# OSCE CP

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### 1NC – OSCE CP

#### The Organization for Security and Cooperation in Europe should

#### OSCE solves – they can regulate new emerging technologies

Liechtenstein 19 [Stephanie Liechtenstein, 03-25-2019, “Regulating new military technologies,” Security and Human Rights Monitor, [https://www.shrmonitor.org/regulating-new-military-technologies/]\\pairie](https://www.shrmonitor.org/regulating-new-military-technologies/%5d\\pairie)

New technologies have reached the military realm and their possible impact is beginning to cause a headache for governments and military experts alike. Discussions are currently focused on four areas: lethal autonomous weapons, or so-called ‘killer robots’, biotechnologies, cyber weapons, and new missile technology.

For most of these technologies, there are no international rules in place.

This comes amid a general crisis of the international arms control regime, caused by the U.S. withdrawal from the Intermediate-Range Nuclear Forces (INF) Treaty and the potential ramifications this could have on the extension of the New START Treaty, which expires in 2021. Some experts already speak of a complete breakdown of the arms control regime and warn of a general militarization of international relations.

“We must find solutions for the technological challenges of tomorrow. In a nutshell, we must rethink arms control,” German Foreign Minister Heiko Maas said in his opening speech of a high-level arms control conference at the German Foreign Ministry in Berlin on 15 March, bringing together 450 diplomats and experts.

By hosting this conference, Germany is at the forefront of an initiative to discuss the impact of new technologies on future warfare and on arms control. “We are of the opinion that a new start can only succeed if we work side by side – parliamentarians and government representatives, as well as think tanks, researchers, military experts and industry representatives,” Maas said in Berlin.

Margot Wallström, the Swedish Foreign Minister, and Stef Blok, the Foreign Minister of the Netherlands, came to Berlin to support Germany in this endeavour. The three foreign ministers issued a joint declaration in which they stressed the “utmost importance that we now analyse closely potential negative and positive effects of new technologies, and identify the need for further regulation and new arms control arrangements in order to maintain international peace and stability”.

Killer robots

One major issue of concern are lethal autonomous weapons (or killer robots) that attack targets without human intervention. Such weapons systems are particularly prone to manipulation and miscalculation, thus increasing the risk of accidental wars. One example are kamikaze drones that attack targets without a human taking the decision.

Ethical considerations are also a major issue of concern, as there are currently no rules who can be held responsible for an act of aggression if there is no human decision or control behind. This point was also underlined in a study by the German Institute for International and Security Affairs, presented on the margins of the conference: “From an ethical perspective, lethal autonomous weapons systems are particularly problematic with regard to human dignity, because robots do not understand what it means to kill a human being”.

Discussions are currently ongoing at the United Nations in Geneva within an expert group, with Germany and France hoping to make tangible progress. “We are committed to this in Geneva right now, and we want to make progress here this year. We want to enshrine the principle of effective human control over all lethal weapons systems at the international level, thereby taking a major step towards the global prohibition of fully autonomous weapons,” Maas emphasised in his opening speech in Berlin.

Germany and France are faced with two additional groups of states in Geneva. “One group of 28 states, among them Austria, wants an immediate ban for all autonomous weapons systems, agreed in an international treaty. Another group of states is opposed to this, among them the U.S., Russia, Israel and Australia, as they prefer to continue developing such systems,” explains Dr. Frank Sauer, senior researcher at the Bundeswehr University Munich.

Biotechnologies

Biological weapons as such are not new, however new technologies make them more dangerous. According to a report published by the Stockholm International Peace Research Institute (SIPRI) on the occasion of the Berlin conference, “the convergence of developments in biotechnology with other, emerging technologies such as additive manufacturing [3-D printing], artificial intelligence and robotics has increased the possibilities for the development and use of biological weapons”.

“Each of these technologies could, in its own way, facilitate the development, production and use of biological weapons, and make them more dangerous,” said Kolja Brockmann, Researcher at SIPRI and lead author of the report.

“The increased use of robots in laboratories could lead to significant gains in productivity during the design-build-test cycle of biological weapons, while artificial intelligence could be used to find new ways to optimize the transmissibility or virulence of a biological agent,” Dr. Vincent Boulanin, Senior Researcher at SIPRI on emerging technologies, added.

The 1972 Biological and Toxin Weapons Convention, the main treaty governing biological arms control, is “ill-equipped to comprehensively address these risks”, experts from SIPRI warn in the report.

Governments are particularly concerned about the misuse of biological weapons by terrorists and other non-state actors. German Foreign Minister Heiko Maas therefore announced in Berlin that “the Federal Government will therefore work to establish a permanent body of experts and scientists under the umbrella of the Biological Weapons Convention – one that clearly identifies risks and informs and advises states as to them”.

Cyber weapons

Rapid developments in the cyber sector have also reached the military realm. Cyber warfare is already happening, with states or non-state actors attacking another state’s IT infrastructure, or other important infrastructure such as banking system, through the use of computer viruses or other malware.

“Identifying the responsible party behind malicious cyber incidents is a necessary prerequisite for holding these actors accountable, but there are many challenges that accompany cyber attribution,” experts from the RAND corporation stated in January.

Foreign Minister Maas called for “universal behavioural norms and standards in cyberspace” in his speech and also made reference to efforts within the OSCE, the only international organisation that has agreed on politically-binding confidence-building measures for the cyber space.

Hypersonic missiles

New technologies have also found their way into missile systems. One of the main concerns here are hypersonic missiles, capable of flight at speeds of Mach 5 and above as they leave very little time for humans to react.

“The fact that we’re not just talking about science fiction here is demonstrated by Russia’s announcement that the first Avangard systems will be entering service this year,” Foreign Minister Maas said in Berlin.

As worldwide concern is growing about these new developments, Maas seized the opportunity of the conference in Berlin “to establish an international missiles dialogue that takes into account both the challenges posed by new technologies and the dangers of their proliferation”.

A role for the OSCE?

Arms control remains an important part of the global security architecture. The expert conference in Berlin showed that the arms control regime needs to evolve to adapt to changes not only in the political and strategic spheres, but also taking into account rapid technological changes.

The OSCE, as a regional arrangement in the sense of Chapter VIII of the Charter of the United Nations, could be used in this endeavour as a platform to exchange information on new military technologies and thus build confidence and increase transparency and predictability. The regular military doctrines seminars could be a first starting point.

#### Counterplan revitalizes OSCE effectiveness by refocusing the organizations and legitimizing its approach

Levinger 18 [Matthew Levinger, 03-2018, “Forging Consensus for Atrocity Prevention: Assessing the Record for the OSCE,” <<Matthew is a Research Professor of International Affairs & Director of the National Security Studies Program @ the George Washington University>>, Genocide Studies and Prevention An International Journal, Volume 11, Issue 3 Global Approaches to Atrocity Prevention: Theory, Practice and the State of the Field, Article 9]\\pairie

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.

#### OSCE effectiveness is key to preventing escalating tensions that go existential – Moldova, Georgia and Central Asia

Vartanyan & Lanz 22 [Olesya Vartanyan & David Lanz, 03-21-2022, “Preserving the OSCE at a time of war,” <<Olesya is Crisis Group’s Senior Analyst>>, <<David is the Representative for Dialogue Promotion>>, OCHA Services, [https://reliefweb.int/report/world/preserving-osce-time-war]\\pairie](https://reliefweb.int/report/world/preserving-osce-time-war%5d\\pairie)

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.

## Perm

### 2NC – AT: Perm Do Both

#### Perm fails – it only focuses the emphasis on NATO

Levinger 18 [Matthew Levinger, 03-2018, “Forging Consensus for Atrocity Prevention: Assessing the Record for the OSCE,” <<Matthew is a Research Professor of International Affairs & Director of the National Security Studies Program @ the George Washington University>>, Genocide Studies and Prevention An International Journal, Volume 11, Issue 3 Global Approaches to Atrocity Prevention: Theory, Practice and the State of the Field, Article 9]\\pairie

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

#### Perm forwards the idea that OSCE is unnecessary because it overlaps with NATO – it erodes the OSCE credibility

Odello 5 [Marco Odello, 09-06-2005, “Thirty Years After Helsinki: Proposals for OSCE’s Reform,” Journal of Conflict & Security Law (2005), Vol. 10 No. 3]\\pairie

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.

### 2NC – AT: Perm Do the CP

#### OSCE is a forum for political dialogue – that includes states from Asia

OSCE [OSCE, “Who we are”, OSCE, https://www.osce.org/who-we-are]\\pairie

With 57 participating States in North America, Europe and Asia, the OSCE – the Organization for Security and Co-operation in Europe – is the world’s largest regional security organization. The OSCE works for stability, peace and democracy for more than a billion people, through political dialogue about shared values and through practical work that aims to make a lasting difference.

The OSCE is a forum for political dialogue on a wide range of security issues and a platform for joint action to improve the lives of individuals and communities. The organization uses a comprehensive approach to security that encompasses the politico-military, economic and environmental, and human dimensions. Through this approach, and with its inclusive membership, the OSCE helps bridge differences and build trust between states by co-operating on conflict prevention, crisis management and post-conflict rehabilitation.

#### That’s distinct NATO is a security alliance with countries only from North America and Europe

US Mission To The North Atlantic Treaty Organization [US Mission To The North Atlantic Treaty Organization, “About NATO”, [https://nato.usmission.gov/about-nato/]\\pairie](https://nato.usmission.gov/about-nato/%5d\\pairie)

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.

#### They are distinct European security organizations

Dean 99 [Jonathan Dean, 1999, “OSCE and NATO: Complementary or Competitive Security Providers for Europe,” OSCE Yearbook 1999, https://ifsh.de/file-CORE/documents/yearbook/english/99/Dean.pdf]\\pairie

When they are viewed in ideal terms, NATO (the North Atlantic Treaty Organization) and OSCE (the Organization for Security and Co-operation in Europe) each represent half of a comprehensive European security organization. NATO, with nineteen members in March 1999, organizes armed forces to deter aggression and to undertake peacekeeping and peace enforcement missions in Europe. The OSCE, with a more comprehensive membership of 55 states, has come to specialize in conflict prevention and in post-conflict peace-building - elections, police, and civil administration. Today, both organizations are deeply involved in the struggle over Kosovo. It is fairly evident, whatever the outcome of the dispute over Kosovo and over the treatment of the Kosovars, that both organizations will continue into the future. But NATO, which is conducting a military action against Serbia, risks much more with its Kosovo involvement than the OSCE, which thus far has a subordinate role. If NATO can cope with the Kosovar refugees, bring them back to Kosovo into relatively tolerable material conditions, reach an understanding with Serbia to allow Kosovo far-reaching autonomy within Serbia and can provide an effective peacekeeping contingent to assure implementation of this agreement, its prestige as it enters the next century will be high; OSCE's repute is likely to be carried along with that of NATO. If NATO fails in significant respects on Kosovo, the damage to European and Transatlantic unity will be great and the ensuing debate over NATO's proper role and that of the OSCE is likely to continue for years. In this situation, the general feasibility of multilateral military actions in support of human rights will also be placed in question. Even if the Kosovo crisis ultimately subsides, whether favourably or not, these two halves of an ideal European security organization, NATO and OSCE, are not likely to come together anytime soon to form a single, comprehensive institution. As already indicated, the current state of productive coexistence has not always characterized relations between the two organizations. During the Cold War years, the main role of the Conference on Security and Co-operation in Europe, as the OSCE was called prior to 1995, was to promote discussion and negotiation between East and West. This role was 1 The manuscript was completed in April 1999. 429 In: IFSH (ed.), OSCE Yearbook 1999, Baden-Baden 2000, pp. 429-434. questioned by some in the West, but ultimately supported as a vehicle for promoting Western political views in Warsaw Pact states. At that point, CSCE was considered a potentially useful but not essential complement to NATO, which was charged with the main responsibility for defending Europe.

#### They are different – working with the member state isn’t the same as working with NATO

Dowd 22 [Alan W. Dowd, 04-18-2022, “Looking ahead to Fortress Ukraine, American Legion, [https://www.legion.org/landingzone/255571/looking-ahead-fortress-ukraine]\\pairie](https://www.legion.org/landingzone/255571/looking-ahead-fortress-ukraine%5d\\pairie)

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.

### 2NC – AT: Perm Do the CP – Members

#### International organization are autonomous actors and distinct from their member state

Hirschmann 21 [Gisela Hirschmann, November 2021, “Article Navigation International organizations' responses to member state contestation: from inertia to resilience,” <<Hirschmann is the Assistant Professor of IR @ Leiden University>>, International Affairs, Volume 97, Issue 6][\\pairie](file:///\\pairie)

The responses of IO bureaucracies to member state contestation The existence of IOs relies on contributions of money and personnel, a functioning membership body and policies implemented by member states.10 States use numerous ways not only to influence IOs according to their interests, but also to contest IOs’ authority or individual policies.11 While membership withdrawals and budget cuts are nothing new in the history of IOs, these acts can pose a significant threat to the existence of IOs, especially if driven by nationalist and populist attitudes.12 This article is based on the assumption that IOs are autonomous actors and therefore have an inherent interest in maintaining their positions in the current multilateral order.13 In response to member state contestation, some IOs opt for a conciliatory tone in their communicative responses, whereas others are more assertive.14 This article builds on previous studies by focusing on the role of bureaucracies in shaping IO responses to contestation by member states. Drawing on the insights of organization theory, I propose three types of bureaucratic responses: inertia, adaptation and resilience-building. Inertia. We should not expect IOs always to respond with action to member state contestation. On the contrary, there might not be any immediate response to the challenges. Not responding can be a strategic decision; but it can also mean that an IO is simply ignoring the challenge and sticking to institutional routines.15 Inertia can therefore be a result of either a strategic decision or an organization’s ‘blind spots’.16 Following McConnell and ’t Hart, I define inertia as ‘an instance and/or pattern of non-intervention’ by an IO in response to member state contestation.17 How can inertia be observed at the bureaucratic level? Research has shown that IOs communicate strategically.18 Avoiding ‘unfavorable headlines’ through overt judicial activism has been identified as a ‘survival strategy’ used in particular by international courts and human rights institutions facing a populist backlash.19 Hunkering down allows the IO bureaucracy to keep a low profile and to continue its work without changes. Empirically, hunkering down can be observed, for example, in an IO bureaucracy’s refusal to issue public statements or press declarations on a contested issue, or regarding its relationship with the challenging member state, indicating an overall decrease in public visibility. Adaptation. This response type is based on the theoretical assumptions of the principal–agent approach, according to which IOs, as the agents of their member states, make efforts to satisfy the principals’ demands.20 Thus the IO changes its policy to maintain the support of the challenging member state(s). Some decades ago, the threat of significant budget cuts by the US government under President Reagan led to adaptation in policy- and decision-making in, for example, the World Bank.21 Further indicators of adaptation are policy reforms that grant the challenging state greater influence. Adaptation aims at accommodating the contesting state to the point where this state refrains from further contestation. IO bureaucracies actively shape adaptation through framing and negotiation. To demonstrate to the challenging member state its willingness to adapt, an IO may rename a contested policy (e.g. adopting ‘maternal health’ instead of ‘reproductive health’) or stop the implementation of contested programmes (e.g. projects addressing climate change in response to the Trump administration’s budget cuts). Moreover, we know from previous research that IO bureaucracies influence institution-building and shape the agenda of international negotiations.22 We can thus expect these bureaucracies to actively negotiate aspects of policies and budgets with individual member state governments, especially if their resources are based primarily on voluntary contributions.23

### 2NC – AT: Perm Intrinsic – Russia

#### Adding Russia to NATO fails – psychological incompatibility, diverging interest and their nuclear arsenals make it impossible

* Something about perm do the AFF + add Russia to NATO – some intrinsic perm

Daydov 2000 [Prof. Yuriy Davydov, 2000, <<NATO Research Fellow>> , “Should Russia Join NATO (Final Report)”, [https://www.nato.int/acad/fellow/98-00/davydov.pdf]\\pairie](https://www.nato.int/acad/fellow/98-00/davydov.pdf%5d\\pairie)

Russia in NATO: «...contra». However, possible membership of Russia in NATO entails not only the benefits mentioned above but also a number of unavoidable problems that could have influence on the decision making process Moscow's membership in the North Atlantic Treaty Organisation included. It could not have been any other way, keeping in mind decades of "cold" war and the recent tensions between the two sides on the issue of NATO expansion and the conflict in Kosovo. These problems may be common for both Russia and NATO but they also may be regarded individually as having importance to Moscow or Brussels. The following may be counted as problems common for both Russia and NATO: · psychological compatibility. Even with an expediency of the alliance in mind, it will be hard for both sides to make a 100 percent turn after decades of being enemies, after viewing each other mainly as targets through the slit of a sight and the relationship – as a zero sum game. The matter is not only with the countries' leaders but also the general public mood that can be easily used by the «hawks» (such as Vladimir Zhirinovsky, Senator Helms and 32 others). The West will probably go through an easier adaptation process since it already has such experience (Germany, Spain, former socialistic states). With its tendency to view the world in black and white colours only, Russia will have more difficulties overcoming the physiological barriers. · transparency, first of all in the issues of military (nuclear) and mobilisation planning, intelligence information, especially received through agents or electronic means of interception. Of course, the confidence measures practised in Europe since the times of the first detente in the 70's have somewhat weakened the obsession of military people for secrecy. However, the spy obsession still common for both sides. This question is extremely delicate; usually it is not discussed openly and honestly which may lead to additional tensions and suspicions in the process of Russia and NATO cooperation. It is enough to say that the presence of NATO officers in the headquarters of the General Staff poses great problems for Russian officers. It is also correct to say that many Western generals will find it difficult to adjust themselves to participation of Russian military men in the meeting of NATO nuclear planning committee. The probable Russia’s membership in NATO is more likely to cause a series of difficult questions for its politicians and militaries. However, they are quite predictable. So, there is time to think about ways of avoiding them or lessening their probable negative impact on the relations between Russia and NATO under new circumstances. Despite their difficulties, these problems are solvable. But because these are Russia’s problems, the responsibility for their solving is mainly on its side. The following are the problems caused by the country's probable membership in the North Atlantic Treaty Organisation. · First of all, it is important to understand that the Russian political elite is not ready for such a radical step. It is so used to exploiting the image of an external enemy (that was usually presented as NATO) for its domestic needs that losing such a possibility will cause a confusion in the ranks of political and military establishment. Joining NATO will mean that everything said about it before (and equally, about Russia itself) is exactly the other way round. That is why Moscow makes a lot of reservations even if cooperation with NATO is very limited. The main idea here is to make the public believe that Moscow cooperates with NATO only because the alliance constantly makes fundamental concessions. However, the details of such ‘concessions’, for example during the eastward NATO expansion, the Dayton Agreements or the military actions in Yugoslavia, are usually not revealed to the public. In the 33 end the Russian political elite will have to decide on what NATO means and can mean for Russia? Is it an ally? A partner? Or an enemy who skilfully covers its true intentions? There are reasons to believe that the Russian establishment does not have answers to these questions even for itself.. · Russia will have to determine the form of joining NATO: will it become member of the political or the military organisation as well? Those who think that under current conditions Russia simply does not have any choice and thus is faced to join NATO believe that membership in the political organisation is the lesser of the two evils. Those who think that joining NATO would benefit Russia rather than harm it are certain that the country should join the military organisations as well. Thinking rationally, Moscow will (under any circumstances) go for the first option and only then, having gained certain experience, decide on the second one. · Russia will have to make a decision on its nuclear arsenal. No doubt, it will remain under national jurisdiction just as it is in the case of all NATO members who posses it. But Russia will have to answer the question whether this kind of arms will constitute a nuclear shield for the collective defence of NATO or rather be used for collective security of the post Soviet space only? Will the NATO Nuclear planning committee determine its probable use in some way (what way)? To what extent does the nuclear cooperation between Russia and NATO fit the nuclear policy of the latter? Is the cooperation of all four nuclear possessing members possible in the framework of the alliance? · The unpredictable response of the CIS countries to Russian membership in NATO may also raise a very important questions for Moscow. Involved in ethnical and territorial conflicts, all these countries, especially in Central Asia, have problems interpreting democracy. These states could deliberately draw Russia into the processes of conflict resolution in the area. In the case of Moscow’s membership in NATO, Russia would have to deal with those issues not as a neighbouring state but rather as a member of the alliance. However, other NATO allies would not be too happy about that: through Russia they could also become involved (military) in conflicts. In this situation, it is unclear how the system of collective defence will function: will Moscow remain its participant or not? Finally, a paradoxical situation can occur in the triangle NATO-Russia-Belarus. Will Minsk be automatically seen as member of the alliance keeping in mind that the two neighbouring 34 countries form something like a union state? It is very probable that the reaction of some post Soviet states who regard NATO with suspicion may be similar to the reaction of Russia as the ex-WTO allies were joining NATO and as the Baltic states are being considered for membership. · Used to gaining benefits from the contradictions between Russia and the West in the recent years, China will be not too excited about Russian membership in NATO. Peking usually frightened Moscow with closer relationship with the West, and the West – with probable coming together with Moscow. In this manner, China hoped to gain certain benefits on both directions. China will lose this possibility as soon as Moscow joins NATO. However, it can do nothing to oppose their united efforts. Besides, after Russia joins NATO, the enlarged alliance comes closely to the Chinese borders. For Peking, this would bring a change in the whole geopolitical configuration in a region where its influence has not been questioned before. The reaction of PRC on the rapprochement between Russia and NATO and the participation of Moscow in the alliance’s structures will probably be similar to that of Russia during the NATO eastward expansion. On the other hand, the reaction of Japan may be more favourable since a compromise between Russia and the West may be viewed as a precursor of a compromise between Moscow and Tokyo on the issue of the Kuril Islands. · Joining NATO may have positive effects on both the process of democratisation of military forces and the society as a whole as well as on emerging of the civil structures in Russia. However, under conditions of not finally asserted democratic values, it is important to understand that those who have not yet accepted these values or even deny them may accuse NATO and the Russian political leaders of imposing the alien values upon the society and the country. This mainly applies to the Russian generals who have lately build up their influence on the country's political leaders. As a result, an ideological confrontation and even a significant split in the Russian society on that issue may be expected. In turn, the possible membership of Russia in NATO may cause certain difficulties and problems for the West and the members of the alliance. There are those in the West who believe that these problems may be insoluble for the alliance. To which extent are these assumptions well grounded? And what are the most obvious problems nowadays? · The main concern of the West comes from the contention that Russian presence in the alliance may simply destroy it. Chaos and lack of stability in the country, corruption among 35 political elite, including military one as well, the penetration of criminal elements into business – all these distinguishing feature of contemporary Russia could spread to other members of the alliance. As a result, instead of positively influencing Russia, NATO will be negatively influenced by the new member. That is more than probable if Russia turns more clearly towards an authoritarian rule. Of course, by the time Moscow enters the alliance it will have to meet the majority of the problems; otherwise it will not be accepted by NATO. However, Russia is a transforming country; its internal as well as external structures are not yet stable. These structures are in a state of flux; they are renewed in some areas while go back to the old model (today Russia counts 89 subjects of Federation, tomorrow there may be seven left; Today Moscow has good relations with Byelarus, tomorrow they may be changed for the worst; Russia’s nearest environment is too hostile to be predictable) So, Russia may be a powerful generator of instability inside the alliance. That is why NATO members will always be afraid of having to deal with inner peacekeeping rather than with outer one. · The post Soviet space by itself is an enormous conflict area; and Russia has to a certain degree taken the responsibility for settling the ethnical and political conflicts in the region. There is a concern that having joined NATO, Russia would try handing this burden over to other alliance members. However, they are not interested to overburden themselves with different problems in Georgia and Abhasia, Tadjikistan, Azerbaijan, Nagorny Kharabach and Armenia. Chechnya alone poses enough difficulties to the West. Quite possibly, NATO will not be willing to handle territorial problems that exist between Russia and Japan, Russia and Finland, or the problems of illegal migration form China to Siberia and the Far East. · All that mentioned above brings up the following question: to what extent is Article 5 of the Washington Treaty applicable to Russia? For example, to what degree is it applicable in the case of the Chechen invasion into Dagestan in the fall of 1999? Some Western experts believe that if Russia joins the alliance, there will be a need for certain qualifications that would exclude automatic application of Article 5 to Russia and require additional consultations. However, this would change NATO status from an organisation of collective defence to an organisation of collective security. To what extent do other members agree with that? Another question – in that case, is there any sense for Russia to join NATO? If NATO does not want to take over responsibility for Russia, what sense does it make for Russia to take the responsibility for other alliance members in terms of their security?

## Solvency

### 2NC – Solvency – Cyber

#### Empirics prove – they have created the most successful agreements on cyberspace

Ponta 21 [Adina Ponta, December 2021, <<Adina is Faculty of Law @ Babes Bolyai University>>, “Legal instability in cyberspace and OSCE’s mitigation role,” Juridical Tribune Journal, Volume 11, Issue 3][\\pairie](file:///\\pairie)

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 industryfocused 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.

### 2NC – Solvency – Cyber – AT: Non Binding

#### It solves – even if it is non-binding – they can still generate effective norms in cybersecurity

Ponta 21 [Adina Ponta, December 2021, <<Adina is Faculty of Law @ Babes Bolyai University>>, “Legal instability in cyberspace and OSCE’s mitigation role,” Juridical Tribune Journal, Volume 11, Issue 3][\\pairie](file:///\\pairie)

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. 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

### 2NC – Solvency – Cyber Agreement

#### It solves diverging policy in cyberspace the best – it allows states to find common ground

Ponta 21 [Adina Ponta, December 2021, <<Adina is Faculty of Law @ Babes Bolyai University>>, “Legal instability in cyberspace and OSCE’s mitigation role,” Juridical Tribune Journal, Volume 11, Issue 3][\\pairie](file:///\\pairie)

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.

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 likeminded 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 solves better cyberpolicies than the AFF – it creates the ability to come to consensus even if they fight or disagree

– AT: OCOs AFF that’s like NATO CBMs building is key to solving diverging cyberpolicies

Ponta 21 [Adina Ponta, December 2021, <<Adina is Faculty of Law @ Babes Bolyai University>>, “Legal instability in cyberspace and OSCE’s mitigation role,” Juridical Tribune Journal, Volume 11, Issue 3][\\pairie](file:///\\pairie)

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.

### 2NC – Solvency – AI

#### OSCE can regulate AI – empirics prove they are already facilitating talks between states

Nadibaidze 22 [Anna Nadibaidze, January 2022, “Commitment to Control Weaponised Artificial Intelligence: A Step Forward for the OSCE and European Security,” <<Anna is a PhD Fellow at the Center for War Studies & Department of Political Science & public Management @ University of Southern Denmark>>, GCSP, Strategic Security Analysis, Issue 22][\\pairie](file:///\\pairie)

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 global discussion about autonomous weapons systems is often framed in a futuristic way, but weaponised AI is already a reality of European security. 5 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

#### It solves AI regulations better than NATO – they are more inclusive and creates better relations – it’s possible they already have CSBMs that they can use to do the counterplan

– card talks about the way the OSCE solves even better than NATO! NATO has exclusive membership

– Russia also probably hates OSCE less than they hate NATO

– OSCE already has CSBMs that we can use to do the counterplan

Nadibaidze 22 [Anna Nadibaidze, January 2022, “Commitment to Control Weaponised Artificial Intelligence: A Step Forward for the OSCE and European Security,” <<Anna is a PhD Fellow at the Center for War Studies & Department of Political Science & public Management @ University of Southern Denmark>>, GCSP, Strategic Security Analysis, Issue 22]\\pairie

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 The OSCE’s inclusive approach is needed to show that tensions can be dealt with in a forum rather than on the battlefield. 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.

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.

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.

### 2NC – Solvency – AI – AT: Stanley Lockman

#### They end up concluding that NATO isn’t key

Stanley Lockman & Edward 21 [Zoe Stanley-Lockman & Edward Hunter Christie 21, Innovation Officer in the Emerging Security Challenges Division in NATO’s International Staff, and focuses particularly on Artificial Intelligence and Autonomy. owner and founder of AI Policy Consulting and served as lead consultant to NATO in the preparation of NATO’s AI Strategy. He was formerly Deputy Head of Innovation in NATO’s International Staff and the author of NATO’s Artificial Intelligence White Paper. "An Artificial Intelligence Strategy for NATO" October 25. <https://www.nato.int/docu/review/articles/2021/10/25/an-artificial-intelligence-strategy-for-nato/index.html> //pipk] [\\recut](file:///\\recut) pairie

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.

## INB – OSCE

### 2NC – INB – Link – Ext

#### Even if OSCE is slightly dysfunctional it is still necessary AND security cooperation can restore it

Sammut 20 [Dennis Sammut, 08-06-2020, “The OSCE is Dysfunctional – But Necessary,” Security and Human Rights, https://www.shrmonitor.org/the-osce-is-dysfunctional-but-necessary/]\\pairie

The ongoing crisis raises serious questions about the organization’s fundamental goals — as well as about the very future of the OSCE itself.

Roots of dysfunction

The OSCE is the successor of the Conference for Security and Co-operation in Europe (CSCE), which helped contain, and later defuse, the Cold War between the United States (U.S.) and its European allies in NATO on the one hand, and the Soviet Union and its allies in the Warsaw Pact on the other.

The CSCE produced important documents such as the 1975 Helsinki Final Act, the 1990 Paris Charter and the Copenhagen Document, in addition to key conflict prevention tools, including on arms control. Turning the conference into an organization was meant to consolidate this process and to create a mechanism by which its many principles and ideas could be implemented.

But despite agreement on that larger aspiration, the OSCE suffered from divergent expectations by participating States from the very beginning.

For its part, Russia had hoped the OSCE would lead to the dissolution of NATO, or at least ensure that the alliance would not expand its membership. Western countries, meanwhile, saw the OSCE as an organization through which “to manage relations with Russia”, particularly in the former Soviet space, which Moscow quaintly calls “the near abroad”.

Both sides were hugely disappointed. NATO membership has nearly doubled since the establishment of the OSCE, from 16 countries in 1994 to 30 today. And despite the “honeymoon period” between Russia and the West in the 1990s, the OSCE later failed to contain Russia’s geopolitical ambitions under Vladimir Putin, particularly in the Caucasus region and in Ukraine — where the principles of sovereignty and territorial integrity enshrined in the Helsinki Final Act were openly flouted.

Living with this failure while still attempting to engage Russia as a constructive participant has long been a central test for the organization’s leadership.

Thus, the OSCE has become less important for both sides, a trend which eventually reflected itself in the political commitment of participating States. With the exception of the Special Monitoring Mission to Ukraine in 2014, political support for using the OSCE as a primary instrument to address issues affecting security in the wider Europe have gradually diminished. Moreover, OSCE states have increasingly politicized administrative processes like approving the budget, appointing senior officials, and setting the agenda for meetings.

Many Foreign Ministers were not ready to invest time and political capital in the organization; some did not even show up at annual Ministerial Council meetings. For example, when was the last time the British Foreign Secretary and the French Foreign Minister attended an OSCE Ministerial meeting? Furthermore, during the annual Ministerial meeting in Milan in December 2018, the Italian Foreign Minister did not even bother to stay until the end of the two-day meeting.

Moreover, successive OSCE Secretary Generals succumbed to the same temptation to enlarge the bureaucracy and budget. Participating States began asking if they were getting any value for their money, while the annual OSCE budget debate became an occasion for recrimination. The current budget of approximately 140 million Euros may not be excessive, particularly when compared with other organizations, but compared to 18.9 million, which was the budget in the OSCE’s first full year of existence in 1995, it is clear that the OSCE has become much costlier for its members.

Some attribute many of the organization’s problems to its consensus-driven decision-making process, and particularly to the fact that any one country — regardless how small — can veto any decision. Yet, if at the peak of the Cold War the CSCE could make consensus-based decisions and produce a historic document such as the Helsinki Final Act, there are few reasons that agreeing on the OSCE budget should be so difficult.

For some countries, however, the compromises involved have become morally and financially too costly. This is maybe also one of the main reasons for the current crisis.

Time to scrap the OSCE?

Still, dysfunctional as it is, the OSCE remains an important framework for dealing with European security issues.

It is the guardian of the much-cherished Helsinki Final Act, and a forum that allows all European countries to sit together — with the additional participation of the U.S. and Canada — to discuss the security issues affecting a vast geographical space between Vancouver and Vladivostok. It also empowers small countries, even if at an organizational and political cost. Given the current global tensions, the collapse of many arms control mechanisms, and the increasing signs of authoritarianism and radicalization, it is needed more than ever.

Those who champion the OSCE — in the chancelleries of Europe, as well as in the think tank community, civil society and the academic world — need to stand up in defense of the organization.

It is also regrettable that the mainstream media has ignored the OSCE for so long. Some outlets are not represented in Vienna, which may be a contributing factor for the bad behavior of certain delegations, since neither their capitals nor their media are paying much attention.

But the current situation should alert journalists across the Continent to the seriousness of the crisis unfolding inside the OSCE.

From crisis to opportunity

A long overdue period of reflection on the future of the OSCE is now underway, although it should have been triggered by better circumstances. The organization needs to refocus on its core task: maintaining security through cooperation.

### **2NC – Impact – Moldanova**

#### Moldanova conflict causes WW3 – extinction

Ellyatt 22 [Holly Ellyatt, 04-29-2022, “Could there be war between Russia and the West? Strategists Predict what could happen next”, <<Holly studied European Social & Political Studies at University College London (UCL)>>, CNBC, https://www.cnbc.com/2022/04/29/russia-ukraine-war-should-the-west-prepare-for-war-with-putin.html]\\pairie

“I think it’s outside the realm of possibility right now that there’s going to be a nuclear war or World War III that really spills over that far beyond Ukraine’s borders,” Samuel Ramani, a geopolitical analyst and associate fellow at the Royal United Services Institute, told CNBC. “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. U.S. Army Spc. Colton Davis, an infantryman assigned to Company C, 2nd Battalion, 198th Armor Regiment, 155th Armored Brigade Combat Team, Mississippi Army National Guard, fires a Javelin shoulder-fired anti-tank missile during a combined arms live fire exercise as part of Exercise Eastern Action 2019 at Al-Ghalail Range in Qatar, Nov. 14, 2018. A U.S. infantryman at a combined arms live fire exercise at Al-Ghalail Range in Qatar, on Nov. 14, 2018. Spc. Jovi Prevot | U.S. Army 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.

### 2NC – INB – AT: Fails – Ukraine

#### OSCE is still helpful in other instances and provides a platform for settlement – even if they couldn’t prevent the Ukraine conflict

Vigano 22 [Marta Silvia Vigano, Edited by: Sonya Diehn, 05-23-2022, “OSCE, ~~crippled~~ debilitated in Ukraine, could fulfill its potential after the war ends,” DW, [https://www.dw.com/en/osce-crippled-in-ukraine-could-fulfill-its-potential-after-the-war-ends/a-61899200]\\pairie](https://www.dw.com/en/osce-crippled-in-ukraine-could-fulfill-its-potential-after-the-war-ends/a-61899200%5d\\pairie)

When Helga Maria Schmid spoke with DW in Vienna about the end of the OSCE's special monitoring mission to Ukraine, the words she chose were "very unfortunate" and "heartbreaking." Schmid, the secretary general of the Vienna-based Organization for Security and Cooperation in Europe, or OSCE, had decided to evacuate international staff members and relocate local employees when Russia invaded Ukraine on February 24. "This mission has done an incredibly good amount of work," said Schmid, who is German. "Not only in terms of observing the cease-fire — but our more than 1,300 monitors were really our eyes and ears on the ground," she added. The OSCE is the world's largest security body, with 57 member countries from North America, Central Asia and Europe, including Ukraine and Russia. Helga Maria Schmid Helga Maria Schmid, a German diplomat, has been OSCE secretary general since 2020 After Russia's annexation of the Crimean Peninsula in 2014, this was an important factor in positioning the organization as a neutral mediator — or "the only organization acceptable by everyone; first responders, so to say," as Schmid put it. Also with the flaring up of armed conflict between Russian-backed separatists and the Ukrainian military in the Donbas region, the OSCE stood ready to fulfill one of its key tasks: working to rebuild peace and security in Europe. But in Ukraine, it's been thwarted. Now the question remains: How can the organization live up to its potential? Useful role under a limited mandate The mission in Ukraine was the OSCE's largest to date. Antje Grawe, the mission's acting head, told DW the unarmed monitors had been working 24 hours a day, seven days a week. They went on patrols, mainly in eastern Ukraine, observing what was going on and reporting on developments on the ground. Nikola Golubov joined the mission as a monitoring officer from his home country of North Macedonia almost right from its start. "While on patrol, we would always talk to civilians and ask them what challenges they were experiencing," he said. They checked whether Ukrainians still had access to medical services, or running water, electricity and gas. Could their children attend school, and were they able to cross the contact line and meet with their relatives? Jamie Shea of Friends of Europe Jamie Shea, a senior fellow at Friends of Europe, said the OSCE continues to be a platform for dialogue Over its eight years of existence, the OSCE's mission also had its weaknesses. For example, it lacked the necessary staff to cover such a vast area, and at times Russia denied access to the border area. However, despite these weaknesses, experts like Jamie Shea — a senior fellow at the Brussels-based independent think tank Friends of Europe — confirmed the mission had "played a useful role in terms of monitoring the cease-fire, recording violations, reporting on the humanitarian situation and ringing the alarm bell if a war was likely to restart." Grawe said that, of course, the Ukraine monitoring mission had reported on the buildup of tensions, particularly in the months of January and February this year. "But the developments that happened as of February 24 were obviously far beyond the mission's mandate," she said. Men walk past an OSCE car damaged in the course of Russia's war in Ukraine in Mariupol Many observers think the OSCE played an important role in Ukraine right up until Russia invaded Consensus design could promote dialogue One of the OSCE's key missions is to prevent conflict and war in Europe. Did it fail? When asked this question, Schmid said it's always easy to blame international organizations. The OSCE offered an instrument, a platform for dialogue. "But ultimately, we are not a defense alliance, if there is no political will," she said. If one participating state, in this case Russia, chooses force and violence over dialogue, this is not the fault of the organization, she added. Unsurprisingly, it was also Russia that vetoed extending the Ukraine monitoring mission at the end of March. Due to the OSCE's consensus design, a single member may block decisions taken by the 56 other countries. This structure also makes it difficult to suspend Russia from the organization, as it has been from other international organizations like the Council of Europe. Even with a "consensus minus one" procedure available when one member commits gross human rights violations, Belarus would likely vote with Russia, further foiling any such exclusion. But for many, the fact that Russia and Ukraine remain together in this international organization has value in and of itself. All 57 ambassadors to the OSCE continue to meet every Thursday in their so-called permanent council. "The OSCE is still a platform for dialogue," said Shea. "But not really with an operational role at the moment." The organization has provided a platform for Russia to explain its position to the members. And, of course, for members to express grave concerns regarding Russia's invasion to Moscow via its OSCE membership. OSCE's time will come The OSCE traces its origins back to the Cold War era in the 1970s, created as an attempt to improve relations between East and West. Ever since, it has focused on issues such as arms control, freedom of the press, human rights and free elections. "The hope then of a Europe free of conflict hasn't quite materialized," admitted Schmid. "But there are huge achievements."

## External NB – NATO Bad

### 2NC – Avoids NATO Bad

#### Avoids the NATO Bad Turn – still solves they can fulfil the same role as NATO

Hussain 22 [Ejaz Hussain, 03-02-2022, “Russia-Ukraine conflict: Can OSCE replace NATO?”, <<Ejaz is a London-based Analyst in South Asian Global Village Space, [https://www.globalvillagespace.com/russia-ukraine-conflict-can-osce-replace-nato/]\\pairie](https://www.globalvillagespace.com/russia-ukraine-conflict-can-osce-replace-nato/%5d\\pairie)

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.

### 2NC – Avoids NATO Bad – Russia

#### OSCE can pursue cooperation with Russia and create good relations

Friesendorf & Wolff 22 [Cornelius Friesendorf & Stefan Wolf, 05-11-2022, “Options for dealing with Russia in the OSCE,” <<Cornelius is the Head of Centre for OSCE Research (CORE)>>, <<Stefan is a German political scientists>>, Security & Human Rights Monitor, https://www.shrmonitor.org/options-for-dealing-with-russia-in-the-osce/]\\pairie

Option 2: Being open to pursuing minimal cooperation Alternatively, participating States might pursue minimal cooperation with Russia, including by adopting the annual budget. This policy is made easier by the OSCE rule that a decision only requires that no participating State actively opposes the decision. As article 69 of the 1973 Final Recommendations of the Helsinki Consultations states: “Consensus shall be understood to mean the absence of any objection expressed by a Representative and submitted by him as constituting an obstacle to the taking of the decision in question.” Similarly, the 2006 Rules of Procedure allow for a so-called silence procedure for decisions by the Permanent Council, the Forum for Security Co-operation, and the Ministerial Council whereby a decision can be adopted if no participating State expresses an objection to the decision within a pre-determined period of time. Hence, participating States could adopt a lowest common denominator approach towards Russia: they would be open to adopt decisions that Russia also supports, rather than being against everything Russia supports and refusing to take any decisions with Russia. This approach to critical decisions would potentially keep the OSCE functioning. A similar approach was recently adopted at the United Nations Security Council when a Presidential Statement was issued by the Council President, Ambassador Leah Thomas-Greenfield of the United States. Merely reminding UN member states of their “obligation to settle their international disputes by peaceful means”, the statement also reflects the potential problems with such an approach in potentially legitimizing Russian aggression or creating a moral equivalence between Russia and Ukraine. It would therefore be important to minimize any Russian legitimacy gains from such an approach in the OSCE context by delegations walking out when Russian delegates speak (which happened both in the Permanent Council and in the Forum for Security Co-operation), at least when no decisions need to be taken. Moreover, OSCE States can continue condemning Russia’s war during debates in the Permanent Council and the Forum for Security Co-operation, and also issue interpretative statements after making joint decisions. As part of the official record of meetings of the Permanent Council and the Ministerial Council, such statements help opponents of Russia’s war to signal norms-based positions, also to parliaments and the public back home. The lowest common denominator approach could also be applied to other issues beyond the adoption of the budget. The OSCE still does not have agreement on the Chair-in-Office in 2024 (after Russia, late last year, blocked Estonia’s bid). Moreover, the mandates for OSCE field operations in the Western Balkans, Moldova, and Central Asia need to be renewed by the end of the year. Failing agreement among all 57 participating States, one option would be to fund such missions through extrabudgetary contributions (ExB) that do not require consensus. To be sure, Russia could then rightly argue that these are no longer OSCE activities. Yet, ExB may be a way to buy time. However, the lowest common denominator may be too small to keep the OSCE going. The mandate of the Project Coordinator in Ukraine, which now provides primarily humanitarian aid in Ukraine’s West, expires at the end of June. Russian agreement to extend the mission is unlikely, given that Moscow pulled the plug on the Russia-based OSCE Border Observation Mission last year and in March this year refused to extend the Special Monitoring Mission in Ukraine (SMM). The OSCE might therefore soon no longer have a presence in Ukraine, despite its contribution to mitigating some of the effects of war. Hanging on a thread, too, is Europe’s largest human rights conference. Annually organized by ODIHR in Warsaw, the Human Dimension Implementation Meeting was canceled in 2020 because of the COVID-19 pandemic and in 2021 because of Russian opposition. If the meeting does not take place a third time in a row it would probably have to be consigned to the dustbin of history. The future of ongoing OSCE mediation efforts is unclear, too. The Geneva International Discussions over the conflicts in Georgia (Abkhazia and South Ossetia) are on hold, although the OSCE and EU facilitated Incident Response and Prevention Mechanism in Ergneti has continued to meet regularly. On hold, too, is the Minsk Group, which mediates in the conflict over Nagorno-Karabakh and is co-chaired by France, Russia, and the United States. Even in Transnistria where conflict management has looked most promising over recent years, the OSCE’s role may wane if Russia expands its war to Moldova via Transnistria. Without agreement on HDIM, a mediation role, and potentially some or all field operations, the OSCE could still survive, even if in a truncated form. But time is running out and as it does, uncertainty will increase: there is no precedent for how the Organization would continue to function without agreement on a budget (needed, at least according to a standard interpretation of the rules, before the end of 2022) and on a Chair for 2024 (needed early in 2023 in order to give the chosen state enough time to prepare). Moreover, the mandate of the current Secretary General – Helga Maria Schmid – expires at the end of 2023. The prospect of a repeat of the leadership crisis of 2020 could be the death knell of the Organization. Thus, there is no alternative to minimal cooperation with Russia, at least in the form of the lowest common denominator approach to critical decisions. The cost of legitimizing Russian aggression is relatively minimal and outweighed by the ability to retain an organization that can still help to reduce the risk of a wider war. Being realistic about the consequences As long as Russia is pursuing an expansionist policy and continues to act as an imperialist and revisionist power, deterrence and defense are reasonable responses. But the Cold War taught us that dialogue on mutual interests, such as preventing avoidable wars, is a vital complement to deterrence and defense.

#### Working through the OSCE solves triggering Russia – they are a more helpful forum for preventing conflict than NATO

Rojansky 18 [Matthew Rojansky, 10-17-2018, “Can a US-Russia conflict be contained?,” European Leadership Network, https://www.europeanleadershipnetwork.org/commentary/can-a-us-russia-conflict-be-contained/]\\pairie

Bad news about the state of US-Russia relations is hardly new. Bilateral relations are in a deep and likely enduring crisis, arguably their worst since the early 1980s, if not 1960s. The reflexive postures of Moscow and Washington are adversarial and distrustful on nearly every major international issue, and poisonous domestic politics on both sides appear to exclude any possibility of repairing ties. Most worrying is the return to de facto military confrontation, from Northern Europe to the Middle East, with the very real risk of escalation to an unintended but catastrophic nuclear exchange. Russians and Americans deeply and fundamentally disagree on a host of major issues. Washington, awaiting the outcome of the Mueller investigation into Russian interference in the 2016 presidential election, continues to experience Russian meddling in everything from social media trolling to real-world cloak and dagger escapades. Russians have fired back with old tropes about US imperialism and hostile NATO encirclement, but also with novelties such as the claim that a US-funded bioweapons lab in the Republic of Georgia killed 73 people.[1] Both sides have embraced sanctions, mutual isolation, and information warfare as if they are cost-free, with the result being that trade and exchanges between the two countries have collapsed. Disagreements over regional conflicts now extend to a global posture of mutual counterbalancing and containment, reminiscent of the Cold War. Russia’s annexation of Crimea and support for Donbas separatism has become the new dividing line within Europe, with millions displaced, tens of thousands dead, and nearly zero prospect of a peaceful resolution on the horizon. In Syria, Russia has effectively ended US aspirations for a transition from Assad’s bloody regime to electoral democracy, while empowering Iran and its proxies on the border with US ally, Israel. This military intervention has upended the politics and security relations of the Middle East, reviving the half-century-old prospect of “superpower rivalries” in that crucial, explosive and energy-rich region.

Commentary

“Pro-Russian”? “Anti-Russian”? On the futility of labels

The atmosphere surrounding Russia-US ties even has attributes of a 1950’s-style Red Scare on one side, and a Stalinist hunt for foreign agents and saboteurs on the other. In addition to the US Justice Department’s documented charges against Russian intelligence operatives, dozens if not hundreds of cases of alleged Russian influence operations have been uncovered amid a feeding frenzy of congressional, press, and social media alarm ringing. These have generated lists upon lists of potential sanctions targets, provoking a predictable panic among US and international banks and businesses with exposure to Russian money. Putin’s own crusade to repatriate Russian wealth and expunge foreign backing for Russian NGOs has been underway for years but has hardened to diamond strength under the relentless pressure of US sanctions. Amid all this hostility, how might the basic infrastructure of US-Russian engagement be restored, and to what end? While Putin himself may still welcome summit meetings with his American counterpart, he is likely to reject a closer partnership with the West based on his abiding distrust of US intentions. Yet in this reflexive hostility, Putin does not fully represent his 145 million Russian citizens. Trade, travel and exchanges with China may be up, but Russians are overwhelmingly still oriented toward Europe and the United States in their most basic cultural and historical narratives. These deeply felt links with Western civilization are an opening for Russia to re-engage with the Western-led international system if leaders on both sides can find ways to manage the issues that divide them. There are no easy wins on the US-Russia agenda, which is why up to now the sides have mostly repeated mutual accusations on Ukraine, election interference and other disagreements. But as long as these disputes foreclose dialogue, opportunities for progress in other areas will be missed. Consider a handful of such opportunities, which might offer a way forward. Firstly, on nuclear arms control: Russia poses a non-negligible military threat to NATO allies in Eastern Europe, especially the Baltic States, and so the enhanced forward posture of US and Allied forces in that region is justified as a signal of Alliance solidarity. However, the greatest threat from Russia comes from its nuclear capability—it is the only force able to threaten the total destruction of the United States and Europe, and the risk of nuclear escalation grows with each sabre-rattling gesture on each side. President Trump was thus right to call for renewed arms control negotiations to put a stop to the current arms race. Nuclear arms control efforts between the US and Russia have the added benefit of rebuilding institutionalised channels of communication, giving the Russians a positive stake in more stable overall relations, and signalling to third countries that the world’s two big nuclear powers are serious about risk reduction. This last point is especially important given Washington hopes to build wider international support for its approaches to the Iranian and North Korean nuclear problems. Commentary

Russia-West relations in the age of fragmentation

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 Ecuropeans 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.

### 2NC – AT: Russia Bad – OSCE

#### Effective relations with Russia are key to an effective OSCE

Friesendorf & Wolff 22 [Cornelius Friesendorf & Stefan Wolf, 05-11-2022, “Options for dealing with Russia in the OSCE,” <<Cornelius is the Head of Centre for OSCE Research (CORE)>>, <<Stefan is a German political scientists>>, Security & Human Rights Monitor, https://www.shrmonitor.org/options-for-dealing-with-russia-in-the-osce/]\\pairie

Option 1: Not taking decisions with Russia anymore One way of solving the dilemma would be a refusal by other participating States, in cooperation with Ukraine, to take decisions jointly with Russia. The most aggressive version of this policy would be to declare that Russia is suspended from the OSCE. This would mirror Russia’s suspension from the UN Human Rights Council and its expulsion from the Council of Europe. The OSCE’s predecessor, the Conference on Security and Co-operation in Europe (CSCE), also offers lessons for sanctioning norm violators. In October 1991, in Moscow, CSCE States agreed on allowing missions of independent experts to investigate violations of human dimension commitments, if necessary without the consent of the accused state (the “Moscow Mechanism”). The mechanism has only been used ten times over the past three decades—and was activated most recently by 45 participating States in the context of Russia’s invasion of Ukraine, resulting in a highly critical expert report on violations of international humanitarian law and international human rights law. Potentially also relevant is the 1992 decision of the CSCE to suspend the then Federal Republic of Yugoslavia (consisting of Serbia and Montenegro) for the aggression against Bosnia-Herzegovina. This was based on a decision at the Prague Council Meeting in January 1992 to allow for political steps to be taken “in the absence of the consent of the State concerned, in cases of clear, gross and uncorrected violations of relevant CSCE commitments.“ Yugoslavia was only readmitted in 2000, after the end of the Milošević regime, and after the Yugoslav government committed to respect OSCE principles and standards. There is even a provision for consensus-minus-two. In Stockholm in December 1992, the CSCE added provisions to the so-called Valletta Mechanism, to direct two participating States engaged in a dispute to seek conciliation. Unfortunately, these mechanisms are not a panacea for dealing with Russia now. Consensus-minus-two was never used because the provisions are complicated and politically contested. With regard to the suspension of Belgrade: Yugoslavia at the time had no strong allies and was not a powerful participating State, in contrast to Russia. There were also doubts whether the suspension was legally and politically warranted. Moreover, the early 1990s were the heydays of the Organization when states created rules that lost traction shortly afterwards. Thus, the 2006 Rules of Procedure above all stress the consensus principle, which goes back to the 1973 Final Recommendations of the Helsinki Consultations. If the West now tried to apply mechanisms limiting the consensus rule, Russia would most likely argue that the West had destroyed the OSCE by violating one of its core principles. Moscow could also be prompted to withdraw from the OSCE itself. As an indication of its insistence on consensus, Russia called the Human Dimension mechanisms “outdated and redundant for the most part” after the recent activation of the Moscow Mechanism. More important than this formalistic perspective: without Russia, the OSCE would lose much of its purpose. The permanent security dialogue between Western states and Russia is a unique value of the OSCE. To be sure, Russia’s annexation of Crimea and its intervention in the Donbas in 2014 reduced dialogue in the Vienna conference halls to mutual accusations. One of the victims was conventional arms control and military transparency. For example, Russia refused for years to update the 2011 Vienna Document, which provides among other measures for mutual inspections. Russia’s aggression against Ukraine on 24 February has reinforced the policy of Western participating States and their allies of “no business as usual”, in place since 2014. Nevertheless, even meetings where diplomats ritualistically present antagonistic positions are valuable at a time when there is a serious risk of a war between Russia and NATO states. The original aim of such meetings – to build trust – now seems naive, but simply informing the other side of one’s position helps to channel information to the 57 capitals and avoid misunderstandings that could spiral into nuclear war. Taking decisions without Russia, and thus effectively suspending Russia from the OSCE, may also not be effective in ensuring the Organization’s survival. Moscow’s allies, above all Belarus and potentially Armenia (which depends on Russia keeping Azerbaijan at bay) and Tajikistan (which has a Russian military base on its territory), could still frustrate decision-making. In addition, should Russia formally leave the OSCE, its allies would likely follow suit, as might other participating States sharing the Kremlin’s concerns about OSCE support to democratization, such as Azerbaijan, Turkmenistan, and Tajikistan. The result would be a rump OSCE. If the nationalist Serbian government joined the Russian camp, the OSCE would lose much of its still significant remit in the Western Balkans, too. Participating States could also sideline Russia without formally suspending Russia. Delegations could refuse to sit in meetings with Russian diplomats, similar to Ukraine’s decision not to attend any meeting of the Forum for Security Cooperation between April and July when Belarus chairs the Forum. They could also set up alternative meetings where they take decisions without Russia. The Rules of Procedure allow the Chairperson-in-Office, the Chair of the Forum for Security Co-operation, or an executive structure (such as the Secretariat) to organize events without agreement from all participating States. But such events, unless based on a consensus decision, are not official OSCE events, and documents adopted at such events do not count as OSCE documents and therefore lack normative traction. Hence, there are no tricks for bypassing the consensus rule. Any attempt to do so would risk the survival of the OSCE.

# AFF – OSCE CP

### 2AC – Perm do the CP

#### All NATO member’s are in the OSCE – the counterplan engages with their individual member states that is obviously a way the plan could be done

GLOBE [GLOBE, “NATO/EU/OSCE Membership overlap,” GLOBE, <https://www.globe-project.eu/en/nato-eu-osce-membership-overlap_11001#:~:text=As%20for%20the%20OSCE%2C%20all,OSCE%20alone%20(figure%20D).]\\pairie>

The membership of NATO, the EU and the OSCE overlap to a large degree (figures A and B). Moreover, this membership overlap has increased, especially after NATO’s and the EU’s eastern expansions, driving increased interaction, but also causing several interorganizational problems.

NATO, with a total of 30 member states, and the EU, consisting of 27, share 21 member states (figure C). The member states that are only a member of the EU and not of NATO are five neutral EU states (Austria, Finland, Ireland, Malta and Sweden) as well as Cyprus. The member states that are only a member of NATO and not of the EU are six European states (Albania, Iceland, North Macedonia, Norway, Turkey and the UK), as well as the two North American members: Canada and the USA.

As for the OSCE, all the EU states and all NATO states also participate in the OSCE. Thus, of its total of 57 member states, the OSCE shares 27 with the EU and 30 with NATO, leaving a total of 23 states as participants in the OSCE alone (figure D).

### 2AC – INB – No Moldova Impact

#### No Moldova impact – Russia won’t invade they have already sustained heavy losses

Parker 22 [Claire Parker, 04-26-2022, “What is Transnistria, and will Russia advance toward Moldova?, The Washington Post, https://www.washingtonpost.com/world/2022/04/22/ukraine-moldova-transnistria-russia/]\\pairie

How likely is a Russian advance toward the region?

Not very, analysts say.

Russia has reoriented its military efforts on gaining control of the Donbas region of eastern Ukraine, after attempts to seize Kyiv, the capital, and broader swaths of Ukraine failed. The Russian military has sustained heavy losses during its two-month assault and significant battlefield reversals that surprised many observers and exposed its weaknesses.

“The conversation about Transnistria is a complete canard,” said Michael Kofman, a Russia expert at CNA, a nonprofit research and analysis organization in Arlington, Va. “The Russian military has no capacity for this kind of offensive. It’s very likely that they will be a spent force after the offensive in Donbas.”

Kofman said the statement from Minnekaev, the Russian commander, that Moscow intended to take control of southern Ukraine wasn’t new. “They literally tried this in phase one,” he said.

Russian attempts to advance beyond the southern Ukrainian city of Mykolaiv made little headway, leaving southwestern Ukraine under Kyiv’s control.

Moldova’s foreign minister, Nicu Popescu, said at an event hosted by the German Marshall Fund in Washington this week that the situation in Transnistria is “more or less calm” and that Moldova had not seen signs of any unusual military activity there.

### 2AC – INB – Not Key

#### OSCE not key to Moldova conflict prevention – past empirics prove

Khorolskaya 22 [Maria Khorolskaya, 01-01-2022, “OSCE’s Involvement in Conflict Resolution Across the Post-Soviet Space, moderndiplomacy, https://moderndiplomacy.eu/2022/01/01/osces-involvement-in-conflict-resolution-across-the-post-soviet-space/]\\pairie

The OSCE participated in the settlement of the Transnistrian conflict once its most acute phase had been overcome. In particular, the organisation was puzzled by the signing of a ceasefire agreement and the establishment of the Joint Control Commission (JCC), consisting of representatives of the armed forces of Moldova, Russia and the Pridnestrovian Moldavian Republic. According to its mandate, the mission should assist in laying the groundwork for dialogue between Chisinau and Tiraspol, collecting information about the situation in the region, providing consultations, and encouraging negotiations on the conclusion of an agreement on the status of the PMR and the withdrawal of foreign troops. Late in 1999, the mandate of the OSCE mission was expanded with the additional task of “ensuring transparency of the removal and destruction of Russian ammunition and armaments”.

The participation of the OSCE mission in the settlement of the crisis is ensured both through observers and through involvement in the negotiation process. The OSCE, along with Russia and Ukraine, is a guarantor of the 5+2 format. Over 28 years, the mission has helped to resolve a number of issues, including the opening of traffic on the bridge across the Dnieper River near the village of Gura Bîcului, providing Moldovan farmers with access to plots in the Dubăsari District of Transnistria, recognition of documents and license plates, etc. However, one cannot speak of a substantial intermediary contribution by the OSCE to the conflict resolution process. Progress in this process can only be achieved by changing the policies of the leading actors. Thus, the proposals of the mission representatives on possible ways out of the crisis did not find support in Chisinau and Tiraspol (1993 Report No. 13 by T. Williams, Head of Mission, proposing a special status for Transdniestria) [4].

### 2AC – INB – OSCE Fails

#### It fails – every country has an effective veto power which makes punishing aggressors impossible

Garibov 16 [Azad Garibov, 05-11-2016, “Why the OSCE Keeps Failing to Make Peace in Nagorno-Karabakh, The National Interest, [https://nationalinterest.org/blog/the-buzz/why-the-osce-keeps-failing-make-peace-nagorno-karabakh-16161]\\pairie](https://nationalinterest.org/blog/the-buzz/why-the-osce-keeps-failing-make-peace-nagorno-karabakh-16161%5d\\pairie)

Above all, it should be noted that the OSCE is an intergovernmental organization with no supranational powers. This intergovernmentalism means that any OSCE activity in any member country, and any mission deployed on behalf of the organization, is subject to unanimous approval from all member states, and particularly the country to which the activity or mission pertains. Thus, every country in the organization has an effective veto power on any decision. In 1996 the OSCE was unable to include the famous “three principles” (the territorial integrity of both countries, self-determination for Nagorno-Karabakh in the form of the highest degree of self-rule within Azerbaijan, and guaranteed security for Nagorno-Karabakh and its whole population) in the Lisbon declaration due to Armenia’s objection, despite winning the support of 53 out of 54 member states. This essential systemic weakness constrains the OSCE’s effectiveness in many cases, including in conflict areas when there is need to punish aggressors and protect victims.

In considering shortcomings peculiar to Minsk Group itself, the biggest problem is that it tries not to hurt anyone. The Minsk Group tries to seem neutral, and this near-obsession with neutrality does not allow it to be fair and impartial. It is claimed that openly naming Armenia as an aggressor country and calling for the fulfillment of U.N. Security Council resolutions—which entails unconditional withdrawal of forces from Nagorno-Karabakh—might discredit the OSCE Minsk group in the eyes of Armenian side. However, it does not mean that OSCE can play this game of neutrality over justice forever. The Minsk Group’s co-chairs avoid making clear-cut statements about their positions on Nagorno-Karabakh conflict. They avoid bringing up the fact of occupation; they make general and vague statements at best, or indeed make contradictory declarations depending on whether they are in Baku or Yerevan. In so doing, they claim that they are addressing the resolution of the Nagorno-Karabakh conflict. However, when there is need for a firm position, the co-chairs state that Armenia and Azerbaijan should find a solution themselves since it is their problem, and that the Minsk Group will support any decision they make. This attitude and the visible failure of shuttle diplomacy has resulted in such widespread distrust in OSCE Minsk Group’s activity that the Azerbaijani media has begun to re­fer to the co-chairs’ visits to the region as “tourist excursions.”

The lack of interest and consequent lack of commitment on the part of the OSCE Minsk Group co-chair countries to the resolution process is another visible setback. The co-chairs seem to be dealing much more with “conflict management”—trying to reduce the tensions between parties via occasional visits to re­gion—than with a “conflict resolution mechanism”. The Minsk group has monopolized the resolution process of the conflict, but lacks the needed commitment to push the process forward. This lack of commitment is also seen in the form of the low level of involvement by co-chair countries in the resolution process. The involvement of more mid- or high-level diplomats and politicians might prove effective in accelerating the peace process. Talks that carry high-level international commitment—such as the 2001 Key West negotiations, which involved the US president George Bush—might be a necessary change, given that this low-profile shuttle diplomacy seems to be failing. History shows that when major powers are interested and committed, they are able to facilitate effective negotiations to find a solution to the complex conflicts similar to Nagorno-Karabakh. To give comparable examples, during the bloody dissolution of Yugoslavia, the U.S. commitment and appointment of a special representative was key in hammering out the 1995 Dayton Agreement, while French president Jacques Chirac’s personal involvement played the same role in reaching the 1999 Rambouillet Accords.

Moreover, if in the beginning OSCE involvement as a mediator was intended to represent impartial international involvement, today the OSCE Minsk Group’s approach is a troika-based approach rather than a genuine and inclusive OSCE approach. The OSCE seems to have little influence over the Minsk Group; three chair states are in a full control of the process. On top of that, the three members of troika have their own divergent positions on the peace process, which further hampers the prospect of successful negotiations. Russia has frequently sought to dominate the process, while the United States increased its attention when its stakes rose in the South Caucasus. Moreover, the domestic considerations of these three countries also play a certain role in their approach to the peace process and conflict parties. The three co-chair countries are home to the largest, wealthiest and best-organized Armenian diasporas. For instance, at the beginning of the 1990s, the Armenian lobby managed to block U.S. financial support to Azerbaijan under the “Free­dom Support Act” (FSA) program; in addition, the US ambassadorial nominee to Azerbaijan in 2010 was blocked by influential senators representing U.S. states with powerful Armenian communities. It should also be noted that Moscow is Yerevan’s closest strategic ally, and Armenia is frequently claimed to have de facto protectorate-metropolis relations with Russia.

#### OSCE structurally fails – deep internal divisions and political crises can’t be resolved by the counterplan

Günther 22 [Mirco Günther, 02-15-2022, “We have an institution to ensure peace in Europe,” <<Mirco heads the FES Regional Office in Asia>>, IPS, [https://www.ips-journal.eu/topics/foreign-and-security-policy/we-have-an-institution-to-ensure-peace-in-europe-5716/]\\pairie](https://www.ips-journal.eu/topics/foreign-and-security-policy/we-have-an-institution-to-ensure-peace-in-europe-5716/%5d\\pairie)

The OSCE is mired in permanent crisis, verging on paralysis. Because of the OSCE’s deep internal divisions and the prevailing consensus rule, however, far-reaching decisions are rather the exception. When they do happen, OSCE decisions carry considerable normative weight – as with the establishment of the OSCE monitoring mission at the onset of the Ukraine crisis in 2014. Sadly, such diplomatic success stories are rare. The OSCE is mired in permanent crisis, verging on paralysis. The Swedish chairmanship in 2021 ended with few substantive achievements. The OSCE-hosted Human Dimension Implementation Meeting, Europe’s largest human rights conference, was blocked by Russia. Election monitoring missions are regularly disputed. Agreements are reached only with great difficulty, if at all, even on largely operational matters, such as the annual budget or the agenda for the annual security conference. In 2020, the Organization stared into the abyss when, in an unprecedented leadership crisis, its four most important posts lay vacant for several months, including that of secretary general. What is the OSCE? All these challenges stem from fundamental differences concerning the OSCE’s core purpose. Western states emphasise the Organization’s uniquely comprehensive approach to security, encompassing political-military, economic, environmental, and human rights issues, which emerged from Helsinki. A number of eastern participating countries have strong reservations about its human rights agenda. If the OSCE were to be founded today, it is almost inconceivable that an agreement could be reached on its very principles, including the Paris Charter for Europe’s post-Cold War order. Over the years, there have been more than one attempt to bring about meaningful reforms, but to little avail. It seems unlikely that future OSCE chairs will have more success: Poland this year, followed by North Macedonia, Estonia (to be confirmed) and Finland. The price of peace Many actors bear responsibility for the OSCE’s sorry state. Moscow, for example, has repeatedly weakened OSCE mandates and operational capabilities, while at the same time lamenting the Organization’s lacking relevance. Countries like Armenia and Azerbaijan often obstruct even the simplest decisions on procedural matters, following a logic of national rivalry. Various host countries have limited the mandates of OSCE field operations, although it needs to be recognised that this is their sovereign right. Western countries, too, have sold the OSCE short, preferring other organisations or bilateral formats. Moreover, many states continue to prioritise austerity policies and fail to give the Organization the financial resources it needs. The presence of unarmed international observers along the contact line in Eastern Ukraine has made a significant difference. At the same time, there is rarely any other organisation in the world that offers security at a more reasonable price. Its regular annual budget of around €138 million is modest by international standards. The Ukraine observation mission has a separate budget of around €100 million. In 2020, the OSCE had more than 3,500 staff from 51 countries in 20 locations. Its achievements are considerable, as the Ukraine conflict highlights. A key role in Ukraine The presence of unarmed international observers along the contact line in Eastern Ukraine has made a significant difference, albeit often far away from public awareness. Local Ukrainians have worked side by side with Americans, Russians, and Europeans. According to a report by the observers, between July 2019 and October 2021 the OSCE mediated more than 3,000 local ceasefires. Repair works on critical water and electricity infrastructure have given millions of civilians access to fundamental services. In publicly available daily reports, the OSCE documents compliance (and any non-compliance) with the 2015 Minsk Protocol and is an indispensable neutral voice on the ground. With this in mind, it is greatly worrying that some participating states have decided to pull out their observers fearing further escalation. There are a number of reasons why the OSCE’s important work does not receive broader attention. For one thing, its observers are often subjected to obstructions. They are denied access to the relevant regions and sites, their freedom of movement is restricted, and OSCE unmanned aerial drones are interfered with or shot down. The Organization registered a total of 93,902 ceasefire violations in 2021, which exceeds its capacity to broker ceasefires many times. Moreover, given the current geopolitical dynamics and fast-paced high-level diplomacy on the world stage, the often cumbersome de-escalation work in the very conflict zone tends to get less attention. A future platform for European security In light of all this, what role can the OSCE play in pursuit of a future European security order? As in any organisation, this ultimately comes down to the political will of the participating states. A number of OSCE key actors currently exhibit a lack of such will. As things stand, the most obvious approach – namely not to re-invent the wheel but to dust off the organisation and reinvigorate it – is therefore hardly an option. In the long run, however, we will need a joint platform for European security. The crisis of the OSCE is not of operational or technical nature, but deeply political. Needless to say that this is profoundly regrettable, given its unique wealth of experience in early warning and conflict prevention, as well as crisis management and resolution, and its tried-and-tested toolbox of confidence-building measures – among them the mechanism about ‘unusual military activities’ under the OSCE Vienna Document Ukraine is using to seek clarification from Russia.

### 2AC – INB – OSCE Fails – Ukraine

#### OSCE is a complete failure – an OSCE state has invading Ukraine proves

Bloed 22 [Arie Bloed, 02-25-2022, “Is this the death of the OSCE Decalogue?”, Security and Human Rights Monitor, https://www.shrmonitor.org/is-this-the-death-of-the-osce-decalogue/]\\pairie

At the same time it also means that an organization like the OSCE has failed in all respects to ensure the fulfillment of its key function, i.e. ensuring a stable environment in the OSCE area through its cooperative and comprehensive security approach. In particular in the post-Cold War period the OSCE became an impressive ‘community of values’ and ‘community of responsibility’. At the Astana Summit, just 11 years ago, there was even talk of a joint vision of a Euro-Atlantic and Eurasian security. By adhering to a constantly developing number of basic norms and values in the OSCE region, the East-West divide turned into a region with largely common norms and values, not only in the area of peace and security, but also in the areas of the human and the economic and environmental dimensions.

What is more, OSCE participating states did not only aim at the development of a highly sophisticated system of norms and rules, but also at a system that aimed at providing each other support, whenever countries were considered to be in need of help. This ‘joint responsibility’ for the fulfilment of the basic norms and standards, based on the idea of “indivisible security” has been fatally affected in the case of the Russian military attack against Ukraine since a key OSCE state refused to comply with the most fundamental rules which it had helped create itself.

The ‘community of responsibility’, however, is also largely ignored by the other OSCE states, which of course are competing with each other in condemning the Russian actions in words, but at the same time refusing to provide meaningful help to the Ukrainian government and people by only imposing non-military sanctions. Furthermore, there were few serious attempts within the OSCE during the past few months and years to move beyond stubborn public diplomacy to real negotiations on resolving the crisis in and around Ukraine. Also this behavior has made the community of responsibility as a core element of the OSCE philosophy of promoting peace and security in the Eurasian area void of a substantial meaning. If a partner such as Ukraine which is overrun by a much more powerful army by another OSCE state and then is largely left on its own, the philosophy of a ‘family of nations’ has been totally undermined.

The Russian occupation of the Crimea in 2014 was already a clear sign that the Russian Federation was acting in violation of the most fundamental principles of international law, but at least it still made an effort to show that it felt obliged to take these principles seriously, for instance through the organization of a (fraudulent) referendum about Crimea joining the Russian territory as an act of ‘self-determination’. In the case of the war against Ukraine the Russian authorities are going further by not even making a serious effort anymore to reconcile their military acts with the ‘law book’.

Instead it is playing now by the old-fashioned, 19th-century book of power politics and geographical expansionism to ensure its ‘national security’, no longer hindered by legal niceties such as principles of non-aggression, inviolability of borders or non-interference in internal affairs – principles that were already enshrined in the UN Charter to save future generations from the scourge of war.

The result is that the European continent (and the world) has been thrown back into a political nightmare where the carefully developed checks and balances in the volatile international security system have been discarded and where the world has been thrown back in a security jungle where power politics has taken over from basic principles and norms. The damage caused by this unilateral Russian action goes way beyond the bilateral Russian-Ukrainian relation and is dangerously undermining the whole system which has given Europe a longer period of peace than ever before.

Although the OSCE has achieved a lot over the past decades, in particular also in the most challenging environments, the open Russian aggression against a neighbouring country is the most serious crisis which the OSCE has faced in its existence. As a matter of fact, the basis on which the organization has been functioning has been largely taken away.

#### OSCE is has structural problems their failure in Ukraine proves

Semeniy 22 [Oleksiy Semeniy, June 2022, “IMPLICATIONS OF THE WAR IN UKRAINE FOR THE OSCE,”<<Dr Semeniy is a Direct of Institute for Global Transformations>>, OSCE Network of Think Tanks and Academic Institutions, [https://osce-network.net/fileadmin/user\_upload/OSCE\_Network\_Perspectives\_2022\_20June\_final.pdf]\\pairie](https://osce-network.net/fileadmin/user_upload/OSCE_Network_Perspectives_2022_20June_final.pdf%5d\\pairie)

Russia’s war of aggression against Ukraine is a vital test for the OSCE. For many years the OSCE has been seen as failing to prevent or de-escalate (not to even mention sustainably settle) conflicts in Europe. It now needs to be united and deliver feasible results to remain a useful element of European security. However, its activity in Ukraine from 2014 until 24 February 2022 was also partially successful in organizational terms. It is worthy of astonishment how swiftly the OSCE succeeded in reorienting its country office and launched its special monitoring mission (SMM) in Ukraine in 2014. For those eight years the SMM was mostly an effective tool for many de-escalatory efforts and a number of successful solutions were implemented to tackle problems on the line of contact. But these successes were not enough and were underpinned by a lack of political backing in Vienna, due to growing political drifts and conflicts among some participating States, as well as a number of problems with efficiency at the Secretariat level. This assessment does not deny the efforts undertaken by OSCE institutions or the Secretariat, but mainly refers to the tempo and quality of reactions to negative developments in and around Ukraine. The quite destructive role of a number of OSCE participating States that wanted to block some productive initiatives also needs to be recognized. Many of the problems relate to the lack of adequate institutional capacity of the OSCE, because participating States for many years could not agree on necessary reforms, tolerating possible inefficiencies of the OSCE in critical situations. Therefore, Ukraine doubts that the OSCE can help settle the war and conflict with Russia. This negative attitude is less visible by people or organizations who have co-operated with the OSCE in different formats or been confronted with its activities – they have had possibilities to see the concrete impact of OSCE activities. However, the OSCE has not sufficiently promoted its results (even if moderate) and their practical value to key stakeholders inside Ukraine, especially to wider Ukrainian society. On the other hand Ukrainian authorities and society have expected much more clarity (i.e. on stating the facts and identifying the perpetrators without using general diplomatic phrases) and prompt reaction from OSCE representatives (either in the SMM or the office in Kyiv) to the violations from the Russian side (including its puppets in Donetsk and Luhansk). It may be these expectations were too high for OSCE staff because of the Organization’s general policy to be viewed as a neutral and impartial actor (in order to keep Russia on board), but this also damaged the Organization’s image.