impact on the Russian economy, but at the same time, opportunities to engage the private sector and technical experts from both countries in solving shared problems have been too often overlooked. For example, Russian and US negotiators have so far tip-toed around vital but difficult topics like setting rules for interstate cyber conflict, countering the rise of radicalization via cyberspace, and increasing transparency and accountability around advanced biotechnology. Private sector actors on both sides would have considerable interest in advancing these dialogues, which might take place within what Trump and Putin called in Helsinki a “working group” of Russian and American business leaders. The surrounding domestic politics are atrocious and sanctions cast a pall over discussions generally, but Washington has enough additional positive and negative arrows in its quiver to seek much more from U.S.-Russia dialogue.

A final missed opportunity, one especially important for the West to signal interest in engagement with the whole of Russia beyond Putin, is the Organisation for Security and Cooperation in Europe (OSCE). The OSCE embodies the values and legacy of the 1975 Helsinki Final Act and the 1990 Charter of Paris – monumental deals that facilitated the Cold War’s peaceful end. Yet the OSCE’s most visible roles today are its election observer missions and special monitoring mission in Ukraine, and the Organisation’s centrepiece, the Permanent Council in Vienna, at which all 57 participating states are represented, has become little more than an echo chamber for mutual recriminations. Now is the time for jump-starting meaningful dialogue between Russians and Americans, with Europeans at the table— on this, a hopeful sign underway in the OSCE’s Structured Dialogue initiative aimed at exploring foundational questions about threat perceptions and conflict resolution.

As a recent speech by Vice President Mike Pence underscored,[2] the US and China appear to be heading for breaking point after only a few years of uncomfortable coexistence as the world’s dominant economies, with China closing in on US military power. The addition of a provoked Beijing to the current dead-end US-Russian conflict is not likely to benefit US, or European, interests.

The window for getting US-Russia relations back on track is closing before our eyes, and missing it may be the definitive end to the relative peace and prosperity of the post-Cold War era.

#### They can fully replace NATO’s role---every NATO member is also an OSCE member, but it’s less polarizing and has greater chances to succeed

A. A. Ivanov 21, А. А. Иванов, professor at N. A. Dobrolyubov Nizhegorod State Linguistic University, “Механизмы Обеспечения Кибербезопасности Нато И Обсе: Сравнительный Анализ,” or “Mechanisms for Ensuring the Cyber Security of NATO and the OSCE: A Comparative Analysis,” Издательство “Перо,” 2021, pp. 156–158, eLibrary

Today, with the development of several new instruments of international cooperation, states have begun to resort to collective activities in cyberspace to solve problems that have become much broader than issues of other forms of security. The most influential structures dealing with security issues are NATO and the OSCE. Paying special attention to the principles of collective protection, both organizations strive to develop their vision for solving problems. They have their own legislation, tactics, many countries are members of both NATO and the OSCE, but the question of reaching consensus in cyberspace remains open. The research is aimed at studying the differences in the approaches of the two organizations based on the analysis of responsible mechanisms pursuing goals for the effectiveness of the policy in cyberspace. As a result, the author assesses the future actions of the two organizations.

#### Empirics prove---OSCE’s highly effective at propagating cyber norms and coordinating information sharing.

Adina Ponta 21, advisor to the Committee on Information Technology and Communications in the Romanian Parliament, teaching lecturer at the Babeș-Bolyai University in Romania and a postdoctoral researcher at the Law School’s Center for Business Law & Information Technology, “Legal Instability in Cyberspace and OSCE’s Mitigation Role,” Juridical Tribune, vol. 11, no. 3, 12/28/2021, DOI.org (Crossref), doi:10.24818/TBJ/2021/11/3.01

1. Introduction

Increased use of technology in civil, military, and commercial sectors, and associated threats have forced scholars and States to consider the international law implications of this new reality. After States, international organizations, and international coordinating fora endorsed the application of international law to cyberspace, the debate shifted to questions of how existing principles, rights, and obligations should be interpreted in the cyber realm.2 Various exercises have attempted to identify the applicable international rules, possible State responses, and legal consequences of cyberoperations, both during war and during peacetime.

States quickly realized that national security heavily depends on international cooperation. International efforts to counter cybersecurity risks debuted with Russia’s introduction of a first United Nations (U.N.) resolution on this topic in 1998.3 Numerous cyber policy fora have proliferated since then in diverse formats, such as the U.N. Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security (GGE), the subsequent U.N. Open-Ended Working Group on Developments in the Field of ICTs in the Context of International Security (OEWG), and other industry- focused norm processes.4 These multistakeholder initiatives started to shape cooperative tools, norms of behavior, and confidence-building measures (CBMs) in support of collective cybersecurity. One of the exercises which is regarded among the most successful by the international community is the high-level agreement on principles, norms, and rules of the road for national internet activities and transnational cyber interactions, conducted under the auspices of the Organization for Cooperation and Security in Europe (OSCE).

In pursuit of its mandate to promote human rights and conflict prevention, the OSCE can play a major role to support operationalization of international law and application of existing principles to the cyber realm. This paper examines some key steps for the aftermath of the creation of norms of behavior, and transparency and confidence-building measures (TCBMs). After a brief analysis of norm-creation processes (part II), this paper will identify some of the most pressing cybersecurity challenges on the international landscape (part III), and offer some suggestions for consolidating the voluntary non-binding norms States already agreed upon (part IV). Using the lessons learned from other domains, the analysis will focus on mechanisms of building further stability and transparency in cyberspace, in particular by reference to the due diligence principle and States’ human rights obligations.

2. From norm creation to consolidation

Analysis of traditional Areas Beyond National Jurisdiction can provide useful lessons learned for cyberspace and demonstrates that if States desire, global governance is possible, even in domains not covered by territorial sovereignty, such as outer space, the High Seas, and Antarctica.5 The traditional power race is reflected in cyberspace, and this domain reveals additional challenges for reaching a multilateral agreement, including lack of consensus on defining fundamental legal terms and interpretations of internal and external State sovereignty.6

While most States seem to agree on the application of general international law to transboundary cyberoperations, the precise translation of the rules developed in the physical world to cyberspace is widely debated. If States see a need to develop new rules, these should build on and strengthen the existing legal framework. The creation of international cybernorms is at the States’ discretion, as it is these international law actors that will be bound by any new rules. Efforts such as that which produced the Tallinn Manuals can play extremely valuable roles, but are no substitute for State practice or articulation of norms. On the one hand, these exercises provide an opportunity for a thorough understanding of normative expectations within relevant communities. On the other hand, they have fragmented the legal approach to cyberspace, which further hampers cybernorms ability to solidify and diffuse. Fragmentation is most visible with respect to the scope of notions such as the threshold of the use of force, due diligence, and essential State infrastructure, all which will be detailed below.7

Additionally, most norm-making fora focus on the end product, i.e., the creation of norms and their substantive content. The process itself is often understated, although it represents the catalysator of building trust and understanding, and the real power of a successful future of norms lies in the processes by which they form and evolve. Therefore, it was argued that the journey matters as much as the destination, namely the manner in which cybernorms are constructed will shape the content and character of the emerging norms.8

Norms are voluntary forms of cooperation, usually framed in a general language, that provide ideal standards of conduct for State and non-State actors. Usually lacking compliance, enforcement, and dispute resolution mechanisms, their value derives from implementation and careful balancing of additional State commitments, national security considerations, privacy concerns, and private-public partnerships. Although cybernorms discourse has often focused on promoting voluntary non-binding norms as an alternative to law, legal rules and norms are not antagonistic concepts. The goal of law creation is precisely the establishment of norms, and their legitimacy is conferred by creation of collective behavioral expectations. Most existing cybernorms are built on bases other than law, such as political agreement.9 Some of these multi-stakeholder efforts were intended to be as inclusive as possible, campaigning for universal cybernorms for all States.10 Other initiatives targeted limited norm development, addressing “like-minded States”, “major powers” or specific domains, such as data protection.11 The most known multilateral norm-building efforts in cyberspace are the GGE process and the OSCE efforts to develop voluntary CBMs.

TCBMs are policy tools aimed at mitigating threats, building trust, and communication channels, and have been traditionally promoted in tackling international security issues, such as nuclear non-proliferation or disarmament. Usually perceived as politically binding instruments, TCBMs can sometimes be agreed as legally binding, but they are mainly constructed as a bridge to future international law rules, laying the foundations towards identification of areas of common ground.12 Flexibility and openness to understand perspectives of allies and competitors is both a crucial condition and an aim of efficient TCBMs, as was demonstrated by the CBMs agreed under the umbrella of the OSCE.13

### Solvency---Cyber---AT: Non-Binding

#### It can compel behavior even if it’s not binding

Adina Ponta 21, advisor to the Committee on Information Technology and Communications in the Romanian Parliament, teaching lecturer at the Babeș-Bolyai University in Romania and a postdoctoral researcher at the Law School’s Center for Business Law & Information Technology, “Legal Instability in Cyberspace and OSCE’s Mitigation Role,” Juridical Tribune, vol. 11, no. 3, 12/28/2021, DOI.org (Crossref), doi:10.24818/TBJ/2021/11/3.01

Although the OSCE process cannot force States to implement their recommendations, it can employ preventive and quiet diplomacy, as well as results- orientated dialogue to find common grounds on emerging security challenges.52 As GGE processes share almost overlapping mandates with the OEWG, the OSCE can be among the most promising venues for multilateral cybersecurity cooperation. In this regard, the OSCE’s ability to bring the United States and Russia to the conversation table is crucial, and with EU support, it should strive at engaging Chinese representatives as well. The People’s Republic of China, which takes a similar view to Russia, also participated in the GGEs, but is not an OSCE member. The preliminary conversations should focus on national interpretations and application of fundamental international law principles. To ensure a candid exchange of views, initial conversations should be held under Chatham House Rule and avoid public scrutiny.

### Solvency---Cyber---AT: Say No

#### OSCE can compel members to share information about cybersecurity challenges---despite a divergence in values in the membership.

Adina Ponta 21, advisor to the Committee on Information Technology and Communications in the Romanian Parliament, teaching lecturer at the Babeș-Bolyai University in Romania and a postdoctoral researcher at the Law School’s Center for Business Law & Information Technology, “Legal Instability in Cyberspace and OSCE’s Mitigation Role,” Juridical Tribune, vol. 11, no. 3, 12/28/2021, DOI.org (Crossref), doi:10.24818/TBJ/2021/11/3.01

Fifth, as the coordinating fora for CBMs, the OSCE, has accumulated political capital of addressing States’ reluctance regarding information-sharing and inherent challenges that create multi-stakeholder cooperation problems. During the previous rounds, the OSCE gained an overview on which objectives can reasonably be achieved multilaterally, and which ones are more suited for bilateral cooperation mechanisms.53 Deriving lessons learned from past processes enables better approaches to national interests, concerns, and operational practices.54

It would be utopic to believe that major powers will agree on interpretations of every legal institution. Even the experts of the Tallinn Manual Process could not agree on basic principles, although as mentioned, they mainly originated from like- minded states and cultures. The first part of this paper highlighted that the process of norm-creation may matter as much as the destination, as participants agree to disagree and understand each other’s differences and underlying rationales.

Another important endeavor is the analysis of past and present challenges of effective implementation of voluntary norms. The OSCE should strive at assisting States to recognize the prospective domestic and foreign policy value of recognizing CBMs.55 The reasons why some of the measures were perceived as being less important, implementation challenges, and responses within the civil society and industry shall be thoroughly examined.

The Proliferation Security Initiative (PSI) is sometimes cited as a possible model for future cybersecurity cooperation. 56 This approach has been described as a “coalition of the willing” against a global threat by means of flexible coordination of national and international instruments.57 The proposed institutional architecture encourages collective action for a common cause, without requiring legally binding commitments. This agreement is also recognized for reaching a political commitment by only a few States, which accepted that they have different capacities and resources to identify and respond to threats. This initiative represents a successful example of voluntary cooperation, first among like-minded States, around enforcement of specific, agreed norms of behavior.

The OSCE participating States should capitalize on lessons learned to operationalize norms in a practical manner, such as was the case of the 1990 OSCE Vienna Document on Negotiations on CSBMs, which contained voluntary military measures aiming at enhancing transparency, trust building, and arms control. After their translation into the cyber realm, these tools departed from the traditional military components of CSBMs and adopted more cyber diplomacy approaches, bringing both likeminded and non-likeminded States to the table.58

#### The OSCE’s extremely effective at creating norm consensus even when members disagree.

Adina Ponta 21, advisor to the Committee on Information Technology and Communications in the Romanian Parliament, teaching lecturer at the Babeș-Bolyai University in Romania and a postdoctoral researcher at the Law School’s Center for Business Law & Information Technology, “Legal Instability in Cyberspace and OSCE’s Mitigation Role,” Juridical Tribune, vol. 11, no. 3, 12/28/2021, DOI.org (Crossref), doi:10.24818/TBJ/2021/11/3.01

4.2 OSCE work and pressing cyberthreats

Part III of the paper detailed why States’ recognition of their due diligence obligations is crucial for early warning, a key element of OSCE mandate. While the previous section suggested some practical steps for addressing this principle and other delicate cyber issues on which previous efforts have not concluded with unanimous consent, this section will emphasize why the most pressing issues require immediate attention.

First, the solid inter-state cooperation structure provided by OSCE should be utilized to build on pre-existing commitments to strengthen existing CBMs related to due diligence and launch legal and political conversations on the preventive aspect of this principle.59 This process should include civil society and industry representatives, who can provide fresh insight on the realistic capabilities of states to commit, on the requirements and obstacles to full implementation.

Second, development of agreed terminology is fundamental for pursuing further dialogue, as States can identify areas of agreement and disagreement about the translation of the due diligence principle from other areas of law, such as space law, environmental law, or law of the sea.60 The same rationale applies to divergent views in regard to terminology of “essential” or “critical” infrastructure and associated concerns. In most views, a cyber intrusion against ordinary hospitals, patients’ databases or laboratories would not impact national care during ordinary times.61 However, given the shortages of medical infrastructure during the 2020 pandemic, the threshold for the “essential character” would likely shift. While an infectious disease hospital or testing facility are expected to be considered indispensable medical services during a pandemic, the legal effects of deaths occurring as indirect consequences of cyber intrusions remain unanswered.62 Perhaps, the silver lining of recent malicious cyberoperations is the opportunity for States and multilateral fora to clarify application of international law, endorse norms, and assert their credibility.63

5. Conclusion

The digital arms race determined numerous States to enhance their defensive and offensive cyber capabilities, and some already defined cyberspace as a military domain. The future will tell whether an equivalent of the “Treaty on Open Skies” is possible in cyberspace.64 With the same goal, the value of CBMs is rendered by their mere purpose, to create safe and predictable behavior in cyberspace, and to build a culture of transparency among stakeholders. This paper highlighted the value of interregional cooperation on cybersecurity and the need to institutionalize these dialogues, to operationalize implementation measures, and strengthen commitments. Despite their slow pace, CBMs are continuously developed with every State action or declaration, having a great potential to uphold international peace and reduce risks of conflict and escalation. Norms of responsible State behavior seek to define key concepts, such as “red lines” for the use of ICTs.65 One of the most important thresholds is that States make sure that the territory or cyber infrastructure under their control is not used for operations that affect the rights of, and produce adverse consequences for, other States.

The 2017 GGE demonstrated that there are no guarantees of reaching international consensus for the creation of norms to secure and govern cyberspace. Security threats are inherently transnational, and their prevention and mitigation will require greater engagement and commitment from the international community. Their successful approach will imply constructive and open conversations among various stakeholders with divergent priorities, agendas, and views on international law. At this moment in time, progress requires continuous compromise by the major powers, which sometimes express contrasting interpretations of international law applicable to cyberspace. OSCE’s contribution and assistance to constructive dialogue, flexible understanding of legal views, and creation of national practices that allow implementation is crucial. This model of cooperation, the norm-setting and CBMs are a model for other regional organizations and their image should be defended by continuous efforts.

#### OSCE has an extremely strong track record in cyberspace consensus building.

Ben Hiller 16, Cyber Security Officer at the OSCE, “Cyber Security and CIP: A Potential Role for OSCE,” Critical Infrastructure Protection Against Hybrid Warfare Security Related Challenges, Ed. By A. Niglia, IOS Press, 2016, 10.3233/978-1-61499-699-6-14

Cyber Security and CIP

Critical infrastructures are the lifelines of States, and essential assets. They are profitable businesses and indispensable for citizens.

Keeping them safe is a concern all States share – no matter what their stage of de- velopment.

It is in their national interest to optimise processes and procedures to mitigate po- tential cyber threats that could harm them. Having said that in times when governments are increasingly investing in cyber capabilities enhancing national cyber resilience is not only good for individual countries; it is also a contribution to international peace and security.

Currently, forty-seven UN member states have active cyber programmes that give some role to the armed forces. Ten out of the 15 biggest military spenders possess or are developing offensive cyber capabilities.

Given the importance of critical infrastructures to national security, it is more likely that tensions will flare up between States over cyber-attacks on critical infrastructure than any other target or activity.

It comes as no surprise then that the protection of critical infrastructures is a key concern in international and regional efforts designed to enhance cyber stability between States and to reduce the risks of conflict stemming from the use of ICTs.

For instance, the latest report by the UN Group of Governmental Experts on Devel- opments in the Field of Information and Telecommunications in the Context of Interna- tional Security recommended that a State should not conduct or knowingly support ICT activity that intentionally damages or otherwise impairs the use and operation of critical infrastructure. In addition, States should also take appropriate measures to protect their critical infrastructure from ICT threats.

Similarly, the protection of protecting ICT enabled critical infrastructure has also been a focus of all 57 OSCE participating States in their agreement on a list of confidence building measures to reduce the risks of conflict stemming from the use of ICTs as re- cently as March 2016.

For those less aware of OSCE efforts in this field, OSCE participating States adopted a total of 16 cyber/ICT security CBMs. They are designed to avoid misunderstandings and to increase transparency; co-operation and stability between States in cyberspace – States that often have fundamentally different visions when it comes to international cyber/ICT security policies.

The CBMs offer States the opportunity to raise concerns related to cyber incidents that could affect international relations, for instance by using the new communication mechanisms that came with the CBMs. By agreeing to these measures, States made a commitment to “care” about cyber stability between States, and to work towards a common objective despite ideological differences.

The protection of ICT enabled infrastructure is an issue that all States deem of vital importance. Consequently, the latest CBMs added the protection of ICT-enabled critical infrastructures as a concrete are for co-operation.

Specifically, States committed to facilitate cooperation between authorities respon- sible for securing critical infrastructures including to

• Develop shared responses including crisis management procedures;

• Adopt voluntary national arrangements to classify ICT incidents in terms of the scale and seriousness of the incident;

• Share national views of categories of ICT-enabled infrastructure States consider critical;

• Improve the security of national and transnational ICT-enabled critical infra- structure including their integrity; and

• Raising awareness about protecting industrial control systems.

The goal of these measures is to both, encourage overall ICT security in the OSCE region, and in the process establish working relations between States as part of further enhancing confidence in each other, and each other’s capabilities to deal with such threats.

It is this sort of engagement that demonstrates a State’s understanding that a lax approach to protecting ICT-enabled critical infrastructure could have cascading effects on interstate relations and fuel potential tensions.

At the same time, it offers the opportunity to show partners the importance a State attaches to stability in cyberspace, and that it also takes the necessary steps to minimise the risk of unknowingly becoming an accomplice of a malicious cyber act; or even to become entangled in tensions by coincidence without being able to contribute to its res- olution. Imagine, Country A experiences a large scale cyber-attack. Since the perpetra- tors of a hostile cyber-attack are difficult to identify for certain, country A has to guess who is responsible.

Chances are that suspicions will fall on Country B with whom relations are already especially if some Internet traffic can be traced back there. A key determinant of how forceful Country A will react will depend on many different factors. However, I would argue that it will also depend on whether it is still willing to give Country B the benefit of doubt.

Country A will question whether this attack is in, or out of character for Country B by drawing on past behaviours and information exchange. For instance, what measures has Country B taken to prevent national ICT infrastructure from being abused by non- state actors to launch a cyber-attack on a critical infrastructure in another State?

It is this sort of knowledge that prevents hasty and uninformed decisions that could lead to tensions between the two States. And it is exactly this sort of knowledge that States are sharing as part of the CBM process, and on top can now use dedicated channels to raise such concerns at the diplomatic and policy level.

While all this is going on other States will likely be greatly comforted by the knowledge that country A and Country B are not only able to address their concerns but also that those States have the right tools, mechanisms and people in place to minimise the potential impact of this attack on third countries.

How will they know? Well as part of the latest CBMs they might have just initiated closer co-operation regionally and or sub-regionally between operators of ICT enabled critical infrastructure to develop shared mitigation plans, and probably would have struck up personal relations with exactly those people who are dealing with these sorts of inci- dents.

So far this is in theory. In practice this sort of trusted relationships between all OSCE participating States needs to be build up over time and through active implementation of the CBMs. Confidence does not grow over night and is also affected by wider global political developments.

Having said that so far States have surpassed expectations in their implementation efforts and over 75% have implemented the one or more of the CBMs. The voluntary nature of the CBMs might be the biggest asset in this respect and peer review as well as peer pressure may have been a driving force in this context.

Clearly, after having taken a commitment to “care” about cyber stability between States, non-implementation would not shine a good light on any participating State.

Furthermore, the politically-binding nature of the decision may have helped States build consensus in the first place. It would have been impossible to arrive at a similar decision on a legally-binding basis.

What’s next for the OSCE?

Following the adoption of the latest cooperative measures, work will continue on the implementation of the existing CBMs and efforts to fine-tune implementation.

For instance, States are currently considering the development of a template to en- sure the timely response to requests for assistance by another State whose critical infra- structure is subject to malicious ICT acts.

Moreover, work will now also start on so-called stability measures.

To this end, the Chair of the responsible Working Group has invited States to submit proposals for measures “that contribute to establishing standards of responsible state be- haviour and help bolster a steady global ICT environment” to be discussed already at the next meeting in June.

With this we are very much touching on normative issues. One could for instance think whether such stability measures include a political commitment to refrain from targeting certain infrastructures – but this remains to be seen. There should be nothing political about wanting to protect citizens or to avoid conflict stemming from the use of ICTs – a least in theory.

If I were to sum up the status quo I would say that a lot has happened, more needs to be done and most importantly States need to own what they have agreed if they want to progress.

Organizations such as the OSCE can help along the way and act as facilitators but as we know they are only constructs made up of their constituents. Words need to be followed by deeds.

### Solvency---Ext

#### Broad ideological clashes between East and West aren’t a reason to avoid dialogue

Pál Dunay 17, Professor of NATO and European Security Issues at the Marshall Center and Academic Advisor of its Central Asia program, PASS, ESS-E, and SES courses, “Arms Control Arrangements under the Aegis of the OSCE: Is There a Better Way to Handle Compliance?,” Connections, vol. 16, no. 3, Partnership for Peace Consortium of Defense Academies and Security Studies Institutes, 2017, pp. 57–72

Preliminary Assumptions

• Arms control, including conventional arms control, does not constitute an end in itself and can be seen as the outward military/technical manifestation of the inward international political climate. 1

• If conventional arms control works best in an environment, which is neither characterized by animosity nor by full mutual trust, the current European situation is favorable to it. In the case of the former, arms control is impossible; in the case of the latter, it is not necessary. However, as the European conventional arms control arrangements agreed between 1990 and 1994 have demonstrated, the relationships must be closer to mutual trust than to limited animosity if success is to be achieved. This requires a further qualification of the previous assumption.

• Success in conventional arms control is frequently identified with the conclusion of agreements. However, this is an arbitrarily narrow definition of the concept. Making established conventional arms control implementation fora work, transparency, compliance and, if necessary, enforcement of obligations form part and parcel of arms control. It is more of a process than a series of distinct points.

• Conventional arms control and confidence- and security-building measures (CSBMs) have been separated from and contrasted with each other by the participating states of the Organization for Security and Cooperation in Europe (OSCE). This is contrary to common sense and the observation of analysts who prefer to differentiate between structural and operational arms control. 2

• Since the fundamental rearrangement of the geopolitical landscape and power relations in Europe, associated with the end of the Cold War and the subsequent winding up of the Warsaw Treaty and the enlargement of NATO, no adaptation has taken place in European (Euro-Atlantic) arms control that is in force.

Characteristic Features of the Current Situation

The security perception of European states and their citizens, particularly the overwhelming majority that confined its interests regionally, has improved during the quarter of a century since the end of the Cold War and the middle of the current decade. Not even the wars in the former Yugoslavia, the protracted conflicts in the former Soviet Union, the secession of Abkhazia and South Ossetia and the annexation of Crimea could reverse this perception. However, these protracted conflicts have undermined the achievement of new accords, be they documents approved by OSCE Ministerial Councils, the Astana Summit, or a more extensive modernization of the CSBM package.

Whereas for some participating states a significant deterioration of the security situation started in 2008, for many others the sea change occurred in 2014. Again, for some other participating states the deterioration of relations began with the so-called Kosovo war of 1999 and was followed by the Iraq war of 2003 (both without approval by the UN Security Council). However, it would be difficult to argue for them to be seen as turning points because relations re- turned to cooperation later. It is certain that relations between Russia and the West have, with significant variations, reached a new low since 2014. This means that the external conditions for agreeing upon measures based on cooperation are not favorable. At least one of the current conflicts, in Ukraine, carries the danger of qualifying as ‘protracted’ and thus further increases the prospect of more such conflicts. Political establishments in different capitals have interpreted this conflict in different ways. Hence, it may still be possible to have working relations irrespective of some violations at the top level in the hierarchy of international law.

Some participating states are of the view that a rule based international order cannot exist when there are prima faciae violations of its foundations such as the territorial integrity or the political independence of states. Whereas a change of territorial integrity can be easily attributed to external players, others emphasize the undermining of the political independence of countries by externally induced or actively supported measures, like the so-called color revolutions. Those universal, peremptory norms cannot be disregarded with reference to claims be they founded on history, ethnic composition or the right to self-determination. This is independent of whether any OSCE document reaffirms the norm or not. If this approach is interpreted strictly, no business can be made between states that violate either of those norms. As it is highly unlikely that some change could be reversed this would lastingly freeze relations. Even if this view starts out from the integrity of the international legal order and thus has internal logic, it is not realistic to assume that this would be, generally, in the long-term interest of the participating states. Other participating states tacitly recognize the potentially detrimental consequences of such an approach and emphasize the importance of maintaining relations, including security matters, among the OSCE. This view can be further differentiated according to the emphasis made in overcoming the stalemate and covering the gaps. They can be grouped as follows:

• Top down approach. Cooperation is impossible as long as a violation of basic international legal principles continues;

• Bottom up approach. Cooperation in select areas must be possible irrespective of violations on other levels;

• Opening a new chapter. Create distance between the eventual noncompliance with the arms control arrangements and the gross violation of the European peace order, and the stalemate in discussing/negotiating/agreeing upon new measures and hence make the coexistence of the current situation and the opening of a new chapter possible.

The various positions go back to the assumption of how the current tension can be overcome – (re)creating a cooperative environment in which the perpetrator could react constructively. The “top down approach” has been identified with particular emphasis upon deterrence. However, the term deterrence does not bring us close to an accurate assessment of the purposeful line to be taken. It is much more of a roll-back policy that requires the state that annexed and seized territory to give up and return to the status quo ante. Irrespective of how desirable this might be, it is hardly realistic to count on or expect such a development. This results in a certain kind of ‘doubletalk’ 3 as the participating states actually know there will be no such return. However, they use it as part of their strategic communication and will only be ready to sacrifice it for some compensation. This leads to a gradual increase in the number of protracted conflicts, lasting stalemates and a crisis of classical diplomacy where every constructive step is a concession.

The bottom up approach addresses ‘technical’ arms control matters irrespective of problems on levels closer to high politics. This could make technical discussions possible on areas such as compliance and could fill the agenda of fora established to address implementation.

The most constructive (or apparently constructive) approach is the one that separates the implementation of commitments from constructive arms control dialogue among the participating states irrespective of their current compliance record. Here, the smaller technical violations of living up to detailed commitments under arms control arrangements are not the problem; it is the larger violations that evaporate trust and confidence. This third option seems more preferable as arms control can be regarded as “a means to build trust where it has been lost” under the assumption that irrespective of how “deep the rifts, we must try to build bridges.” 4 This was followed by that the incoming OSCE Troika took the commitment “to launching a structured dialogue on security and arms control” – apparently an achievement of the outgoing German chairmanship.5 The structural dialogue has started and certainly contributed to professional exchanges of experts in spite of the fundamental disagreements on major European security issues that were impossible to overcome.

#### Empirics prove---the OSCE has been capable of attaining consensus on AI in the past

Andrew Imbrie et al. 20, Center for Security and Emerging Technology, “Agile Alliances,” CSET, 2020, https://cset.georgetown.edu/wp-content/uploads/CSET-Report-Agile-Alliances-1.pdf

ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE (OSCE)

Organization Profile: OSCE is an international security organization focused on human rights, border control, human trafficking, and arms control. OSCE holds conferences and conducts field operations to promote democratic values.162

Current Work Related to AI: OSCE has held forums to discuss how artificial intelligence will change law enforcement operations and how criminals may exploit AI for illegal purposes.163 Most of the OSCE’s work has focused on the digital transformation of global economies.

• In 2018, the OSCE held its 25th ministerial meeting, which published decisions and declarations on human capital in the digital era and cooperation in the digital economy. These documents aim to increase collaboration between states, discuss shared challenges, and identify opportunities for public-private partnership.164

Comparative Advantages of the OSCE: The OSCE brings together 57 countries committed to promoting democratic values, human rights, and security. In addition, the OSCE facilitates regional and international collaboration among member law enforcement institutions and promotes the use of new technologies to improve police operations.165 The OSCE’s mission and operations could support the following initiatives to:

• Share, pool, and store non-sensitive data sets;

• Invest in privacy-preserving machine learning; and

• Develop inter-allied human capital initiative for AI.

#### The OSCE can depoliticize arms control discussions by foregrounding technical experts. This allows arriving at consensus.

Pál Dunay 17, Professor of NATO and European Security Issues at the Marshall Center and Academic Advisor of its Central Asia program, PASS, ESS-E, and SES courses, “Arms Control Arrangements under the Aegis of the OSCE: Is There a Better Way to Handle Compliance?,” Connections, vol. 16, no. 3, Partnership for Peace Consortium of Defense Academies and Security Studies Institutes, 2017, pp. 57–72

Conclusions

After an interval of more than two decades, military security has returned to the political agenda in Europe. The illusion that many have pursued, that security is guaranteed for most European states, turned out to be unfounded and temporary. The revival of military security is at odds with an arms control regime that has not been successfully adjusted to the changes since the beginning of the post-Cold War era. Due to the unadjusted (and partly outlawed) arms control regime, violations of the letter of various accords have remained limited. Violations gain significance in conjunction with crises, real or potential, protracted conflicts and the strategic reassessment of the importance of certain areas in the application of the treaties. It is important to closely monitor the so-called ‘norm challenging behavior’ as it prepares for norm erosion and increases the danger of institutional decay. 15 It is irresponsible to create a situation in which participating states or state parties could mutually refer to each other’s violations of commitments. On a larger scale with respect to some major conflicts (Kosovo, Iraq, Georgia, Ukraine) this has been going on for nearly two decades without anybody providing reasons why one state’s violation legitimizes that of another state or, to put it more bluntly: Why states have to follow each other into the mud.

In spite of the quest to make arms control measures not only applicable in fair weather, this request has remained only partially fulfilled. Some measures have been introduced in the CSBM packages of the early 1990s in order to address this matter. 16 The measures have also been applied under stressful circumstances, like the so-called Kosovo war of 1999. Still, further measures may be necessary to advance the applicability of CSBMs in other difficult circumstances.

The current fora should be adequate to address compliance matters unless they are being obstructed by some participating states or state parties. However, because of their politicization, some fora (like the Forum for Security Cooperation (FSC) or the Open Skies Consultative Commission (OSCC)) are used for megaphone diplomacy in which delegates make statements and use harsh rhetoric in order to demonstrate their toughness to their own masters rather than conducting dialogue with their partners. This, inevitably, reduces the relevance and usefulness of these fora. Consequently, there are working bodies like debates on Open Skies in a smaller framework or the Structured Dialogue, which take the place of the larger fora. They function as genuinely multilateral fora even though NATO assembles 29 allied nations from among them. However, the expectation that the smaller members will simply accept positions about which large parties persuade them or which are imposed upon them by larger ones even when it is not in their national interests, reflects a way of thinking not shared by every participating state.

The current thresholds for notification and observation are too high and can be misused. The violation of their spirit can start by not providing sufficient transparency and then simultaneously mobilizing units for so-called snap exercises. It is understandable that some armed forces will have to catch up after a period in which they did not take training sufficiently seriously and did not allo-cate adequate resources to defense, like the Russian Federation in the 1990s. However, providing information on a voluntary basis must be possible in order to alleviate concerns even if a new set of confidence- and security-building measures cannot be agreed upon. Such a step would be contingent upon an improved or at least more relaxed political atmosphere.

It is essential to see that some of the notification and observation measures were agreed as long ago as 1986 so that they would not be applicable to the then most frequent Warsaw Treaty exercises using mechanized divisions. Clearly, many of our concerns reappear faster and are more vivid when they are grounded in Cold War history. Diplomats need to know that analysts are well aware that the current heating up of tension, partially grounded in objective reality, is complemented by the fact that today’s re-emerging adversary is a state that is often regarded as being identical with the old familiar Cold War adversary. It makes drawing conclusions rapid and simple without much consideration being given to the major differences between the two periods.

Arms control has changed a lot over the last decades in Europe. Still, there are matters in which no change is apparent. There are still participating states with significantly larger military capabilities than others. Although all regimes are required to meet the same normative obligations, the strategic importance of compliance focuses mainly on a few states. The agreements provide tools to observe eventual violations of one sort or another. However, there are difficulties in taking action in the light of detected violations. When Fred Ikle wrote his seminal article in 196117 concerning the dilemma states were facing when they detected the violation of an arms control accord by a party whose participation was essential to the accord, he raised the ultimate question of what to do about the violator. What means the other parties have (not in the sense of international law as that is fairly clear) beyond publicly ‘naming and shaming’ the violator is open to conjecture. In the end, expelling the pivotal partner from the arrangement with reference to its massive or systematic violation does not solve the problem; it simply gives a free hand to the violator to get rid of the commitments that it was previously obligated to obey. Fortunately, there are no premeditated, concerted, large-scale, systematic violations of strategic significance nowadays and, hence, the unresolved dilemma is not high on the agenda of interested parties. This is the case even though some military experts and diplomats, for tactical reasons, may make attempts to portray the differences as strategic in the area of compliance with arms control.

It seems, under the current conditions, that there is no chance to negotiate new, substantive arms control measures. Even those initiatives that were put on the table have been taken back or meant more for strategic ‘sondage’ than anything else. It has usually been a question of whether there is a resolve to free some small area of conventional arms control from strategic counter-in-terest on a higher level. This would require visionary statesmen/women on a higher political level than the present managers and power perpetuating egoists. However, history never ends. If there is little chance for new arrangements to agree upon, states have to decide on what to do next by focusing on the process and leaving the outcomes for better times. It seems that what is being done is precisely what may help under the current conditions:

1. Not seeking to negotiate any new document on European arms control due to the unfavorable atmosphere and the conflicts that impose themselves on European security nowadays

2. Maintaining dialogue on a professional level to discuss items of relevance

3. Decoupling the process of forward looking considerations from some of those established frameworks (JCG, OSCC) that have lost some of their relevance as fora for professional exchange due to the historical burden of formal exchanges

4. Keeping watch on compliance in order to prevent further erosion and a growing irrelevance of the existing arms control regimes.

The lasting stalemate results in an increasingly busy expert community trying to address and contribute to its resolution. Most of their efforts will not bring about immediate results but may contribute to creating a depot of intellectual ammunition that can be explored when the opportunity arises.

It is essential to reassess the situation objectively and to conclude whether the overwhelmingly technical violations can be separated from the eventual strategic discord. It will also be essential to leave the professionals to gain more autonomy so that they can act in the best interests of their nations rather than having to meet the expectations of certain groups, which may wish to impose their ill-informed positions upon them.

## OSCE NB

### Overview

#### Expanding the war to Transnistria draws in NATO---goes nuclear

Holly Ellyatt 22, staff at CNBC, “Could there be war between Russia and the West? Strategists predict what could happen next,” CNBC, 4/29/2022, https://www.cnbc.com/2022/04/29/russia-ukraine-war-should-the-west-prepare-for-war-with-putin.html

“If there’s a border spillover right now, we’re still probably most likely looking at something like Moldova being vulnerable to an invasion,” he said.

He noted that Russia has a long history of using “nuclear brinkmanship” as a way of preventing the West from pursuing security policies that it doesn’t like, with the escalation in hostile rhetoric aimed at deterring NATO members from making heavy arms deliveries to Ukraine.

Moment of danger

Nonetheless, Ramani noted the threat posed by Russia could become more acute if it felt humiliated on the battlefield. In particular, military setbacks in Ukraine around May 9 could pose some danger. That’s Russia’s “Victory Day” — the anniversary of Nazi Germany’s defeat by the Soviet Union in World War II.

“Putin has had a history of escalating unpredictability if he feels that Russia is being humiliated in some way ... and if there are major setbacks, especially on around the 9th [of May] then there’s a risk of unbreakable action,” he said. “But also there’s a logic of mutually assured destruction that hopefully will rein everybody in.”

Threatening nuclear attacks is part of Putin’s “playbook,” said William Alberque, director of strategy, technology and arms control at the International Institute for Strategic Studies think tank.

“Putin enjoys using risks and he thinks he has a much more appetite for risk than the West does,” he told CNBC on Thursday. “He’s trying to use the old playbook of ‘if I terrify you enough, you’ll back down’,” he said.

“Ultimately, if he uses nuclear weapons, even a demonstration strike, this would turn Russia into a global pariah,” Alberque said. He advised Western leaders, “We just need to be able to manage our risk and keep our nerve and not panic when he does something that we might not expect.”

There’s no indication that there will be a direct confrontation, Liviu Horovitz, a nuclear policy researcher at the German Institute for International and Security Affairs, told CNBC.

“Both the United States and Western European governments have repeatedly said that they have no interest in escalating this conflict beyond Ukraine, and I don’t see anything suggesting that NATO troops will be fighting in Ukraine anytime soon.”

Still, if a wider war did break out, “NATO’s overall conventional capabilities outmatch Russia’s,” he noted. What’s important now is that “all sides should avoid any steps that could create misunderstandings,” he said — steps that could lead to an accidental and potentially catastrophic war.

Economic war

While NATO has shied away from providing any aid to Ukraine that could be misconstrued as a direct attack on Russia, Western allies continue to pile on the pressure on Moscow.

Indeed, the economic punishment on Russia has been increasing by the day, in the form of more sanctions on its businesses, key sectors and officials close to or within Putin’s regime. Russia’s own Economy Ministry expects the economy to contract as a result, by 8.8% in 2022 in its base-case scenario, or by 12.4% in a more conservative scenario, Reuters reported.

For its part, Russia has sought to inflict its own pain on European countries that are, awkwardly, heavily reliant on Russian natural gas imports. This week it suspended supplies to Poland and Bulgaria because they refused to pay for the gas in rubles. Russia’s move was branded as “blackmail” by the EU but defended by Moscow.

While a direct confrontation between Russia and the West remains unlikely, one close Russia watcher said Western governments need to imbue their populations with a “war mentality” to prepare them for the hardships they could face as the economic fallout from the war continues. Those include rising energy costs and disrupted supply chains and goods from Russia and Ukraine, among the world’s biggest “bread baskets.”

“We’re likely to see a further escalation of the economic war, because in some ways, that’s a rational and logical move from both sides that have a very difficult time fighting one another in a direct way because of the nuclear escalation risks,” Maximilian Hess, a fellow at the Foreign Policy Research Institute, told CNBC on Thursday.

“Russia will cut off gas to more countries, it will increase its ruble demands, because it wants to ensure the ruble convertibility remains open, and the West needs to be preparing for this with a full war mentality, making the Western populations understand that this is going to have real economic costs and real impacts on the cost of goods, the cost of living and inflation over the coming years.”

“If we don’t take this war mentality and apply it to the economic war, then it becomes a lot easier for Putin to win and have successes there,” Hess said.

Other flashpoints to watch

After more than two months of war, Russia has expanded its control of territories in eastern and southern Ukraine, trying to create a land bridge from Russia via the Donbas region to its annexed territory of Crimea. But it has also sustained large losses in terms of manpower and arms.

In the meantime, the West continues to pledge more and more support for Ukraine, and the country’s forces are mounting a strong resistance to Russian troops, signaling a protracted and bloody conflict ahead. NATO’s chief, Jens Stoltenberg, warned Thursday that the war in Ukraine could last for years.

Andrius Tursa, Central and Eastern Europe advisor at Teneo Intelligence, said that against this backdrop, “there is no end in sight to Russia’s war in Ukraine, and relations with the West will likely continue to deteriorate.”

“The rhetoric in Russia is already shifting from statements of fighting the ‘nationalists’ in Ukraine to an alleged (proxy) war with NATO. Multiple flashpoints could further escalate the tensions with the West,” he said. Those include recent explosions in the breakaway Moldovan region of Transnistria (which could serve as a pretext for an increased Russian presence in the region) which could bring the conflict “dangerously close to NATO’s borders,” Tursa said in a note Wednesday.

#### Spiraling Georgia and Black Sea conflict go nuclear

Alexandra Kuimova 18, Research Assistant with the SIPRI Arms Transfers and Military Expenditure Programme, Specialist Degree from Kazan Federal University, and Siemon T. Wezeman, Senior Researcher with the SIPRI Arms Transfers and Military Expenditure Programme, “Georgia and Black Sea Security”, Stockholm International Peace Research Institute Background Paper, December 2018, p. 1-2

The Black Sea region is experiencing a changing military balance. The six littoral states (Bulgaria, Georgia, Romania, Russia, Turkey and Ukraine) intensified their efforts to build up their military potential after Russia’s takeover of Crimea and the start of the internationalized civil war in eastern Ukraine in 2014.

Georgia revised its defence policy significantly after the fighting between Georgia and Russia in South Ossetia in August 2008. Since then, Georgia has continued to perceive Russia’s foreign policy as aggressive and a major threat to its security. Georgia views membership of the North Atlantic Treaty Organization (NATO) and the European Union as strategic priorities. Georgia actively participates in and supports NATO activities in the Black Sea region, which it sees as a means to ensure stability in the region.

The security environment in the wider Black Sea region—which brings together the six littoral states (Bulgaria, Georgia, Romania, Russia, Turkey and Ukraine) and a hinterland including the South Caucasus and Moldova— is rapidly changing. It combines protracted conflicts with a significant conventional military build-up that intensified after the events of 2014: Russia’s takeover of Crimea and the start of the internationalized civil war in eastern Ukraine.1 Transnational connections between conflicts across the region and between the Black Sea and the Middle East add further dimensions of insecurity. As a result, there is a blurring of the conditions of peace, crisis and conflict in the region. This has led to an unpredictable and potentially high-risk environment in which military forces with advanced weapons, including nuclear-capable systems, are increasingly active in close proximity to each other.

In this context, there is an urgent need to develop a clearer understanding of the security dynamics and challenges facing the wider Black Sea region, and to explore opportunities for dialogue between the key regional security actors. This background paper on Georgia is part of the Black Sea Regional Security Initiative, a project launched by SIPRI in 2017 to provide independent data and analysis on security developments in the region and to promote transparency around military issues.2 This paper continues by describing Georgia’s situation on the Black Sea (section I), it then outlines recent trends in Georgia’s defence policy, including an overview of Georgia’s national documents (section II), the structure (section III) and deployment (section IV) of its armed forces, its military spending (section V), and its arms holdings and acquisitions (section VI), with a specific focus on their relations with Black Sea security. Conclusions (section VII) summarize Georgia’s position on Black Sea issues.

#### Central Asia escalates

Stephen Blank 12, PhD, Senior Fellow @ Strategic Studies Institute - US Army War College, "Making Sense of Moscow’s Syrian Gambit," 6/27/12, <https://sldinfo.com/2012/06/making-sense-of-moscows-syrian-gambit/>

Beyond that Moscow was and still may be equally anxious that the “Arab Spring” or some analogue of it might erupt in Central Asia where it even publicly voiced its apprehensions about that in April 2011.[xi] Any such uprising might spread throughout Central Asia and trigger an explosion on a scale resembling or even surpassing Syria’s current travails. And there are analysts who have publicly warned that such a revolution could occur under the inspiration of Arab events.[xii]

Moreover, Russian perceptions of disaster were quickly confirmed as Libya fell into civil war and as it became clear that Islamist factions might actually take power in one or more of the affected Arab states.

Russian discussions of the Arab Spring regularly complain that these revolutions’ likely outcome is an Islamist takeover leading to a protracted civil war or at least civil strife as those forces seek to impose their vision of a just society on their countries if not neighbors as well.[xiii]

Since Moscow is currently fighting an Islamic insurgency in the North Caucasus and fears for one in Central Asia the prospect of other Islamist victories or civil wars engendered by attempted Islamist takeovers in regions where Moscow still perceives as its strategic perimeter might evoke profound nervousness if not anxiety in Moscow.

(For a look at a video showing Russian attack helicopters of the sort being sent to aide the Assad regime see <http://www.youtube.com/watch?v=bKr_eOk8mNk>

II Strategic and Geopolitical Goals

Beyond these compelling domestic reasons for resisting the Arab Spring, Russia has equally profound strategic objections to Western interventions in the Middle East.

These include but go beyond the belief that the West deceived Moscow regarding Libya and used the UN resolutions on Libya to create a precedent as in Kosovo for a war on behalf of democracy promotion, or, more cynically, for French access to Libyan oil and gas. If the democracy virus could easily spread to Moscow’s restive Muslim south or Central Asia, democracy promotion on the wings of NATO aircraft threatens Russia’s fundamental domestic system and great power interests.

Since 1991 Russia has professed that any regional strife in and around its (i.e. Soviet) perimeter not only exposes it to war or at least significant threat, it might also escalate beyond anyone’s control as in Iraq and trigger a protracted war that could escalate vertically even to the nuclear level if Russia is drawn in.[xiv] Alternatively it could escalate horizontally if it spreads throughout the Middle East, which Moscow still claims as its strategic perimeter.

Given Moscow’s lack of confidence in Western judgments and suspicions of its inveterate hostility to Russia, it is hardly surprising that Russian spokesmen from Putin and Medvedev down have repeatedly threatened that intervention in Arab revolutions could escalate all the way up to nuclear war.[xv]

### CP Key---2NC

#### CP’s key---it builds momentum for the use of the OSCE as a forum for East-West dispute resolution, which builds progressive momentum for sustainable ties.

Matthew Levinger 18, George Washington University, “Forging Consensus for Atrocity Prevention: Assessing the Record of the OSCE,” Genocide Studies and Prevention: An International Journal: Vol. 11: Iss. 3: 60-74, http://doi.org/10.5038/1911-9933.11.3.1505

In recent years, however, some observers have questioned the effectiveness of the OSCE’s work, remarking on the “growing futility”9 of the OSCE as the EU has expanded its political and security-related missions. During the Cold War, a clear demarcation existed between the structure and function of the European Economic Community (EEC) and that of the CSCE: the EEC was a regional organization focusing on the economic integration of Western Europe, whereas the CSCE was an informal dialogue process promoting cooperative security measures between NATO and the Warsaw Pact. In 1993, the EEC was subsumed under the EU, which had a more comprehensive mission including a Common Foreign and Security Policy. Over the past quarter-century, a “functional convergence” has occurred between the EU and OSCE. Not only has the EU expanded eastward into the former Warsaw Pact region, it has increasingly taken on political and security functions, such as election monitoring and security sector reform, that had previously been the province of the OSCE.10 The eastward expansion of NATO and the EU has also put the Russian Federation on the defensive. Russian leaders have argued that “instead of acting as a genuine transatlantic organization, the OSCE has evolved into an institution that seeks to act as a tool of Western influence, pushing forward an agenda of excessive intrusion and potential destabilization in Russia’s neighborhood.”11 As long ago as 2006, one expert asserted: “The OSCE is in crisis. . . . There can be no doubt but that the OSCE today, as compared to its heyday during the Cold War, is a far less visible landmark on the European institutional landscape than was formerly the case.”12

This essay will argue that the OSCE continues to play a unique and vital role in preventing and containing ethnic conflict in Europe and Central Asia, but that its greatest distinctive strength— the capacity to help foster shared political norms supporting “common and comprehensive security”—has eroded since the late 1990s. Part I of the essay will discuss the original operating concept of the CSCE and OSCE, which sought to constitute a cooperative transatlantic security community through the promulgation of shared norms. Part II will examine the erosion of the normative consensus between the Eastern and Western participating States of the OSCE since the late 1990s, focusing on some Eastern states’ distrust for the Western democracy promotion agenda. Finally, Part III will examine the prospects for a more robust role of the OSCE in protecting civilians from violent conflict and mass atrocities, given the increasing tensions among Eastern and Western OSCE participating States in recent years.

The OSCE Ideal: Community Building Through Norm Formation

Emanuel Adler has evocatively termed the OSCE an “imagined security community,” describing the logic of the organization’s founders as follows:

[T]he OSCE has adopted the view that you must first let the largest number of people from different states imagine that they are part of a community; only then, when all have formally and instrumentally accepted the institution’s shared normative structures and practices, do you socialize their elites and peoples by means of continual diplomatic interaction and a wide range of community-building practices.13

Adler’s description of the OSCE community-building enterprise points to the power of norms not only to constrain or regulate behavior but also to constitute new communal identities:

When assessing and measuring the influence of OSCE’s practices, we cannot simply look at this institution’s regulative tasks or short-range activities, because what matters most is the long-range effectiveness of its practices and activities as constitutive of community identity and bonds . . . [W]hat matters most is not the short-range success of the mission, seminar, or inspection, but the construction of a foundation for community practice and behavior.14

Although it might be tempting to dismiss the OSCE’s “seminar diplomacy” as an elaborate sleight of hand, conjuring the illusion of a transatlantic community that remains purely imaginary, this would ignore the real historical impact of the CSCE/OSCE enterprise. During the 1970s and 1980s, the Helsinki Process created a space for the articulation of human rights claims by dissident groups in the Warsaw Pact, which played a role in facilitating a peaceful end to the Cold War. Since the early 1990s, the HCNM and other OSCE institutions have sought to foster “an environment characterized by shared meanings, trust, increased cooperation, and a sense of common identity.”15 For all the frustrations and setbacks involved in this project, there have also been important successes.

Of the various component institutions of the OSCE, two are particularly relevant to the mission of atrocity prevention: the Conflict Prevention Center (CPC), along with the field operations that it supports, and the Office of the High Commissioner on National Minorities (HCNM). These will be the focus of analysis for this paper.

Created in 1990, the CPC “acts as an OSCE-wide early warning focal point, facilitates negotiation, mediation, and other conflict prevention and resolution efforts, and supports regional co-operation initiatives.”16 In its initial years, the CPC focused principally on reducing risks of interstate conflict among the OSCE participating States, for example by promoting Confidence and Security Building Measures such as exchange of military information.

Over the past two decades, the mandate of the CPC has expanded to include early warning, situation monitoring, mediation and dialogue facilitation, and support for OSCE field operations, among other roles. It supports mediation initiatives in Ukraine, Nagorno-Karabakh, Transdniestria, and Georgia.17 The OSCE also currently deploys sixteen field operations in South-Eastern Europe, Eastern Europe, the South Caucasus, and Central Asia, addressing issues including reconciliation and human rights protection in the Balkan states, conflict monitoring in Ukraine, and the monitoring and prevention of ethnic conflict in Kyrgyzstan.18

#### The OSCE is being weakened because its core functions are becoming politicized. The CP refocuses the organization on points of potential consensus, which creates virtual spirals for broader cooperation.

Matthew Levinger 18, George Washington University, “Forging Consensus for Atrocity Prevention: Assessing the Record of the OSCE,” Genocide Studies and Prevention: An International Journal: Vol. 11: Iss. 3: 60-74, http://doi.org/10.5038/1911-9933.11.3.1505

The Path Forward: Building Cooperative Capacity for Atrocity Prevention

In an October 2016 interview, OSCE General Secretary Lamberto Zannier observed that “the OSCE as a security organization is facing a very complicated environment,” because of the “return of geopolitics” involving “divisions in Europe that we haven’t seen in a long time,” aggravated by global challenges including terrorism along with migration stemming from violent conflicts and the effects of climate change. Zannier observed:

As the OSCE was built in a divided environment to bridge the gulf between opposing sides, today the convergence of all these problems is eroding the effectiveness of the tools that were created at that time. So we are facing a situation where we may have more division, and the tools that we developed to address the problems coming with the divisions are not functioning… as well as they were. So engagement, creating a space of dialogue in spite of the differences and the bitter debates… remains the key task for all of us.42

In the bitter aftermath of the 2016 presidential election in the United States, where the Russian intelligence services allegedly sought to undermine the campaign of Democratic candidate Hillary Clinton in order to tip the result to Republican candidate Donald Trump, such constructive dialogue has become more challenging than at any time since the end of the Cold War. Having long complained of Western meddling in Russia’s “near abroad” through democracy promotion initiatives and support for the “Color Revolutions,” the Putin regime has effectively turned the tables on its Western counterparts. Russia is alleged to have “cultivated an opaque web of economic and political patronage” throughout much of Central and Eastern Europe,43 as well as to have forged connections with right-wing parties in Western Europe including the UKIP in Britain and the National Front in France.44 The heated accusations of ill will on both sides have further narrowed the already constricted avenues for cooperation between the OSCE’s Eastern and Western participating States.

As one scholar has written, the OSCE is “par excellence, a ‘soft security’ institution with extremely few material resources at its disposal.” Unlike other regional organizations such as the EU and NATO, the OSCE cannot exercise coercive power by imposing economic sanctions or threatening the use of military force. Nor, in the current geopolitical environment, can it credibly offer material rewards such as the prospect of EU membership, which served as a powerful incentive for cooperation by the Baltic governments in the 1990s. The effectiveness of the OSCE depends on its ability to “use its moral authority as a principled organization and its limited amount of cultural capital (e.g. technical expertise) to exercise symbolic power.”45

In the current polarized international security environment in Eurasia, it is increasingly difficult for the OSCE to assert universally recognized moral authority. During the 1970s and 1980s, the CSCE took shape as a dialogue process between NATO and the Warsaw Pact in a period of high international tension and distrust, which eased temporarily during the decade after the fall of the Berlin Wall. To some degree, the rising frictions between the Russian Federation and its Western counterparts have returned Europe full circle to the geopolitical atmosphere that surrounded the CSCE’s founding.

Even in an inhospitable geopolitical context, the OSCE can make several valuable contributions to protecting civilians threatened by violent conflict in Eurasia: conflict prevention, crisis management, cooperative problem-solving, and the promotion of norms favoring peaceful coexistence of diverse ethnic and national groups. The remainder of this essay will address each of these aspects of the OSCE’s work in turn.

Conflict Prevention. During the recent period of rising tensions between the Eastern and Western factions of the OSCE, a number of efforts have been made to bridge this geopolitical divide and develop more constructive strategies for mitigating threats of violent conflict. In 2008, Russian President Dmitry Medvedev and French President Nicolas Sarkozy called for a new European security dialogue to discuss post-Cold War security arrangements.46 In 2009, the Greek Chairmanship of the OSCE launched a series of dialogues known as the “Corfu Process,” which sought “to strengthen the Organization’s responsiveness to conflict in all its phases,” including “early warning, early action, dialogue facilitation and mediation support, and postconflict rehabilitation.”47 These dialogues culminated in 2011, under the OSCE’s Lithuanian Chairmanship, in Ministerial Decision No. 3/11 on Elements of the Conflict Cycle, which affirmed “the Organization’s commitment to revisiting its approaches to conflict prevention and conflict resolution for the twenty-first century.”48 Among other things, Ministerial Decision No. 3/11 called for the establishment of a systematic conflict early warning system and a more robust mediationsupport capacity. Unfortunately, there has been limited practical follow-through on many of its recommendations.49

Crisis Management. Some of the most intractable conflicts in the OSCE region—e.g. those in Ukraine, the South Caucasus, Moldova, and Nagorno-Karabakh—are located in areas on the periphery of the Russian Federation where Russia has a strong vested interest in the outcome. Given the OSCE’s lack of material instruments of leverage, the organization is unlikely to be able to successfully mediate such conflicts that have become locked into a “security competition” frame. Nonetheless, it can help contain violence by focusing international attention on events in the conflict zones, monitoring developments, and providing early warning of potential escalation. The presence of an OSCE field mission or visits by the HCNM may also provide channels of communication between leaders of rival groups, which may help keep a lid on violence even in the absence of a formal settlement.

In Ukraine, for example, the OSCE Special Monitoring Mission (SMM) has tracked the living conditions of the 1.8 million IDPs from Crimea and Eastern Ukraine since 2014, offering recommendations for how the government of Ukraine and international donors can meet the needs of IDPs and enhance relations between IDPs and host communities.50 The SMM issues daily spot reports on security conditions in Eastern Ukraine, monitoring compliance with the Minsk ceasefire agreements, and “engages with authorities at all levels, as well as civil society, ethnic and religious groups and local communities to facilitate dialogue on the ground.”51 Astrid Thors, who served as High Commissioner on National Minorities from 2013 through 2016, also engaged in efforts to “facilitate a dialogue between national minorities and the Ukrainian authorities on issues of common concern.” For example, she co-hosted a 2016 roundtable in Kyiv on “Strengthening the Institutional Framework Related to Inter-ethnic Relations in Ukraine in the Context of Decentralization.” Asserting that “improved policies in the field of inter-ethnic relations would help to consolidate Ukrainian society and would increase stability in the country as a whole,” the HCNM has worked to provide a platform for Russian and other minority communities in Ukraine to express concerns about the protection of their language and cultural identities.52

In less geopolitically sensitive regions, such as Central Asia and the Balkan states, the OSCE may have greater potential for robust conflict prevention and crisis response—but its record in achieving this potential has been uneven. For example, in May and June 2010, HCNM Knut Vollebaek issued urgent warnings to the OSCE Permanent Council on the risk of interethnic violence in Kyrgyzstan, asserting that the situation represented “one of the OSCE’s biggest challenges since the 2008 war in the Caucasus.”53 When violence between ethnic Kyrgyz and Uzbeks erupted in southern Kyrgyzstan that June, however, the OSCE Permanent Council displayed no appetite for a robust response. In the words of one commentator, “The lack of collective will by the participating States and the Kyrgyz interim government’s inability to take substantial steps in managing the conflict in Kyrgyzstan significantly curbed the OSCE’s room for maneuver.”54

Cooperative Problem-Solving. Even in geopolitically contested settings where a comprehensive settlement remains elusive, the OSCE may be able to promote incremental progress toward peaceful coexistence of rival groups. For example, in Georgia, where the OSCE field mission was closed down on Russia’s insistence in 2008, the HCNM has “encouraged the effective implementation of the State Strategy for Civic Equality and Integration for 2015-2020 and Its Action Plan,” and has “continued to support a project to facilitate interaction between the political parties in the country and national minority representatives, including by bringing them together to discuss topical issues on televised talk shows.”55 In Moldova, High Commissioner Thors worked with the parliament to establish a “joint working group with members of parliament and the People’s Assembly of Gagauzia” to improve “the functioning of the Gagauz autonomy,” and she has worked with the OSCE Mission to Moldova to address cultural and linguistic issues surrounding the status of Transdniestria.56 Thors also remained engaged in addressing issues related to citizenship rights, political representation of ethnic minorities, and protection of minority languages in a wide range of other countries including Kyrgyzstan, Croatia, Serbia, Bosnia-Hezegovina, Macedonia, Hungary, and Slovakia.57

Norm Promotion. Over the past twenty years, the OSCE has issued a number of statements of principles regarding the protection of minority rights, including the Hague Recommendations Regarding the Education Rights of National Minorities (1996), the Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations (2008), and the Ljubljana Guidelines on Integration of Diverse Societies (2012).58 In documents such as the Charter for European Security, adopted at the Istanbul summit of 1999, it has also reaffirmed its commitment to “preventing the outbreak of violent conflicts wherever possible” and “to settle conflicts and to rehabilitate societies ravaged by war and destruction.”59 Beyond affirming these principles related to human security, the OSCE has sought to memorialize its operational approach to conflict prevention in documents including “The OSCE Concept of Comprehensive and Co-operative Security” (2009) and the Ministerial Decision No. 3/11 on Elements of the Conflict Cycle (2011).60

Scholars disagree about the efficacy of the OSCE’s efforts to transform norms governing relations among diverse ethnic groups in Eurasia. Some observers, such as Wolfgang Zellner, have argued that the HCNM has been relatively successful in “de-securitizing” relationships between states and minority groups by “introducing international minority rights standards as the frame of reference for majority, minority and kin-States.” The HCNM, Zellner asserts, has facilitated “substantive short-term solutions with a view towards sustainable long-term solutions under local ownership.”61 Others have taken a more skeptical view: David Galbreath and Joanne McEvoy contend that “the HCNM’s role in societal security often appears to maintain the status quo ‘state vs. minority’ logic of the European minority rights regime,” and that the OSCE as a whole has been unable to transform the “zero-sum context” of interethnic relations in Eurasia.62

Despite the sometimes disappointing results of its conflict prevention and crisis management initiatives, the OSCE remains a vital component of the Eurasian security architecture, both because of its inclusive membership structure and because of its core mission to advance “common and comprehensive security” through a consensus-based approach. Yet, for the organization to play a robust role in addressing the urgent security challenges in contemporary Eurasia, it is essential that its participating States share a genuine consensus about the importance of protecting civilians threatened by violent conflict.

One stumbling block to productive cooperation between the Eastern and Western participating States of the OSCE has been mutual suspicion over the other side’s motives. In Zellner’s words, “what the U.S. regards as democratization, Russia takes as destabilization.”63 As Alistair Miskimmon and Ben O’Loughlin have observed, a profound misalignment has emerged between Russian and Western narratives about the post-Cold War order. Rather than being recognized as “co-constitutor of this emerging system,” since the early 1990s “Russia has complained of being excluded from the major decisions affecting it.” Consequently, Russia “feels mis-recognized,” driving a “cycle of miscommunication, generating frustration on all sides and restricting the scope for cooperation.”64

During the 1970s and 1980s, the CSCE explicitly avoided establishing a democratization agenda, which the Western participating States recognized as a bridge too far for their Soviet counterparts. Instead, participants in the Helsinki dialogue process focused on promotion of human rights and other aspects of the “human dimension” of security, in an effort to build mutual trust and lay a foundation for a broader range of security cooperation activities.

In the current period of retrenchment in relations between NATO and the Russian Federation, it is essential for the OSCE to seek areas of common ground that can serve as a focal point for constructive engagement. A narrowing and deepening of the OSCE’s mission, refocusing on the objectives of promoting human security in regions afflicted by conflict, might help rebuild the normative consensus between Eastern and Western participating States and increase the OSCE’s operational effectiveness.

### CP Key---Ext

#### OSCE has low visibility in conflict mediation, but it can be revived through high-profile norm-setting and clear division of labor with NATO.

Daniel Trachsler 12, analyst at CCS Analysis in Security Policy, “The OSCE: Fighting for Renewed Relevance,” CCS Analysis, No. 110, March 2012, https://www.files.ethz.ch/isn/141518/CSS-Analysis-110-EN.pdf

Prospects and potential

The relevance of the OSCE depends heavily on the political climate and on relations among its member states. A substantial increase in importance requires greater unity among OSCE countries and country groups with regard to the design of the international security architecture, especially that of the OSCE. Such a development is currently not in the offing. At the same time, the continued need for the OSCE is clear as well. The Georgian war showed that there is no long-term democratic peace in the OSCE region. Here, too, minority issues, breaches of human rights, and deficits in democracy persist. It is precisely in these its core activities that the OSCE can therefore play a particularly important role. It is also possible that the OSCE will gain in relevance on the operational level, as the EU is presently absorbed with the debt and currency crisis.

After the low point of the Georgian crisis, some silver linings can be found concerning the relevance of the OSCE. The Corfu Process helped re-establish a basic level of trust among OSCE member states by encouraging a renewed dialog. Optimists do not interpret the Astana summit as a failure either, but rather point out that the OSCE’s acquis was confirmed by the heads of state and government as part of the summit declaration. They also emphasise that, after the de-facto suspension of the CFE treaty, the OSCE and the Vienna Document are the only remaining platforms for confidence-building measures. While it is still too early to talk about a trend reversal, an increase in the OSCE’s relevance cannot be ruled out either. The OSCE itself could facilitate this process through a better-defined division of labour with other security organisations and by avoiding a dissipation of its thematic focus.

### Impact---Laundry List

#### Effective OSCE caps a laundry list of threats

Stanislav ﻿Ivanovich Chernyavskiy & ﻿Elnur ﻿Tadzhaddinovich Mehdiev 18, Chernyavskiy is Ph.D. in historical sciences, Director of the Center for post-soviet studies of the Institute of International Research (IMR), professor of World political processes sub-faculty of the MGIMO (U) MFA of Russia; Mehdiev is Ph.D. in historical sciences, scientific researcher of the Center for post-soviet studies of the Institute of International Research (IMR) of the MGIMO (U) MFA of Russia, “Сравнительный анализ ОБСЕ и НАТО по обеспечению международного мира и безопасности,” or, “A Comparative Analysis of OSCE and NATO Commitments on International Peace and Security,” Евразийский Юридический Журнал, no. 2 (117), 2018, translated by Yandex

Начиная с конца XIX - начала XX века мировое сообщество начало предпринимать серьезные шаги на пути разработки мирных средств для урегулирования международных споров между государствами во избежание кровопролитных войн. В этом отношении стоит особо отметить проведение двух Гаагских мирных конференций в 1899 и 1907 годах, по итогам которых были приняты несколько международных документов о законах и обычаях войны. Это были первые конференции, собравшие большое количество государств-участников, на которых на универсальном уровне обсуждались вопросы международного мира и безопасности.

Возможности усовершенствования того, что уже было начато, вновь оказались доступны и необходимы для установления нового мирового порядка по окончании Первой мировой войны. Был достигнут заметный прогресс в области международно-правового регулирования мирного разрешения споров между государствами. В частности, стоит отметить возникновение института санкций с подписанием Версальского мирного договора в 1918 году. В качестве «санкций» в этом договоре отмечались меры для привлечения к уголовной ответственности главного виновника в развязывании мировой войны - императора Германии Вильгельма II. Была учреждена такая организация, как Лига Наций, а также Постоянная Палата Международного Правосудия как международный судебный орган, действовавший при Лиге Наций. Главным призванием Лиги Наций было эффективное поддержание и обеспечение международного мира и безопасности, с чем, впрочем, организации справиться не удалось. Эта организация, созданная с целью эффективного поддержания и обеспечения международного правопорядка, закрепляла в своем Статуте положения, касательно принудительных мер, которые можно было бы применить к государству, совершившему международнопротивоправное деяние1 .

По итогам Второй мировой войны была создана более эффективная и усовершенствованная система по обеспечению международного мира и безопасности в лице Организации Объединенных Наций (ООН) с новым Уставом, принятым в 1945 году. Основной постулат заключался в том, что государства должны стремиться регулировать возникающие споры мирным путем, а при невозможности такого урегулирования необходимо применять механизм по обеспечению международного правопорядка, предусмотренный непосредственно Уставом ООН.

Статья 1 Устава ООН предусматривает, что одной из четырех основных целей ООН является следующее: «Поддерживать международный мир и безопасность и с этой целью принимать эффективные коллективные меры для предотвращения и устранения угрозы миру, подавления актов агрессии или других нарушений мира и проводить мирными средствами… улаживание и разрешение международных споров или ситуаций, которые могут привести к нарушению мира»2 .

Безопасность, устойчивое экономическое развитие и основные права и свободы человека и гражданина - неотделимые друг от друга понятия, которые в целом составляют понятие международной безопасности. На сегодняшний день угрозой для безопасности выступают не только международные споры, применение или угроза силой, агрессивные войны, но и такие явления, как бедность населения, распространение инфекционных заболеваний, загрязнение окружающей среды, преступность в транснациональном контексте, а также такой актуальный в нынешнее время вопрос, как терроризм.

Вследствие этого возникла необходимость научного исследования правовых аспектов обеспечения международной безопасности, что привело к возникновению такой отрасли, как право международной безопасности, которое представляет собой комплекс международно-правовых принципов и норм, регулирующих международные отношения с целью установления, обеспечения и поддержания всеобщего мира, а также равной и неделимой безопасности для всех государств на основе общепризнанных принципов международного права. Среди этих десяти принципов к вопросам международной безопасности можно отнести следующие пять: 1) принцип воздержания от угрозы силой или ее применения в международных отношениях; 2) принцип разрешения международных споров мирными средствами; 3) принцип нерушимости государственных границ; 4) принцип территориальной целостности государств; 5) принцип добросовестного выполнения международных обязательств, который косвенно относится и к обязательств содействовать поддержанию международного мира и безопасности. Данный факт свидетельствует о том, что именно эта область является одной из наиболее приоритетных в рамках международного права и требует наиболее детального регулирования посредством международно-правовых актов и норм.

Международные организации играют важнейшую роль в международно-правовом регулировании обеспечения международной безопасности. В этом смысле необходимо отметить, прежде всего, Организацию по Безопасности и Сотрудничеству в Европе (ОБСЕ). Эта организация является крупнейшей региональной международной организацией по безопасности, в которой участвуют 57 государств. Организация была создана в результате преобразования первоначального Совещания по Безопасности и Сотрудничеству в Европе, штаб-квартира расположена в Вене. Характерной особенностью ОБСЕ можно отметить то, что, в отличие от обычных международных организаций, она была создана на основе ряда политических решений, а не на основании международного договора, заключенного между государствами. Тем не менее, ОБСЕ, безусловно, относится к международным организациям, обладает международной правосубъектностью, что выражается в способности приобретать международные права и обязанности, принимать участие в международных отношениях, заключать международные договоры, а также нести международно-правовую ответственность и предъявлять международно-правовые требования.

Совещание по Безопасности и Сотрудничеству в Европе было создано в начале семидесятых годов ХХ века и главной целью ее создания было создать многосторонний форум для диалога и переговоров между Востоком и Западом. В рамках СБСЕ в 1975 году был принят Хельсинский заключительный акт, который имеет важнейшее международно-правовое значение как в практическом, та к ив теоретическом плане. Главной целью в принятии данного документа, безусловно, было снижение напряженности и достигшей недавно своего пика конфликтной ситуации в Европе между двумя военно-политическими блоками в разгар Холодной войны. По мнению многих исследователей, принятие этого документа и сыграло ключевую роль в мирном разрешении этого противостояния. Помимо прочего, в этом акте были закреплены принципы международного права, которыми государства-участники должны руководствоваться во взаимных отношениях. Здесь были объединены принципы, провозглашенные в Уставе ООН, а также в «Декларации принципов международного права, касающихся дружественных отношений и сотрудничества между государствами в соответствии с Уставом Организации Объединенных Наций» 1970 года, принятой резолюцией Генеральной Ассамблеи ООН3 .

Окончание Холодной войны в начале девяностых годов прошлого столетия ознаменовало начало новой эпохи и для СБСЕ. Отныне Совещание было призвано сыграть главенствующую роль в управлении процессами исторических перемен, происходящих в Европе, а также в реагировании на новые вызовы, что привело к появлению постоянных институтов и оперативного потенциала. В рамках этой институционализации по решению Будапештского саммита стран-участниц СБСЕ было переименовано в ОБСЕ. Такая трансформация не может носить чисто формального характера и не ограничивается сменой лишь названия международного института. Перед европейским сообществом стояли новые задачи по пересмотру механизмов безопасности, которые были призваны обеспечивать стабильность в регионе на протяжении многих лет. Теперь организации предстояло адаптироваться к новым условиям и угрозам. Возникла необходимость, в первую очередь, пересмотреть прежние принципы Заключительного акта 1975 г. Некое противоречие, присутствовавшее в этих принципах, оказалось сложным для быстрого и мирного разрешения. К примеру, с одной стороны, принцип невмешательства во внутренние дела государства не может служить оправданием для массовых нарушений прав национальных меньшинств, проживающих в стране. С другой стороны, право народов на самоопределение не стоит рассматривать как безусловное право отдельных регионов того или иного государства на отделение. Такое противоречие в принципах стало причиной множества этнических конфликтов в девяностых годах двадцатого века и актуально до сих пор.

К основным задачам ОБСЕ на сегодняшний день можно отнести следующие: 1) принятие необходимых мер по построению доверительных отношений и безопасности; 2) осуществление контроля над распространением вооружений; 3) содействие развитию демократических институтов; 4) проведения мониторинга выборов в государствах-участниках; 5) обеспечение экологической и экономической безопасности; 6) осуществление необходимых действий и дипломатических усилий по предотвращению конфликтов; 7) обеспечение защиты и уважения прав и основных свобод человека4 . Наличие подобного рода задач еще раз доказывает тот факт, что на сегодняшний день понятие международной безопасности представляет собой более широкое явление, чем мирное регулирование международных споров и предотвращение агрессивных войн. Обязательства государств-участников, касающиеся международной безопасности, вытекают именно из этих задач и закреплены в различного рода документах, принятых в рамках ОБСЕ.

Несмотря на то, что ОБСЕ позиционирует себя, как региональная международная организация, она объединяет государства Европы, Азии, а также Северной Америки в приложении совместных усилий для обеспечения международного мира и безопасности. Организация пользуется формулой партнерского сотрудничества, в рамках которой взаимодействует с одиннадцатью средиземноморскими и азиатскими партнерами для того, чтобы разработать и обеспечить применение наиболее эффективных механизмов противодействия общим вызовам безопасности. Группы партеров из различных регионов предпочитают разные сферы взаимодействия и успешно пользуются опытом ОБСЕ в рамках поддержания международного мира и безопасности в собственных регионах. Так, осуществляется сотрудничество в рамках осуществления механизмов реагирования на преступления, совершаемые в транснациональном контексте, разрабатываются меры для осуществления борьбы с терроризмом, торговлей людьми, разрешения транспортных проблем, предотвращения и ликвидации всех форм дискриминации, обеспечения нерушимости государственных границ, безопасности окружающей среды, формирования демократических институтов, проведения честных выборов, а также решение многих других вопросов, относящихся к ведению ОБСЕ.

Кроме того, необходимо отметить обязательства государств-участников ОБСЕ непосредственно в контексте вопросов безопасности. В этом отношении следует упомянуть Кодекс поведения, касающийся военно-политических аспектов безопасности. Данный документ был принят на 91-м пленарном заседании Специального комитета Форума СБСЕ по сотрудничеству в области безопасности (ФСОБ) 3 декабря 1994 года в ходе саммита СБСЕ в Будапеште. Положения Кодекса поведения носят обязательный характер для государств-участников ОБСЕ и служат для развития принципов и обязательств межгосударственных отношений в военно-политической сфере, зафиксированные в Хельсинском Заключительном Акте 1975 года, в Парижской Хартии для новой Европы 1990 года, а также в Хельсинском документе 1992 года5 . Кодекс закрепляет в разделах I – VI следующие «внешние» обязательства для государств:

– уважать в полной мере принципы ОБСЕ, в первую очередь уважать принцип неделимости безопасности;

– отказ от укрепления своей безопасности за счет безопасности других стран-участников;

– принятие солидарных и согласованных мер в случае нарушения норм и принципов ОБСЕ;

– совместный поиск решений для успешной реализации мер по отношению к новым вызовам;

– отказ от содействия или поддержки государствам, применяющим силу или угрозу силой против территориальной целостности или политической независимости любого государства;

– обязательство поддерживать только такой военный потенциал, который соизмерим с законными индивидуальными или коллективными потребностями в области безопасности, иными словами это можно отметить как в той мере, в которой это необходимо для самообороны6 .

В Кодексе оговаривается, что каждое государство-участник может в независимом и самостоятельном порядке определять свои интересы безопасности на основе принципа суверенного равенства и имеет право свободно выбирать способы обеспечения собственной безопасности в соответствии с нормами международного права. Кроме того, в Кодексе зафиксировано, что каждое государство-участник имеет суверенное право принадлежать или не принадлежать к международным организациям, а также быть или не быть участником двусторонних или многосторонних договоров, включая союзные договоры. Эти свободы еще раз подчеркивают основы суверенитета государств7 .

В качестве важной организации по поддержанию международного мира и безопасности стоит отметить НАТО (англ. – North Atlantic Treaty Organization) – Организация Североатлантического Договора. НАТО представляет собой военно-политический союз, который был создан в 1949 году подписанием Вашингтонского договора между двенадцатью государствами. Этот договор, в первую очередь, предусматривал коллективную безопасность и взаимную защиту стран членов от внешних угроз. В статье 5-й Североатлантического договора предусматривается, что каждое-государство рассматривает нападение на одного или нескольких как на нападение на них в целом и в этом контексте обязуются осуществлять индивидуальную и коллективную самооборону, предоставляя стране, подвергшейся нападению помощь, в том числе и военную8 .

Примечательным также является и то, что в данном Договоре определена, в том числе, и его территориальная сфера воздействия – территории государств-участников как в Европе, так и в Северной Америке. Исследование общих масштабов и основных целей внутренних внешних преобразований организации свидетельствует о том, что НАТО идет по пути глобализации интересов и стремится стать как фактически, так и юридически единственным механизмом в области обеспечения международного мира и безопасности.

Сама организация провозглашает свою цель как стремление гарантировать свободу и безопасность своих членов с помощью политических и военных средств. Однако в то же время, как видно из положений Договора основным обязательством государств-участников является оказание всякой помощи, включая военную, в случае нападения на одного из членов НАТО. Такой подход оставляет неоднозначным ответ на вопрос о том, является ли НАТО действительно международной организацией в классическом понимании этого явления, или стоит ли рассматривать ее лишь как военно-политический союз нескольких государств. Несмотря на то, что организация позиционирует себя как приверженную к мирному урегулированию споров, допускается, что в случае если дипломатические усилия не приносят результатов, НАТО осуществляет военные операции согласно положениям о коллективной обороне Договора, что является обязательством государств-участников, или согласно мандату ООН.

[TRANSLATION]

Since the end of the XIX - beginning of the XX century, the world community has begun to take serious steps towards developing peaceful means to settle international disputes between States in order to avoid bloody wars. In this regard, it is worth noting the holding of two Hague Peace Conferences in 1899 and 1907, which resulted in the adoption of several international documents on the laws and customs of war. These were the first conferences that brought together a large number of participating States, at which issues of international peace and security were discussed at a universal level.

The possibilities of improving what had already been started were once again available and necessary for the establishment of a new world order after the end of the First World War. Notable progress has been made in the field of international legal regulation of the peaceful settlement of disputes between States. In particular, it is worth noting the emergence of the institution of sanctions with the signing of the Versailles Peace Treaty in 1918. As "sanctions" in this treaty, measures were noted to bring to criminal responsibility the main culprit in the outbreak of the world War - the Emperor of Germany Wilhelm II. An organization such as the League of Nations was established, as well as the Permanent Court of International Justice as an international judicial body operating under the League of Nations. The main vocation of the League of Nations was the effective maintenance and maintenance of international peace and security, which, however, the organization failed to cope with. This organization, created with the aim of effectively maintaining and ensuring international law and order, enshrined in its Statute provisions concerning coercive measures that could be applied to a State that committed an internationally wrongful act.1

As a result of the Second World War, a more effective and improved system for ensuring international peace and security was created in the person of the United Nations (UN) with a new Charter adopted in 1945. The main postulate was that States should strive to settle disputes peacefully, and if such a settlement is impossible, it is necessary to apply a mechanism to ensure international law and order provided for directly by the UN Charter.

Article 1 of the UN Charter provides that one of the four main purposes of the UN is the following: "To maintain international peace and security and, to this end, to take effective collective measures to prevent and eliminate threats to peace, suppress acts of aggression or other violations of peace and to conduct by peaceful means ... the settlement and resolution of international disputes or situations that may lead to a violation of peace."2

Security, sustainable economic development and fundamental human and civil rights and freedoms are inseparable concepts that, in general, constitute the concept of international security. Today, the threat to security is not only international disputes, the use or threat of force, aggressive wars, but also phenomena such as poverty, the spread of infectious diseases, environmental pollution, crime in a transnational context, as well as such a topical issue as terrorism.

As a result, there was a need for scientific research of the legal aspects of ensuring international security, which led to the emergence of such a branch as the law of international security, which is a set of international legal principles and norms governing international relations in order to establish, ensure and maintain universal peace, as well as equal and indivisible security for all States on the basis of universally recognized principles of international law. Among these ten principles , the following five can be attributed to international security issues: 1) the principle of refraining from the threat or use of force in international relations; 2) the principle of resolving international disputes by peaceful means; 3) the principle of inviolability of State borders; 4) the principle of territorial integrity of States; 5) the principle of conscientious fulfillment of international obligations, which indirectly relates to obligations to contribute to the maintenance of international peace and security. This fact indicates that this area is one of the highest priorities in the framework of international law and requires the most detailed regulation through international legal acts and norms.

International organizations play a crucial role in the international legal regulation of international security. In this sense, it is necessary to mention, first of all, the Organization for Security and Co-operation in Europe (OSCE). This organization is the largest regional international security organization, in which 57 States participate. The organization was created as a result of the transformation of the initial Meeting on Security and Cooperation in Europe, the headquarters is located in Vienna. A characteristic feature of the OSCE is that, unlike conventional international organizations, it was created on the basis of a number of political decisions, and not on the basis of an international treaty concluded between States. Nevertheless, the OSCE, of course, belongs to international organizations, has an international legal personality, which is expressed in the ability to acquire international rights and obligations, take part in international relations, conclude international treaties, as well as bear international legal responsibility and make international legal requirements.

The Conference on Security and Cooperation in Europe was established in the early seventies of the twentieth century and the main purpose of its creation was to create a multilateral forum for dialogue and negotiations between East and West. Within the framework of the CSCE, the Helsinki Final Act was adopted in 1975, which has the most important international legal significance both in practical and theoretical terms. The main goal in the adoption of this document, of course, was to reduce tensions and the conflict situation in Europe that recently reached its peak between the two military-political blocs at the height of the Cold War. According to many researchers, the adoption of this document played a key role in the peaceful resolution of this confrontation. Among other things, this act enshrined the principles of international law by which the participating States should be guided in their mutual relations. The principles proclaimed in the UN Charter, as well as in the "Declaration of Principles of International Law concerning Friendly Relations and Cooperation between States in Accordance with the Charter of the United Nations" of 1970, adopted by the UN General Assembly resolution, were united here.3

The end of the Cold War in the early nineties of the last century marked the beginning of a new era for the CSCE. From now on, the Meeting was called upon to play a leading role in managing the processes of historical changes taking place in Europe, as well as in responding to new challenges, which led to the emergence of permanent institutions and operational capacity. As part of this institutionalization, by the decision of the Budapest Summit of the CSCE participating states, it was renamed the OSCE. Such a transformation cannot be purely formal and is not limited to changing only the name of an international institution. The European community faced new challenges in revising the security mechanisms that had been designed to ensure stability in the region for many years. Now the organization had to adapt to new conditions and threats. There was a need, first of all, to revise the previous principles of the Final Act of 1975. A certain contradiction that was present in these principles turned out to be difficult for a quick and peaceful resolution. For example, on the one hand, the principle of non-interference in the internal affairs of the State cannot serve as a justification for mass violations of the rights of national minorities living in the country. On the other hand, the right of peoples to self-determination should not be regarded as the unconditional right of individual regions of a State to secede. Such a contradiction in principles caused many ethnic conflicts in the nineties of the twentieth century and is still relevant.

The main tasks of the OSCE today include the following: 1) taking the necessary measures to build trust and security; 2) controlling the proliferation of weapons; 3) promoting the development of democratic institutions; 4) monitoring elections in participating States; 5) ensuring environmental and economic security; 6) carrying out the necessary actions and diplomatic efforts to prevent conflicts; 7) ensuring protection and respect for human rights and fundamental freedoms 4 . The existence of such tasks once again proves the fact that today the concept of international security is a broader phenomenon than the peaceful regulation of international disputes and the prevention of aggressive wars. The obligations of the participating States concerning international security stem precisely from these tasks and are enshrined in various documents adopted within the framework of the OSCE.

Despite the fact that the OSCE positions itself as a regional international organization, it unites the states of Europe, Asia, as well as North America in making joint efforts to ensure international peace and security. The Organization uses the formula of partnership cooperation, within which it interacts with eleven Mediterranean and Asian partners in order to develop and ensure the use of the most effective mechanisms to counter common security challenges. Groups of partners from different regions prefer different spheres of interaction and successfully use the OSCE experience in maintaining international peace and security in their own regions. Thus, cooperation is carried out within the framework of the implementation of mechanisms for responding to crimes committed in a transnational context, measures are being developed to combat terrorism, human trafficking, resolve transport problems, prevent and eliminate all forms of discrimination, ensure the inviolability of State borders, environmental security, the formation of democratic institutions, fair elections, as well as the solution of many other issues related to the jurisdiction of the OSCE.

In addition, it is necessary to note the obligations of the OSCE participating States directly in the context of security issues. In this regard, the Code of Conduct concerning the Military-Political Aspects of Security should be mentioned. This document was adopted at the 91st plenary meeting of the Special Committee of the CSCE Forum for Security Cooperation (FSB) on December 3, 1994 during the CSCE summit in Budapest. The provisions of the Code of Conduct are binding on OSCE participating States and serve to develop the principles and obligations of interstate relations in the military-political sphere, as set out in the Helsinki Final Act of 1975, in the Paris Charter for a New Europe of 1990, as well as in the Helsinki Document of 19925. The Code establishes in sections I – VI the following "external" obligations for States:

– to fully respect the OSCE principles, first of all to respect the principle of indivisibility of security;

– refusal to strengthen their own security at the expense of the security of other participating countries;

– taking joint and coordinated measures in case of violation of OSCE norms and principles;

– joint search for solutions for the successful implementation of measures in relation to new challenges;

– refusal to assist or support States using force or threat of force against the territorial integrity or political independence of any State;

– the obligation to maintain only such military capabilities that are commensurate with legitimate individual or collective security needs, in other words, it can be noted as to the extent that it is necessary for self-defense.6

The Code stipulates that each State Party may independently and independently determine its security interests on the basis of the principle of sovereign equality and has the right to freely choose ways to ensure its own security in accordance with international law. In addition, the Code stipulates that each State party has the sovereign right to belong or not to belong to international organizations, as well as to be or not to be a party to bilateral or multilateral treaties, including union treaties. These freedoms once again emphasize the foundations of the sovereignty of states7 .

As an important organization for the maintenance of international peace and security, it is worth noting NATO (English – North Atlantic Treaty Organization) – the North Atlantic Treaty Organization. NATO is a military-political alliance that was created in 1949 by the signing of the Washington Treaty between twelve states. This treaty, first of all, provided for collective security and mutual protection of the member countries from external threats. Article 5 of the North Atlantic Treaty provides that each State considers an attack on one or several as an attack on them as a whole and in this context undertakes to exercise individual and collective self-defense by providing assistance to the country under attack, including military assistance.8

It is also noteworthy that this Treaty defines, among other things, its territorial sphere of influence – the territories of the participating States both in Europe and in North America. The study of the overall scope and main objectives of the internal external transformations of the organization indicates that NATO is following the path of globalization of interests and seeks to become both de facto and legally the only mechanism in the field of ensuring international peace and security.

The organization itself proclaims its goal as the desire to guarantee the freedom and security of its members through political and military means. However, at the same time, as can be seen from the provisions of the Treaty, the main obligation of the participating States is to provide any assistance, including military, in the event of an attack on one of the NATO members. This approach leaves an ambiguous answer to the question of whether NATO is really an international organization in the classical sense of this phenomenon, or whether it should be considered only as a military-political union of several states. Despite the fact that the organization positions itself as committed to the peaceful settlement of disputes, it is assumed that if diplomatic efforts do not bring results, NATO carries out military operations in accordance with the provisions of the Collective Defense Treaty, which is an obligation of the participating states, or according to the UN mandate.

#### It serves as a cap on security threats---but proving the concept through limited coop is key

Igor Sherbak 21, Игорь Николаевич Щербак, Candidate of Historical Sciences, Leading Researcher of the Department of European Security of the IE RAS, V.N.S. IMI MGIMO of the Ministry of Foreign Affairs of the Russian Federation, “ОБСЕ в эпоху вызовов европейской безопасности - проблемы и перспективы,” Современная Европа, no. 7 (107), 2021, translated by Yandex, doi:10.15211/soveurope72021144151

Выход исследования «Трансформация многосторонности: вызовы и возможности для ОБСЕ», подготовленного авторским коллективом швейцарских экспертов во главе с известным дипломатом Т. Гремингером, под эгидой Женевского центра политики безопасности по тематике ОБСЕ является закономерным событием. Оно отражает тот факт, что Швейцария играет активную роль в продвижении ценностей и важного значения Организации в деле обеспечения европейской безопасности и сотрудничества. Это вписывается в традиционный контекст швейцарской внешней политики, основанной, как указывается в предисловии к книге, на посредничестве и мирном урегулировании конфликтов. Председательство Швейцарии в ОБСЕ в 1996 и 2014 гг. отмечено важным вкладом в урегулирование конфликтов на Балканах (содействие в реализации Дейтонских соглашений) и запуск Специальной мониторинговой миссии ОБСЕ на Украине (СММ).

Особо выделяется в тот период инициативная роль и.о. председателя ОБСЕ, министра иностранных дел Швейцарии Дидье Буркхальтера в развертывании высокотехнологичной СММ ОБСЕ на Украине, которая продолжает выполнять важные функции по сдерживанию кризисной ситуации в регионе и содействию диалогу между сторонами в конфликте.

Структурированный диалог и новейшие технологии ‒ приоритеты Т. Гремингера

Ставка на использование новейших информационных технологий в целях повышения эффективности работы ОБСЕ, ее секретариата, полевых миссий и операций является «коньком» дипломатии Швейцарии в отношении ОБСЕ. Это подтверждено и в самом исследовании, в котором указано, что в период руководства Организацией Т. Гремингером была разработана стратегия цифровизации ОБСЕ на ключевых направлениях ее деятельности, включая в том числе системы информационной безопасности, управления, закупок, мониторинга в контексте полевых миссий и операций.

В наибольшей степени внедрение новейших технологий коснулось Специальной мониторинговой миссии ОБСЕ на Украине, которая впервые в истории операций ОБСЕ начала использовать для целей мониторинга в зоне наблюдения почти пятьдесят беспилотных летательных аппаратов дальнего, среднего и малого радиуса действия (Schniebel Camcopter S-100; Delair-Tech DT18; DJI Phanton and Inspire quadcopters) в совокупности с наземными наблюдательными камерами удаленного действия (24 камеры), снимками со спутников и наземным патрулированием зон разъединения. Параллельно с этим для улучшения координации в вопросах мониторинговой деятельности СММ и оперативной обработки и анализа поступающих с мониторинговых инструментов данных при СММ были созданы технический центр мониторинга (ТМС) и центр управления мониторинговой информацией (IMC) [Claus Neukirch, 2015: 195‒198].

Использование новейших технологий в рамках СММ для целей мониторинга ситуации в зоне конфликта позволило не только повысить уровень прогнозирования ситуации в данном регионе, но и оперативно принимать меры реагирования по снижению напряженности на линии соприкосновения сторон. Полученный ОБСЕ уникальный опыт в применении новейших технологий для повышения эффективности мониторинговой деятельности может быть успешно применен и в других кризисных регионах (Афганистан ‒ Центральная Азия, Армения ‒ Азербайджан). С учетом того, что с прекращением деятельности Договора по открытому небу страны–члены ОБСЕ не имеют технических возможностей по «кризисному мониторингу», встает вопрос о технологической модернизации Центра ОБСЕ по предотвращению конфликтов на основе новейших достижений в сфере информационнокоммуникационных технологий и анализа больших данных (блокчейн, искусственный интеллект и т.д.).

В исследовании важное место отведено усилиям Т. Гремингера как генерального секретаря Организации по разблокированию деятельности созданного в 2016 г. Структурированного диалога в качестве платформы для обсуждения актуальных проблем безопасности и разоружения, мер доверия в военной области. Сложившаяся ситуация вокруг Структурированного диалога, который воспринимается большинством государств‒членов как нужный и полезный, во многом связана с ростом геополитической напряженности, а также с позицией известной группы стран, нежелающих рассматривать эту платформу в качестве приоритетной и пытающихся подменить общую позитивную повестку конфронтационной тематикой «гибридных угроз». Перспективы реанимации Диалога швейцарские эксперты видят в расширении неформального пространства вокруг Структурированного диалога путем вовлечения конструктивных политических, общественных и научных кругов, а также формирования единой позитивной повестки и продвижения концепции «кооперативной безопасности», разработанной исследовательскими центрами и фондами Швейцарии и Германии (Центр политики безопасности в Цюрихе и Фонд Фридриха Эберта).

Аргументы в пользу концепции «кооперативной безопасности»

В поддержку диалога сквозь призму «кооперативной безопасности» в исследовании выдвинуты следующие аргументы.

‒ Данная концепция выходит за рамки геополитического соперничества и противостояния военно-политических блоков на основе стратегий устрашения; она направлена в первую очередь на конструктивное и равноправное сотрудничество в решении приоритетных национальных и трансграничных проблем (климатические изменения, деградация окружающей среды, пандемии, контроль над ядерным оружием и другим ОМУ, масштабная миграция, трансграничная преступность, регулирование воздействия новых технологий и искусственного интеллекта, киберпреступность и т.д.).

‒ Особую привлекательность концепция будет иметь для средних и малых государств Европы, в том числе нейтральных, поскольку отпадает необходимость ассоциации или членства в том или ином союзе или военно-политическом блоке.

‒ Реализация концепции будет содействовать гармонизации интересов различных стран на основе выработки общей позитивной повестки дня по ключевым направлениям деятельности ОБСЕ и позволит более четко сформулировать реалистическую стратегию Организации в сфере обеспечения безопасности, предотвращения и урегулирования конфликтов, оперативного реагирования на новые вызовы безопасности и стабильности [Operational Document, 2019: 43‒46].

Концепция «кооперативной безопасности», предусматривающая расширение неформального пространства Структурированного диалога, может дать импульс возобновлению Диалога и формированию позитивной повестки в его рамках для обсуждения проблем европейской безопасности, предотвращения и урегулирования конфликтов и принятию коллективных и скоординированных мер по реагированию на новые вызовы безопасности и стабильности в Европе. Однако для этого потребуются усилия по созданию тематических диалоговых платформ в рамках ОБСЕ для сотрудничества неформальных участников Диалога и государственных структур, отвечающих за принятие политических решений.

Стратегия партнерства ОБСЕ с международными организациями

Одним из показателей уровня влияния и авторитета региональной организации является эффективность ее сотрудничества и партнерства с ООН и другими международными и региональными институтами в соответствии с Главой VII Устава ООН. Как вытекает из данного исследования, с приходом к руководству Организацией Т. Гремингера произошли качественные изменения в стратегии партнерства ОБСЕ с ООН и другими международными и региональными организациями. В первую очередь они были связаны с углублением сотрудничества с ООН. Было расширено рамочное соглашение ОБСЕ и ООН от 1993 г., а также заключены дополнительные соглашения с рядом важных специализированных организаций системы ООН ‒ Верховным Комиссаром ООН по делам беженцев(UNHCR), Программой ООН по развитию (UNDP), Офисом ООН по контролю над наркотиками и преступностью (UNODC), а также с департаментом Секретариата ООН по поддержке полевых операций (DFS).

Составной частью стратегии партнерства ОБСЕ и ведущих международных организаций стало учреждение представительств ОБСЕ при штаб-квартире ООН в Нью-Йорке, ее региональных отделениях в Женеве и Вене, а также при ЕС в Брюсселе и Совете Европы в Страсбурге. Развертывание глобальной инфраструктуры представительств объясняется необходимостью повышения уровня координации программной деятельности ОБСЕ с международными организациями и получением дополнительных внебюджетных ресурсов в рамках такого сотрудничества (в исследовании отмечается, что, благодаря сотрудничеству с ООН и ее закупочными службами, Организация получила прямой выход на крупнейшую технологическую компанию «Майкрософт», что позволило ей сэкономить миллионы долларов на закупках программного обеспечения и оборудования для своих нужд) [Cooperation with international organization, 2016: 1‒4].

В рамках стратегии партнерства дальнейшее развитие получило сотрудничество ОБСЕ с Евросоюзом на основе объединения и координации программной деятельности ОБСЕ и ЕС на Западных Балканах, а также в регионах Центральной Азии и Южного Кавказа. Преимущество такого подхода авторы исследования видят в рациональном разделении труда между двумя партнерами ‒ «ОБСЕ предоставляет нейтральный статус, инфраструктуру своего представительства в данных регионах, обширные связи с местными политическими элитами и экспертизу, а ЕС ‒ политический вес и значительные финансовые ресурсы» (вместе с тем такая модель программного сотрудничества создает дополнительные преимущества для ЕС, поскольку позволяет Брюсселю использовать « нейтральный имидж» ОБСЕ для реализации своих долгосрочных целей в данных регионах) [Щербак, 2019: 111‒115].

[TRANSLATION]

The publication of the study "Transforming Multilateralism: Challenges and Opportunities for the OSCE", prepared by a team of Swiss experts led by the well-known diplomat T. Greminger, under the auspices of the Geneva Center for Security Policy on OSCE issues, is a natural event. It reflects the fact that Switzerland plays an active role in promoting the values and importance of the Organization in ensuring European security and cooperation. This fits into the traditional context of Swiss foreign policy, which is based, as indicated in the preface to the book, on mediation and peaceful conflict resolution. Switzerland's chairmanship of the OSCE in 1996 and 2014 was marked by an important contribution to the settlement of conflicts in the Balkans (assistance in the implementation of the Dayton Agreements) and the launch of the OSCE Special Monitoring Mission in Ukraine (SMM).

At that time, the initiative role of the OSCE Acting Chairman, Swiss Foreign Minister Didier Burkhalter in the deployment of the high-tech OSCE SMM in Ukraine, which continues to perform important functions to contain the crisis situation in the region and promote dialogue between the parties to the conflict, was particularly highlighted.

Structured dialogue and the latest technologies-T. Greminger's priorities

Focusing on the use of the latest information technologies to improve the effectiveness of the OSCE, its secretariat, field missions and operations is the" skate " of Swiss diplomacy towards the OSCE. This is also confirmed in the study itself, which indicates that during the leadership of the Organization, T. Greminger developed a strategy for digitalization of the OSCE in key areas of its activities, including information security, management, procurement, and monitoring systems in the context of field missions and operations.

The OSCE Special Monitoring Mission in Ukraine was most affected by the introduction of the latest technologies, which for the first time in the history of OSCE operations began using almost fifty long-range, medium-range and short-range unmanned aerial vehicles (Schniebel Camcopter S-100; Delair-Tech DT18; DJI Phantom and Inspire quadcopters) for monitoring purposes in the observation zone. with ground-based remote surveillance cameras (24 cameras), satellite imagery, and ground-based patrolling of the separation zones. At the same time, a technical monitoring center (TMC) and a monitoring Information management center (IMC) were established under the SMM to improve coordination in the SMM's monitoring activities and operational processing and analysis of data received from monitoring tools [Claus Neukirch, 2015: 195-198].

The use of state-of-the-art technologies within the SMM for monitoring the situation in the conflict zone made it possible not only to increase the level of forecasting the situation in this region, but also to quickly take response measures to reduce tension on the line of contact of the parties. The unique experience gained by the OSCE in applying the latest technologies to improve the effectiveness of monitoring activities can be successfully applied in other crisis regions (Afghanistan ‒ Central Asia, Armenia-Azerbaijan). Given the fact that with the termination of the Open Skies Treaty, OSCE member states do not have the technical capabilities for "crisis monitoring", the question arises of technological modernization of the OSCE Center for Conflict Prevention based on the latest achievements in the field of information and communication technologies and big data analysis (blockchain, artificial intelligence, etc.).

In the study, an important place is given to the efforts of T. Greminger, as Secretary General of the Organization, to unblock the activities of the Structured Dialogue established in 2016 as a platform for discussing topical issues of security and disarmament, as well as confidence-building measures in the military field. The current situation around a Structured Dialogue, which is perceived by the majority of member states as necessary and useful, is largely due to the growing geopolitical tensions, as well as the position of a certain group of countries that do not want to consider this platform as a priority and trying to replace the overall positive agenda with a confrontational theme of "hybrid threats". Swiss experts see prospects for reanimating the Dialogue in expanding the informal space around Structured Dialogue by involving constructive political, public and scientific circles, as well as forming a single positive agenda and promoting the concept of "cooperative security" developed by research centers and foundations in Switzerland and Germany (the Center for Security Policy in Zurich and the Friedrich Ebert Foundation).

Arguments in favor of the concept of "cooperative security"

In support of dialogue through the prism of "cooperative security", the study puts forward the following arguments.

‒ This concept goes beyond geopolitical rivalry and confrontation between military and political blocs based on deterrence strategies; it is primarily aimed at constructive and equal cooperation in solving priority national and cross-border problems (climate change, environmental degradation, pandemics, control of nuclear weapons and other WMD, large-scale migration, cross-border crime,etc.). regulation of the impact of new technologies and artificial intelligence, cybercrime, etc.).

‒ The concept will be particularly attractive for medium and small European states, including neutral ones, since there is no need for association or membership in a particular union or military-political bloc.

‒ The implementation of the concept will help to harmonize the interests of different countries by developing a common positive agenda in key areas of OSCE activity and will allow us to more clearly formulate a realistic strategy of the Organization in the field of security, conflict prevention and resolution, and rapid response to new challenges to security and stability [Operational Document, 2019: 43-46].

The concept of "cooperative security", which provides for the expansion of the informal space of Structured Dialogue, can give impetus to the resumption of Dialogue and the formation of a positive agenda within it for discussing European security issues, conflict prevention and resolution, and taking collective and coordinated measures to respond to new challenges to security and stability in Europe. However, this will require efforts to establish thematic dialogue platforms within the OSCE for cooperation between informal participants in the Dialogue and State structures responsible for political decision-making.

OSCE Partnership Strategy with International organizations

One of the indicators of the level of influence and authority of a regional organization is the effectiveness of its cooperation and partnership with the UN and other international and regional institutions in accordance with Chapter VII of the UN Charter. As follows from this study, since T. Greminger took over the leadership of the Organization, there have been qualitative changes in the strategy of partnership of the OSCE with the UN and other international and regional organizations. First of all, they were related to the deepening of cooperation with the UN. The 1993 OSCE-UN Framework Agreement was expanded. as well as additional agreements with a number of important specialized organizations of the UN system ‒ the United Nations High Commissioner for Refugees(UNHCR), the United Nations Development Programme (UNDP), the United Nations Office for Drug and Crime Control (UNODC), as well as with the Department of Field Operations Support of the UN Secretariat (DFS).

The establishment of OSCE representative offices at the UN headquarters in New York, its regional offices in Geneva and Vienna, as well as to the EU in Brussels and the Council of Europe in Strasbourg has become an integral part of the partnership strategy of the OSCE and leading international organizations. The deployment of the global representation infrastructure is explained by the need to increase the level of coordination of OSCE programme activities with international organizations and to obtain additional extra-budgetary resources in the framework of such cooperation (the study notes that, thanks to cooperation with the UN and its procurement agencies, Thus, the Organization gained direct access to the largest technology company Microsoft, which allowed it to save millions of dollars on the purchase of software and equipment for its needs) [Cooperation with international organization, 2016: 1-4].

Within the framework of the partnership strategy, cooperation between the OSCE and the European Union was further developed by combining and coordinating OSCE and EU program activities in the Western Balkans, as well as in the regions of Central Asia and the South Caucasus. The authors of the study see the advantage of this approach in a rational division of labor between the two partners ‒ "the OSCE provides a neutral status, the infrastructure of its representation in these regions, extensive connections with local political elites and expertise, and the EU ‒ political weight and significant financial resources" (at the same time, this model of programmatic cooperation creates additional advantages for the EU, because it allows Brussels to use the OSCE's "neutral image" to achieve its long-term goals in these regions) [Shcherbak, 2019: 111-115].

The positive side of the new strategy is that it is aimed, among other things, at taking into account the interests of regional organizations that have emerged in the post – Soviet space ‒ the CIS, CSTO, SCO and EEU-and developing cooperation with them in the future based on the coincidence of interests. The study emphasizes that there are good prospects for developing cooperation with these regional organizations, including in the areas of economic and military-political cooperation, joint fight against terrorism and aggressive extremism. However, so far this partnership is limited to joint conferences, regular meetings of experts and managers of these organizations. The transition of this cooperation to more advanced forms of partnership based on joint program activities may become possible if the targeted extra-budgetary funding from these organizations increases for the implementation of joint projects with the OSCE in priority areas [Greminger, 2021: 28-38].

### Impact---Ethnic Conflict

#### Extinction

Kimon Valaskakis 14, Former Canadian Ambassador to the OECD, “Separatism Everywhere: The New Global Epidemic,” Huffington Post, 03/19/14, <http://www.huffingtonpost.com/kimon-valaskakis/separatism-everywhere-the_b_4977800.html>

Like modern marriages, half of which end in divorce, there is a new and ominous global threat: the break-up of previously stable political entities through separatism.

Crimea wants to leave Ukraine. Scotland has scheduled an independence referendum from Britain in September 2014 and Britain is considering one to possibly leave Europe in 2015. Catalonia's referendum to secede from Spain is in November 2014, and Quebec may possibly organize its own in the next couple of years. Wallonie, Corsica, North Italy, Bretagne etc. may one day follow suit. There is even talk of splitting California in two!

Why are these centrifugal forces emerging now? There seems to be four leading reasons.

The first is a knee jerk reaction against excessive and unregulated globalization which leaves the ordinary citizen lost and with no identity. He therefore seeks a new sense of belongingness in a small, newly independent country, favoring localism over globalism.

The second is the fact that most so called 'nation' states are actually multinational and diverse. The ethnic minorities which feel oppressed in such states, are tempted to seek a divorce, set up their own nation, where they are will then be the majority -- and perhaps, in the process, exact revenge on their former tormentors, now in the minority.

The third is the worldwide failure of national governments, who seem to be chronically unable to deliver on their electoral promises. One response is to 'throw the rascals out', which explains why governments of the left, right and center are regularly kicked out of office at the next election. In the U.S., an irate electorate consistently punishes the governing parry at the mid-terms regardless of its ideology.

An alternative response to ineffective governance is to seek independence, whenever there is a geographical concentration of like minded opponents to a central regime. This was what the U.S. Civil War was all about and is what many contemporary ethnic struggles are leading towards.

Fourth and finally, there is simple self interest. Rich provinces, in a country, whose constitution obliges them to help poorer ones, (like Canada) may want to end these subsidies and keep all the money to themselves. Under this logic it should be Alberta rather than Quebec considering secession.

When all is said and done, is all this good or bad news ?

At first blush, by invoking the principle of self-determination, the virtues of decentralization and more responsible local government, we might be tempted to welcome these centrifugal forces.

But upon reflection and careful analysis we should instead fear them because they will exacerbate the present mismanagement of our planet.

The separatists often believe that they can repeal globalization by a simple declaration of sovereignty, the adoption of a new flag and national anthem and by being awarded a seat in the United Nations.

This, unfortunately is a delusion.

Globalization is fueled by international capital, labor and technology movements, the internet, global finance and powerful worldwide networks -- some visible, others covert. Multinational corporations are going to remain global, and so are mafias, narco-cartels, organized crime, jihadists etc.

If all the separatist movements in the world were to succeed, we could move from a present world of under 200 countries to one of over 1,000 -- all with an equal seat at the UN. Can you imagine how difficult it would be to decide on anything in a 1,000 strong UN general assembly? Think, also, of the balance of power: 1,000 fragmented small countries, plus their subnational governments, competing for the favors of a dozen huge unregulated global conglomerates. It would be an embarrassment of riches for the footloose conglomerates. It would also be Eldorado for organized crime, jihadists, tax evaders and assorted criminals vaulting from jurisdiction to jurisdiction.

The sociologist, Daniel Bell once remarked,in the 1970s, that the nation state had become too big for the small problems and too small for the big ones. His words were prophetic but they cut both ways. National governments can no longer cope with pandemics, global warming, international terrorism, unregulated global finance -- unless they act in unison in intergovernmental organizations. But, by the same token, Lilliputian micro states, emerging from the global separatist wave, would be even be less capable to deal with these problems. Global governance would then be completely controlled by the remaining, still international, private networks. A scary scenario to be sure.

Does that mean we must stay put and freeze present borders in perpetuity. No, obviously not. Re-arrangements and restructuring are necessary. But the more sustainable answer may be in new forms of federalism rather than in the pure multiplication of sovereignties.

In today's interdependent world, sovereignty is an illusion except if you are a superpower. The problems are too big while the means available to the new so-called 'sovereign' government are too small.

The 'balkanization' of Eastern and Southern Europe after the First World War, led to the Second World War.

The balkanization of the world through wide-spread separatism could increase the probability of a third one. Not an inspiring scenario.

### Impact---Ethnic Conflict---AT: Defense

#### Restraints have evaporated---states will violently disintegrate and draw in nuclear powers

Dr. Beverley Crawford 9, Associate Director of the Institute of European Studies and Lecturer of International and Area Studies at the University of California, Berkeley, “Ethnic Conflict in Georgia: What Lies Ahead”, 4-17, http://rpgp. berkeley.edu/node/87

Ironically, at the same time that the demands of exclusive cultural groups for state sovereignty and "national self-determination" escalate around the globe, support for the international legal norms of established state sovereignty and non-intervention has also disappeared. Together, these two trends are dangerously explosive. We are likely to see more oppression of minorities in ethnically defined states, more slaughter of innocent civilians caught in cultural conflicts, the continued violent breakup of sovereign countries, and more invasions and occupation of disputed territory, as powerful countries--nursing other resentments and fears against one another--seize the opportunity to take sides. It will thus not be long until nuclear powers end up confronting one another. The absurd trigger for this conflict will be the nationalist demands of ethnic and sectarian political entrepreneurs--who are often just thugs in disguise. Note the timing of the U.S. announcement of a missile defense pact with Poland, as Russian tanks rolled through Georgia to halt Georgia's military incursion into Ossetian territory. Unless we act quickly to reach wider international agreement on global solutions to violent cultural disputes, more exclusive territorial claims of small and distinct cultural groups and violent responses to those claims will suck nuclear powers into deadly international conflict.

#### Sparks terrorism and ethnic conflict---goes global

Simone Florio 12, Faculty of Political Science and Sociology at the University of Granada, “The Fragmentation of Geopolitical Space”, The International Relations and Security Network, 11-26, http://www.isn.ethz.ch/Digital-Library/Articles/Special-Feature/Detail/?lng=en&id=155328&tabid=1453404549&contextid774=155328&contextid775=155325

Editor’s Note: Today's special feature lays the foundations for our week-long look at how separatist and secessionist movements may be impacting upon regional and global security dynamics, both now and in the future. Indeed, as a counter to last week’s state-centric meditation on grand strategy, we present today excerpts from Simone Florio's "The Fragmentation of Geopolitical Space: What Secessionist Movements Mean to the Present-day State System." The article not only charts the growing clamor for political secession since the end of the Cold War, it also explores its deeper implications for international security. In doing so, it then sets the stage for a follow-on series of case studies on secessionist movements in Europe, China and the wider Middle East.

The last century witnessed an extraordinary multiplication of sovereign states. Epochal changes such as the dissolution of 20th century empires, the decolonization process, and the end of the Cold War determined the division of the world landscape into nearly two hundred separate polities. But the trend to geopolitical fragmentation still has momentum: partially recognized and de facto states constitute a big challenge for international order, while a conspicuous number of active secessionist projects continue to threaten the territorial integrity of many countries. This article reviews the complex questions that the trend to geopolitical fragmentation is posing to global society, reviewing a number of normative secession theories and evidencing in them a more hospitable approach to new state formation. Given the current regime of sovereign states, framing a global approach to the problems posed by separatist groups seems almost inconceivable; for the time being, it seems likely instead that the international community will continue accepting new states on a case-by-case basis, often in response to Great Power interests or non-negotiable nationalist projects, without advancing international law on state creation or global standards of statehood as a whole. This article provides support for the claim that adopting a global perspective and more functional attitudes towards geopolitical restructuring are paramount for effectively dealing with violence deriving from the clash of nationalist separatist drives and state-centric conservatism.

The Fragmentation of Geopolitical Space: What Secessionist Movements Mean to the Present-Day State System

Throughout the last century, the society of sovereign nations has grown steadily, giving rise – for distinct reasons and under different modalities – to our present-day international structure comprised of almost 200 sovereign states, the primary geopolitical units of the world system. Epochal changes in the international order, such as the disintegration of European empires in the early 20th century, the decolonization process, and lastly the end of the Cold War, brought about an extraordinary proliferation of independent states: during the past twenty years, full independence was accorded – through United Nations membership – to twenty-five former sub-state entities. Although such major geopolitical reconfiguration undoubtedly followed events of an exceptional nature, these events have severely destabilized the idea (dominant in the second half of last century) that international borders should not – or could not – be modified to create new states. As is widely acknowledged, this is nowadays achieved mainly by way of secession, intended as the process by which a political community seeks to detach part of an existing state in order to establish a separate sovereign entity.

The tendency to fragmentation becomes relevant most notably: a) when effective control is established on part of a sovereign state on behalf of a secessionist community, with the aim of fostering international recognition of the new polity; and b) when separatist politics – with differing degrees of legitimacy and success – are pursued within the territory of a sovereign state in order to achieve political goals, including the chance of seceding from the state. (1) To the first category belong those independent territorial entities – so-called de facto states (2) — which rely on the ‘principle of effectiveness’ to support their claim to sovereign statehood. (3) Especially when patronized (more or less officially) by external actors – and especially by Great Powers (4) –de facto states pose a dramatic challenge to the international system, since they operate in a grey area of international relations and international law. To the second category belong a great variety of territorially organized sub-state entities (federal/confederal entities, autonomous regions, etc.) and non-state actors (stateless nations, indigenous peoples, national and ethnic minorities) which – in different capacities and on various grounds – actively seek to increase their sovereign powers to possibly attain title over the territory they occupy, most commonly by appealing to the right of self-determination.

While it seems inappropriate to establish a causal relation between secessionism/separatism and armed conflict or the outbreak of ethnic violence, (5) as of 2009 secessionism and separatism considered together constitute the second most frequent source of conflict. (6) In plenty of cases secessionism is connected to practices of both terror and terrorism, respectively, on behalf of states –whose institutions tend to dispose of disproportionate military means to crush insurgents – and non-state groups –whose unscrupulous leaders may resort to terrorism as an opportunistic strategy to escalate and internationalize conflicts. (7) Furthermore, since the creation and maintenance of states is always cemented through specific nation-building policies, secessionist/separatist conflicts often arise along dangerous ethno-nationalist fault lines and perpetuate ethno-political confrontation. Finally, the salience of the trend to fragmentation is confirmed not merely by the progressive enlargement of the society of states, but rather by the fact that – in spite of such enlargement – the number of secessionist movements has at the same time remained practically constant. (8) These indications suggest that separatism – and secessionist politics in particular – is one of the most serious challenges to both state institutions and the international order as a whole: in fact, secessionist projects are pursued worldwide, under both democratic and non-democratic regimes, by both violent and non-violent means.

#### Causes nationalist backlash, global spillover, and civil wars that escalate and go nuclear

Kamal S. Shehadi 10, PhD from Columbia University in International Political Economy, State Sovereignty: Change and Persistence in International Relations, Ed. Hashmi, p. 146-174

International Security Consequences of Self-Determination

Cases of self-determination have implications for international security. There are four categories of consequences that can trigger international intervention:

1. Conflict in a strategically important country: There is a justified concern that the demands for self-determination in the Russian Federation and Ukraine will bring about either a nationalist, antidemocratic backlash or the collapse of state institutions followed by the outbreak of many civil wars. The problem is compounded by the fact that Russia and Ukraine have nuclear weapons that, if either scenario materializes, will constitute a major security threat. There are limits, however, to what the international community can do to avoid the breakup of the Russian Federation, Ukraine, China, or India, all nuclear powers and all, to varying degrees, vulnerable to being reshaped by the forces of ethnic self-determination.

2. Escalation of conflicts into regional wars: Self-determination conflicts can escalate into regional wars by drawing into the conflict the regional powers. The Somali-Ethiopian war over the Ogaden region is such a case. In the Western Sahara, Morocco and Algeria fought a war by proxy, with Algeria backing the Polisario. Throughout the last few years, the war between the Burmese government and the Karen rebels has escalated into the occasional confrontation between the Thai and the Burmese military. There is a fear that Serb actions in the province of Kosovo could draw Albania into a war with Serbia, or that the Armenian-Azeri conflict over the Nagorno-Karabakh enclave's right to self-determination could drag Turkey, Russia, or Iran into the conflict. This fear is often overstated, especially by those parties hoping to garner international support for their cause. Regional powers are much more reluctant to intervene in civil wars, even if they have domestic political reasons to do so. Even in the case of intervention, regional powers often limit their ambitions and cooperate tacitly to avoid a regional conflict.47

3. The spread of conflicts: Self-determination claims spread through the "demonstration effect." If one group succeeds in establishing its claim to the right of self-determination by force against a central government, others will be encouraged. The Abkhaz and Ossetian separatism in Georgia, the Russian and Gagauz separatism in Moldova, and the separatism in the North Caucasus region of the Russian Federation have all fueled each other Self-determination claims can also spread by "contagion." Militias infiltrate the borders of neighboring countries, stockpile weapons, and set up bases from which to launch cross-border attacks, often with the consent of the host government. This introduces an element of insecurity and anarchy in an area that hitherto had been at peace. Contagion brought the war from Sri Lanka to the state of Tamil Nadu in India, and from Burma to Bangladesh. It could also bring the Balkan conflict to Macedonia and pit ethnic Albanians against ethnic Macedonians.

4. Spillover of conflicts: Conflicts can spill over borders if they cause, as they often do, massive population movements. The fighting between the Iraqi government and the Iraqi Kurds spilled over into Turkey; the fighting between Rohyingas and the Burmese military has caused the movement of more than two hundred thousand refugees into Bangladesh; the fighting in Sudan led to refugees flowing into Ethiopia. In some cases (such as the India-Pakistan war of 1971 and the Iraqi-Kurdish war of 1991) the UN Security Council deemed the situation a threat to international peace and security and, on that basis, intervened.

The wave of self-determination conflicts threatens both the international order and international peace. The clash between self-determination and state sovereignty cannot be ignored much longer, nor can the various conflicts born from it be treated with the same old medicine: supporting the state's war-making capabilities to ensure its victory over those claiming the right to self-determination.

### Impact---Organized Crime

#### Extinction

David Luna 21, Founder and Executive Director of ICAIE, former U.S. diplomat and national security official with over 20 years of federal service, “Why We Must Confront the Growing Threat to National Security Posed by Illicit Economies and Cesspools of Corruption and Organized Crime,” LinkedIn Pulse, 2021, https://www.linkedin.com/pulse/why-we-must-confront-growing-threat-national-security-david-m-?trk=public\_post\_promoted-post

Illicit economies are not harmless and can have tremendous human, economic, societal and security costs and consequences.

Illicit economies come with vulnerabilities to peace and security — including corruption, violence, chaos, organized crime, terrorist financing and instability. Illicit economies are the lifeblood of today’s bad actors, enabling kleptocrats to loot their countries, criminal organizations to co-opt states and export violence and terrorist groups to finance their attacks against our societies.

Illicit economies are pervasive threats that undermine democracy, corrode the rule of law, fuel impunity, imperil effective implementation of national sustainability and economic development strategies, contribute to human rights abuses and enflame violent conflicts.

Across today’s global threat environment, criminals and bad actors exploit natural disasters, human misery and market shocks for illicit enrichment.

The lucrative criminal activities enabling and fueling the multitrillion-dollar illicit economies include the smuggling and trafficking of narcotics, opioids, weapons, humans, counterfeit and pirated goods; illegal tobacco and alcohol products; illegally harvested timber, wildlife and fish; pillaged oil, diamonds, gold, natural resources and precious minerals; and other contraband commodities. Such contraband and illicit goods are sold on our main streets, on social media, in online marketplaces and on the dark web every minute of every day. The United Nations has estimated that the dirty money laundered annually from such criminal activities constitutes up to 5 percent of global gross domestic product, or $4 trillion.

The International Coalition Against Illicit Economies recognizes that illicit economies and crime convergence are threat multipliers that ripple across borders and imperil supply chain security, market integrity, democratic freedoms and institutions and systems of open, free and just societies.

In Mexico and Central America, for example, organized crime infiltrated the government at every level, and has diversified into other sectors such as agriculture, mining and transportation. Criminals also control strategic and critical infrastructure such as the country’s major ports. In recent years, the Jalisco New Generation Cartel has killed judges, police officers, politicians and thousands of civilians. Gangs like MS-13 and the Mexican cartels also remain a significant threat across the United States.

The significant market penetration of the Latin cartels has resulted in illicit economies that have corrupted and destabilized Mexico’s justice system and rule of law, and threaten regional stability. Their reach is now global, expanding to other regions of the world like Africa, Europe, and the Asia-Pacific.

China’s involvement in the expansion of illicit economies — including the booming trade in fraudulent consumer goods, money laundering/trade-based money laundering and the corruptive and malign influence of the Chinese Communist Party — continues to harm American national interests, our economy and competitiveness and the health and safety of our citizens.

In Africa, authoritarian governments, ungoverned spaces and conflicts have created the perfect storm for criminals and terrorist groups to expand their illicit trafficking and smuggling operations. The lucrative business of illicit trade has also been militarized in some areas, bribing complicit government officials to shield illicit enterprises from scrutiny and coercing soldiers to protect the illicit markets.

In other parts of the world – from Southeast Asia to the Caucasus – ruthless corrupt leaders and malign actors are similarly engaging in criminality and undermining global security, financing criminalized markets and creating illicit economies.

According to Euromonitor, while COVID-19 has brought economic malaise to most sectors, the illicit economy continues to accelerate, especially across the digital world. E-commerce platforms and online marketplaces are generating tremendous prosperity for scammers, fraudsters, counterfeiters and other predatory criminals that are raking in tens of billions of dollars selling fake pharmaceuticals and vaccines, personal protective equipment, counterfeit apparel and footwear, copyrighted electronics knock-offs and other illicit goods. Recent Organisation for Economic Co-operation and Development estimates put sales of fake goods and pirated products globally at $464 billion per year, with the International Trademark Association projecting that such illicit trade could reach up to $2.3 trillion by 2022.

These illicit economies divert revenue from legitimate market drivers such as businesses and governments and impair the ability of communities to make the investments necessary to stimulate economic growth, especially during these hard economic times. Revenue that could be used to build roads to facilitate commerce, hospitals to fight pandemic outbreaks and diseases, homes to raise and protect families or schools to educate children and future leaders, is instead lost to criminals’ greed crimes.

But this goes beyond just economic harm. Illicit economies incur a significant negative social cost, and in some cases, help to foment market instability, enslave our human capital, pillage our natural world and endanger national efforts to implement sustainable development goals.

Given the scale, Congress and the Biden administration need to elevate the fight against illicit economies by empowering our law enforcement agencies with new legal authorities and the necessary resources to disrupt illicit markets and anonymized criminal communications, prosecute illicit actors and threat networks, combat corruption and money-laundering safe havens and elevate the issue as a national security and foreign policy priority.

### Impact---AT: OSCE Fails

#### OSCE’s weaknesses are because of US resistance---it’s still structurally effective if the US provides its support.

Ryszard Zięba 18, full Professor at the Faculty of Political Science and International Studies, University of Warsaw, “The Marginalization of the OSCE,” The Euro-Atlantic Security System in the 21st Century: From Cooperation to Crisis, edited by Ryszard Zięba, Springer International Publishing, 2018, pp. 213–224 Springer Link, doi:10.1007/978-3-319-79105-0\_8

The Declining Importance of the OSCE

The course of discussion conducted in the years 1995–1999 on the subject of the future model of security for Europe corresponded to the divisions existing within the OSCE. They reflected the divergent interests of the participating states. In this debate, the Western and Central European countries were on the side of the proponents of a multi-level ‘architecture’ for the European security system, in which the OSCE would receive the broadest role but would not be based on obligations of a legal nature. It would have a structure promoting democratic values and adopting so-called soft security guarantees. They saw the main guarantees of security as laying in NATO, which had expanded to the east in 1999, and to a lesser degree, the European Security and Defense Policy, which had been proclaimed at the time by the European Union. There was a return to the realist paradigm, which was made easier by the misunderstandings with Russia on account of its criticism of NATO’s interventions in the Federal Republic of Yugoslavia (the ‘Kosovo War’). In the West and in the new NATO member countries of Central Europe, the conviction grew that ‘hard’ guarantees of security should be pursued and the engagement of the USA in the question of European security should be deepened. This conviction was made the stronger by the replacements and supplementation of weaponry by NATO’s new member states, and by the growing interoperativeness of their armies due to their involvement in US and NATO military adventures (in Afghanistan and Iraq, and Afghanistan respectively). Furthermore, politicians in the new, Central European members of NATO considered that they should behave as the US wished, while activeness within the OSCE would not bring benefits, particularly as Russia supported the organization. Feeling their own strength, NATO and EU countries did not appreciate the need to make use of the OSCE’s unique and peace-building instruments. They also did not sufficiently appreciate that the OSCE is the broadest and most democratic forum in the Euro-Atlantic area. The reason for the OSCE’s weakening can be seen in the doubling of its functions by the Council of Europe, the EU, and to a lesser degree, the Community of Democracies founded in Warsaw in 2000.

In the first decade of the 21st century, the West attempted to use the OSCE to promote democracy in the eastern part of Europe. The USA and the EU, including Poland, tried to involve the organization in supporting the so-called color revolutions. In Poland, the policy of exporting democracy in this manner was conducted especially actively by the nationalist right in the years 2005–2007 by PiS governments and by the president, Lech Kaczyński. Attempts were made to use the Warsaw Office of Democratic Institutions and Human Rights to this end, but the OSCE as a whole did not allow for such a policy of promoting democracy. Thus for the Western countries the OSCE turned out to be practically useless. In an exposé by the Polish minister of foreign affairs, Stefan Meller, in the Sejm on February 15, 2006 the OSCE was not even mentioned individually by name.

On the other hand, when the new head of Polish diplomacy, Anna Fotyga, appeared in the Sejm in the following year, she recognized the OSCE and ODHIR as the basic plane for Poland’s regional activities. She claimed that Poland supports the ODIHR in its activities, appreciating above all the role and importance the ODIHR in the regional dimension. She stated:

Poland supports the ODIHR in its actions, appreciating above all the role and importance of the ODIHR for the democratic processes taking place in the world. Poles have participated in many election observation missions and we know how important such measures are. We want the ODIHR to be able to maintain its independent role and its current framework of action. We are afraid that political factors could limit what to this time has constituted the ODIHR’s great value that is, being guided above all by democratic principles. Poland supports the ODIHR. The Polish authorities attach great significance to the human dimension of their security policy, to supporting democratic processes and values and respecting human rights.Footnote11

In Poland’s National Security Strategy of 2007 it is stated that “Poland shall continue to be involved in the work of the Organization for Security and Co-operation in Europe”,Footnote12 as in the Council of Europe, the OECD, and other multilateral institutions.

After the Istanbul summit in November 1999, the OSCE was marginalized by the policies of the Western and Central European countries. Its organs functioned but the next summit took place only in December 2010 in Kazakhstan (in Astana). The choice of location for these summits proved the departure from democratic standards as neither the Turks nor the Kazakhs respect human rights in their domestic legislation and policies.

Russia contributed to a certain revival of the OSCE when it announced, in June 2008, the ‘Medvedev Plan’ for rebuilding the architecture of European security and concluding European Security Treaty (EST).Footnote13 However, the suspension in December 2007 of the implementation of the CFE Treaty by Russia, followed in August 2008 by the Georgian War and Russia’s recognition of Abkhazia and Southern Ossetia in response to the recognition of the independence of Kosovo by western countries were all factors which complicated relations between the West and Russia. Later, in an attempt to reduce tensions between the two sides, a dialogue was conducted within the framework of the ‘Corfu Process’ at the OSCE headquarters in Vienna,Footnote14 inaugurated at an informal meeting of ministers of foreign affairs on the Greek island of Corfu on June 27–28, 2009. The majority of the OSCE member countries viewed the Russian initiative unfavorably. According to Angela Stent:

The Western response ranged from lukewarm to hostile. From the U.S. point of view there was no need for another legally binding Euro-Atlantic super-treaty. The OSCE had already taken care of that. Several clauses in the proposed Medvedev treaty particularly worried NATO because they implied that NATO’s commitment to collective defense should be superseded by an all-European commitment to collective defense.Footnote15

In these circumstances it was agreed to forward the Russian proposal to the OSCE. However, it should be noted that, already then, while Russia supported the OSCE as a multilateral mechanism, it didn’t accord much importance to this organization. According to Elena Kropatcheva:

[I]f in the early 1990s Russia used the OSCE in high profile politics, today Russia tends to use the OSCE more in ‘low politics’. The ‘low politics’ issues have become more important for regional European security and stability. This is why, the OSCE format remains important for Russia on the issues of transnational threats rather than as a forum for discussing its EST initiative. The OSCE is still used to promote Russia’s role as a great power, and, if it were reformed, Russia could use the Organization more in this sense.Footnote16

As part of the ‘Corfu Process’ dialogue, it was agreed that the OSCE should be strengthened in regard to preventing and resolving crises by, among other things, the necessary modification of its existing mechanisms (and where necessary the formation of new ones) and maintenance of the Organization’s role as a consultation forum in matters of Euro-Atlantic security.

Attempts to Revive the OSCE

The ‘Corfu Process’ did not lead to any significant progress, however, and the leaders of the OSCE member states who came together in Astana on December 1–2, 2010 after an 11-year hiatus stated only that “[t]he time has now come to act, and we must define concrete and tangible goals in addressing […] challenges. We are determined to work together to fully realize the vision of a comprehensive, co-operative and indivisible security community throughout our shared OSCE area”.Footnote17 This was a proposal for talks aimed at creating a ‘security community’ within the OSCE area, based on an idea proposed over half a century earlier by Karl Deutsch.Footnote18

This meeting gave rise to considerable expectations, particularly in the countries of Central Asia, including Kazakhstan, which was chairing the Organization. Seventy-three official delegations of member countries and OSCE partners took part in the summit, as did representatives of the leading international and regional organizations: the secretary general of the UN, Ban Ki-Moon; the head of the European Council, Herman van Rompuy; the heads of the Islamic Conference Organization, CIS, the Collective Security Treaty Organization, the Eurasian Economic Community, the Shanghai Cooperation Organization, and other organizations. However, many member states—including Poland and the USA—were not represented in Astana by their heads of states but rather by their ministers of foreign affairs.

The representatives gathered at the summit indicated that on the East-West axis it was a question of cooperation between the EU and NATO on one hand and the Eurasian Economic Community and the Collective Security Treaty Organization on the other. In this manner the transatlantic integration constructed in the previous century could be, in a natural manner, supplemented by trans-Eurasian integration. In Astana, a difficult stage in the history of the OSCE was concluded and many speakers called for its revival in new conditions, in the ‘spirit of Helsinki’. The president of Kazakhstan, Nursultan Nazarbayev, proposed to work out a comprehensive Treaty on Security in Eurasia. The participants stressed in their speeches that respect for human rights and fundamental freedoms should be the foundation for lasting security in the Euro-Atlantic and Eurasian areas. In connection with this, Kazakhstan proposed that religious tolerance should be made one of the OSCE’s dimensions, and also offered a range of initiatives to increase the number of OSCE baskets and institutions, for instance, to place economic and financial security in the ‘second basket’ of the OSCE, to create an OSCE Ecology Forum, and to open an OSCE Security Institute in Astana.Footnote19

Subsequently, France, Germany, Russia, and Poland joined the Initiative for the Development of a Euro-Atlantic and Eurasian Security Community—IDEAS, in connection with the idea of community security adopted in the OSCE Astana Summit Declaration. In December 2011, at a session in Vilnius, the OSCE Ministerial Council supported the joint project presented by the foreign ministers of France, Germany, Poland, and Russia. In the following year, expert institutions from these four countriesFootnote20 organized a series of four seminars (in Berlin, Warsaw, Paris, and Moscow) on the subject “Towards a Euro-Atlantic and Eurasian Security Community”. The result was the joint document Towards a Euro-Atlantic and Eurasian Security Community: From Vision to Reality. It was presented by four institutes at an informal meeting of the ambassadors of the OSCE member countries on October 23, 2012 in Vienna.

This report, which was addressed to all the countries belonging to the OSCE, contains the following proposals for common activities to lead to the creation of a security community from Vancouver to Vladivostok:

reinforcing the arms control system and confidence-building measures;

common responsibility for resolving conflicts within the OSCE area;

cooperation to increase the stability and security of Central Asia and Afghanistan;

measures taken to reconcile countries and societies;

closer cooperation to address transnational threats and challenges;

joint action on behalf of sustained economic development;

reinforcing the effectiveness of the OSCE’s ‘human dimension’;

dialogue with Muslim communities within the OSCE;

creating a network of academic institutions supporting the OSCE’s activities.

The document, drawn-up by analysts from four countries, provides a new look at the challenges involved in strengthening Euro-Atlantic and Eurasian security. It favors connecting the entire area of the OSCE into one whole. This is the opinion not of governments but uniquely of experts. However, the report was not heeded. The Western countries were unwilling to strengthen the OSCE and in autumn of 2013, after the outbreak of the crisis in Ukraine, relations with Russia significantly worsened and dialogue on the subject of building a security community was suspended.

The US has a very critical approach to the OSCE and places the entire responsibility for the crisis in the organization on Russia, for violating the organization’s principles. The US opposes the structural changes proposed by Moscow, as well as the idea of giving the OSCE a legal personality and multi-year budget.Footnote21 The American position is supported by the majority of NATO and EU members. This means that the West has abandoned the idea of a comprehensive and integrated approach to security that combines hard and soft aspects and is built by political dialogue with the equal participation of all 57 member countries of the OSCE.

The Western countries deliberately ceased to treat the OSCE as a necessary institution for closer cooperation and greater security in the Euro-Atlantic area. Such a political choice is a departure from the path taken in the recent past, even in the first years after the Cold War. It also signifies the relinquishment of a comprehensive approach to shaping international security, with consideration for so-called soft aspects of security. But this choice cannot be seen as a reasonable one given the continual appearance of new challenges and security threats of a non-traditional and non-military nature. If we look at the Ukraine crisis, it has to be stated that the OSCE is the sole organization that is acting toward its resolution. With some reservations, the OSCE is accepted by both sides to the conflict and has participated in working out and supervising the Minsk peace agreements (of September 5, 2014 and February 12, 2015).Footnote22 Even the US has shown some interest in the role the OSCE has played in the Ukraine crisis.Footnote23

In spite of the generally limited interest shown by Western countries in reviving the OSCE and strengthening its role as a security institution, on the initiative of the 2014 Swiss OSCE Chairmanship in close co-operation with Serbia and Germany at the OSCE Ministerial Council 2014 in Basel on December 4 was launched the Panel of Eminent Persons on European Security as a Common Project. It was composed of 15 eminent personalities with long-standing practical expertise in European security in all its dimensions from all OSCE regions, and mandated to provide advice on how to reconsolidate peace and security in the OSCE area on the grounds of the Helsinki Final Act and the Charter of Paris. This body prepared the basis for an inclusive and constructive security dialogue across the Euro-Atlantic and Eurasian regions, reflecting on how to re-build trust among OSCE participating states, and examining perceived threats in the OSCE area and potential common solutions. The Panel has produced two reports: an Interim Report on lessons learned for the OSCE from its engagement in Ukraine (June 2015), and a Final Report on the broader issues of security in Europe and the OSCE area at large (November 2015).

The Final report consists in presentation of different views of the West, Russia and states in between, evaluates the current crisis in European security and its dangers, and formulates recommendations to set in motion a robust political and diplomatic process to overcome the present crisis. It recommends how to avoid military accidents or incidents (inter alia to reactivate of the NATO-Russia Council), and a new start for Ukraine by complete the implementation of the Minsk agreements. The Report appealed for organizing the next Summit Meeting of the OSCE and to undertake by next Chairmanships, starting with Germany in 2016, to continue the consultations on reinvigorating security in the OSCE area.Footnote24

The OSCE Ministerial Council, meeting on December 8–9, 2016 in Hamburg, agreed to continue supporting the work of the OSCE and to use the Organization as a platform for dialogue and to continue addressing migration-related issues where the OSCE has expertise, with the aim of developing effective measures and common approaches to this challenge. It also decided to increase its efforts to prevent and combat terrorism. These decisions have more political than practical significance, but they are important because Europe, and particularly the EU, is unable to deal with either the migration crisis begun in 2014 or with terrorism. Ministers also initiated a Structured Dialogue on the current and future challenges and risks to security in the OSCE area. The subsequent OCSE Ministerial Council in Vienna on December 7–8, 2017 concentrated on filling key posts within the organs of the organization, on the continuation of the Structured Dialogue, but failed to make any significant decisions strengthening the OCSE.

Real conditions in the Euro-Atlantic area should definitely incline countries to favor broad solutions based on international dialogue, and the OSCE is the broadest existing international security institution, bringing together at one table 57 countries from the entire area between Vancouver and Vladivostok. It is worth remembering that the OSCE is one of the oldest organizations promoting democratic norms and values, and that this is important in the current situation where other organizations of Euro-Atlantic security are weakening. The OSCE could thus turn out to be useful as a modern ‘embedded security organization’.Footnote25 Taking all the above into consideration, it is worthwhile to paraphrase an idea from the book of a well-known American political scientist, Charles Kupchan, who claims that we should all, in the Euro-Atlantic area, learn how to make friends of our enemies and build a lasting peace.Footnote26 The OSCE still has the opportunity to create such a community of security.

### Impact---AT: OSCE Fails---AT: Ukraine

#### OSCE is the only viable post-Ukraine framework that has a chance to promote global norms---but it needs a proof of concept.

Andrew Lohsen 22, fellow in the Europe, Russia, and Eurasia Program at the Center for Strategic and International Studies in Washington, D.C., “Can the OSCE Help Resolve the Russia-Ukraine Crisis?,” CSIS, 1/12/2022, https://www.csis.org/analysis/can-osce-help-resolve-russia-ukraine-crisis

The flurry of diplomatic meetings dedicated to Moscow’s demands for a new security paradigm in Europe will culminate with discussions at the Organization for Security and Cooperation in Europe (OSCE) on January 13. The scheduled talks in Vienna have garnered little attention in comparison to bilateral U.S.-Russian discussions on January 10 and the meeting of the NATO-Russia Council on January 12. In truth, few concrete outcomes are likely to result from the final round of discussions, which will take place during a regular session of the OSCE’s Permanent Council. The scope of Russia’s demands and the fundamental questions they pose are far too complex to be considered in a single meeting. Nonetheless, if Russia is willing to engage in diplomatic negotiations about the future of European security—as opposed to insisting on the West’s immediate acceptance of its demands in their entirety—and refrains from using them as a pretext for war, then the potential role of the OSCE in securing a new peace in Europe is worth close consideration.

As a forum for dialogue covering a broad range of regional security issues with an open membership policy, the OSCE arguably is the most appropriate of the aforementioned venues to consider Russia’s maximalist proposals. Yet the organization faces considerable constraints on its ability to serve as a useful platform for dialogue. In this regard, a look at the potential advantages and disadvantages of the OSCE in facilitating a resolution to the crisis is helpful in devising recommendations on how to improve its chances of success in breaking the impasse.

Why the OSCE Is the Right Framework

In many ways, the OSCE is the ideal framework in which to consider Russia’s security demands as well as the reciprocal views of other countries. First and foremost, the OSCE’s membership structure ensures that all countries with a stake in European security are included in the discussion. The OSCE was created as a forum for dialogue between the East and West during the Cold War. By design, it has an inclusive membership policy and comprises 57 participating states spanning from Vancouver to Vladivostok. There are no prerequisites for membership other than geography. The organization operates according to a consensus-based decisionmaking model, ensuring that less powerful states in Europe have just as much of an opportunity to engage in and shape discussions on security issues as their more powerful neighbors. In the context of Russia’s buildup of military forces along Ukraine’s border and its insistence on carving out a sphere of influence in the post-Soviet region, discussions at the OSCE allow the Biden administration to follow through on its pledge not to conclude security agreements with Russia over the heads of the countries that would be most affected by them. Of the many discussions scheduled for mid-January, this is the only one in which Ukraine has a chance to respond directly to Russia’s demands and to do so on an equal footing.

Second, Russia’s proposals take aim at core concepts of regional security that emerged from the OSCE. The OSCE traces its origins to the Helsinki Final Act of 1975, in which contemporary European states unanimously pledged to uphold 10 principles guiding relations between them. These principles, which became known as the Decalogue, include sovereign equality and respect for rights inherent in sovereignty; refraining from the threat or use of force; and the peaceful settlement of disputes. These are precisely the issues that Russia has brought up for debate with its recent proposals for NATO and the United States. If Russia wishes to engage in earnest talks on revising the foundations of European security, then the OSCE—as the forum in which Russia initially agreed to adhere to these principles—is the right venue for this discussion. Russia affirmed its commitment to upholding basic standards of behavior outlined in the Helsinki Final Act and the 1990 Charter of Paris for a New Europe, which adapted the concept of comprehensive security to the post-Communist era, when it signed the 1999 Charter for European Security. It pledged to implement these documents fully and in good faith at the 2010 Astana Summit, which was the most recent high-level summit organized under the auspices of the OSCE. Clearly, there is a need to work though the discrepancies between what Russia agreed to and its recent actions.

Finally, the OSCE has experience supporting negotiations on confidence-building measures that could allay Russia’s stated concerns. Underpinning Russia’s demands for a cordon sanitaire in the post-Soviet space and a restriction on NATO enlargement and its activities in non-member states is a narrative that portrays Russia as a besieged fortress that is surrounded on all sides by enemies. This belief among the top echelons of the Kremlin has metastasized after five waves of NATO enlargement. It is still unclear whether Russia will accept anything short of its demand for a buffer zone in Eastern Europe, but a shift in focus toward mitigating specific capabilities and behaviors that provoke concern in Moscow would put the OSCE in a position to affect a positive outcome. Having hosted talks that led to the adoption of Conventional Forces in Europe (CFE) and Open Skies Treaties at the end of the Cold War, and as the organization in charge of the Vienna Document, the OSCE has sufficient experience and technical capacity to lead dialogues on reducing tensions through transparency, improved communication, and reciprocal limitations. More recently, limited progress has been made in the OSCE’s Structured Dialogue on the topic of risk reduction, and this format could be used as a springboard for additional confidence-building measures to rebuild the basic trust that is a prerequisite to talks at the strategic level.

#### OSCE’s the only viable peace medium after the invasion.

Teoman Ertuğrul Tulun 22, Analyst at the Avrasya Incelemeleri Merkezi Center for Eurasian Studies, “NATO Is Not Brain-Dead: How Can OSCE and NATO Help Stop the War in Ukraine?,” AVIM, March 2022

In an interview about two and a half years ago, French President Emmanuel Macron arrogantly claimed that NATO was brain dead and Europe was on the edge of the precipice, and he assertively questioned NATO's very future.[1] Corresponding to the same period, he also mentioned his long-time dream of developing a European military force.[2] This European military force is, in fact, the hypothetical joint Franco-German European army that France and Germany announced during the signing of a new "Treaty on Franco-German Cooperation and Integration" in Aachen on January 22, 2019.[3]

A lot of water has flowed under the bridge since 2019. The intervention, which Russia initiated under a "special military operation" towards Ukraine and which turned into a full-fledged war in fifteen days, has revealed how empty are the words Macron made for NATO two and a half years ago. The elapsed time has also proved that Macrons rhetoric about establishing a European Army is only wishful thinking. The war in Ukraine has caused grave concern in the Nordic countries. Certain EU member Nordic countries, which are very keen to preach lessons and to show the right way like teachers to non-EU European countries (including Turkey) on many subjects at every opportunity, this time began to see themselves in an imminent security threat. For example, according to a Deutsche Welle (DW) report, Sweden and Finland, who had stayed out of NATO due to their military nonalignment policy supported in the past by majorities of both Finns and Swedes, now seem to change their policy due to war in Ukraine.[4] As per the DW report, the shift in opinion is especially dramatic in Finland, and for the first time in its history, a majority of Finns are in favor of joining NATO. In this context., it is reported that nowadays, 53% Finnish population is in favor of joining NATO. It is stated that this rate was 19% in 2017. DW report also points to the development that the approval rate of NATO membership in Sweden rose to 41% in 2022 from 32% in 2017. These developments indicate that NATO, contrary to Macron's claims, is not in danger of brain death and is instead seen as the most reliable defence organization for some EU member states with the highest welfare level. It seems possible that the EU will become much more in need of the NATO security umbrella in the coming period. These developments show us that security is provided not with rhetoric but with reliable and powerful defence forces.

On the other hand, these days, when a serious war situation is taking place right next to Turkey, it is believed that it would be beneficial to go back to the past and to remember the principle of "indivisibility of security" developed by the Conference/Organization for Security and Cooperation in Europe (CSCE/OSCE) and to explain the essence of this principle to the younger generations. In the 1975 Helsinki Final Act of the CSCE, the participating States recognized the indivisibility of security in Europe. In this respect, the fifth introductory paragraph of the Act states that Recognizing the indivisibility of security in Europe as well as their common interest in the development of cooperation throughout Europe and among selves and expressing their intention to pursue efforts accordingly.[5] By indivisible security it was meant that the security of each state of CSCE region is inextricably linked with the security of every other state. Another way of putting this would be: Cooperation is beneficial to all participating States, while the insecurity in or of one participating State can affect the well-being of all.[6] Furthermore, the 1990 Charter of Paris for a New Europe declared that security is indivisible and the security of every participating State is inseparably linked to that of all the others.[7]

In the context of CSCE/OSCE, the most evolved form of studies and negotiations on developing security and cooperation in Europe was reached in Istanbul at the dawn of the 21st century. At the OSCE Istanbul summit in November 1999, the leaders of fifty-four states participating in the OSCE signed the Charter for European Security called the Istanbul Document. Paragraph 8 of the Charter for European Security involves one of the crucial principles for the security and stability of Europe in the 21st century.[8] The paragraph (p.3) reads as follows:

8. Each participating State has an equal right to security. We reaffirm the inherent right of each and every participating State to be free to choose or change its security arrangements, including treaties of alliance, as they evolve. Each State also has the right to neutrality. Each participating State will respect the rights of all others in these regards. They will not strengthen their security at the expense of the security of other States. Within the OSCE, no State, group of States or organization can have any pre-eminent responsibility for maintaining peace and stability in the OSCE area or can consider any part of the OSCE area as its sphere of influence.

The reason for the war situation that Europe is facing in Ukraine today is that Russia and some countries in the Western bloc consider this paragraph in terms of their priorities. The parties cannot achieve everything they want in the negotiations to ensure security, stability, peace, and cooperation among 54 countries. If the outcome of the negotiation is to reflect a consensus, the negotiating parties must strike a reasonable balance that reflects their priorities as much as possible. Paragraph 8 of the above-mentioned Charter reflects such a balance. In order to find a solution to the war situation we face today in Ukraine, the constructive negotiation spirit of the period when the 1999 Istanbul Document was prepared must be returned. In our judgment, Turkey, in current circumstances, is one of the most appropriate OSCE countries that can best prepare the suitable ground for a revival of such constructive spirit in the new negotiations.

## NATO Bad NB

### Avoids NATO Bad---2NC

#### The OSCE can fully replace NATO’s security role in Europe but avoids exacerbating security dilemmas.

Ejaz Hussain 22, London-based analyst on South-Asian and Middle-Eastern security, “Russia-Ukraine conflict: Can OSCE replace NATO?,” Global Village Space, 3-2-2022, <https://www.globalvillagespace.com/russia-ukraine-conflict-can-osce-replace-nato/>

As predicted, Russia being one of UN’s original P-5 members, used its right of Veto against any probable UNSC Resolution aimed at punishing Kremlin for launching a military operation against Ukraine.

China, another Veto power in UN, customarily stayed away from the US-led club in the Security Council.

Britain, as all-time loyal American martinet in Europe, despite a divorce from EU, was all out to obey the orders from Washington—but such orders were never issued.

France, having learnt enough history lessons already—from the Napoleonic misadventure against Russia (1812), the Crimean War (1854-56), WW-1 (1914-18), WW-2 (1939-45) and the Cold War—pursued ‘strategic’ quietness at the 25 February UNSC meeting.

NATO spineless against Russia

During his most recent meeting with Vladimir Putin, in Moscow, President Macron ensured that France may pursue benevolent neutrality in case the Ukraine crisis turned into an armed conflict.

As a result of that, the 15-member UNSC is once again clearly divided between the US-UK on one side of the aisle and Russia-China on the other. Hence the whole US plan for taking a UN-authorised/NATO-led military action against Russia, ended in an imminent diplomatic opprobrium. The net outcome is—President Biden will NEVER authorise Pentagon to attack Russia, moreover he will keep Jens Stoltenberg at a shorter leash—no unilateral NATO action, either!

What we will see rather sooner, the Ukrainian President Zelenskyy will surrender unconditionally and Russian offensive to protect and defend democracy in Donetsk, Donbas and Luhansk—will conclude in a few days. This time it will go down in history a Russian moral ‘victory with honour’, and a severe blow to the US, UK, and NATO hegemony over Europe and other adjoining sub-regions. I would call it the end of the Monroe Doctrine (1823) and gigantic frustration for the authors of CAATSA (2017) and 517 US Congressmen who voted for it.

Sanctions, sanctions, sanctions!

Once again, as predicted, Biden and his trigger-crazy broncos couldn’t go beyond imposing sanctions on Putin—the business as usual. But this time, instead of impacting on Putin’s Russia these sanctions will hurt the entire EU region—economically and politically. We shall see in next 6-12 months a number of European factories shut, workers going jobless, homes and workplaces facing blackouts, vehicles going off-road, and eruption of social & political upheavals from Poland to Spain and Finland to Italy. All major European political parties—Centre, Centre-right, Centre-left, Right-wing, Far-right, the CDU, SD & the Greens are not prepared to see again the Europe of Metternich, Napoleon-III, Bismarck or Kaiser Wilhelm-II.

Already, the US imposed sanctions haven’t brought desired results vis-a-vis Iran, Iraq, Syria, Afghanistan, North Korea, and China—and they would prove disastrous for Europe at large—if they continued against Russia over a long period of time.

Beginning of the end of Pax-Americana

Vladimir Putin has robustly conveyed to Biden, Johnson, and EU-NATO leaders that it’s time they changed their coercive approach towards the countries that disagree with the American way of life.

It has taken the Russian leader two decades to rebuild his country that lost its glory after crumbling of Soviet Union in 1990. He had to undo a host of political, diplomatic, industrial and military actions taken by Gorbachev and Yeltsin during 1990s. He was convinced that without addressing the above four areas Russia couldn’t achieve economic progress and prosperity. Today—the top strategists and global security pundits on both sides of the Atlantic are aware of the Russian military prowess—conventional as well as nuclear.

They have started reading again Allison’s ESSENCE OF DECISION, Cuban Missile Crisis and how McGeorge Bundy, McNamara, and Dean Rusk pursued ‘excessive’ restraint to avert a nuclear Armageddon at their doorstep. They were all aghast by the destructive scale of Igor Kurchatov’s most formidable nuclear force—’Tsar Bomba’, the thermonuclear monster of its time.

Russia’s military capabilities

For the sake of records, Russia still has more than 6,400 nuclear warheads—which is more than 45% of the world’s entire 14,000 nuclear bombs. President Putin, exactly four years ago—while giving his ‘State of the Nation’ speech on 01 March 2018—unveiled Russia’s NEW STRATEGIC DOCTRINE.

He recalibrated Russia’s nuclear outreach by declaring that, “Moscow WILL use its nuclear weapons if threatened or bullied by its hostile adversaries”. This was a loud and clear counter-narrative to the US Countering America’s Adversaries Through Sanctions Act.

As per the latest statistics of MILITARY BALANCE, Russia has four key components of its upgraded/modernised nuclear arsenal:

i) PC-28 CopMaT MIRV, super-mighty thermonuclear ICBM, to hit with precision any target within the range of 10,000 miles—covering every inch of North America and Australasia (QUAD/AUKUS/APEC inclusive).

ii) Nuclear Super-Torpedo platform (Belgorod & Khabarovsk)—that with its 100 megaton tip, can cause 500 metre high tsunami tide around any coastal city in the Pacific, Atlantic, Indian as well as Arctic and Atlantic.

All 18 US/NATO/allied aircraft carriers are within its forecourt reach.

iii) AVANGARD—hypersonic nuclear glide vehicles with average speed of 7Km per second (20 times the speed of sound).

It can penetrate through any missile defence system on the planet.

iv) BUREVESTNIK, nuclear-powered Cruise Missile (9M730)—it can completely annihilate, within the range of 10,000 miles, any target the size of New York City or London.

With such unimaginably frightful realities—the US will NEVER attack Russia.

No more proxy wars

After the Ukrainian egregious blunder—US may NOT launch a proxy war against Russia, either.

What I’m envisaging is—Biden has put himself between ‘Scylla and Charybdis’—A biting Russia on one side (Europe) and a hard-hitting China on the other (Asia-Pacific).

The United States has failed to muster enough support of its erstwhile allies that can fight in Europe, alongside Pentagon—Germany, France and Italy will not be on the US charabanc against Russia. Instead, President Biden, in a few days, is likely to offer substantive concessions to Iran—removing a number of economic sanctions. Also, he may also announce alleviation of ongoing economic troubles in Afghanistan.

Britain with its scanty resources—ill equipped Army of 86,000 part-time troops, 33,000 innocuous sailors of Royal Navy and another 33,000 wing-clipped under-fed birds of Royal AF. With shelved Trident, corroded ships/submarines, archeo-jets, and below-average political leadership, on top, Britain wouldn’t even fire an airgun pallet against the Russian troops, to please its masters on the other side of the Atlantic.

Hence, it amply suggests that for the US and its over-ambitious allies the possibility of pursuing the second phase of the Cold War—against China and Russia—is fast diminishing. In other words—no more Taiwan, South Korea, Japan, India and Down-under are in a position to stand by Americans against China through the rubric of QUAD or AUKUS. Similarly, the minnows like Ukraine, the Baltics, the Czech Republic, and even Johnson’s Britain will not militarily withstand Russia.

Golden decade of Russia, China and their allies

My argument stands tall and firm—this decade (2021-2030) belongs to Russia, China, Turkey, Iran, Pakistan and Central Asia. The Pakistani leadership MUST reconcile with emerging regional security landscape.

The rusty/obsolete argument—if we offended the US and its GCC allies, Pakistan will be deprived of $30 billion remittances, annually—must be revisited.

It’s true that out of 10 million NRPs (Non-Resident Pakistanis), nearly 3 million are working for the arrogant Arab employers. Hypothetically, if US gets angry with Pakistan , Arabs’ Uber-masters in Washington/London will pressure these employers to tighten screws on Pakistan.

But the Holy Quran says—“There is not a single living thing on earth whose sustenance is not guaranteed by Allah (SWT)”. Why worry about economic survival when we have the Greatest Provider with us?

All we have to do is—demonstrate 100% trust in Him. We should either get rid of the grand economic fear or give up our divine faith.

We Pakistanis shouldn’t be perturbed if oil-rich Arabs are in the process of investing $70 billion in Narendra Modi’s India—the Golgotha for 300 million Muslims? We shouldn’t care more if Saudi top military commander General Fahd bin Abdullah al-Mutair spends his 2022 Valentine Day with blood-sucking supremacist Indian premier Modi, or the UAE regime builds Hindu temples in Abu Dhabi?

We must learn to live with the fact that all nations—Muslim and non-Muslim have the right to pursue their national interests, as per their vision. Let the Saudi-led Arab League conduct their diplomacy as per their needs, desires and aspirations. They will eventually come back to Pakistan—perhaps not by choice but for their desperate needs. There’s a famous ancient Chinese proverb—“when water rises, the fish eats the ant; but when water recedes, the ant eats the fish”.

Time for OSCE to assert itself

It’s time for ageing NATO to retire—the septuagenarian Atlantic Treaty is exhausted, fatigued and overworked. Instead, the Organisation of Security & Cooperation in Europe (OSCE) is flexing its muscles to deal with the European security, through indigenous means. Unlike NATO, the OSCE is made in Europe—by the Europeans and for the Europeans.

It is ready to come out of the Viennese concrete walls and act as a powerful NEW Concert of Europe. Ambassador Helga Schmidt—current Secretary General of the OSCE has strategic maturity, operational clarity and human capacity to offer a better security alternative to the Europeans than what Stoltenberg can provide. She is assertive, knowledgeable and persuasive.

I first met young 35-36 year old Helga in the summer of 1997 when she accompanied her boss, then German FM Klause Kinkel, who came to deliver a talk at IISS, London. Later, I met Helga in 2013-14 in Vienna and Geneva when she attended a number of JCPOA sessions assisting Angela Merkel and Federica Mogherini. Ms. Schmidt played a commendable role to make JCPOA happen in July 2015—she was dismayed when Donald Trump withdrew from it in May 2018.

Headquartered in Vienna, OSCE is fully capable of dealing with security-related issues of all 57 members in Europe. The Europeans need a robust Concert of Europe to get rid of obsolete yet coercive NATO, for which they, since 1949, have been making regular and equal contributions—financial, human and collateral—but no equal sharing of its blessings.

## Competition

### AT: Perm do Both

#### The perm relegates OSCE to an ancillary role---that politicizes norms and guts capacity to build independent confidence-building measures.

Lev Voronkov 18, Лев Сергеевич Воронков, professor at the Moscow State Institute of International Relations, “ОБСЕ и европейская безопасность. Что дальше?,” or, “OSCE in the ‘New Architecture of European Security’,” Современная Европа, no. 1 (80), 2018, translated by Yandex, doi:10.15211/soveurope120186979

С момента созыва Совещания по безопасности и сотрудничеству в Европе (СБСЕ) и в течение более 20 лет концепция общеевропейской системы безопасности и сотрудничества создавалась совместными усилиями всех государствучастников в ходе одобрения консенсусом итоговых документов проводимых в рамках СБСЕ конференций, форумов или совещаний экспертов.

Представители каждого государства имели возможность оказывать реальное влияние на содержание одобряемых документов и тем самым – на формировавшуюся эволюционным путём концепцию европейской безопасности, учитывающую их суверенные права.

Можно с высокой долей уверенности утверждать, что современная ситуация в Европе могла бы коренным образом отличаться от нынешней в лучшую сторону, если бы такой уважительный подход к суверенитету и интересам безопасности всех государств – участников СБСЕ, их суверенному равенству сохранился до настоящего времени. Однако, как известно, события в Европе после завершения холодной войны и распада Советского Союза развивались по иному сценарию.

Новая модель европейской безопасности

Организация Североатлантического договора (НАТО) с уходом мирового коммунизма с международной арены оказалась перед реальной перспективой прекращения своей деятельности. Вопрос выживания НАТО оказался в зависимости от возможностей придания блоку новых европейских и глобальных функций, не связанных с противостоянием мировому коммунизму.

После окончания холодной войны и роспуска ОВД Североатлантический альянс, продолжая оставаться военным союзом, попытался взять на себя важные политические функции. Накануне будапештской встречи СБСЕ в 1994 году руководство НАТО пригласило все государства – участники СБСЕ присоединиться к Североатлантическому договору. Одновременно государства – члены НАТО воспротивились преобразованию Совещания в классическую, основанную на международном договоре международную межправительственную организацию и тем самым превращению её в основную несущую конструкцию будущей системы общеевропейской безопасности и сотрудничества. Они согласились лишь переименовать Совещание в Организацию по безопасности и сотрудничеству в Европе – ОБСЕ. Что и было сделано.

Приглашение Совета НАТО всем государствам – участникам СБСЕ присоединиться к альянсу последовало после распада Советского Союза и социалистического содружества и превращения Соединённых Штатов в единственную “супердержаву”, объявившую себя победителем в холодной войне. Очевидно в таком своём качестве США не считали более необходимым и важным искать консенсус по вопросам европейской и международной безопасности с ослабленной Россией и другими государствами – участниками СБСЕ, полагая возможным навязать им свою волю. Фактически Совет НАТО предложил новую модель европейской безопасности, системообразующим ядром которой должен был стать руководимый США Североатлантический альянс.

В опубликованном в сентябре 1995 года исследовании о расширении НАТО, проведённом по решению министров иностранных дел стран-членов, говорилось, что такое расширение “после окончания холодной войны и исчезновения Организации Варшавского договора… давало уникальный шанс построить прочную безопасность на всём евроатлантическом пространстве без разделительных линий (NATO Handbook, 2001: 61-62). Новая система европейской безопасности должна была, по замыслу, создаваться усилиями государств, разделяющих ценности запад- ной демократии, исходя из презумпции, что “демократии друг с другом не воюют”. ОБСЕ в этих условиях становилась площадкой для рекрутирования новых членов НАТО из числа её государств-участников, а институты и структуры ОБСЕ – инструментами преобразования существующих в них политических режимов в аналогичные западным.

Таким образом, прежний подход к созданию системы общеевропейской безопасности и сотрудничества, построенный на учёте принципов суверенитета государств и их суверенного равенства, уступил место идеологизированному и крайне политизированному подходу западных союзников, который разделяли далеко не все государства – участники СБСЕ. При этом речь шла не о декларативной приверженности западных стран такой модели построения европейской безопасности, а о системе взаимосвязанных и согласованных мер, нацеленных на её практическое внедрение.

[TRANSLATION]

Since the convening of the Conference on Security and Co-operation in Europe (CSCE) and for more than 20 years, the concept of a pan-European system of security and co-operation has been developed jointly by all participating States through consensus approval of the outcome documents of CSCE conferences, forums or expert meetings.

Representatives of each State had the opportunity to have a real impact on the content of the approved documents and, thus, on the evolutionarily formed concept of European security, taking into account their sovereign rights.

It can be said with a high degree of confidence that the current situation in Europe could radically differ from the current one for the better, if such a respectful approach to the sovereignty and security interests of all CSCE member States and their sovereign equality were preserved to this day. However, as you know, events in Europe after the end of the Cold War and the collapse of the Soviet Union developed according to a different scenario.

A new model of European security

The North Atlantic Treaty Organization (NATO), with the departure of world communism from the international arena, faced a real prospect of ending its activities. The question of NATO's survival has become dependent on the possibility of giving the bloc new European and global functions that are not related to countering world communism.

After the end of the Cold War and the dissolution of the ATS, the North Atlantic Alliance, while remaining a military alliance, attempted to take on important political functions. On the eve of the Budapest CSCE meeting in 1994, the NATO leadership invited all CSCE member States to join the North Atlantic Treaty. At the same time, the NATO member States opposed the transformation of the Conference into a classic international intergovernmental organization based on an international treaty and thus turning it into the main supporting structure of the future system of pan-European security and cooperation. They only agreed to rename the Meeting the Organization for Security and Co – operation in Europe (OSCE). Which was done.

The NATO Council's invitation to all CSCE member States to join the alliance came after the collapse of the Soviet Union and the Socialist Commonwealth and the transformation of the United States into the only “superpower” to declare itself the winner of the Cold War. Obviously, in this capacity, the United States no longer considered it necessary and important to seek consensus on European and international security issues with a weakened Russia and other CSCE member states, considering it possible to impose its will on them. In fact, the NATO Council proposed a new model of European security, the strategic core of which was to be the US-led North Atlantic Alliance.

A study published in September 1995 on the expansion of NATO, which was decided by the Foreign Ministers of its member countries, stated that such expansion “after the end of the Cold War and the disappearance of the Warsaw Pact Organization ... offered a unique chance to build strong security in the entire Euro-Atlantic area without dividing lines (NATO Handbook, 2001: 61-62). The new system of European security was supposed to be created by the efforts of States that shared the values of Western democracy, based on the presumption that “democracies are not at war with each other.” Under these circumstances, the OSCE became a platform for recruiting new NATO members from among its member states, and the OSCE institutions and structures became tools for transforming existing political regimes into similar ones to Western ones.

Thus, the previous approach to creating a system of pan-European security and cooperation, based on the principles of State sovereignty and their sovereign equality, has given way to the ideologized and highly politicized approach of the Western allies, which was not shared by all CSCE member States. At the same time, it was not about the declarative commitment of Western countries to such a model of building European security, but about a system of interrelated and coordinated measures aimed at its practical implementation.

#### Linking OSCE cooperation to NATO poisons the well for reviving the organization.

Matthew Levinger 18, George Washington University, “Forging Consensus for Atrocity Prevention: Assessing the Record of the OSCE,” Genocide Studies and Prevention: An International Journal: Vol. 11: Iss. 3: 60-74, http://doi.org/10.5038/1911-9933.11.3.1505

A greater challenge to the OSCE collaborative problem-solving efforts has been the rising tension between Russia and the West. During the early 1990s, Yeltsin and other Russian leaders embraced the organization as the potential centerpiece for a future collaborative European security architecture. In subsequent years, however, the Western participating States placed increasing emphasis on expanding NATO and the EU, to the detriment of the OSCE. The expansion of NATO to include Poland, Hungary, and the Czech Republic in 1999, and an additional seven states including the Baltic republics in 2004, drove home the view among Russian leaders that the OSCE was “erecting a wall within itself, artificially dividing its members into the NATO and EU members, and the rest.” Under these new conditions, declared Russian Foreign Minister Sergei Lavrov, “NATO deals with security issues, the EU with economic issues, while the OSCE will only monitor the adoption of these organizations’ values by countries that have remained outside the EU and NATO.”35

In the late 1990s, Western criticisms of Russia’s military campaign in Chechnya, along with Russian unhappiness over NATO’s bombing of Kosovo and Serbia, created further frictions, which intensified after the election of Vladimir Putin as President of the Russian Federation in 2000. Russia’s leaders increasingly expressed suspicions that the OSCE agenda was “destabilizing its neighborhood and in the long run potentially also Russia itself.”36 They were particularly unhappy with the work of the Office for Democratic Institutions and Human Rights (ODIHR), which they saw as “regionally biased against the East.”37 Beginning in 2002, Russia sent its own observers to monitor elections in the post-Soviet states, alongside monitors from the OSCE and EU, in order to counter the “Western bias” in ODIHR’s conclusions. On Russia’s insistence, the OSCE also sent observers to monitor elections in Western participating States, including Canada and the United States.38 Russian leaders accused the OSCE of being a tool of Western interests in Ukraine both during the Orange Revolution of 2004 and during the political crisis of 2014, and bridled at ODIHR’s repeated criticisms of election irregularities in Belarus. Unnamed Western states, claimed Putin in 2007, were “trying to transform the OSCE into a vulgar instrument designed to promote the foreign policy interests of one or a group of countries.”39

#### Duplication DA---the perm signals that the OSCE is redundant with NATO---that erodes its organizational identity which makes its leadership unsustainable.

Marco Odello 5, Centre for Conflict and Security Law, School of Law, University of Nottingham, “Thirty Years after Helsinki: Proposals for OSCE’s Reform,” Journal of Conflict and Security Law, vol. 10, no. 3, 09/07/2005, pp. 435–449

5 CONCLUSION

The positive aspect of the Report is the suggestion regarding the adoption of a constitutional charter for the OSCE. This is, in our view, the most relevant aspect. From that fact, several further positive consequences would develop. First of all, the clearer international legal status of the organisation would put the OSCE on the same footing of existing European organisations. Secondly, better defined organs with their hierarchical position and their powers would strengthen the operational aspects of the organisation. Thirdly, the organisation could enter into proper agreements with other international organisations, in particular the European ones and the United Nations. These tools would enhance the visibility of the organisation in the international context and would possibly get more support in the general public opinion. Nevertheless, this solution seems not sufficiently addressed within the Report. As we have tried to point out, this step would imply both political and legal issues that may not be easily solved. Some states may not be interested in having a strong political organisation dealing with a broad range of security issues ranging from minority rights to disarmament. Due to the broad concept of security adopted by the OSCE, this would imply relevant scrutiny in many sensitive areas of states’ policy. Furthermore, the risk of overlapping and multiplication of activities with existing European organisations should be addressed to avoid criticism regarding misuse of funding and duplication of activities by the OSCE. The new charter might address these issues and clearly define the areas of activity. In areas covered by other international organisations some form of cooperation could be envisaged. This issue becomes more difficult in the area of security, with the EU and NATO expanding their membership towards the East and their action into the domain of security broadly interpreted. This is the reason why the OSCE has to come to a better definition of its status otherwise it might risk erosion by the new activities of those organisations. The positive aspect of OSCE is that it includes a wide area of states. It is European but it includes also the USA and Canada, Russia and the Central Asian countries. The dividing line based on the Cold War confrontation has been replaced by the membership of the EU and NATO and by criticism of Western European countries towards all other participating states. Nevertheless, the broad area covered by the OSCE today, including central Asia, would comprise geographic zones that may represent important security concerns for Europe. In this context, it should be noted that still little interest is placed on the Mediterranean dimension of security. This area should receive more attention as it presents many aspects related to security. They include, among others, human trafficking, terrorism and environmental issues. These policy issues can be addressed in due course, but the institutional definition of the OSCE has high priority, and after thirty years it is high time to transform it into a proper international security organisation, under the aegis of international law.

### AT: Perm do Both---Fails

#### The perm fails---it reaffirms the primacy of NATO in norm-setting which is incompatible with visions of security architecture that Russia can accept.

Mark Neymark 22, Марк Афроимович Неймарк, Doctor of Historical Sciences, Professor of the Department of Political Science and Political Philosophy of the Diplomatic Academy of the Ministry of Foreign Affairs of Russia, “Красные линии стратегической безопасности России: от метафоры к критической альтернативе,” or, “The Red Lines of Russia's Strategic Security: from metaphor to critical alternative,” Научно-Аналитический Журнал Обозреватель, no. 1 (384), 2022, translated by Yandex, doi:10.48137/2074-2975\_2022\_01\_5

Для нормализации отношений с альянсом российское руководство настаивает на возвращении к ситуации, документально зафиксированной в «Основополагающем Акте Россия – НАТО», подписанном в 1997 г. обеими сторонами «на основе твёрдого обязательства, принятого на высшем политическом уровне».

В документе говорилось, что Россия и НАТО будут содействовать укреплению ОБСЕ, включая дальнейшее развитие её роли в качестве основного инструмента превентивной дипломатии, предотвращения конфликтов, урегулирования кризисов, постконфликтного восстановления и регионального сотрудничества в области безопасности, а также укрепления её оперативных возможностей по осуществлению этих задач. «ОБСЕ в качестве единственной общеевропейской организации безопасности играет ключевую роль в поддержании европейского мира и стабильности».

Развитие событий в последующие годы показало, что в действительности НАТО в огромной степени действовала по принципу от противного, утверждая, будто именно она – единственный гарант мира в Европе.

Одно из ключевых положений Акта гласит: государства – члены НАТО подтверждают, что не имеют намерений, планов или причин для развёртывания ядерного оружия на территории новых членов и не имеют необходимости изменять любой из аспектов построения ядерных сил НАТО или ядерную политику НАТО, а также не предвидят необходимости делать это в будущем. «Это включает тот факт, что НАТО приняла решение о том, что не имеет намерений, планов или причин создавать места хранения ядерного оружия на территории этих стран ни путём строительства новых объектов хранения ядерного оружия, ни путём приспособления старых объектов хранения ядерного оружия». При этом в НАТО как-то бы стро «забыли» о своих юридически зафиксированных обязательствах «предотвращать какие-либо дестабилизирующие наращивания сил в различных регионах Европы и в Европе в целом».

В документе было зафиксировано принципиально важное положение о том, что он «не затрагивает и не может рассматриваться как затрагивающий главную ответственность Совета Безопасности ООН за поддержание международного мира и безопасности».

Два года спустя жестокими бомбардировками Югославии НАТО прямо нарушила свои обязательства, действуя в обход СБ ООН. Причём в нарушение такого принципа Акта, который предписывает «предотвращение конфликтов и урегулирование споров мирными средствами в соответствии с принципами ООН и ОБСЕ».

Предельно вольно интерпретируется в НАТО её обязательство осуществлять свою коллективную оборону через обеспечение совместимости, интеграции и потенциала усиления, «а не путём дополнительного постоянного размещения существенных боевых сил». На практике «постоянное размещение» попросту подменяется размещением на ротационной основе, а размытое понятие «существенные силы» не несёт на себе какую-либо ограничительную нагрузку.

Американскому руководству надо было бы ещё четверть века назад прислушаться к дальновидному предупреждению авторитетного дипломата и аналитика Дж. Кеннана, известного своим вкладом в разработку концепции сдерживания нашей страны, который обладал уникальными знаниями о её возможностях и потенциале: «Расширение НАТО станет роковой ошибкой американской политики во всей эпохе после холодной войны. Такое решение с высокой долей вероятности приведёт к разжиганию националистических, антизападных и милитаристских тенденций в российском общественном мнении. Оно будет иметь негативные последствия для развития российской демократии, вернёт атмосферу холодной войны в отношения Востока и Запада, а также направит внешнюю политику России в направлениях, которые абсолютно будут нам не по нраву» [6].

[TRANSLATION]

To normalize relations with the alliance, the Russian leadership insists on returning to the situation documented in the "NATO-Russia Founding Act", signed in 1997 by both sides "on the basis of a firm commitment made at the highest political level."

The document stated that Russia and NATO will contribute to the strengthening of the OSCE, including further developing its role as the main instrument of preventive diplomacy, conflict prevention, crisis management, post-conflict reconstruction and regional security cooperation, as well as strengthening its operational capabilities to carry out these tasks. a key role in maintaining European peace and stability."

The development of events in the following years showed that in reality, NATO largely acted on the principle of the opposite, claiming that it was the only guarantor of peace in Europe.

One of the key provisions of the Act states: NATO member States confirm that they have no intentions, plans or reasons for deploying nuclear weapons on the territory of new members and do not need to change any aspect of the construction of NATO's nuclear forces or NATO's nuclear policy, nor do they foresee the need to do so in the future. "This includes the fact that NATO has decided that it has no intentions, plans or reasons to establish nuclear weapons storage sites on the territory of these countries, either by building new nuclear weapons storage facilities or by adapting old nuclear weapons storage facilities." At the same time, NATO would somehow "forget" about its legally fixed obligations "to prevent any destabilizing buildup of forces in various regions of Europe and in Europe as a whole."

The document contained a fundamentally important provision that it "does not affect and cannot be considered as affecting the primary responsibility of the UN Security Council for the maintenance of international peace and security."

Two years later, with the brutal bombing of Yugoslavia, NATO directly violated its obligations, bypassing the UN Security Council. And in violation of the principle of the Act, which prescribes "conflict prevention and settlement of disputes by peaceful means in accordance with the principles of the UN and OSCE".

NATO's commitment to implementing its collective defense through interoperability, integration, and reinforcement capabilities is interpreted very loosely, "rather than through additional permanent deployment of substantial combat forces." In practice, " permanent deployment "is simply replaced by rotational deployment, and the vague concept of" significant forces " does not carry any restrictive load.

A quarter of a century ago, the American leadership should have heeded the far-sighted warning of the authoritative diplomat and analyst J. R. R. Tolkien. Kennan, known for his contribution to the development of the concept of deterrence of our country, who had unique knowledge of its capabilities and potential: "The expansion of NATO will be a fatal mistake of American policy in the entire post-Cold War era. Such a decision is highly likely to incite nationalist, anti-Western, and militaristic tendencies in Russian public opinion. It will have negative consequences for the development of Russian democracy, return the cold war atmosphere to relations between East and West, and direct Russia's foreign policy in directions that we will absolutely not like" [6].

### AT: Perm AFF + Russia In NATO

#### Russian membership in NATO fails---OSCE solves

Lukáš Holas 18, Faculty of International Relations, University of Economics in Bratislava, Bratislava, Slovakia, “Prospects for Russia-NATO Relations: The SWOT Analysis,” Communist and Post-Communist Studies, vol. 51, no. 2, 06/01/2018, pp. 151–160

1.1. Benefits and drawbacks of russian membership in NATO

The starting point of arguments expressed by proponents of the Russian membership in the Alliance was the assumption of gradual removal of the ideological heritage from the era of the Cold War. A fundamental precondition of their arguments was the modification of approaches of one actor to another that could result in formation of new order in Europe and in more effective activities aimed at elimination of modern globalised security threats. Taking into account that NATO Eastern enlargement has been repeatedly labelled as a threat to Russian national interests, Kupchan (2010) and even Karaganov (2011) until 2014 considered Russian accession to the Alliance to be the way to ensure peace and to create partnership relations between these subjects. Additionally, they claimed that Russian membership in NATO would lead not only to elimination of one very serious obstacle to current cooperation between these parties, but also to a formal removal of remnants of the bipolar world order. Needless to say, NATO’s era of expansion would, thus, be concluded. Bearing in mind significant influence of Russian foreign policy on the politics of Ukraine, Georgia and other Near-Abroad countries, if the proposed scenario in NATO-Russia relations came true, it would be highly expected that these countries would join the Alliance, too.

Leaving aside claims that due to the current Ukrainian crisis and that relations between NATO and Moscow entered a new stage of the Cold War, if the internal security tension on the European continent was removed and the Alliance survived (through Russia joining NATO), we could severely question that the legitimacy of the military-political organization in the post-bipolar world would be strengthened. Consequently, it would be easier to redefine its fundamental purpose. Russian accession to NATO would result in sustainability of NATO control over the security development in the Euro-Atlantic region and to some extent also in the territory of the Asia-Pacific. Due to the above mentioned reasons, liberals believe that accession of Russia to NATO would enhance the credibility of the organization from the perspective of non-Western powers. These facts would most likely lead to increased lifetime of the Alliance, which is, according to Karaganov, currently ensured only owing to the passivity and lack of motivation shown by its European member states. Furthermore, the Russian decision to join NATO would serve as evidence of Karaganov’s belief that there is currently no such military-political organization in the EuroAtlantic region which would be capable to replace the Alliance efficiently, notwithstanding NATO’s numerous faults and mistakes (Karaganov, 2011). Stability of relations between Moscow and other NATO member states within the framework of the organization would imply a trend of bias against excessive securitization of issues closely related to east-west division of power during the era of bipolarity toward the opportunity to focus on global security threats or those outside its own territories, provided that norms of international law are abided by.

Apart from the aforementioned issues, opinions of Kupchan and NATO-skeptical Karaganov were also complementary when it came to questions of security and geopolitical consequences of Russian membership in NATO. Karaganov (2011) was convinced that due to its financial and technological limitations, the security of Russia could only be ensured by its orientation either on the European Union or on NATO. However, recalling the lack of European motivation to promote its security and defensive capabilities and to act as a recipient of benefits of membership in NATO, he did not consider the military-political cooperation between Russia and the EU to be more acceptable than the option of Russian membership in the North Atlantic Treaty Organization. On the other hand, Ariel Cohen (2014), of the Heritage Foundation, reminds that after using its rather outdated military in a 5-day war in Georgia in August 2008, Moscow has been determined to invest heavily in its military and defense capabilities. Consequently, Russian armed forced have been experiencing a process of radical modernization with 730 billion USD to be spent between 2011 and 2020 (mostly during presidency of V. Putin) to buy new conventional arms and upgrade the existing ones. He believes that extensive secrecy around the budget for procuring conventional weapons alongside rather explicit public declarations announcing development of cutting-edge nuclear missiles (as demonstrated by President Putin in February 2018, just weeks ahead of presidential elections in Russia) shall provide Moscow a sufficient amount of time to catch up with military capabilities of the USA to ensure Russian security in broader geopolitical terms without need to rely on other subjects of the international relations. In light of aforementioned facts and latest quality of relations between Russia and NATO, it should not be surprising that the Russian military exercise “Zapad” conducted in September 2017 was watched by NATO and its allies with bigger caution than ever before.

Charles Kupchan (2010) analyzed the same problem through the prism of US and NATO interests. He explains that an expanded NATO membership base to Russia would lead to decrease in European military dependence on the USA and, as a matter of fact, to increased defense capabilities of Europe as a whole. It is important to note that such a state is a shared interest of both parties and is explicitly defined as a goal in the conceptual documents of both Russia and the Alliance. Growth in European defense capabilities combined with stability of the European security politics due to a guarantee that NATO member states cannot attack each other, would stimulate yet again the chance to focus on global or interregional security threats mentioned earlier.

As long as Russia becomes a member of NATO, its status would be formally and practically equal to all other NATO member states. Hereby the long-term objective raised by many Russian pragmatists (incorporated even in National Security Concepts and Foreign Policy Concepts of the Russian Federation) and Western liberals such as Daniel Deudney, Gilford John Ikenberry or Charles Kupchan e an objective that the USA and NATO exclude Russia from discussions on European security issues and that they disregard its national interests e would lose its ground. On the other hand, NATO could benefit from Russian involvement in the structures of the Alliance from a long-term point of view given the present geopolitical development and shifting center of the world economy and politics in the Asia-Pacific region. For NATO, Russia could significantly improve the quality of its relations with non-Western powers, especially with the countries of BRICS.2

Except for the aforementioned reasons, liberal schools of international relations see the need for Russian membership in NATO by quoting the old saying, “Keep your friends close, but your enemies even closer.“ Based on experience from the era of Napoleonic Wars and World War II, emphasized even more after the War in Ukraine in 2014, it suggests including former adversaries in creating a post-bipolar order of international relations on the basis of equality. Application of this principle is seen as a key precondition of the establishment and maintenance of stability among the regional powers. Politically, liberals believe that current discrepancies in opinions on several political and security issues, which have their roots in different historical developments, do not pose a problem in the case of Russian accession to NATO. This conviction is supported by the current state of the Alliance, which is multi-speed in its nature and so is an economically and military-politically diversified international organization.

Last but not least, if Russia joined NATO, greater pressure could be put on the need of intra-organizational reforms within the organization. Since the necessity of changes finds its place in the articles of its latest strategic concept and 2010 Expert Report, the Alliance is aware of them but does not find sufficient political will to implement them. Positive effects could be visible for instance in lower relative financial burdens being put on individual states of expanded Alliance e just like in the prospect of building joint missile defense systems by both parties. On the other hand, it is highly probable that the long awaited reform of decision-making and voting procedures would not be affected by accession of Russia to NATO. Considering the right of veto granted to each member state owing to the current system of consensual decision-making, Moscow would likely defend this principle in the same way as they would with unanimous voting in OSCE, protection of its right of veto in the UN Security Council or in the European Security Treaty proposed by Russia but was turned down by the West. Consequently, providing Russia joins NATO it is rational to expect that model of ad-hoc coalitions, which is frequently used in these days, will not make way to activities approved by consensus.

Keeping in mind these aforesaid arguments, Kupchan (2010) and Duleba (2002: 173) suggest two alternative time frames regarding the accession of the Russian Federation to the North Atlantic Treaty Organization. Firstly, they introduced the process of gradual rapprochement of the two parties with a prospect of eventual membership. According to this scenario, long-term accession plan with the horizon of ten to fifteen years should be drafted and later modified in any direction if necessary. However, Kupchan argues that such process of gradual rapprochement of political views clashes with the current need to engage Russia more profoundly in the debates about security issues in the Euro-Atlantic region. Consequently, he advocates earlier accession of Russia to the Alliance, even at the expense of unfinished transformational process of Russian authoritative democracy to a Western model of democracy. Although he is aware of the risk rising from Alliance expansion to a country with different form of political establishment than the other members of the organization, he is convinced that the risk is lower when compared that of not including the Russian federation into Euro-Atlantic security structures.

In this matter, liberal views are confronted by pragmatists, representatives of realistic schools of international relations, and American neoconservatives. In the view of the latter democracy. American neoconservative McNamara (2010) does not see any shared values between NATO and Russia e just shared interests, which do not form a healthy basis for their long-term cooperation. More or less pragmatic representatives of the Russian School such as Kosachev (2011), Kozlovsky and Lukin (2012) are aware of this argument as well although until 2014 they did not evaluate it as critically as selected representatives of the West. Regardless of any contemplations affected by Cold War ideology, they recognize the significance of this fact and its high potential to disable Russian accession to NATO, and to complicate their rapprochement in key areas of regional and global security. The liberal school represented by Kupchan does not question the analyzed arguments. In addition, Kupchan admits that an insufficient level of democracy turned out to be one of the reasons why the Russian Federation had been excluded from decision-making about the European security. However, he defends his concept of Russian membership in NATO with motives that made the Alliance agree with the membership of Portugal and Turkey or the Alliance's drive to offer the membership to Georgia e that is, events which he puts in contrast with political freedom in those countries at the time of their accession or accession talks respectively.3 Kupchan (2010) argues that discrepancies in issues related to shared values and democracy were then set aside in favour of strategic goals. Since he observes several parallels between the situation then and present state of affairs in the politics of the Russian Federation, he believes that in contemporary international relations characterized by a high degree of interdependence and security threats implied by regionalization and globalization, strategic goals should act as a drive for further expansion of the Alliance to Russia.

Except for the previous conflicting argument, the accession of Russia to NATO is very likely to be hindered in a short-term period by disunity of several groups of NATO member states as well as political and scientific elites of the Russian Federation in this matter. On the one hand, ratification of such an enlargement would probably fail due to the persisting influence of neoconservatism in the US Congress. Conflicts between declarations by President Trump and real US foreign policy since 2017, topped with persisting suspicions about Russian involvement in the American presidential elections in 2016 make such ratification in the USA nearly impossible. Moreover, the process of ratification would also be threatened in countries of former Eastern Bloc for whom NATO remains to be a symbol of dissociation from the USSR and whose confidence in its de jure successor, the Russian Federation, has not been fully restored. Last but not least, events in Ukraine after 2014, alleged Russian cyber interventions into elections or referendums in the United Kingdom, Netherlands, France or Germany in 2016 and 2017, disunity about achieving common goals in Syria and opposing views on future political development in Middle-East do not contribute to more favourable perception of the Russian Federation either in Europe or North America. On the other hand, perception of NATO in Russian society is not unequivocal either. In the context of debate about national identity and further foreign policy orientation, NATO is perceived positively by pro-Western oriented politicians and the Russian liberal school of international relations. However, this view is losing support and is getting heavily marginalized following the events in Ukraine since 2014. Due to persisting post-Soviet sentiment in Russian society, extensive securitization of problems related to NATO and strong discontent with NATO operations regarding Ukraine after 2014, the Alliance is commonly referred to as a relic of the Cold War. Perception of Western countries and NATO by the Russian public in the years following the Ukrainian Crisis aggravates the prospect of Russian membership in the Alliance even further.

Jacob Poushter (2015) from Pew Research Center and Ariel Cohen (2014) point out that owing to extensive biased coverage of the Ukrainian events and other Western activities by Russian government-run media, compulsory Soviet-style military training at high schools and a large number of anti-Western bloggers, public support of President Putin's foreign policy has increased from 70% in 2011 to 88% in 2015 despite worsening economic situation due to European and American economic sanctions. Conversely, favourable opinions within the Russian public about NATO and USA in the same period decreased from 37% to 12% and from 56% to 15%, respectively. Given all these conditions Lukyanov (2010) summarized the opinion of Russian radical nationalists and strict pragmatists with his conviction that “NATO has clearly outlived itself”. Many times, especially after the controversial NATO operations in Kosovo in 1999, the military section of the organization and its politically motivated interpretation of fundamental international legal norms have been subject to Russian criticism. Taking into account these aspects, it is not advisable to think that the Russian Federation has a desire to join the Alliance. Notwithstanding, between 2009 and 2014 Moscow did not rule out this option from a long-term perspective altogether. Former president D. Medvedev confirmed this during the 2010 NATO Summit in Lisbon when he stated: “Russia’s accession to NATO is not an option at present but it could become an option if NATO changes” (RIA Novosti, 2010). As far as moods in societies of the two actors were concerned, proponents of Russian membership in the Alliance did not come up with any notable suggestions to improve the situations. Their key precondition in terms of NATO was positive conclusion of the issue of the Russian membership within American society and political elites. Consequently, they believed that it would simplify the persuasion of Central and Eastern European countries of the Alliance through reassurance that their territorial defense will be still guaranteed by Article 5 of the Washington Treaty. At the same time, Russian government should gradually change unfavourable style of its current communication about the Alliance with Russian civil society (Kupchan, 2010).

Robert E. Hunter and Sergey M. Rogov (2004), senior advisors of the RAND Corporation think tank based in Los Angeles, USA, explain another reason why Russia does not show interest in joining NATO through the prism of a post-Soviet approach to international relations. Hunter points out that due to post-Soviet trauma, the Russian Federation might not approve the equal status with countries of former Eastern Bloc. Their views are increasingly shared by the Russian schools of international relations. Timofeev (2017) and Karaganov (2017) explain this shift through development of Russian armed forces since 2011, Moscow's more distinct involvement in Syrian conflict, the North Korean nuclear program, and other key global and regional security affairs. Kupchan (2010) agrees with this opinion indirectly when stating that Russian membership in the Alliance could eventually lead to sinking solidarity within the organization.

Unlike other scientists interested in the subject of this paper, Duleba (2002:173) and Lukyanov (2010) evaluate the issue from military and operational perspective. In this regard they consider the Russian membership in NATO to be improbable because such enlargement would expand the territorial responsibility of NATO considerably, which would thus be bordering politically unstable countries of central Asia and the Middle East. Taking into account the cumulative size of contemporary Alliance and Russia, on the one hand, and lacking availability of financial resources in economies of all participating countries on the other hand, they seriously question NATO's capability to assure security of the Russian Federation in compliance with the Article 5 of the Washington treaty. We believe that from a short-term perspective even recent modernization of Russian armed forces would not deliver results that would meet standards of security as identified by the Alliance. Moreover, Duleba is doubtful about the degree of interoperability between military systems of Russia and NATO combined with the degree of mutual confidence in use of military technologies of the second party.

The last, yet no less important argument used by opponents of Russian membership in the Alliance, rests on Kupchan’s geopolitical optimism related to the function of Russia as a bridge between Euro-Atlantic security institutions and nonWestern powers. On the one hand, we are likely to agree with Kupchan’s aforementioned opinion that Moscow’s experience with negotiations with NATO combined with Russian credibility in the eyes of non-Western powers due to its pragmatism and authoritative form of democracy that definitely serve as an added value of the Russian foreign policy. On the other hand, we do not suppose that accession of Russia to NATO would enable Moscow to take full advantage of it. Both Kosachev (2011) and Lukyanov (2010) set a question: Would geopolitical gains of prospective Russian membership in NATO outweigh the risks inherently connected with such a step? Bearing in mind shifting the center of contemporary international relations from west to east, because of its membership in the Alliance Russia would join the group of states which impact on the world affairs and respect by other non-Western states and associations gradually decreases. Furthermore, this NATO enlargement could possibly undermine the quality of relations between Russia and other key non-Western subjects in the economic and security-political field e especially with China and Muslim countries. In the event of extreme escalation of the situation, Russian membership in the Alliance could result in armed conflict between the parties. Deterioration of relations would be then rooted in significant change in nature of bilateral relations between Moscow and those countries and organizations. Russian accession to NATO would likely be seen by China and other Asian parties as bias against pragmatism, long-term principle of promoting multipolar division of power in the international politics, and as Russian resignation to its position as a Eurasian power in favour of being solely European power. We dare to assume that providing such scenario comes true, Russia will no longer be able to take advantage of and build up its relations with China only because of their similar style of governance and shared fundamental principles of their foreign policies. Consequently, Lukyanov (2010) suggests creating a new trilateral form of cooperation which would dispose with sufficient strategic impact on resolution of key security issues in Russian Far East, Central Eurasia and Asia-Pacific space. In his opinion, NATO, China and the Russian Federation should be included in such forum.

1.2. SWOT analysis

Aforementioned arguments in favour of Russian membership in NATO and against it serve as a background for further analysis of Russian strengths and weaknesses and opportunities with threats resulting from its full involvement in the most influential military-political organization in Europe. Taking into account these facts, we have determined the most significant aspects in Table 1 below.

As far as the strengths of the Russian Federation are concerned, all are rooted in Russia’s geographical, historical and political conditions. In the upcoming geopolitical constellation, Russian size and location, spreading between powers of the 20th century in the Euro-Atlantic region and powers of the 21st century in Asia-Pacific, and bordering with important region of Middle East, shall serve as one of the major advantages of Russian foreign policy. Considering its size, location and ownership of extensive fossil fuel resources and raw materials, Russia has long been a significant subject of security in international relations. Taking into account its involvement in nearly all major interregional and global security affairs since [TABLE 1 OMITTED] 2013, we assume that its increasing importance is likely to continue in the future. If Russia became a member of NATO, its importance could thus serve as a strong incentive toward necessary intra-organizational reforms within the Alliance such as burden sharing (see previous section). Furthermore, NATO would find the issue of redefinition of its post-bipolar purpose less daunting. Historical and political evolution of Russia, especially in the 20th century, has left traces on its security independence of the USA and its authoritative political system. Whereas security independence is welcomed by both NATO and Russia,4 an authoritative political system based on missing liberal democracy of the Western style is not praised in the Alliance but enabled Russia to communicate by-and-large effectively with countries of Central Asia, Eastern and Southern Asia, Middle East and to some extent with South America e regions whose influence is likely to rise in the future.

On the other hand, fundamental weaknesses find their reasons in political as well as economic spheres. As it has been indicated above, the authoritative political system of Russia has negative consequences as well. Not only does it prevent any major advances in the search for mutually acceptable tools to accomplish NATO-Russia or West-Russia shared goals,5 which are in our opinion based on similar values, but also hinders wider public participation in debate about Russian post-Cold War identity and long-term strategy of its foreign policy which has continued since the fall of USSR. Missing firmness in strategy of Russian foreign policy can be seen in discrepancies between official statements of its political elites regarding the Asian vector of the foreign policy emphasis on the one hand, and real emphasis on relations with the European continent on the other hand.6 To a much lesser extent, diminishing desire to enter the Alliance in Russian politics and society shall too be mentioned with this respect. Foreign policy concept which would be widely accepted by public and by all governmental levels in Russia and which would bear in mind economic limitations of the country is, thus, indispensable.

Apart from political aspects, the state of Russian economy should be listed among its weaknesses as well. Since its thorough analysis requires an extent significantly exceeding the scope of the paper, we would like to highlight only the most noteworthy features. Firstly, it is generally known that sectoral division of the economy with a prevalence of primary sector and energy policy invokes so called „Dutch Disease“ with negative mid-term and long-term economic consequences. Secondly, post-Soviet psychological remnants in form of bureaucratic obstacles, bribery, nepotism, extensive legislative regulations and selective application of rules undermine Russian efforts to attract foreign investments and advanced technologies. Needless to say, economic sanctions imposed on Russia by the USA and the EU in the aftermath of the Ukrainian Crisis combined with low prices of oil and natural gas on global markets and significant investment into military defense capabilities instead of social and economic welfare in recent years do not lead to an improvement of Russian economic situation either. These factors combined with insufficiently successful diversification of Russian exports, weaker involvement in foreign trade, in infrastructure projects and/or development aid to developing and emerging countries around the globe result in the well-known nickname of the Russian Federation “A Giant with feet of clay“.

All major opportunities that Russia could take advantage of upon entering the Alliance copy to large-extent arguments in favour of Russian membership in NATO. From the Russian perspective, that would mean mainly full and equal involvement in negotiations about European security. Increasing success in preventing outbreaks of armed conflicts within the Alliance serves as a powerful incentive. Provided that NATO expanded to Russia, the USA and all European member states would need to recognize and adhere to Russian interests as well. Consequently, all these factors could eventually result in diminishing level of securitization with respect to European security issues originating in the Cold War era. Confidence building, implicitly indicated in previous arguments and increasingly needed particularly after the outbreak of the war in Ukraine, would be fostered also by transparency-enhancing measures based on tying former adversaries together. Such a “great coalition” built on mutual pragmatism and respect could be beneficial, even within the global environment. Lastly, taking into account current financial restraints in the economies of Euro-Atlantic region and the Russian Federation and long-term experience of both parties in developing military technologies, their close cooperation might cut the production costs while providing them with technological advantages and shared know-how to strengthen their status in the global security environment.

As far as threats are concerned, we are inclined to avoid using terms “threat and risk” and feel to be more appropriate when “threat, risk and danger” are used.7 Taking into account the shifting centre of world economics and politics to the AsianPacific region, we find the danger of deterioration of Russian relations with China and other non-Western subjects as the most important one. As it was written before, its membership in NATO could undermine Russia’s status in the eyes of emerging countries and Russia could not, thus, fully benefit from its function of “bridge” between the East and the West. Needless to say, long-term Russian dependence on the European economy (even despite the economic sanctions imposed by the EU and USA after annexation of Crimea in 2014), which serves as an undesired feature of Russian foreign policy and trade especially in the world of the 21st century, would get even stronger foothold. Objectively, Russia would risk facing a situation wherein disregarding its membership in the Alliance it would have to take care of its security to large extent with its own means and technology because of its large size and interoperability of Russia-NATO technology and staff e the argument highlighted by A. Duleba and F. Lukyanov above. Consequently, it could decrease the level of the Alliances's readiness to deploy NATO Response Forces, ability of strategic initiatives and even its military function. From our subjective point of view, if Russian membership in NATO turned out to be the reality in foreseeable future, there would be psychological dangers. Firstly, despite its full-fledged membership, the Russian federation could be considered an outsider mainly by CEE countries. Secondly, bearing in mind persisting post-Soviet sentiment in Russian society, we cannot rule out that Russia will not feel comfortable if it is put on equal basis with Baltic countries and CEE regions e territories which were looked upon as inferior during the era of bipolarity.

1.3. Future of NATO-Russia relations

While attempting to propose scenarios of future order of relations between Russia and NATO, we can identify five possibilities: maintenance of current status quo, increasing impact of the USA on the Euro-Atlantic region, the Russian Federation as a donor of European security, Russian membership in NATO which would put Russia in the position of recipient of security, or incorporation of NATO to the organizational structure of OSCE. We believe that the first three scenarios are hardly manageable in the current environment of the international relations, and in pursuing the goal of long-term geopolitical stabilization, they are undesired as well. In spite of beliefs expressed by both Western and Russian schools of international relations about lower level of security and the beginning of the new Cold War after 2014 (Karaganov, 2017; Kortunov, 2017; Timofeev, 2017; Legvold, 2016), calls for deploying more NATO forces in Poland and Baltic region (Shlapak and Johnson, 2016) and several measures adopted by the Alliance that indirectly label Moscow as a security threat,8 significant discrepancies between President Trump's foreign policy statements and actual US foreign policy activities towards the Alliance during his term cannot be regarded as attempts to increase US involvement in European security affairs.

Likewise, the prospect of Russia as a donor of European security does not look likely in next four to five years if we consider not only Moscow's foreign policy shift to the Middle East and the Asian-Pacific region (Trenin, 2017; Karaganov, 2017), but also opposition of several CEE countries to such prospect and pro-Atlantic policies introduced in France and Germany after their presidential and parliamentary elections in 2017. In spite of its indisputable benefits for both the Alliance and Russia (such as termination of NATO enlargement, prolonged legitimacy of NATO, equal status of Russia with other NATO member states and NATO being better security alternative for Russia than the EU), accession of the Russian Federation is not possible from a short-term point of view due to the necessity of ratification by all NATO member states; existence of post-Soviet sentiment in Russia, and questionable capabilities to ensure security of the whole extended territory from Vancouver to Vladivostok. Furthermore, it is also not beneficial enough from mid-term and long-term perspective.

We are therefore convinced that keeping Russia outside the Alliance and/or a change in decision-making and voting mechanisms within NATO are more acceptable solutions which embed the advantages of Russian membership in the North Atlantic Treaty Organization while eliminating drawbacks of such a situation. Taking into account the size of NATO membership base (29 countries in 2017eone more than in the EU in 2017), it is advisable to turn unanimous voting exercised in these days into qualified majority voting (just like in the Council of the EU9 ) and consensual voting if issues of key importance are dealt with. The most significant consequence of such change would be lower influence of the USA in Europe. That being said, it is doubtful that it could be pushed through as it would imply abandonment of the principle of equality and it would most probably face opposition from the United States. Therefore, we find it more efficient to incorporate NATO into the organizational structure of OSCE as its autonomous unit and govern their intraorganizational relations in the same way as the relationship between the European Union and the European Monetary Union. Our conviction is based on the following arguments:

OSCE is a credible organization recognized by high representatives of all: NATO, the Russian Federation and non-Western powers. Both Russia and NATO have labelled it and treat it as supervisor over the peace and security in Europe repeatedly in their strategic concepts. Occasional criticism of OSCE activities by Moscow, especially in the sphere of monitoring elections in Post-Communist countries, can be easily resolved through organizing joint OSCE-CIS monitoring missions when such elections take place. As long as the Corfu Process10 is accomplished successfully, its capabilities will increase again. Incorporation of the Alliance into OSCE would help NATO boost its trustworthiness from the perspective of nonWestern countries and organizations.

Scientific circles as well as political elites in general share the opinion that further involvement of the Russian Federation in European security environment should be carried out through existing institutions.

In accordance with the new understanding of security, the goal of the Alliance is shifting away from ensuring collective defense, toward providing collective security. OSCE shares the same goal, it is just missing its military dimension. It is beyond doubt that current members of NATO would not accept all remaining OSCE member states within its scope if the Alliance were to be incorporated into OSCE. Likewise, not all OSCE states might be willing or capable to participate in NATO's military operations. Hence, in order not to challenge NATO's military defense capabilities and save both institutions from time-consuming decision-making, the Alliance could be supervised by OSCE, yet operate as its autonomous unit.

Membership in NATO and in OSCE is based on the principle of equality. Likewise, the voting and decision-making in both organizations are carried out unanimously and it is not likely to change in imminent future. Russia would, thus, have equal footing with other NATO member states and could not exercise its popular objection of being excluded from debates about the European security.

From a legal point of view, the founding treaties of both NATO and OSCE are legally binding but are unenforceable. As far as decisions of highest bodies of both organizations are concerned, these do not have legally binding character, they are advisory in their nature and do not confer the right of enforcement.

The OSCE membership base is comprised of all countries which are member states of the Alliance. Abstracting from Cyprus and European mini-states, whose security is inherently linked to its larger surrounding countries, all member states of OSCE which concurrently do not belong to NATO (except for Mongolia) are institutionally organized in the Euro-Atlantic Partnership Council run by the Alliance (see chart 1). In its relations with NATO, Mongolia has a status of partner. Additionally, taking into consideration the fact that all member states of CSTO (Collective Security Treaty Organization) and CIS belong to OSCE, the latter could thus serve as a forum of cooperation facilitating and unifying views of NATO and CSTO or CIS respectively. Regarding Cyprus, the situation could be left unchanged or Cyprus could gain a special status within NATO.

The foreign policy of the Russian Federation would not resign to its long-term principles which are generally supported by all Russian political parties as well as by the civil society. Consequently, Moscow would not be forced to clarify its steps and seek support and understanding inside Russia and from other non-Western powers (which would be the case if it decided to join NATO). Providing the thesis about decreasing impact of the USA on the international relations is accepted, similar process like in Moscow could go on even within the North Atlantic Treaty Organization e though only to a limited extent.

We believe that from a geopolitical perspective, potential Russian membership in NATO would not result in taking full advantage of the Russian comparative advantage e the ability to act as a bridge between Western and Eastern structures. Bearing in mind conservatism when it comes to exercising Chinese foreign policy principles, Beijing would probably view Russian membership in NATO as breach of Russian principles which could eventually lead to decreasing quality of the Sino-Russian strategic partnership regardless of similarities in Russian and Chinese political systems. If Moscow intended to perform the “bridge” function successfully, that is, if its exercise was based on balanced and relatively neutral activities toward Euro-Atlantic and Eastern Asian regions under auspices of OSCE, Russia would solve a fundamental question of the debate about its national identity, and would not have to face the risk of deterioration of its relations with NATO and China.

[CHART 1 OMITTED]

2. Conclusion

Debate about Russian membership in NATO has been ongoing for around two decades. In the light of changes in international relations in the 21st century and lapse of time since the fall of the USSR, arguments are shifting away from ideological ones toward pragmatic and rational.

Through the identification of fundamental advantages and disadvantages of Russian accession to the Alliance we have defined primary strengths, weaknesses, opportunities and threats that lie before the political elites in Moscow. In order to take full advantage of Russian strengths and to eliminate all major dangers and/or risks of membership, we believe that incorporation of the Alliance into structures of OSCE serves as a better option. In addition, this constellation could foster dialogue between NATO and CSTO/CIS, which might create a better starting point for resolution of issues in Ukraine, the Baltic region, Syria, the Middle East and Central Asia after 2017, as well as for communication with China. Moreover, such incorporation does not have significant potential to threaten opportunities arising from Russian membership in the Alliance, nor does it intensify weaknesses of the Russian Federation. Closer cooperation between NATO and Russia within OSCE on an autonomous basis does not pose obstacles to confidence building, technology and cost sharing. Bearing in mind adherence to international law and preference for a peaceful resolution of conflicts by all participating parties, guarantee of non-aggression should be easily adopted even within the OSCE. Needless to say, Russian objection based on its exclusion from decisionmaking processes regarding security issues in Europe would no longer find any backing. Consequently, adoption of the proposed suggestion does not only have potential to set long-term foreign policy strategy of the Russian Federation as a Eurasian country, but also should not hinder Russian efforts to diversify its economy and foreign trade. Taking into account all stated above arguments, we conclude that membership of the Russian Federation in NATO does not have a potential to lead to long-term stability of security environment in Euro-Atlantic and Eurasian regions.

### AT: Perm do the CP

#### NATO is the military alliance---to be considered a NATO activity, NATO itself must be the initiating or joint initiating authority.

NATO 22, “ABOUT NATO,” US Mission to the North Atlantic Treaty Organization, <https://nato.usmission.gov/about-nato/>

Formed in 1949 with the signing of the Washington Treaty, NATO is a security alliance of 30 countries from North America and Europe. NATO’s fundamental goal is to safeguard the Allies’ freedom and security by political and military means. NATO remains the principal security instrument of the transatlantic community and expression of its common democratic values. It is the practical means through which the security of North America and Europe are permanently tied together. NATO enlargement has furthered the U.S. goal of a Europe whole, free, and at peace.

Article 5 of the Washington Treaty — that an attack against one Ally is an attack against all — is at the core of the Alliance, a promise of collective defense. Article 4 of the treaty ensures consultations among Allies on security matters of common interest, which have expanded from a narrowly defined Soviet threat to the critical mission in Afghanistan, as well as peacekeeping in Kosovo and new threats to security such as cyber attacks, and global threats such as terrorism and piracy that affect the Alliance and its global network of partners.

In addition to its traditional role in the territorial defense of Allied nations, NATO leads the UN-mandated International Security Assistance Force (ISAF) in Afghanistan and has ongoing missions in the Balkans and the Mediterranean; it also conducts extensive training exercises and offers security support to partners around the globe, including the European Union in particular but also the United Nations and the African Union.

MEMBER STATES

The NATO Alliance consists of 30 member states from North America and Europe. Article Five of the treaty states that if an armed attack occurs against one of the member states, it should be considered an attack against all members, and other members shall assist the attacked member, with armed forces if necessary.

List of Member States

Over the past two decades, the Alliance has developed a network of structured partnerships with countries from the Euro-Atlantic area, the Mediterranean and the Gulf region, as well as individual relationships with other partners across the globe. NATO pursues dialogue and practical cooperation with many partner countries and engages actively with other international actors and organisations on a wide range of political and security-related issues.

List of NATO Partners

STRUCTURE

NATO is comprised of two main parts, the political and military components. NATO Headquarters is where representatives from all the member states come together to make decisions on a consensus basis. It also offers a venue for dialogue and cooperation between partner countries and NATO member countries, enabling them to work together in their efforts to bring about peace and stability.The key elements of NATO’s military organisation are the Military Committee, composed of the Chiefs of Defence of NATO member countries, its executive body, the International Military Staff, and the military Command Structure (distinct from the Force Structure), which is composed of Allied Command Operations and Allied Command Transformation, headed respectively by the Supreme Allied Commander Europe (SACEUR) and the Supreme Allied Commander, Transformation (SACT).

NATO Organization Structure List

EXERCISES

The primary role of Alliance military forces is to protect peace and to guarantee the territorial integrity, political independence and security of the member states. Alliance forces must be able to deter and defend effectively. The Alliance remains subject to a wide variety of military and non-military risks that are multi-directional and often difficult to predict.

List of current NATO Exercises

The term NATO Military Exercise includes all exercises for which NATO is the initiating or the joint initiating authority. Associated with NATO Military Exercises are building blocks, such as: seminars, study periods and workshops.

#### The OSCE is distinct

Alan W. Dowd 22, Senior Fellow at the Center for America's Purpose at Sagamore Institute, “Looking ahead to Fortress Ukraine,” American Legion, 2-24-2022, https://www.legion.org/landingzone/255571/looking-ahead-fortress-ukraine

Given Russia’s actions, it’s difficult (though not impossible) to see how such a force could be administered by the U.N. Security Council. And given sensitivities on both sides of the NATO-Russia divide, it’s unlikely that NATO could replicate in Ukraine its role leading the Implementation Force (IFOR), the Multinational Stabilization Force (SFOR) and the Kosovo Force (KFOR) in the former Yugoslavia. An alternative model is the Multinational Force and Observers (MFO) peacekeeping mission, which has been deployed in the Sinai since 1981. The MFO is funded by a group of donor nations and manned and supplied by a group of troop-contributing nations. In a similar way, Ukraine could invite trusted partners to contribute personnel, material and funding to this effort. The Organization for Security and Cooperation in Europe (OSCE) – with a track record of border-management and a membership enfolding the entire Euro-Atlantic region – could play a coordinative role. Owing to their unique capabilities, certain NATO members (though not NATO itself) would be needed to provide enabling support.

### AT: Perm do the CP---AT: Member States

#### The plan must engage via NATO’s independent international legal personality---that’s distinct from NATO’s member states

Frans A. Nelissen 11, T.M.C. Asser Institute, “The Relationship Between International Organisations and Their Member States - Who Pays the Check?,” Evolving Principles of International Law: Studies in Honour of Karel C. Wellens, Martinus Nijhoff Publishers, 11/11/2011, Google Books

2.3.3. NATO Actions in Yugoslavia

A controversial topic with regard to the responsibility of international organisations is the attack carried out by NATO on Yugoslavia. As is well established, NATO is an international legal personality capable of engaging in international relations. The military operation was carried out based on a decision of the North Atlantic Council, the political governing body of NATO. When it became clear that during the bombardments damages were inflicted on other than military targets on Yugoslavian territory, NATO paid compensation to individuals whose properties were damaged. Clearly, the member states did never consent to the execution of those failed missions. Nevertheless, Yugo-Slavia decided to bring claims against the NATO members separately, and not NATO itself, before the European Court of Human Rights (ECHR) and the International Court of Justice. NATO is neither a party to the ICJ Statute nor to the ECHR, so there was no other alternative. This implied that the NATO cover of the missions had to be lifted in order to effectively bring a complaint. During the proceedings, the NATO members surprisingly did not bring forth the argument that it was the NATO carrying out the attacks and not the member states, and that the member states could rely on the liability of the alliance. Therefore, neither the ICJ nor the ECHR had to deal with the issue during those proceedings. NATO has the capacity to Carry out military attacks such as those in Yugoslavia, but was in casu not called upon to answer for the incurred damages. On the other hand, a decision of the North Atlantic Council is an authoritative instrument, and states should be able to rely on its legitimacy when carrying out the decision as long as they remain within the mandate given.

#### The difference is vital and fundamental

Brian Collins 2, Lt. Col. In the US Air Force and a faculty member of the National War College in Washington, D.C., “Operation Enduring Freedom and the Future of NATO,” Georgetown Journal of International Affairs, vol. 3, no. 2, Georgetown University Press, 2002, pp. 51–56

The U.S. -led military action in Afghanistan in response to the attacks of September II raised a number of important issues regarding the future of the North Atlantic Treaty Organization (NATO) and the relationship between the United States and its transatlantic allies. On September 12, , NATO invoked Arti- cle 5 - the mutual defense clause of the Washington Treaty - thereby committing NATO to help defend the United States from the perpetrators of the attacks. Shortly thereafter, NATO sent seven of its Airborne Early Warning and Control (AWACS) aircraft, crews, and ground support personnel to assist in the air defense of the United States. In addition to demonstrating NATO's military resolve and buttressing the political declaration of Article 5» the deployment of NATO AWACS aircraft also freed up U.S. aircraft for Operation Enduring Freedom in Afghanistan.

NATO also provided blanket air rights for U.S. aircraft, access to bases and ports, and other non-combat support. However, NATO did not lead Operation Enduring Freedom, nor did it develop the International Security Assistance Force (ISAF) deployed to Afghanistan in the wake of the American rout of the Taliban. The Europeans expected more of a say in the planning and execution of operations since the alliance had stood firm with the United States after the attacks. Since the understanding for fifty years had been that the United States would come to the aid of Europe and lead its defense, it was only natural to assume that Europe would play a large role if the United States was attacked. However, this was not the case; the United States preferred a coalition involving NATO members but not NATO itself.

European members of NATO asked whether this American unilateralism portended the end of the alliance. Americans vigorously denied this, and argued for a broader conception of NATO. Nevertheless, Operation Enduring Freedom was a landmark event because the United States chose to use a loose coalition instead of the NATO alliance, a decision that revealed an emerging U.S. -NATO relationship in which the United States consults with NATO on security issues but acts outside the alliance structure when it is in America's interest.

Why the United States Didn't Turn to NATO. In the aftermath of September II, the United States wanted the form of a coalition, but not the sub- stance, for several reasons. First, the attacks were on American soil, and consequently the United States had to lead the response. Although citizens from scores of countries were killed in the attacks, it was clear that the United States, its people and its homeland, was the intended victim. Therefore, a response to the terrorist attacks did not automatically involve NATO. Ultimately, there was no direct link to Europe. Consulting NATO would have been unrealistic, and no American administration would have waited for NATO to form a response.

NATO was also not the United States's first choice because there is no clear consensus on how to interpret the Washington Treaty in the post-Cold War world. For example, although the treaty does not place explicit restrictions on NATO operations in a geographical sense or require United Nations approval for its operations, many members have conceptual difficulty expanding NATO's role beyond the alliance's immediate periphery, especially in the absence of UN man- dates for such operations. Consequently, rather than get embroiled in discussions regarding the legality of NATO participation in Afghanistan, the United States sidestepped the issue and worked with its allies outside of official NATO channels.

### AT: Perm do the CP---AT: Member States---Ext

#### NATO member states are fundamentally different from NATO the core organization.

Nick Amies 21, staff writer at DW, “Looking to the future,” DW, 2021, https://learngerman.dw.com/en/amid-birthday-celebrations-nato-faces-challenges-of-a-changing-world/a-4147405

NATO's 28 members are desperately grappling with the question of what, exactly, their military club is meant to do in this new world of asymmetrical warfare, cyber attacks, energy security and the socially destabilizing effects of climate change and financial collapse.

Old challenges with dangerous new dimensions

A nuclear bomb detonated in the Nevada desertA nuclear bomb detonated in the Nevada desert

Nuclear proliferation is a bigger problem than ten years agoImage: picture-alliance/dpa

"The challenges that NATO faces are not actually that new but have taken on dimensions that have caused the organization to rethink its strategy," a NATO spokesman told Deutsche Welle. "Issues such as terrorism, nuclear proliferation, climate change, cyber protection and energy security were all included in the current strategy concept which was signed in 1999. But since then, terrorism has spread in scale and intensity, proliferation has accelerated to the point where it is a serious threat and climate change has opened up many new problems.

"Cyber-terrorism was first addressed ten years ago but it is only now that we can see the full scope of its effects while energy security is most countries' number one concern this year as we saw recently that nations can be brought to their knees when their energy supplies are cut off," the spokesman added. "So what we will see at this summit is a decision to update the 1999 strategy and an announcement that work will begin on a new strategic concept to meet these developing challenges."

Giles Merrit, the director of Brussels-based think tank Security & Defense Agenda Forum Europe, agrees that this week's summit should include discussions on a new strategy for the future of NATO.

"The consensus is that NATO has to fashion a new strategic plan which sets out what it is actually for," Merrit told Deutsche Welle. "There is an enormous array of ideas within the organization; from those who see its future as laid out in its original brief, to protect NATO territory, to those who see it changing into a global peacekeeping force. But this new plan should also look at what NATO's role should be in the fight against terrorism, and in the wider Middle East situation. All these topics have yet to be discussed in detail as NATO enlargement has eclipsed all debates on what role NATO has in a post Cold War world."

Many believe NATO's meeting and resolution of its new challenges relies heavily on an old foe: Russia. Relations with its former Cold War adversary were frozen last year after the war in the Caucasus and have barely risen above tepid since. The thawing of the chill between NATO and the Kremlin will be an important topic this week.

Russian cooperation integral to NATO's future

The NATO symbol on the Russian flagThe NATO symbol on the Russian flag

NATO needs to face new challenges with Russia's helpImage: AP GraphicsBank/DW

"NATO relations with Russia really depend on Russia," the NATO spokesman said. "All of the allies would like Russia to be involved but most see Russia as part of the problem, not the solution. NATO's ambition is to utilize Russia's massive potential to solve our shared problems but the fact is that Russia is responsible for some of those problems. The relationship is very difficult and complex. But the truth is, if we can agree to work together, Russia can really help NATO meet its new challenges."

Giles Merrit agrees: "NATO's relationship with Russia is crucial in addressing its new threats and challenges," he said. "The fact is that since the fall of the Soviet Union, NATO, like the EU, has failed to develop a solid policy for Russia. They deal with it on a case-by-case and issue-by-issue basis. NATO should look at how it sees Russia in terms of economy, energy, trade and security. It will see that Russia has many of the same concerns: Moscow wants stability in the Middle East, especially Iran; it wants Afghanistan to be secure and it wants security in the oil and gas-rich Black Sea and Caspian region.

"NATO should also look at how it handles the new, embryonic Shanghai Cooperation Organization (SCO), which includes Russia, China and several central Asian states," he added. "While it is still in its infancy, this is a security structure which stretches halfway round the world. In the coming years, NATO's relationship with the SCO will be very important."

But it is the battle against the Taliban-led insurgency in Afghanistan - where Islamist fighters backed by al Qaeda only have to survive to win - which is informing much of the alliance's thinking and causing it to take a long, hard look at its strategy.

Strategic rethink central to Afghanistan stability

An Afghan soldier on a hill top as sun setsAn Afghan soldier on a hill top as sun sets

Experts say a new political strategy is needed in AfghanistanImage: AP

"Our job in Afghanistan under the UN mandate is clear: to provide the country with the means to secure itself," the NATO spokesman said. "We're not hiding the fact that is not happening at the moment and that the efforts to achieve this are tough. This summit is an important opportunity. We have to reinvigorate our strategy. You will hear a lot about a 'comprehensive strategy' in the next few days - this means focusing on military efforts, increased training, a stronger police force, a more cooperative Pakistan. It is a key topic of this summit, to maximize success. Our mission is to help Afghanistan take care of itself…but the fact is, right now, it can't."

"There is a growing awareness that NATO has not been getting it right in Afghanistan," Merrit said. "This isn't a military conflict. This is a governance problem and is something that NATO is not designed for or equipped to tackle. NATO can keep the military situation fairly under control but this is a political problem for the governments of NATO countries not NATO itself. Afghanistan needs new structures of governance, society and economy and to achieve these, it needs a new approach which is outside NATO's influence."

### AT: Perm do the CP---AT: Member States---Security Assistance

#### That distinction extends to security assistance

Gary Mead 22, “Soapbox: Who will pay?,” GLINT - The Global Currency, 4-12-2022, https://glintpay.com/en\_us/blog/soapbox-who-will-pay/

Proxy war, proxy money

One of the terrors that Moscow has already dangled in the face of the West is an escalation of the Ukraine conflict. Putin has put his nuclear forces on high alert, a Sword of Damocles hanging over Brussels and Washington D.C. NATO members – crucially not NATO itself – are supplying Ukraine with weapons, such as the tanks, rocket launchers and artillery that have been sent from the Czech Republic. NATO is thus fighting a proxy war with Russia.

# AFF

### OSCE CP---2AC

#### The OSCE fails---they can’t paper over fundamental differences AND Russian propaganda undermines their credibility

Andrew Lohsen 22, fellow in the Europe, Russia, and Eurasia Program at the Center for Strategic and International Studies in Washington, D.C., “Can the OSCE Help Resolve the Russia-Ukraine Crisis?,” CSIS, 1/12/2022, https://www.csis.org/analysis/can-osce-help-resolve-russia-ukraine-crisis

Why the OSCE Is the Wrong Platform . . . for Now

Despite these indications of the positive role the OSCE could play in resolving the current situation, there are strong counterarguments. The first is that Russia and the West remain too far apart on basic positions to make use of the OSCE’s good offices. As a veteran U.S. diplomat and former OSCE mission head concluded, the organization, like any other multilateral institution, “reflects the state of relations among the nations that make up its membership. When relations are good or most of the member states are like-minded, the organization works well. When relations are bad and there are major disagreements among members, that same organization will not function.” For the OSCE to serve as a useful platform for discussions, Russian officials and Western counterparts will need to come to Vienna with the belief that it is possible to bridge their divergent positions, and they must have an idea of where common ground might be found. It is unclear whether the faint glimmer of optimism after the January 10 bilateral meeting between U.S. and Russian leaders in Geneva will endure. While Deputy Secretary of State Wendy Sherman and Deputy Foreign Minister Sergei Ryabkov remarked on the serious and businesslike tone of the meeting, little headway was made to narrow the negotiating margins. The OSCE’s new chair-in-office, Polish foreign minister Zbigniew Rau, who assumed the one-year position at the beginning of the year, has indicated his readiness to hold a dialogue on a revised security paradigm—“provided that countries do not violate existing norms in order to gain a privileged position in such a discussion.” Unless Russia drops its more strident demands, negotiations in the OSCE track will yield the same results as talks in Geneva and Brussels.

A second concern is that disagreement on fundamental principles could lead to a crisis within the organization. In its recent proposals to the United States and NATO, and in statements by top officials, Russia offered far-fetched interpretations of “indivisible security” according to which Ukraine’s right to apply for membership in NATO presents a “legitimate” threat to Russia’s security interests. However, its disregard of the specific commitments outlined in the Decalogue suggests that Moscow is inclined to view comprehensive security as a rhetorical fig leaf rather than a shared principle guiding relations between states. Accordingly, if OSCE participating states were to engage in a deep, formal discussion of these principles, it is unclear whether they would be able to reach consensus on previous shared positions that heretofore were considered the least common denominator. Parallels between the current context and the ill-fated Corfu Process of 2008–2010, which ultimately led to a “near death experience” for the OSCE, will likely prompt several delegations to refrain from convening for a summit to consider existential questions regarding European security.

Finally, Russia has systematically undermined public confidence in the OSCE through disinformation and obstructionism. In recent years, Russia has leveled accusations of bias against the OSCE, particularly its Special Monitoring Mission to Ukraine (SMM), which was established in 2014 to report objectively on the situation in the country at a time when “little green men” began to appear in Crimea. Russian officials and press outlets frequently accuse the organization of ignoring alleged violations by Ukrainian authorities, but in reality, many of these allegations are hyperbolized or cannot be corroborated according to the mission’s strict reporting standards. Elsewhere, Russia undermined the organization’s long-standing effort to achieve a political resolution to the Nagorno-Karabakh dispute by unilaterally brokering a hasty ceasefire agreement between Armenia and Azerbaijan in 2020, despite serving as a lead facilitator of OSCE peace talks. Further examples abound. The Kremlin’s tendency to undermine the OSCE, cast aspersions on its credibility, and question its competence when it cannot be manipulated to serve Moscow’s aims has taken a toll on the organization’s reputation, particularly in Russia. This makes it more difficult for an OSCE-brokered outcome to be presented to the public or to be respected by officials and military leaders in Russia.

#### Perm do both---regulatory fora are complimentary, NOT competitive

Daniel Mügge 21, Professor of Political Arithmetic at the University of Amsterdam, “Cooperation á la carte is the way forward for EU AI regulation,” London School of Economics, 11/26/2021, https://blogs.lse.ac.uk/europpblog/2021/11/26/cooperation-a-la-carte-is-the-way-forward-for-eu-ai-regulation/

Earlier this year, the EU became the first major jurisdiction to publish a set of draft rules for artificial intelligence (AI). There are good reasons to keep close legislative tabs on AI technology. Concerns range from algorithmic discrimination and distorted democracy to ubiquitous surveillance and outright oppression.

Beyond these questions loom deeper concerns. A world saturated with machines able to predict and exploit our fears and desires fundamentally challenges human autonomy. At the same time, AI-led automation has the potential to deprive many people of their jobs once the government debt-fuelled post-pandemic boom peters out. Already, automation has driven a wedge between the upper and lower echelons of labour markets. Aided by smart machines, many highly educated workers have seen their productivity rise, while jobs with more routine tasks, in contrast, have slowly disappeared.

The European Commission proudly touts a European third way on AI regulation: rather than letting algorithms serve the state (as in China) or large corporations (as in the United States), the Brussels approach aims to put them at the service of people – ‘trustworthy AI’, as the EU slogan puts it. This entails curtailing the freedom afforded to the masters of AI – be they governments or companies.

This European approach will encounter two key obstacles. First, by most measures the EU tech sector already lags those in China and America. Slamming the breaks on AI applications is bound to widen that gap. After all, algorithms thrive on ‘learning by doing’. The creation of a European data space and coordinated seed investment by EU member states is meant to boost the homegrown sector. But whether that’s enough to make European AI more than a sideshow on the global stage is anybody’s guess.

Second, American politicians and pundits alike increasingly frame AI as a security issue. Earlier this year, the final report issued by the US National Security Commission on AI portrayed AI as a tech race between China and the United States, with the loser vulnerable to the winner’s AI supremacy. Such a dog-eat-dog tech world has little patience for the finer points of AI ethics. Hence, the report implies that Europeans would be well-advised to climb into the passenger seat of a US-led alliance of ‘freedom-loving’ tech powers and leave the steering to Washington and Silicon Valley.

These forces are pulling European states in opposite directions. Ethical concerns inspire caution, competitiveness concerns encourage European boldness, while the security-framing of AI suggests Europe should play a junior role in a Western alliance. So, what is the way forward?

Cooperation á la carte

Much of the current debate on the global dynamics of AI regulation is unduly simplistic, treating ‘AI regulation’ as though it were a single, monolithic block, to be approached either alone or in cooperation with one or the other partner. Instead, a nuanced perspective would be to recognise the enormous breadth of uses and regulatory concerns currently lumped under the AI-heading.

To be sure, with open economic borders the effectiveness of European AI rules hinges on what other major jurisdictions do – the AI field is rife with ‘regulatory interdependence’. What good are EU rules against invisible discrimination in automated CV-sorting when clients can simply use US-based services instead? What good are tight privacy rules when we can import AI systems trained on data unethically harvested from citizens abroad?

Yet this regulatory interdependence is variegated: in some domains – say, the global spread of automated weapons systems – the EU is entirely dependent on cooperation with other major powers. In others, such as safety standards for self-driving cars, it can craft its own rules and testing procedures, quite irrespective of what others do. Some applications, such as the resilience of AI-powered infrastructure, have direct relevance for NATO as a security alliance; others, like rules for Twitter-algorithms or automated loan approval, are not security-relevant at all.

This variegated regulatory interdependence – high in some cases, low in others – invites a differentiated approach to global AI regulation. Where global standards might align with European regulatory goals, they are clearly preferrable. When such agreement is out of reach, second-best options emerge: mini-lateral solutions such as shared standards crafted in the newly minted Transatlantic Technology Council. Mutual recognition of different but equally stringent standards are also an option, as is support for private tech-industry standards.

But where EU ethical goals are best served by Brussels forging ahead on its own – as it did with the General Data Protection Regulation – it should have the courage to do so. There is no reason to think the EU will be well-served by a one-size-fits-all-AI-uses approach to international regulatory cooperation. It should not blindly give in to the ‘are you with us or against us’ logic prominent in American thinking. The diverse ethical trade-offs AI raises weigh too heavily to be tackled well in a uniform international mould.

Always heedful of which approach allows it to maximise its digital sovereignty on any particular issue, the EU should cooperate where feasible and dare to go it alone where it must. Such an á la carte approach to global regulation has served the EU well in many other fields, from finance and food safety to pharmaceuticals. There is no reason to think it would fail in relation to AI.

### OSCE CP---NATO Key---Interop

#### NATO is key---they have unique institutions for facilitating legal interoperability

Zoe Stanley-Lockman & Lena Trabucco 22, Stanley-Lockman is an Associate Research Fellow in the Military Transformations Programme at the Institute of Defence and Strategic Studies at the S. Rajaratnam School of International Studies in Singapore; Lena Trabucco is a dual degree candidate pursuing a PhD in political science at Northwestern University and a PhD in Law at iCourts Center of Excellence in International Courts at the University of Copenhagen, “NATO’s Role in Responsible AI Governance in Military Affairs,” The Oxford Handbook of AI Governance, edited by Justin Bullock et al., Oxford University Press, 03/18/2022, DOI.org (Crossref), doi:10.1093/oxfordhb/9780197579329.013.69

One vital and unique contribution for NATO is facilitating legal interoperability among the Allies to resolve some of the most pressing legal barriers for AI implementation in future Allied operations. Legal interoperability, a subset of larger coalition interoperability, refers to the operational coordination around partner legal obligations and interpretations.75 It ensures “that within a military alliance, military operations can be conducted effectively consistent with the legal obligations of each nation.”76 Legal interoperability is a critical component of multilateral operations that has thus far been under-examined, despite its centrality to successful military operations. This is largely because “legal factors have a bearing on everything in alliances and coalition operations—from determining basic ‘troop-to-task’ considerations to decisions regarding the targets to be engaged—and the types of ordinances that may be used.”77

To enhance legal interoperability, NATO can exert its influence on how Allies can develop and deploy AI consistent with their legal obligations through its unique standardization capacities. Historically, NATO has taken significant steps to bridge the legal gap between Allies on critical procedures that bridge responsible state behavior with such “troop-to-task” considerations. One instructive example from past operations is detention policies in non-international armed conflicts.78 The promulgation of detention standards illustrates the operational significance of NATO’s common legal procedures, even for coalitions of the willing that formally operate outside NATO structures. By way of background, the U.S.-led coalition in Afghanistan had internal debates regarding the 96-hour security detention time period.79 The United States advocated extending the 96-hour rule, where coalition partners insisted adhering to the NATO standard, even though it was not a NATO operation.80 Generally the detention example illustrates NATO legal standards providing clarity to non-NATO operations; in some cases, Allies adopt NATO standards as accepted thresholds that continue to inform coalition policies beyond NATO structures and operations.

Implementing AI in future military operations will almost certainly complicate legal interoperability as there is a lack of uniform standards, as in the detention example. Even some of the more basic implementation measures will garner legal uncertainty and Allies will inevitably navigate with minimal legal clarity and no standard procedures. Despite the roots of the legal debate stemming from the question of lethality, the most pressing (and urgent) legal issues will address the integration of necessary AI-enablers, such as data gathering and sharing.

Furthermore, NATO has coordinated initiatives to promote awareness of Allies’ legal obligations and has a dedicated office focusing on legality. This centralizes the institutional capacity to focus on alignment not only between the policies of NATO Allies, but coherence with the international community more broadly. Among others, the NATO Legal Practitioners’ Workshop and inter-organizational dialogue between NATO, the UN, and the International Committee of the Red Cross (ICRC), the latter of which has a delegation to NATO that provides legal training and education to practitioners.81 The NATO Office of Legal Affairs (OLA) itself can also play a central role in navigating the challenges to legal interoperability. As the example of detention standards illustrates, NATO has been successful in implementing legal standards which translated into operational clarity and coalition policy outside NATO operations.

As part of its focus on responsibility in its EDT agenda, NATO has opportunities to facilitate AI legal standard-setting and coalition policies to ensure safer and responsible use of AI in Allied operations.

### OSCE CP---NATO Key---OSCE Fails

#### The OSCE fails---it can’t mediate conflicts if the parties aren’t open to mediation.

Philip Remler 21, nonresident scholar at the Carnegie Endowment for International Peace, “The OSCE as Sisyphus: Mediation, Peace Operations, Human Rights,” Istituto Affari Internazionali (IAI), 2021, JSTOR, https://www.jstor.org/stable/resrep30942

Over the past decade, the Organization for Security and Co-operation in Europe (OSCE) has unwillingly been returning to its origins as a Cold War–era Conference – a forum where states and blocs, often antagonistic to one another and espousing opposing ideals, can air their frictions and hostilities and look for ways to overcome them.

A brief historical review is necessary. The Conference on Security and Co-operation in Europe (CSCE) established by the 1975 Helsinki Final Act was one manifestation of Europe’s aspiration to establish an international order to keep the peace and, as Andrei Sakharov wrote in his Nobel speech that year, to stress “the link between defense of peace and defense of human rights”.1

However, the CSCE was created without the legal personality other international organisations possessed, and operated on the principle of consensus – i.e., all “participating States” (members) must agree to every decision. The lack of legal personality, a US demand at the time, prevented the development of a strong executive and professional cadre along UN lines, and made such basic operational issues as diplomatic immunities and customs clearances dependent upon individual states. The consensus principle, advocated by the Soviet Union, blocked most unified action except in narrowly defined and relatively uncontroversial areas. To this day, these two characteristics render the organisation heavily dependent on and constrained by its participating States.

The end of the Cold War temporarily loosened those constraints and after 1989 the CSCE flowered in the prevailing spirit of pan-European cooperation. Consensus was the norm, allowing the OSCE to establish missions throughout the former Soviet Union and Balkans despite the absence of legal personality. Based on the Charter of Paris (1990), accepted by all participating States, the CSCE eventually became the OSCE in 1994 and acted as an executive organisation in matters of mediation, peace operations and the promotion of human rights and democratic governance. Russia even allowed the OSCE to establish a mission in 1995 in wartorn Chechnya; and the Office of Democratic Institutions and Human Rights (ODIHR) deployed election monitoring missions in states that had not held free elections in living memory, if ever.

The lack of legal personality and requirement for consensus were moot – for a time. But as attitudes towards Charter of Paris commitments fragmented over the last decade, these constraints resurfaced, shrinking the OSCE’s room for manoeuvre. Missions closed, mediation – never very successful – returned to individual states, and the promotion of human rights and democratic governance met a backlash that brought the organisation to a standstill. In essence, the OSCE is returning to its origins as a permanent forum for dialogue only – with extremely constrained executive action capabilities – among states and blocs, often hostile toward one another.

The OSCE’s efforts span a broad range of activities within the three “dimensions” of its original mandate: security and political-military affairs (with an emphasis on mediation), economics/environment and the “human dimension”, including human rights and governance. The three overlap and “cross-dimensional” activities are frequent. Conflict mediation, peace operations and the promotion of human rights and democracy remain among OSCE’s most important activities to this day and offer evidence to assess the state of the organisation.

1. Mediation

Mediation became crucial to OSCE efforts in the 1990s with the outbreak of armed conflicts in the wake of the Soviet collapse. The OSCE has mediated in several “frozen conflicts” in the former Soviet space (namely Karabakh in Azerbaijan, South Ossetia and Abkhazia in Georgia and Transdniestria in Moldova) and in Ukraine, a conflict that was on its way to becoming frozen even as intense fighting raged. As an OSCE Head of Mission succinctly put it, “the conflicts themselves are not frozen – only the peace processes are”.2 The last ten years have seen progress through international mediation in only one of the four “traditional” frozen conflicts listed below. Because the OSCE’s efforts regarding the conflict in Ukraine are so bound up with its observer deployments there, they will be examined in the following section on peace operations.

Azerbaijan, Armenia and the Karabakh conflict: The Karabakh conflict began in 1988 and intensified to full-scale military operations in 1992, ending in Armenian military victory and a ceasefire in 1994 that left the Karabakh Armenians in control of large areas of Azerbaijan but without international recognition.3 Large-scale hostilities broke out again briefly in April 2016 and for an extended period between September and November 2020, during which Azerbaijan reclaimed lands it had lost and the southern part of Nagornyy Karabakh.4

In 1992 the Italian CSCE Chair-in-Office attempted to convene a Minsk Conference to resolve the conflict. It never met: the sides imposed mutually contradictory conditions for participating. The Chair then created a Minsk Group to steer negotiations. The Group’s co-chairs – Russia, France and the United States (US) since 1997 – took over its functions, but in practice acted autonomously on behalf of their three countries, not the OSCE. After Dmitry Medvedev assumed the Russian presidency in 2008, Russia came to dominate the mediation process. Medvedev, eager for foreign affairs accomplishments in what he called Russia’s “sphere of privileged interests”, mediated negotiations between Armenia’s Serzh Sargsyan and Azerbaijan’s Ilham Aliyev, convening them to eleven summits during his presidency. The US and French co-chairs became passive. They helped prepare papers for the negotiations and received debriefs afterwards but played no role in the meetings themselves. After the failure of Medvedev’s final attempt in Kazan in 2011, the Minsk Group ceased to play a significant role. It made no contribution to mediation following either the April 2016 fighting or the more recent hostilities in September–November 2020, in both of which Russia mediated unilaterally. After the 2020 war, Azerbaijan’s President Aliyev bluntly stated that the OSCE Minsk Group played no role in resolving the conflict.5

Georgia and the Abkhazia/South Ossetia conflicts: Hostilities broke out in both regions with the dissolution of the Soviet Union in late 1991. By 1993 Russianbacked separatists had emerged victorious and forced Georgia to accept Russian peacekeeping forces. Since then the sides in these conflicts have never engaged in good-faith negotiations on a political settlement. The CSCE was mandated to lead mediation in South Ossetia and deployed unarmed military monitors there; in Abkhazia it assisted the United Nations (UN), which mediated negotiations and maintained a large observer mission mandated only to observe Russian peacekeepers. After the 2008 Russia-Georgia war, Russia recognised both separatist polities as independent states and blocked renewal of both the UN and OSCE mandates. Those missions closed. The European Union (EU) Monitoring Mission in Georgia took on the patrolling function in October 2008.

Since then, the OSCE has co-chaired the Geneva International Discussions (along with the UN and the EU) and the Incident Prevention and Response Mechanism, which meets in Ergneti, near the Georgian–South Ossetian frontline. Neither forum covers political resolution of the conflicts. They deal with day-to-day security and humanitarian issues. The most political issue is the process of “borderisation”: Russian peacekeepers fencing off territory previously controlled by Tbilisi. In 2014–15, following the Crimea crisis, Russia concluded treaties that integrated significant executive authorities of the entities into the respective Russian government institutions, including the foreign affairs, military and security apparatuses.6 This crypto-annexation has put the process of resolving the overarching political conflict into a further deep-freeze.

Transdniestria conflict: 7 In 1991 pro-Soviet forces, fearing that Moldova would unify with Romania, declared independence on the left bank of the Dniester River. A short war followed in which Russian and local forces secured the separation of Transdniestria from the rest of Moldova and the deployment of a Russian peacekeeping force to protect it. Communication between populaces on both sides of the river remained robust, however, with constant crossings for family visits, commerce, education and transit. Because the lack of a settlement caused little inconvenience and there has been no threat of resumed combat, there has been correspondingly little impetus to reach a compromise settlement. In 2003, while official negotiations were ongoing mediated by the OSCE, Russia and Ukraine, Russia opened a secret second channel of negotiations, aiming to secure peace on its own terms, including favourable geopolitical orientation and military basing rights in Moldova. The attempt failed. In 2006 official negotiations were broken off.

The past decade has seen some progress from OSCE mediation between the two banks of the Dniester, as well as repeated Russian attempts to bypass the “5+2” process in which Russia, Ukraine and the OSCE mediate, with the US and the EU participating as observers. Before 2009, the Communist government in Moldova tried to persuade outside powers to force unconditional capitulation on Transdniestria. From 2009, when a pro-European government gained power, the OSCE focused its attention on laying the groundwork for renewing official negotiations: promoting one-on-one meetings between the two sides’ negotiators, resurrecting moribund sectoral working groups, hosting conferences with security officials from both sides in Germany and Austria, and working with the EU and United Kingdom (UK) on dialogue projects.

In June 2011, Russia tried once again to bypass the OSCE and broker a peace unilaterally. The attempt failed when Russia’s negotiator circulated three different – and mutually contradictory – draft declarations within ten days.8 Soon thereafter, in September 2011, the OSCE persuaded the leaders of Moldova and Transdniestria to restart official negotiations. This success, however, owed more to the leaders themselves than to the OSCE. Moldovan premier Vlad Filat was willing to ignore his cabinet and advisors to meet Transdniestrian leader Igor Smirnov at Bad Reichenhall, in Germany. For his part, Smirnov was aware that Russia wanted to oust him and would oppose him in upcoming Transdniestrian “presidential” elections, and he therefore sought support from the West. On such a flimsy basis, the renewed negotiations went nowhere: Smirnov was out a few months later. His successor, more obedient to Russia, obstructed progress. The OSCE redoubled its efforts, especially under the German chair in 2016. Much progress has been made on the “packet” under discussion since then, but that packet consists of humanitarian and confidence-building measures that may improve the lives of people on both sides of the river but do not comprise a comprehensive resolution of the conflict.

That episode illustrates several important points: mediators do not make peace, the sides in conflict do (indeed, mediators who are also involved in the conflict, and therefore also have a stake in the outcome, can play a negative role). The willingness of the sides’ leaders to make peace is wholly dependent on their calculations of what will preserve and increase their power. Humanitarian and confidence-building measures do not threaten the power or lives of leaders. While they do not settle conflicts, negotiating them is valuable for three reasons: 1) the measures themselves have intrinsic value; 2) they give the sides a stake in, and familiarity with, the negotiations that produce them, preparing the sides to move on to more substantive negotiations; and 3) negotiating these measures gives sides a forum for raising their concerns, which can prevent or delay a recurrence of active hostilities.

2. Peace operations: The case of Ukraine

A peacekeeping role has often been raised for the CSCE/OSCE, first in 1992 with the suggestion of “Yellow Beret” OSCE peacekeepers for the Karabakh conflict. OSCE observers were deployed in the South Ossetia conflict from 1992 to 2008. An OSCE Chair’s Personal Representative participated in a supporting role in implementing the Dayton Accords for Bosnia and Herzegovina from 1995 to 2015. The OSCE rapidly deployed an international police presence to Kyrgyzstan during widespread unrest in 2010.

The OSCE peace operations in Ukraine since the crisis erupted in 2014 – the Special Monitoring Mission (SMM), the Trilateral Contact Group (TCG) and the Observer Mission at the Russian Checkpoints Gukovo and Donetsk (OM) are, together, the largest endeavour the OSCE has undertaken in the last decade, and perhaps the most consequential. Today they deploy over 700 monitors from 44 OSCE participating States. The military and political situation changed rapidly in 2014– 15, with armed hostilities in eastern Ukraine falling into three phases: “hybrid war”, Ukrainian “anti-terrorist operations” and a Russian-backed counter-offensive. Finally, the conflict cooled into a simmering pattern of ceasefires with frequent violations.

Flexibility was the key to the SMM’s transitions through these phases. It was created before armed hostilities broke out in eastern Ukraine. Negotiations on forming a mission for national reconciliation began on 2 March 2014. By 21 March, when the OSCE Permanent Council authorised the SMM, unrest was engulfing much of eastern Ukraine and Russia had annexed Crimea. The project staff quickly found themselves becoming conflict monitors. Russia’s price for agreeing to the deployment was barring the SMM from Crimea. The monitors were not allowed to operate in areas along the Russian border and had no enforcement powers. The OSCE’s lack of a legal personality meant that the SMM had to use the umbrella of the NATO office in Kyiv merely to open a bank account.

The Mission’s initial reporting9 describes the outbreak of civil unrest: on 1 March in Donetsk, on 6 April in Luhansk and Kharkiv, on 12 April in Sloviansk and Kramatorsk, and by 17 April in Mariupol. Civil unrest quickly turned into what came to be known as a “hybrid war”.10 In Ukraine the term meant Russian “little green men” (that is, Russian military units operating on the ground without insignia) and pro-Russian separatist forces hiding among activists, pretending to be Ukrainian civilians as they took over city governments by occupying buildings. A campaign of this type depends for success on the target state treating all opposing forces – fighters and civilian protestors alike – as fellow citizens and refraining from using force against them. On 17 April the foreign relations chiefs of Ukraine, Russia, the United States and the European Union met in Geneva. Their statement called for de-escalation measures and called upon the SMM to play a leading role in helping Ukrainian and local authorities implement them.11 Daily SMM reports track the spread of unrest fomented by “armed opponents of the central government”.12 Although the government in Kyiv announced that it was engaged in an “antiterrorist operation”,13 this appears to have been aimed at militarily useful objectives outside the main towns, such as airfields, leaving city administration buildings in the hands of “activists”.

The hybrid war stage ended abruptly on 2 May, when in Odessa Ukrainian proMaidan forces, including “Right Sector” militants, treated “little green men” and anti-Maidan civilian protestors alike as armed invaders, not citizens. Forty-two burned to death in the building they had occupied.14 Over the next few weeks SMM teams mostly reported consolidation of the sides: the separatists strengthened their hold over parts of the Donetsk and Luhansk regions, while Ukrainian authorities regained control over cities outside those regions.

The second phase of the conflict began in late May with heavy clashes in the Donetsk region as Ukrainian “anti-terrorist” operations began in earnest. Repercussions for the SMM were immediate. On 26 May, separatists detained four SMM observers based in Donetsk. On 29 May, four observers based in Luhansk were taken prisoner. Both teams spent the next month in captivity.15 On 28 May, eleven observers were detained west of Donetsk, but were released later the same day. The SMM made a point of continuing its work in both regions, demonstrating the international community’s resolve not to be intimidated. As clashes increased, the mission gradually changed from observing hybrid war to monitoring full-scale hostilities.

Initially, Ukrainian forces met with some success, leading Russia to accept international talks in the Normandy Format (France, Germany, Ukraine and Russia) on 6 June. That meeting in turn led to an 8 June meeting of the Trilateral Contact Group (OSCE, Russia, Ukraine), chaired by the experienced Russian-speaking Swiss diplomat Heidi Tagliavini, who was appointed as special representative by the OSCE’s Swiss Chair-in-Office. Thus the OSCE, which had a presence on the ground in eastern Ukraine, was tasked with conducting the day-to-day negotiations that Germany and France had put in motion. Petro Poroshenko, elected president of Ukraine on 5 May, took office on 7 June and by 20 June had proposed a peace plan. Peace negotiations began in earnest, paving the way for the 27–28 June release of the two groups of OSCE observers who had been held captive by separatists since late May.

Russia took steps, however, to roll back Ukraine’s advances on the battlefield. The third phase of the conflict was marked by a more or less open (though rigorously denied) Russian military presence in Donetsk and Luhansk. Moscow sent both personnel and heavy weapons across the border. As the Russian presence grew, the separatists were able to reverse Ukrainian gains. An early event of this new stage was the downing of a Malaysian airliner over Ukraine on 17 July 2014, killing all 298 persons aboard. A Dutch Safety Board forensic investigation, granted access through OSCE intervention, confirmed that the cause was an anti-aircraft missile from a Russian-military BUK system spotted earlier in the hands of separatists. The Dutch Ministry of Justice later identified and charged some alleged perpetrators.16 Energised by the atrocity, the international community again deputised the OSCE. The OSCE Permanent Council decided on 18 July to deploy observers to two Russian crossing posts, Gukovo and Donetsk, on the separatist-controlled part of the border between Ukraine and Russia to observe traffic between Russia and the separatists.17 However, the observers were limited to static posts.

Diplomatic efforts continued over the summer in the Trilateral Contact Group (TCG). Observers believe the driving force came from Germany, which was careful never to give the impression that it was acting unilaterally so as not to raise historical memories and suspicions. France was Germany’s partner in the Normandy Format and the OSCE was the face of the West in the TCG. On 5 September 2014, the TCG signed the Minsk Protocol, which established a ceasefire in place and mandated autonomy talks for Donbas under Ukrainian law. However, the ceasefire left a Ukrainian salient at Debaltseve, a rail and road junction controlling traffic between Luhansk and Donetsk. In January 2015 a Russian-backed offensive began that over the next month encircled, besieged and shelled the town; the US charged that Russian artillery was responsible for the shelling.18 A Normandy Format meeting in Minsk proclaimed another ceasefire on 12 February 2015 (“Minsk II”), but the offensive continued until Ukrainian troops abandoned Debaltseve on 18 February.

Throughout this period the SMM patrolled in zones of combat and shelling, staying in close touch with both the Ukrainian military and the Joint Control and Coordination Commission (JCCC) set up between Ukrainian and Russian military authorities. The SMM reported extensively on shelling of civilians by both sides as well as movements of heavy weapons to the separatists.19 The SMM enhanced its capabilities in October 2014 by deploying uncrewed aerial vehicles to places inaccessible to patrols.20 The SMM thus adapted to the outbreak of full-scale combat by reporting objectively on what both combatant sides would have preferred to remain lost in the fog of war.

After new frontlines stabilised in Donbas, the role of the OSCE began to resemble other frozen conflicts, albeit with failures of successive ceasefires, widespread ceasefire violations and continued casualties.21 The SMM and OM monitored and reported to the international community; the TCG, meeting every two weeks, negotiated on day-to-day issues; and the SMM liaised with the Joint Control and Coordination Commission – which took on the form of combined military commissions seen in other frozen conflicts, e.g., the Joint Control Commission in the Transdniestria conflict.

This frozen-conflict system was disturbed in 2016, during Germany’s term as OSCE Chair-in-Office, when foreign minister and OSCE Chair Frank-Walter Steinmeier cast aside Germany’s usual behind-the-scenes approach and proposed a formula for holding elections according to Ukrainian law in separatist-controlled areas. The OSCE would monitor the elections, and if it judged them to be free and fair, an interim self-governing status would be initiated in exchange for the return of Ukrainian control over its borders. Despite some back and forth, and endorsement in 2019 by Ukrainian President Volodymyr Zelensky, the initiative failed; the separatists ignored the formula and held their own unrecognised elections in 2018.

To summarise, through the SMM, the Observer Mission at the border points and the TCG, the OSCE has performed a valuable service since 2014 in maintaining and managing the international involvement in a dangerous conflict in the heart of Europe and keeping the international community informed. Flexibility and nimble navigation of bureaucratic procedures allowed for quick deployment and rapid adaptation to changing politico-military environments. The OSCE was able to give institutional support to the Normandy process and, through the TCG, to blunt suspicions of German leadership. One factor for success was Russia’s continued view of the OSCE as neutral – according to one analyst, the first Russian officers to participate in the JCCC even wore OSCE armbands.22 This contrasted sharply with Russia’s evolving assessment of the EU. In 2008 Russia agreed to EU observers in the wake of its war with Georgia. With Vladimir Putin’s return to the presidency, the Russian government adopted the view, previously limited to the military/security services, that the EU was a rival, not a partner.

But the SMM came at a cost. Just as the OSCE gave Germany a multilateral screen, it did the same for Russia, lending a veneer of legitimacy to Russia’s assertion that it was a mediator, not a belligerent. Russia also limited SMM/OM activity: Russia’s proxies in Donbas constrained and intimidated the SMM; and while static observers could see groups of men of military age and bearing crossing the border, heavy weapons later seen inside Ukraine entered through crossings beyond their view.

3. Democracy and human rights

In 2020 the OSCE underwent a leadership crisis. The terms of the four leaders of its premier institutions – the Secretary General, the Director of the ODIHR, the High Commissioner on National Minorities (HCNM) and the Representative on Freedom of the Media (RFoM) – expired in July. They had been appointed three years earlier in a package deal, and their renewal was expected by consensus. But on 11 June, Azerbaijan announced that it would oppose renewing the RFoM, the French politician Harlem Désir, for his “excessive criticism” of the state of free speech in Azerbaijan.23 Turkey and Tajikistan followed by opposing the renewal of ODIHR Director Ingibjörg Sólrún Gísladóttir, an Icelandic politician; ODIHR had often targeted those countries on human rights grounds. In retaliation France and Iceland, supported by Canada, Norway and Armenia, vetoed extensions for Secretary General Thomas Greminger, a Swiss diplomat; and HCNM Lamberto Zannier, the Italian diplomat who had previously served two terms as OSCE Secretary General.24 The OSCE’s institutions were thus left leaderless for six months, until a new package deal to fill the posts was reached on 4 December at the OSCE’s annual Ministerial Council meeting in Tirana.25

What caused this crisis? ODIHR had been critical of human rights and elections practices since its inception in 1991; the RFoM had been criticising the persecution of journalists since 1998; and their criticisms had frequently caused irritation in OSCE participating States, especially those “east of Vienna”. But no state had ever blown up the process of choosing a slate of leaders for the institutions. What led Azerbaijan – followed quickly by others – to take this step?

To answer this question, we must look back to the OSCE’s origins. The Helsinki Final Act of 1975 represented a grand bargain between East and West. The Soviet Union achieved recognition of its sphere of influence: its political, economic and security bloc in Eastern and Central Europe. In return, the West received Eastern recognition that respect for human rights was a universal obligation and therefore that human rights anywhere were of legitimate concern everywhere. 26 By the end of World War II, democracy had become the only legitimate form of governance – had it not been, the “Democratic” People’s Republic of Korea and the German “Democratic” Republic would have chosen different names – but the Helsinki Final Act, adopted while Leonid Brezhnev ruled the Soviet Union, makes no mention of democracy or the rule of law. That was remedied in 1990 by the adoption of the Paris Charter.27 As new states emerged and joined the CSCE/OSCE, they, too, assumed the Charter’s commitments to democratic governance, rule of law and respect for human rights as universal ideals – the price of admission to a Europewide organisation in which small states could speak on equal footing with the large.

To actualise those ideals, the Charter established many of the OSCE’s current institutions: the Secretariat, the Conflict Prevention Centre and the Permanent Council (originally the Committee of Senior Officials), all now in Vienna; and a Committee for Free Elections (now ODIHR) in Warsaw. The Charter mandated a Geneva conference in 1991 that led to the creation of the office of the High Commissioner on National Minorities in The Hague. It mandated the parliamentary outreach that became the OSCE Parliamentary Assembly based in Copenhagen. The institutions created by the Paris Charter began the process of turning the CSCE into the OSCE: from a Conference to an Organization with executive functions, still dependent on a consensus of the participating States to ratify its actions, but with rudimentary policy-making capability. That capability grew exponentially in the early 1990s with the establishment of many field presences, mostly in the new states, often war-torn, that emerged from the ruins of the Soviet Union and Yugoslavia. Each field presence possessed the latitude to pursue programmes and policies to promote peace, security, democracy, the rule of law and respect for human rights in places where all these were, when the Charter was adopted, in very short supply.

The hard truth, however, is that regardless of the hopes and dreams of many, democracy failed to survive in most of the former Soviet Union outside the Baltics. In Central Asia, Communist Party first secretaries remained in place, making a seamless transition to presidencies-for-life. In the South Caucasus, democratically minded nationalists only briefly replaced the party leaders. In 1992, warlords overthrew Georgia’s Zviad Gamsakhurdia and installed former Party first secretary and Politburo member Eduard Shevardnadze as a figurehead president. To gain real power, Shevardnadze allied with both old Party figures and young democrats. In Azerbaijan, Abulfaz Elchibey and his democratic allies in the Popular Front took power in 1992, upon which Islam Karimov, Uzbekistan’s Party boss turned president for life, reportedly commented, “Such a man will survive one year”.28 One year later, Elchibey was indeed ousted in favour of former Party and KGB boss and Politburo member Heydar Aliyev. Levon Ter-Petrosyan survived in Armenia until 1998, when he was ousted by the even more nationalistic Robert Kocharyan. In Belarus, Alexander Lukashenko won the first presidential election in 1994 and then installed a Soviet-style authoritarian regime. More democratic – but extremely corrupt – governments emerged in Ukraine and Moldova. Most significantly, democracy failed in Russia, where Boris Yeltsin’s initial promise was drowned in corruption, organised crime and impoverishment. In all these countries – with only partial exceptions in Ukraine, Moldova, Georgia and Armenia – the very concept of democratic governance as an ideal was discredited.

If we take as a proxy for democratic governance the peaceful transition of power from one leader to an elected opponent without the intervention of a revolution, coup or uprising, how many times has this happened in the former Soviet Union (outside the Baltics)? Never in Central Asia, where presidents have left only through revolution or death – or, in the case of Kazakhstan, retirement in favour of a personally designated successor. Never in Russia, where Yeltsin designated his successor, who has remained in power since, though nominally changing positions. Never in Armenia or Azerbaijan, and in Georgia not until 2013, and never since. The only states to experience multiple peaceful democratic transitions of government were Ukraine (1994, 2010 and 2019) and Moldova (1997, 2001, 2016 and 2020).

In place of democratic ideals, nascent autocrats nurtured an ideology of grievance – based on the real lawlessness and impoverishment of immediate post-Soviet life – that blamed early attempts at democracy for abasing their countries. In Russia, the Putin narrative holds that the early 1990s represented a period of misery, disgrace and weakness that the West exploited to expand at Russia’s expense, promoting Western – not universal – “interpretations” of democracy and human rights as a means of keeping Russia subjugated. This narrative has found widespread acceptance both inside and outside Russia. It has given political cover to other states adopting overtly authoritarian measures. They use it to buttress an ideology asserting that Western “interpretations” of democracy and human rights are a transplant that corrodes traditional values, a club to bludgeon sovereign countries into weakness and submission.29

The OSCE, in its efforts to promote democratic governance and respect for human rights, never developed an effective strategy to counter this narrative. ODIHR heads and other OSCE officials presented – and continue to present – the issue in simple terms: participating States had undertaken solemn commitments to universal ideals and needed to live up to them. Civil society activists who flocked to ODIHR’s Human Dimension Implementation Meetings in Warsaw, Europe’s largest annual human rights conferences, believed the most effective way to get wayward states to live up to these commitments was to “name and shame” those who did not, unaware that figures such as Vladimir Putin could exploit naming and shaming by the West to boost their domestic standing.

ODIHR election monitoring missions were sent out to “east of Vienna” and “west of Vienna” countries with equal frequency – ODIHR was sensitive to criticism that it thought only “east of Vienna” was worth monitoring – but found far more to criticise in the east, especially in Azerbaijan and Central Asia. From 1999 to 2020 ODIHR issued thirty statements and reports expressing concern, criticism or condemnation of Azerbaijani elections or human rights practices and thirty-five about Kazakhstan, but only sixteen on Russia and eleven on Hungary (mostly about Roma/Sinti issues). The RFoM similarly found much to criticise in Azerbaijan: for the same period, the Representative issued seventy-four statements of concern, criticism or condemnation on Azerbaijan (mostly for high-profile prosecutions of journalists), but only thirty-eight about Kazakhstan and seventeen about Hungary. On Russia the RFoM issued few statements until Putin’s return to the presidency in 2012 but has issued ninety-four since then.

OSCE efforts to promote democratic governance and respect for human rights in states unreceptive to that message has resembled, over the last two decades, Sisyphus pushing the boulder uphill, with the slope steepening after Russia’s annexation of Crimea in 2014. Already hobbled since the financial crisis of 2008 by a “zero nominal growth” budgetary policy, the OSCE suffered from a structural disadvantage imposed by the consensus principle: all decisions require unanimity, including annual consent on the budgets and mandates of field presences. To be sure, field presences had closed in the past: host countries joined the EU and no longer needed the programmes or services provided by OSCE missions, or the single purpose for which some presences were established became obsolete (e.g., the Representative to the Estonian Expert Commission on Military Pensioners). But in 2010 Belarus took a new step: it closed the Office in Minsk, whose director was vociferous in raising democracy and human rights issues. The crisis of 2014 emboldened those who resented OSCE criticisms. In 2014 Azerbaijan downgraded the OSCE Office in Baku to a Project Coordinator and closed it entirely the following year. In 2017 Armenia followed suit, closing the Office in Yerevan.

It was only a matter of time before participating States threatened breaking consensus to promote other demands, and in 2020 Azerbaijan set off the cycle that vacated the leadership positions in ODIHR, RFoM, HCNM and the Secretariat. Now that participating States have seen what is possible, it cannot be unseen and will be difficult to reverse. While it will be the task of the 2021 Swedish Chair-inOffice (CiO) and her successors to help re-establish the institutions to carry out their tasks effectively, the threat of any participating State’s breaking consensus reminds the institutions of the cost of doing their jobs. In a Zoom webinar with the Carnegie Endowment for International Peace on 28 January 2021, CiO Ann Linde, Foreign Minister of Sweden, reiterated – in the same words as previous OSCE officials – determination to press for respect for human rights and democracy as commitments undertaken without reservation by participating States. The drama continues.

Conclusion

The OSCE has met with decidedly mixed results over the last ten years. OSCE mediators’ best efforts were no more successful than in the twenty preceding years. A mediator cannot make peace if the sides – or in some cases, their patrons – do not want it. The Special Monitoring Mission in Ukraine can be judged as a success in keeping the international community informed and involved but the consensus principle and the lack of a legal personality, which render the OSCE heavily dependent on its participating States, make it impossible for the OSCE to go beyond the bounds set by those states, especially when the latter are belligerents. That limitation is even more severe in the case of promotion of democratic governance and human rights. Participating States can – and did – disrupt all activities in these areas. What do these cases tell us about where the OSCE is heading?

In 2016, following Russia’s annexation of Crimea and the war in eastern Ukraine, the OSCE established a Structured Dialogue to work on “challenges in the wider politico-military sphere” in areas on which East and West were still capable of finding common ground.30 It followed an earlier attempt at dialogue, the Corfu Process, created by the Greek CiO in 2009 in the wake of the Russian-Georgian War and Medvedev’s proposal for a new European security treaty.31 The Structured Dialogue can be viewed as a return to the CSCE of 1975: a permanent conference of states, most affiliated with rival security, political and/or economic blocs, whose purpose was discussing issues of European security and cooperation. Given the continuing difficulties the OSCE faces in carrying out executive functions, the question participating States must ask themselves becomes: “what future do we want for the OSCE?” If the answer is a return to the 1975 CSCE, they need do nothing: the Structured Dialogue is that future, barring only window dressing. A return to 1975 would still leave the OSCE a valuable organisation, especially since some participating States appear to look forward to a return of blocs, spheres of influence and a more Westphalian and less multilateral world.

If, however, the participating States want an OSCE capable of carrying out the executive functions needed to mediate peace, mount effective observer missions and promote the democratic and human rights commitments they undertook at Helsinki in 1975 and Paris in 1990, they must agree to strengthen the OSCE’s executive capabilities and give the organisation more autonomy from their own day-to-day pressure. They can start this process in three ways: the first – and admittedly most difficult – is to amend the process of achieving consensus in choosing the leadership of OSCE institutions to negate direct threats from participating States with a particular grievance – the drama we saw in 2020. We can only hope that the certainty of a stalemated organisation – in every function – will serve to concentrate minds.

Secondly, participating States should agree on a legal personality for the OSCE that will allow it to carry out basic day-to-day tasks that are now barred – as we saw, the SMM in Ukraine could not even open its own bank account. In this regard the position of the United States will be key, since it represented the original resistance to a legal personality and a stronger executive. Historically, “Jacksonian”32 US legislators, suspicious of internationalism, led that charge. After four years of Jacksonian foreign policymaking by the Trump Administration, President Joseph Biden and his team face an uphill battle in credibly asserting that a return of US commitment to internationalism will outlast the new Administration.33 One step in rebuilding credibility would be strengthening the OSCE’s executive capabilities – furthering the twin goals of re-engaging with multilateralism and re-engaging with Europe.

Lastly, states committed to democracy, the rule of law and respect for human rights need to work together to come up with a better argument for furthering those goals among all participating States. Merely doubling down on insisting that these are universal ideals to which those states undertook commitments has not proved effective in the past and is unlikely to be effective in the future. States now undermine the OSCE acquis not by challenging democracy, legality or human rights per se, but rather the meaning ascribed to them by Western powers. Calling those ideals aspects of geopolitical struggle, a community of “illiberal” states now claims the right to define them in Orwellian oxymorons. The democracies of Europe, still the majority, are fragmented but also diverse – which also means they have voices that can bridge the divide.

#### The OSCE’s non-binding---that wrecks conflict resolution

A. M. Skryabina 18, А. М. Скрябина, researcher at at Mariiskii State University, “ОБСЕ как субъект контроля за соблюдением прав человека в Европе, или почему неэффективна ее деятельность,” or, “The OSCE as a subject of monitoring the observance of human rights in Europe, or why its activities are ineffective,” Марийский государственный университет, 2018, pp. 392–394, translated by Yandex

ОБСЕ или Организация по безопасности и сотрудничеству в Европе – довольно молодая организация по поддержке безопасности и стабильности относительно своих коллег, таких как ООН, ЕС или НАТО, создана лишь в 1975 году. Создание Организации по безопасности и сотрудничеству в Европе было направлено на закрепление 10 принципов хельсинкского Заключительного акта Совещания по безопасности и сотрудничеству в Европе: суверенного равенства, неприменения силы и ее угроз, нерушимости границ, территориальной целостности государств, мирного урегулирования споров, невмешательства во внутренние дела, уважение прав человека и основных свобод, включая свободу мысли, совести, религии и убеждений, равноправие и право народов располагать своей судьбой, сотрудничество между государствами и добросовестное выполнение обязательств по международному праву. И по сей день, со времен образования первых организаций по обеспечению мирного порядка, таких, как Лига Наций, главной целью мирового сообщества остается поддержание безопасности и контроль за соблюдением прав человека.

В 1995 году ОБСЕ стала первой организацией, отвечающей за общеевропейский порядок. Ее спектр действий направлен на предупреждение кризисов и конфликтных ситуаций, их урегулирование и постконфликтная реабилитация. Помимо решения вопросов экономики и экологии, укрепления мира и безопасности в Европе, немаловажным аспектом деятельности ОБСЕ является защита прав людей. Уважение прав человека и основных свобод является ключевым элементом всеобъемлющей концепции безопасности ОБСЕ. Во-первых, идет борьба с торговлей людьми. Действия ОБСЕ против торговли людьми координируются Управлением Специального представителя и координатора по борьбе с торговлей людьми. Во-вторых, идет обеспечение гендерного равенства, свободы религии, слова, передвижения, СМИ. В-третьих, ОБСЕ выявляет, ищет пути разрешения напряженности между этническими представителями и устанавливает стандарты прав для групп меньшинств. Создано Бюро по демократическим институтам и правам человека (БДИПЧ), которое представляет собой институт по содействию обеспечению прав человека, развитию демократии и утверждению верховенства закона.

Рассмотрим работу организации на примере Республики Кыргызстан. В летнее время жители сел югозапада страны сталкиваются с проблемой нехватки поливной воды. Здесь проживают представители различных этнических групп, и ограниченный доступ к воде может привести к конфликтам. ОБСЕ организовала курсы посредников для местного населения для того, чтобы обученные «вестники мира» могли помочь разрешить разногласия в своих общинах. Центр ОБСЕ в Бишкеке стремится к долгосрочному позитивному воздействию на жизнь жителей Кыргызстана, работая в таких сферах, как укрепление отношений между общинами, укрепление надлежащего управления, содействие защите прав человека и верховенства закона, а также продвижение гендерного равенства. Так, браки по договоренности все еще реальны для многих молодых женщин Кыргызстана. Большое количество таких браков распадаются, и часто женщина остается одна, затрудняясь справиться со сложившейся ситуацией. ОБСЕ поддерживает местные организации, в том числе сеть «Женских Инициативных Групп», которые оказывают помощь и содействие женщинам, оказавшимся в подобной ситуации.

Все бы хорошо, но везде есть свои изъяны и недостатки. По нашему мнению, деятельность ОБСЕ недостаточно эффективна. Начнем с того, что организация не может принуждать государства к миру, так как это прописано в Хельсинкском документе 1992 года. Она не является доминирующей на фоне своих коллег, таких как ЕС и ООН. Ей отведена роль «гуманитарного контролера», который действует в своих геостратегических интересах, а не следует задаче восстановления мира в том или ином регионе. Явным примером, на наш взгляд, является ситуация в Украине, где велись ожесточенные бои в районах Донбасса, Краматорска, Донецка. Насколько было известно из СМИ, представители ОБСЕ были в местах напряженности, но это не привело к какому-либо немедленному разрешению противоречий.

Можно долго рассуждать о проблемах деятельности ОБСЕ и, хотя при ее гибкой, мобильной работе, она остается ограниченной в своих полномочиях, что влияет на выполнение своих обязанностей, таких как обеспечение миропорядка на территории Европы, ведь, повторимся, ОБСЕ не имеет права силой принуждать страны к миру. По нашему мнению, организация нуждается в реформах, так как нет ничего неизменного. Всему в этом мире нужно развиваться.

[TRANSLATION]

The OSCE or the Organization for Security and Co–operation in Europe is a fairly young organization to support security and stability relative to its counterparts, such as the UN, EU or NATO, established only in 1975. The creation of the Organization for Security and Co-operation in Europe was aimed at consolidating the 10 principles of the Helsinki Final Act of the Conference on Security and Co-operation in Europe: sovereign equality, non-use of force and its threats, inviolability of borders, territorial integrity of States, peaceful settlement of disputes, non-interference in internal affairs, respect for human rights and fundamental freedoms, including freedom of thought, conscience, religion and beliefs, equality and the right of peoples to have their own destiny, cooperation between States and the faithful fulfillment of obligations under international law. To this day, since the formation of the first organizations to ensure a peaceful order, such as the League of Nations, the main goal of the world community remains to maintain security and monitor the observance of human rights.

In 1995, the OSCE became the first organization responsible for the pan-European order. Its range of actions is aimed at preventing crises and conflict situations, their settlement and post-conflict rehabilitation. In addition to addressing economic and environmental issues, strengthening peace and security in Europe, an important aspect of the OSCE's activities is the protection of human rights. Respect for human rights and fundamental freedoms is a key element of the OSCE's comprehensive security concept. Firstly, there is a fight against human trafficking. OSCE actions against human trafficking are coordinated by the Office of the Special Representative and Coordinator for Combating Human Trafficking. Secondly, gender equality, freedom of religion, speech, movement, and the media are being ensured. Thirdly, the OSCE identifies and seeks ways to resolve tensions between ethnic representatives and sets standards of rights for minority groups. The Office for Democratic Institutions and Human Rights (ODIHR) has been established, which is an institution for the promotion of human rights, the development of democracy and the establishment of the rule of law.

Let's consider the work of the organization on the example of the Republic of Kyrgyzstan. In the summer, residents of villages in the south-west of the country face the problem of lack of irrigation water. Representatives of various ethnic groups live here, and limited access to water can lead to conflicts. The OSCE has organized mediation courses for the local population so that trained "messengers of peace" can help resolve differences in their communities. The OSCE Center in Bishkek strives to have a long-term positive impact on the lives of Kyrgyz residents by working in areas such as strengthening community relations, strengthening good governance, promoting human rights and the rule of law, and promoting gender equality. So, arranged marriages are still real for many young women in Kyrgyzstan. A large number of such marriages break up, and often a woman is left alone, finding it difficult to cope with the current situation. The OSCE supports local organizations, including a network of "Women's Initiative Groups" that provide assistance and assistance to women who find themselves in a similar situation.

Everything would be fine, but there are flaws and shortcomings everywhere. In our opinion, the OSCE's activities are not effective enough. Let's start with the fact that the organization cannot force states to peace, as it is prescribed in the Helsinki Document of 1992. It is not dominant against the background of its colleagues, such as the EU and the UN. It is assigned the role of a "humanitarian controller" who acts in his geostrategic interests, and does not follow the task of restoring peace in a particular region. A clear example, in our opinion, is the situation in Ukraine, where fierce battles were fought in the areas of Donbass, Kramatorsk, Donetsk. As far as it was known from the media, OSCE representatives were in places of tension, but this did not lead to any immediate resolution of the contradictions.

One can talk for a long time about the problems of the OSCE's activities and, although with its flexible, mobile work, it remains limited in its powers, which affects the performance of its duties, such as ensuring world order in Europe, because, again, the OSCE has no right to force countries to peace. In our opinion, the organization needs reforms, since nothing is unchangeable. Everything in this world needs to evolve.

#### OSCE is wrecked

Daniel Trachsler 12, analyst at CCS Analysis in Security Policy, “The OSCE: Fighting for Renewed Relevance,” CCS Analysis, No. 110, March 2012, https://www.files.ethz.ch/isn/141518/CSS-Analysis-110-EN.pdf

Loss of relevance

For about ten years now, the OSCE has been struggling against a loss of relevance. This challenge stems from a number of reasons: firstly, competition from other actors; secondly, paralysis of the organisation due to an East-West split; and thirdly, its diffuse profile and low degree of visibility. Europe’s security architecture has changed, and the OSCE has become less attractive as a consequence. The expansion drives of NATO and the EU were crucial factors. Numerous countries joined these two organisations, which had more to offer their members than the OSCE did: concrete security guarantees as well as economic and financial prowess. NATO and the EU also introduced frameworks of association apart from full membership, reducing the importance of the OSCE’s encompassing nature.

The OSCE also faced competition in its areas of activity. With the establishment of a common security and defence policy, the EU became active in areas that had previously been regarded as core competencies of the OSCE, e.g., election monitoring, conflict mediation and field missions (e.g. EUPM in Bosnia-Herzegovina, EUMM in Georgia after the 2008 war). This led to a duplication of competencies on unequal terms, as Brussels has vastly greater resources. There is also an overlap between the OSCE and the Council of Europe, particularly in the human dimension of security (e.g., promotion of human rights and democracy). Vienna and Strasbourg have established co-ordination mechanisms. A clearer division of labour exists with NATO, which as a defence alliance guarantees the military security of its members. The UN, in turn, has recognised the OSCE as a regional organisation, while the OSCE itself regards support for the UN, e.g. in the area of conflict prevention, as one of its tasks. Here, too, co-operation and division of labour are crucial. There is no argument over jurisdiction when it comes to authorising sanctions and coercive measures, which is done under the aegis of the UN Security Council.

The renewed East-West divide within the OSCE is also problematic, since it weakens the organisation’s ability to act. NATO/ EU countries stand in opposition to Russia and other likeminded states, in the context of the generally tense political relations between Moscow and Washington, in particular with regard to the Eastern expansion of NATO and the US development of a missile defence shield. OSCE-specific factors are also important, specifically the erosion of the normative consensus among member states and the crisis of confidence this has entailed. With the end of the Cold War, the OSCE’s human dimension gained in importance. In Copenhagen (1990) and Moscow (1991), member states agreed that obligations relating to the human dimension (human rights, democratisation, good governance) could not be considered as exclusively domestic affairs. The introduction of relevant instruments (“Moscow mechanism”) implied a curtailment of the sovereignty principle.

This development is meeting with increasing resistance from Moscow. The dominant view in Russia is that the co-operative strategy of the 1990s has failed. Western states, it is believed, have ignored Russian security interests, e.g., with regard to missile defence and the CFE treaty, and there is a widespread perception that the West has not respected Moscow’s sphere of interests, as evinced by its support of the “colour revolutions” in Central Europe. Russia makes three accusations in particular: First, that the human dimension within the OSCE is overemphasised at the expense of the political/military dimension. Secondly, that the OSCE resolves the tension between state sovereignty (territorial integrity, non-intervention, inviolable borders) and fundamental rights of the people (human rights, self-determination) in a lopsided manner favouring the latter (e.g., when recognising the independence of Kosovo). And thirdly, that the geographic equilibrium of the OSCE’s activities has been lost. The OSCE, according to this view, essentially only intervenes ‘east of Vienna’, although relevant issues also exist further West (e.g., Basque country, Northern Ireland). This criticism culminated in 2007, when Russian President Vladimir Putin accused the OSCE of having degenerated into a vulgar instrument of asserting Western interests.

Due to the consensus rule, the split between East and West paralyses the organisation. Member states failed to pass a joint action plan at the Astana summit and did not agree on final statements at several ministerial meetings. The budget was also the subject of frequent dispute. The rift has led to key OSCE missions not being extended or their mandates being watered down (e.g., Georgia, Belarus, Uzbekistan). Similarly, Moscow tried to strengthen political control over the relatively independent OSCE institutions (ODHIR, HCNM, RFM). The current logjam has also impeded any clarification of the OSCE’s legal status and the passing of an OSCE convention. The Western states suspect that Russia would use this as an opportunity to weaken the organisation’s competencies and limit the autonomy of its institutions.

The OSCE’s low degree of visibility is also not helpful to its reputation. Usually, the organisation only enjoys media coverage during election-monitoring campaigns and summit meetings. Aside from that, it rarely creates positive headlines. Its most important successes (such as the missions in Kosovo, Croatia, and Bosnia) are a thing of the past. In Europe’s “frozen conflicts”, e.g., in Transdniestr or Nagorno Karabakh, where the OSCE has long been active, progress is a long way off. The hard day-to-day work that the OSCE performs competently in many places (e.g., Kyrgyzstan mission, activities of ODIHR and HCNM) often goes unnoticed by the public. Success in conflict prevention is notoriously difficult to demonstrate. As a result, public awareness of the OSCE’s relevance is limited at best.

This effect is further intensified by the OSCE’s diffuse profile. After 1989/91, its activities grew organically rather than in a strategically controlled manner. This resulted in the currently almost excessively broad range of activities, from conflict prevention, over the fight against terrorism, and human trafficking to the promotion of media freedom and trade. Extending OSCE activities into the domains of energy security and cybersecurity is also being discussed. Added to this is the lack of continuity arising from the rotating chairmanship and the limited strategic planning competencies of the OSCE secretariat. While cross-dimensional activities are part and parcel of the OSCE, they also carry the risk of dissipating energy in the absence of clear thematic focus.

### OSCE CP---NATO Key---Norms

#### NATO is key---they possess unique intellectual and political capital to propagate best practices.

Dr Ulf Ehlert 21, head of Strategy and Policy in the Office of the Chief Scientist at NATO headquarters, “Why Our Values Should Drive Our Technology Choices,” NATO Review, 12-16-2021, https://www.nato.int/docu/review/articles/2021/12/16/why-our-values-should-drive-our-technology-choices/index.html

Setting norms – a role for NATO?

Emerging and Disruptive Technologies (EDTs) came into NATO’s political focus in 2019, when NATO leaders adopted an implementation roadmap for seven such technologies. Regardless of their tremendous promise, we must realise that these technologies are not yet mature, not yet “fully out there”. Therefore, considerable uncertainty remains to which extent these fledgling technologies and their foreseeable applications are appropriately contained within established legal, ethical, and moral norms. These questions are not limited to military applications, nor do they stop at national borders: rather, they cut across many government departments and business sectors, and they affect humanity in its entirety.

In this complex, fast moving, high-stake setting, we must view technology and values as intertwined. While our values should guide our use of technology, we must recognise that our technology choices will, whether intended or not, reflect the values we adhere to.

As inaction is not an option, we must take active measures to establish norms for the future use of technologies; norms that are deeply rooted in our values; technologies that are currently emerging and have recognised disruption potential (such as AI, biotechnology, and quantum technology). How could we realistically master this novel challenge? The following three proposals could pave the way.

We must effectively cope with the uncertainties of technology evolution. Hence, I suggest evolutionary policy-making, building on current knowledge, but flexible enough so that today’s decisions can be adjusted or corrected in the future.

We must strive to limit potential harm without unduly constraining the benefits a technology can bring. Therefore, our policies should set limits for the application of technologies (such as genetically optimised super-soldiers) rather than banning entire technology areas (in this case, biotechnology).

We need to understand when policy changes are necessary and what those changes should be. Reflecting the diversity of interests, we need to institutionalise a broad stakeholder engagement that reaches out to all parties affected by a technology and influencing its evolution.

Within this broadly applicable framing, NATO’s role is specific. As the international organisation committed to defence and security in the North Atlantic area, it convenes considerable political, military, economic, and technological power. Building in particular on its political and intellectual capital, the Alliance can credibly spearhead norm setting for technology applications in defence to comply with Western values.

With its recently published AI Strategy, NATO fulfils its traditional role in an innovative way. This Strategy embraces principles of responsible use, which express the value-driven norms that NATO and its member nations will adhere to in the application of AI. By making these principles public, they set an example for other nations to consider and potentially adopt NATO’s principles. This is an effective approach towards proposing and gradually implementing an international norm, not unlike the European Union’s General Data Protection Regulation.

#### NATO’s direct integration into military issues makes it uniquely effective at ensuring compliance with international law.

Zoe Stanley-Lockman & Lena Trabucco 22, Stanley-Lockman is an Associate Research Fellow in the Military Transformations Programme at the Institute of Defence and Strategic Studies at the S. Rajaratnam School of International Studies in Singapore; Lena Trabucco is a dual degree candidate pursuing a PhD in political science at Northwestern University and a PhD in Law at iCourts Center of Excellence in International Courts at the University of Copenhagen, “NATO’s Role in Responsible AI Governance in Military Affairs,” The Oxford Handbook of AI Governance, edited by Justin Bullock et al., Oxford University Press, 03/18/2022, DOI.org (Crossref), doi:10.1093/oxfordhb/9780197579329.013.69

International legal norms

In certain respects, the legal debate mirrors much of the ethical debate surrounding AI as the two address many of the same issues. International law is a values-based system embedded in certain principles and practices agreed-upon within the international system. This section certainly identifies the complementarity of the ethical discussion surrounding AI, but it also illustrates where the legal debate can depart from the ethical considerations to address different sorts of legal challenges that face the Alliance.

Lawyers, researchers, and civil society grapple with existing legal regimes relevant to military operations and the uncertainty and ambiguity surrounding automated decision-making, particularly in lethal decision-making. Thus far, the legal dialogue has been heavily anchored in the applicability of international humanitarian law (IHL), and other relevant legal regimes, to lethal autonomous weapons systems.72 IHL, also known as the laws of war or the laws of armed conflict, regulate the means and methods of warfare and, as such, is pivotal to the emergence of military technology and how existing legal structures are disrupted. The legal debate often revolves around the prospect of a “treaty ban” of LAWS.73

But the legal debate is much more nuanced than the likelihood of international treaties banning any particular weapon system. Especially because NATO is not a regulatory body, it cannot institute measures to regulate emerging technology for the Allies. Instead, NATO’s function in the legal domain may be more effective outside the traditional legal debates around emerging military technology and more embedded in fostering cooperation and coordination among military partners.

Other avenues of legal regulation may fall short of an international convention or prohibition, but nevertheless factor significantly in regulating and/or delineating state policies. Additionally, non-lethal applications of AI, as well as applications of AI that do not figure into autonomous systems, also raise important legal questions under international law. Arguably, norms around non-lethal applications are more urgent as their development is more advanced, harder to define, and less controversial in integration.74 Ultimately, NATO’s facilitative power can help ensure that integration of EDTs like AI into military capabilities and into multinational coalition operations is consistent with member states’ legal obligations.

### OSCE CP---Perm Do Both

#### The perm is best---NATO and the OSCE are complimentary---combining dialogue best propagates new security norms

Anton Sergeevich Gavrilov 18, Антон Сергеевич Гаврилов, researcher at Mariisk State University, “Международные организации как механизмы регулирования международных отношений (ООН, ОБСЕ, НАТО),” or “International Organizations as Mechanisms for Regulating International Relations (UN, OSCE, NATO),” Марийский государственный университет, 2018, pp. 490–492, translated by Yandex

На сегодняшний день систему международных отношений невозможно представить без таких организаций, как ООН и ОБСЕ. Современный мир все больше сталкивается с проблемами вооруженных столкновений, с самого разного типа кризисными ситуациями. И лучший ключ к разрешению подобных проблем — деятельность данных организаций. Нельзя недооценивать всю значимость миротворческих операций, проводимых ООН, невозможно выразить всю благодарность деятельности ОБСЕ за проводимые ей планы по урегулированию кризисных ситуаций, возникших в том или ином регионе. Это лишь немногие плюсы данных международных организаций. Подводя итог в данном вопросе, стоит сказать, что значимость ООН и ОБСЕ огромна. Военнополитический блок НАТО, несмотря на свои сомнительные и далекие от доверия средства решения возникших проблем, также представляет собой важного игрока на международной арене и оказывает существенное влияние на нее. НАТО так же, как ООН и ОБСЕ, способствует эффективному предотвращению конфликтов и активно участвует в кризисном регулировании.

Помимо собственных целей, которые ставят перед собой данные международные организации, они также следуют и целям коллективного характера. Ярким примером взаимодействия двух игроков международной арены в рамках коллективного целеполагания является взаимодействие НАТО и ООН.

Вопросы, касаемые кризисного регулирования, объединяют НАТО и ООН. Уместно будет сказать о правовой основе решения подобных вопросов. Глава 18 Устава ООН и Вашингтонский договор 1949 года подтверждают приверженность Североатлантического союза основным принципам ООН. НАТО и ИСАФ (Международные силы поддержания безопасности) тесно сотрудничают с Миссией ООН по содействию Афганистану, а также и с другими международными структурами, которые поддерживают работу по государственному восстановлению, развитию и управлению. Стоит сказать, что тесное взаимодействие ООН и НАТО проходит в самых различных форматах как в Афганистане, так и в столицах стран ООН и НАТО. Сюда можно добавить, что это, прежде всего, совместное членство в Объединенном совете по координации и мониторингу, осуществляющем надзор за соблюдением Афганского договора. Однако, несмотря на все вышеуказанные положительные моменты данного сотрудничества, все же стоит сказать, что, хотя НАТО и ООН сегодня весьма крупно развивают взаимодействие по сложным вопросам осуществления безопасности, их отношения нельзя назвать достаточно крепкими в плане партнерства.

Еще одним примером коллективного взаимодействия является сотрудничество ООН и ОБСЕ. Здесь важно отметить, что ОБСЕ ведет активный диалог с ООН и поддерживает с данной международной организацией весьма крепкие партнерские отношения. ООН и ОБСЕ довольно упорно и слаженно сотрудничают в сфере раннего обнаружения, своевременного отслеживания и предотвращения конфликтов и кризисов. Обе международные организации в своей работе делают упор исключительно на политико-дипломатические и правовые средства решения возникших проблем в соответствии с уставом ООН. Как в ОБСЕ, так и в ООН имеется широкий арсенал средств и механизмом раннего предупреждения конфликтов и недопущения их перерастания в военные конфликты.

Также стоит сказать, что все вышеперечисленные международные организации сотрудничают совместно. ОБСЕ и ООН косвенно поддерживают отношения с НАТО. Однако здесь речь может идти лишь о путях координации усилий НАТО с деятельностью ООН и ОБСЕ. Рассуждая о дальнейшем сотрудничестве НАТО с ООН и ОБСЕ, стоит отметить, что у НАТО практически отсутствуют инструменты решения проблем, которые можно было бы использовать в сфере превентивной дипломатии. Из этого следует вывод, что было бы довольно положительно для НАТО чаще прибегать к встречам с Генеральным секретарем ООН и ОБСЕ, обмениваться информацией, а также привлекать специальных и личных представителей Генсекретаря ООН, действующего председателя ОБСЕ, посредников и специалистов в области превентивной дипломатии.

Однако все же, говоря о взаимодействии данных игроков международной арены, нельзя не сказать об истории их возникновения.

Хочется начать с Организации Объединенных Наций. Данная международная организация была основана 24 октября 1945 года, именно к этому дню Устав ратифицировали: Китай, Советский Союз, Великобритания, Соединенные Штаты, Франция, а также большое количество других подписавших его государств. Главной своей целью ООН ставит поддержание мира между странами и народами, предупреждение возможных конфликтов и улаживание споров дипломатическими средствами.

Говоря об Организации по безопасности и сотрудничеству в Европе, стоит сказать, что создание этой международной организации приходится на 1975 год. Итоговый акт был подписан в конце июля – начале августа 1975 года в столице Финляндии, Хельсинках. С того времени Совет по безопасности и сотрудничеству в Европе стал проводить свои встречи регулярно. Данная организация ориентирует свое внимание на таких вопросах, как предотвращение возникновения конфликтов в регионе, урегулирование кризисных ситуаций, ликвидация последствий конфликтов.

Закончим данный краткий исторический экскурс информацией об истории создания и целях военнополитического блока НАТО.

НАТО была создана 4 апреля 1949 года в городе Вашингтон. Стоит сказать, что с самого начала НАТО была нацелена и ориентирована на полное противодействие Советскому Союзу, а также и странам — участницам Организации Варшавского договора позднее. Сама стратегическая концепция определяет многие первостепенные задачи НАТО. Выделим несколько: выступает основой стабильности в Евроатлантическом регионе; служит форумом для проведения консультаций по проблемам безопасности; способствует эффективному предотвращению конфликтов и активно участвует в кризисном регулировании и т. д. В своей деятельности НАТО опирается на особые программы сотрудничества. Одной из таких является программа «Партнерство ради мира». Данная программа представляет собой форму двустороннего практического сотрудничества, особенно в военной сфере, между НАТО и отдельными странами-партнерами.

Подводя итог рассуждениям по данному вопросу, надо сказать, что деятельность всех вышеперечисленных международных организаций оказывает большое влияние на систему международных отношений. Действительно, это своего рода механизмы работы великой машины, имя которой — международные отношения, и каждый механизм важен для продуктивного и правильного функционирования этого уникального средства для поддержания дипломатии, диалога и сотрудничества.

[TRANSLATION]

Today, it is impossible to imagine the system of international relations without such organizations as the UN and the OSCE. The modern world is increasingly faced with the problems of armed clashes, with various types of crisis situations. And the best key to solving such problems is the activities of these organizations. It is impossible to underestimate the importance of UN peacekeeping operations, it is impossible to express all gratitude to the OSCE for its plans to resolve crisis situations that have arisen in a particular region. These are just a few advantages of these international organizations. Summing up on this issue, it is worth saying that the importance of the UN and the OSCE is enormous. The NATO military-political bloc, despite its dubious and far from trustworthy means of solving the problems that have arisen, also represents an important player in the international arena and has a significant impact on it. NATO, as well as the UN and OSCE, contributes to effective conflict prevention and actively participates in crisis management.

In addition to their own goals set by these international organizations, they also follow collective goals. A striking example of the interaction of two players in the international arena within the framework of collective goal-setting is the interaction of NATO and the UN.

Issues related to crisis management unite NATO and the UN. It would be appropriate to say about the legal basis for solving such issues. Chapter 18 of the UN Charter and the Washington Treaty of 1949 confirm the Alliance's commitment to the basic principles of the UN. NATO and ISAF (International Security Support Force) work closely with the UN Assistance Mission in Afghanistan, as well as with other international structures that support the work on state reconstruction, development and governance. It is worth saying that close cooperation between the UN and NATO takes place in a variety of formats both in Afghanistan and in the capitals of the UN and NATO countries. It can be added here that this is, first of all, joint membership in the Joint Coordination and Monitoring Council, which oversees compliance with the Afghan Treaty. However, despite all the above-mentioned positive aspects of this cooperation, it is still worth saying that, although NATO and the UN are developing cooperation on complex security issues on a very large scale today, their relations cannot be called strong enough in terms of partnership.

Another example of collective cooperation is the cooperation of the UN and the OSCE. It is important to note here that the OSCE conducts an active dialogue with the UN and maintains very strong partnership relations with this international organization. The UN and the OSCE are cooperating quite hard and harmoniously in the field of early detection, timely tracking and prevention of conflicts and crises. Both international organizations in their work focus exclusively on political, diplomatic and legal means of solving the problems that have arisen in accordance with the UN Charter. Both the OSCE and the UN have a wide arsenal of tools and a mechanism for early warning of conflicts and preventing them from escalating into military conflicts.

It is also worth saying that all of the above international organizations cooperate together. The OSCE and the UN indirectly maintain relations with NATO. However, here we can only talk about ways to coordinate NATO's efforts with the activities of the UN and the OSCE. Speaking about NATO's further cooperation with the UN and the OSCE, it is worth noting that NATO has practically no problem-solving tools that could be used in the field of preventive diplomacy. It follows from this that it would be quite positive for NATO to resort more often to meetings with the UN Secretary General and the OSCE, to exchange information, as well as to involve special and personal representatives of the UN Secretary General, the OSCE Chairman-in-Office, mediators and specialists in the field of preventive diplomacy.

However, speaking about the interaction of these players in the international arena, it is impossible not to say about the history of their origin.

I would like to start with the United Nations. This international organization was founded on October 24, 1945, it was on this day that the Charter was ratified by: China, the Soviet Union, Great Britain, the United States, France, as well as a large number of other signatory states. The main goal of the UN is to maintain peace between countries and peoples, prevent possible conflicts and settle disputes by diplomatic means.

Speaking about the Organization for Security and Co-operation in Europe, it is worth saying that the creation of this international organization falls in 1975. The final act was signed in late July – early August 1975 in the capital of Finland, Helsinki. Since that time, the Council for Security and Cooperation in Europe has been holding its meetings regularly. This organization focuses its attention on such issues as the prevention of conflicts in the region, the settlement of crisis situations, the elimination of the consequences of conflicts.

Let's finish this brief historical digression with information about the history of the creation and goals of the NATO military-political bloc.

NATO was established on April 4, 1949 in Washington. It is worth saying that from the very beginning, NATO was aimed and focused on complete opposition to the Soviet Union, as well as to the member countries of the Warsaw Pact Organization later. The strategic concept itself defines many of NATO's primary tasks. We will single out several: acts as the basis of stability in the Euro-Atlantic region; serves as a forum for consultations on security issues; promotes effective conflict prevention and actively participates in crisis management, etc. In its activities, NATO relies on special cooperation programs. One of these is the Partnership for Peace program. This program is a form of bilateral practical cooperation, especially in the military sphere, between NATO and individual partner countries.

Summing up the reasoning on this issue, I must say that the activities of all the above-mentioned international organizations have a great influence on the system of international relations. Indeed, these are some kind of mechanisms of the great machine, whose name is international relations, and each mechanism is important for the productive and proper functioning of this unique means for maintaining diplomacy, dialogue and cooperation.

### OSCE CP---Perm Do Both---Cyber

#### Combining for a best takes advantage of their relative strengths---they’re mutually reinforcing, NOT an op cost

Adina Ponta 21, advisor to the Committee on Information Technology and Communications in the Romanian Parliament, teaching lecturer at the Babeș-Bolyai University in Romania and a postdoctoral researcher at the Law School’s Center for Business Law & Information Technology, “Legal Instability in Cyberspace and OSCE’s Mitigation Role,” Juridical Tribune, vol. 11, no. 3, 12/28/2021, DOI.org (Crossref), doi:10.24818/TBJ/2021/11/3.01

Fourth, strengthening the regional structures for conflict prevention requires a great amount of political will. However, for broader inclusion, coherence, and complementarity of efforts, and to avoid risks of duplication, international partners should enhance their cooperation at all working levels. More synergy among regional organizations will enhance common understanding of threats, exchange of lessons learned, and promote cooperation over competition. These efforts can provide advanced legal policy training for diplomats and local capacity building, which is crucial to follow-up on the implementation of CBMs. The OSCE should avail itself of the dialogue channels in place and establish new partnerships for a comprehensive picture of regional views and conflict prevention mechanisms.

Cyberpolicy cooperation and understanding of States’ views and concerns should build on the significant overlap in membership of the EU, the OSCE, and NATO, organizations with highly complementary mandates. While the EU focuses on strengthening resilience through finance and diplomacy, the OSCE’s model of regional security, and NATO’s crisis management capacities could merge into meaningful synergies with the purpose of conflict prevention and early warning, common features of these organizations’ mandates.51

### OSCE CP---Perm Russia in NATO

#### Only offering Russia integration---even if it refuses---communicates NATO’s benign intent---integration solves broad security coop

Charles A. Kupchan 10, Professor of International Affairs at Georgetown University and a Senior Fellow at the Council on Foreign Relations, “NATO's Final Frontier: Why Russia Should Join the Atlantic Alliance,” Foreign Affairs, May/June 2010, <https://www.foreignaffairs.com/articles/russian-federation/2010-05-01/natos-final-frontier>

Nonetheless, the West is making a historic mistake in treating Russia as a strategic pariah. As made clear by the settlements after the Napoleonic Wars and World War II -- in contrast to the one that followed World War I -- including former adversaries in a postwar order is critical to the consolidation of great-power peace. Anchoring Russia in an enlarged Euro-Atlantic order, therefore, should be an urgent priority for NATO today.

Russia has been disgruntled with the expansion of NATO ever since the alliance began courting new members from the former Soviet bloc in the early 1990s. However, Russia's economic and military decline and the West's primacy encouraged NATO members to discount the potential consequences of Russian discontent. "As American capabilities surged and Russian capabilities waned," the political scientists Daniel Deudney and G. John Ikenberry have observed, "Washington policymakers increasingly acted as though Russia no longer mattered and the United States could do whatever it wanted."

The strategic landscape has since changed dramatically, however, and the costs of excluding Russia from the Euro-Atlantic order have risen substantially. The Kremlin's recentralization of power and Russia's economic rebound thanks to higher energy prices have brought the country back to life. Russia now has the confidence and the capability to push back against NATO -- just as the West urgently needs Moscow's cooperation on a host of issues, including the containment of Iran's nuclear ambitions, arms control and nonproliferation, the stabilization of Afghanistan, counterterrorism, and energy security.

Moreover, the ongoing expansion of NATO has made the question of Russia's place in the Euro-Atlantic order even more pressing. In its new military doctrine, released this February, Russia identified NATO enlargement as a primary external threat. The alliance has been contemplating membership for Georgia and Ukraine, a move that would dangerously escalate tensions between NATO and Russia. Indeed, the Russian-Georgian war of 2008 was to some extent a reflection of Moscow's disquiet about Georgia's westward geopolitical alignment. And rather than just opposing NATO enlargement, Russia is now offering its own ideas for revamping the Euro-Atlantic security architecture. In November 2009, the Russian government released a draft of a new European security treaty that laid out Moscow's proposals for a pan-European institution. NATO allies, it seems, no longer have the luxury of indefinitely postponing consideration of Russia's place in the post-Cold War settlement.

A vision for bringing Russia into the Euro-Atlantic space is readily within reach: Russia should become a member of NATO. The country's eventual admission to the alliance would be the logical completion of a Euro-Atlantic order in which NATO is the primary security institution. Having embarked on the process of enlarging NATO when the Soviet bloc collapsed, the Western allies should now do their best to conclude that process by integrating Russia and other members of the Commonwealth of Independent States (CIS) into the alliance.

There are, of course, many other options for pursuing a pan-European order, such as fashioning a treaty between NATO and the Russia-led Collective Security Treaty Organization; elevating the authority of the Organization for Security and Cooperation in Europe (OSCE), of which Russia is a member; or picking up on Russia's proposal for a new European security treaty. But now that NATO, the world's most powerful military alliance, has 28 members and more to come, these other options are merely strategic sideshows. Countries will be either NATO members or outsiders. The only logical path to a pan-European order thus entails Russia's integration into the alliance.

Russia may ultimately reject inclusion in NATO due to the requirements and constraints membership entails, instead choosing to go its own way. But if the primary institutions of the Euro-Atlantic community ultimately fail to extend their reach to Russia, let it be due to the Kremlin's missteps, not because the Atlantic democracies failed to demonstrate the vision or the will to embrace Russia in a pan-European order.

#### It's a more sustainable solution to tensions with Russia than stopping NATO expansion.

Charles A. Kupchan 10, Professor of International Affairs at Georgetown University and a Senior Fellow at the Council on Foreign Relations, “NATO's Final Frontier: Why Russia Should Join the Atlantic Alliance,” Foreign Affairs, May/June 2010, <https://www.foreignaffairs.com/articles/russian-federation/2010-05-01/natos-final-frontier>

Third, Russia's integration into NATO would enable Georgia and Ukraine to join the alliance without provoking a crisis with Moscow. According to the Russian political scientists Sergei Karaganov and Timofei Bordachev, the admission of these countries into NATO would increase "the risk of a conflict with unforeseeable consequences." Stopping the enlargement of NATO could avert this problem but would leave another one unsolved: How can Russia and its neighbors be integrated into a unitary Euro-Atlantic order? As Andrew Monaghan of the NATO Defense College notes, "Even if enlargement stops, Russia remains excluded from Euro-Atlantic mechanisms."

The solution, then, is for Georgia and Ukraine to join a NATO in which Russia is already, or is soon to be, a member, ensuring that their entry would cause little, if any, geopolitical tension. More generally, if membership in the CIS remains separate from membership in NATO, Europe's East and West will be subject to indefinite geopolitical division and jockeying over zones of influence. In contrast, if NATO opens its doors to members of the CIS, such dividing lines and the competition that accompanies them will likely fade away. There is a precedent for this evolution: all of the CIS members already cooperate with NATO through the Partnership for Peace program and the Euro-Atlantic Partnership Council.