



OSCE Chronicle

Arie Bloed
Editor-in-Chief

DOI: [10.1163/18750230-02404013](https://doi.org/10.1163/18750230-02404013)

1. Ukrainian OSCE Chairmanship ends with mass protests in Kiev

Ukraine handed over its OSCE chairmanship to the Minister of Foreign Affairs of Switzerland at the end of 2013. That ended a period in which another former Soviet republic stood at the helm of the organization. Ukraine was preceded by Kazakhstan in 2010. Although the Ukrainians have done their best to lead the organization professionally, at times they clearly acted in stark contrast with the wishes of the majority of other OSCE states, in particular in the sensitive area of the human dimension. The traditional Ministerial took place in Kiev in December which was the scene of massive demonstrations against the Ukrainian government which shortly before had decided to opt out of a partnership agreement with the EU and turned to Moscow for help. Shortly before the Ministerial took place the police had tried to end the demonstrations with some degree of violence. Out of protest several foreign ministers (the UK, France, the US) decided not to attend the Ministerial themselves, but dispatched lower-ranking representatives. It came as no surprise to see that this showdown between the opposition and the Ukrainian, Moscow-oriented leadership had become the topic of intensive debate during the Ministerial. Several high-level Western representatives also paid a visit to the demonstrations. It was also highly remarkable that on the eve of the Ministerial Council even the OSCE Secretary-General, Lamberto Zannier, felt obliged to issue a separate statement in which he offered his good services to help to promote dialogue between the opposing camps in Ukraine.¹ Usually the SG does not play such a prominent, political role.

A remarkable statement issued by the Ukrainian chairmanship related to the outcome of the presidential elections in Azerbaijan. The OSCE observation team had issued a highly critical report about the elections, calling them ‘seriously flawed’, but this did not prevent the Ukrainians from taking a completely different position. Usually the OSCE speaks with one voice, reflected in the report of the OSCE/ODIHR election observation mission, but on this occasion the Ukrainian chairmanship issued a separate statement which was in direct contrast to the ODIHR findings. In his statement, Foreign Minister Kozhara expressed the opinion that “the international observers conclude that a number of aspects of the conduct of the Presidential Election in Azerbaijan showed progress towards meeting the OSCE and Council of Europe commitments and other international standards for democratic elections, while also outlining the areas which need to be further improved. In this regard, I congratulate the people and the leadership of Azerbaijan on this achievement that represents an important step forward in democratic development of their country.”²

There have been more such glitches during the year of the Ukrainian chairmanship. Another embarrassing incident happened at a workshop in the Crimea, jointly organized by the EU and the Ukrainian Foreign Minister in September, aimed at discussing the position of the Crimean Tatars. During this meeting an expert report, submitted by the High Commissioner on National Minorities, was discussed and the representative of the EU Commission suggested that the Ukrainians should positively consider the recommendations on the improvement of the status of the Crimean Tatars. This was flatly rejected by the Ukrainian Foreign Minister and the situation was even worsened when the three staff members of the HCNM office were refused a seat at the conference table, and were banished to the press room. This striking disrespect by the Ukrainian Chairman-in-Office for the work and the staff of the organization he is supposed to be leading was a rather unheard of event which had not happened during previous chairmanships. It clearly undermined the efforts of the organization to promote the OSCE commitments in the area of the human dimension and, therefore, it affected the legitimacy of the OSCE and its core values.

1 See: <http://www.osce.org/sg/109203>.

2 See: <http://www.osce.org/cio/106967>.

When Ukraine surrendered the chairmanship at the end of last year and Switzerland took over, this was not the end of the problems in Ukraine. Shortly after the start of its one-year term the new Swiss Chairman-in-Office felt obliged to “express its concern” over Ukraine which had taken legal measures to restrict the freedom of expression and freedom of assembly, undoubtedly aimed at definitely silencing the months-long protest movement in Kiev and other Ukrainian cities. “I encourage the authorities of Ukraine to consult with relevant OSCE executive structures on the compatibility of the recently adopted legal measures with common OSCE commitments,” said Swiss Foreign Minister Didier Burkhalter in a statement on the 17th of January 2014.³

It is clear that the situation concerning human rights, democracy and the rule of law in quite a few former Soviet republics is far from perfect and performing the role of the OSCE’s Chair is no guarantee for any improvement.

2. Ministerial Council in Kiev

On the 5th and 6th of December the OSCE’s 20th Ministerial Council meeting took place in Kiev, the capital of the chairman-in-office. Although most attention was paid to the ongoing street protests against the Ukrainian authorities, the meeting managed to produce a number of interesting decisions. For the first time in the past few years the MC even found the necessary consensus on a few human dimension issues which in the previous years had all been blocked by the Russians: one decision related to the freedom of conscience, religion and belief and another one to the Roma and Sinti. Unfortunately no consensus could be found on a much more important topic, i.e. a draft decision on the protection of journalists. The Russian Federation blocked this decision because it could not agree with the American interpretation of the journalistic profession which also included online journalism and bloggers in addition to the more traditional mass media.

A remarkable outcome of the Ministerial was the failure to agree on the establishment of a permanent OSCE mission in Mongolia, even though the government of this new participating State had strongly requested such a mission. Here, again, the Russian delegation blocked any progress, as in its view the Mongolians should do much more to qualify for such a mission. This is a highly remarkable point of view, as missions are there precisely to assist countries to address their problems. The Ministerial also declined to accept Libya’s request to become a Partner for Co-operation. Although the observership status is not very substantial, it is a political signal which indicates that the Partner for Cooperation would endorse the OSCE’s core values.

The Ministerial failed to reach agreement on a final political statement. For years the countries involved in the ongoing protracted conflicts in the OSCE area have been using their de facto veto power to block the adoption of documents dealing with these conflicts. This year only a statement on the Transdniestrian conflict could be adopted as well as on the Minsk process. But strong language, referring to the Russian obligation to withdraw from Moldova and Georgia is always met with a Russian veto as also happened at the last MC in Kiev.

3. Azeri Presidential Elections ‘seriously flawed’

The OSCE observation of the presidential elections in Azerbaijan on the 9th of October has certainly not contributed to a warming of relations between the organization and this South Caucasian country. After the OSCE/ODIHR observation mission labelled the elections – which were won by the incumbent with 85 per cent of the votes—as ‘seriously flawed’, the Azeri authorities responded furiously and announced that the state would reconsider its position within the OSCE. The monitors said that they had seen clear cases of ballot-box

³ <http://www.osce.org/cio/110392>.

stuffing in 37 polling stations, and irregularities of all kinds in “an unprecedented 58 per cent of the stations observed”.

The press conference on the OSCE findings ended in turmoil, as pro-government journalists strongly protested against the observations which they considered to be the result of ‘double standards’ and the head of the OSCE observation mission even had to leave the room.⁴

The anger was so great that representatives of the presidential administration announced that Azerbaijan would reconsider its membership of the organization. Relations between the OSCE and Baku had already been tense over the past few years because of earlier criticism by the organization of Azerbaijan’s human rights record. This had resulted in a downgrading of the OSCE Centre in Baku on the 1st of January 2014 to the status of a Project Coordinator only which merely has a technical and no longer a political function. This is clearly demonstrated on the OSCE website where the first OSCE activities mentioned are ‘awareness-raising campaigns for schools on road safety’.⁵ This implies that the OSCE’s comprehensive security approach has been downgraded to issues which have hardly any relation left with the OSCE’s core values.

4. Human Dimension Implementation Meeting

From the 23rd of September to the 4th of October the OSCE’s Human Dimension Implementation Meeting (HDIM) took place once again in Warsaw, the seat of the OSCE’s Office for Democratic Institutions and Human Rights. This meeting – which takes place every year in which no summit is organized – has developed into one of the biggest human rights events in Europe, bringing together around 1000 governmental and nongovernmental representatives, aimed at discussing the state of events concerning human rights and the rule of law in the OSCE region. Since the human rights records of several OSCE participating states have deteriorated dramatically over the past decade, this meant that many difficult topics had to be addressed.

The HDIM is unique in the sense that civil society representatives have virtually unlimited access to all the sessions, where they can take the floor and express their opinions on an equal footing with governmental representatives. Officially the HDIM is an expert meeting which has no decision-making powers, but in practice the meetings have a strong influence on the human dimension activities of the OSCE and on the annual Ministerial Councils which follow the HDIMs a few months later.

One of the topics discussed was the discrimination of female officers in law enforcement bodies. Although governments are more and more convinced of the need to recruit and retain women officers, in practice these women are often confronted with discrimination in pay and career perspectives. Moreover, they are also often the victims of sexual harassment. Although these issues cannot be solved overnight, it was generally agreed that more effective oversight mechanisms could counter these grievances.⁶ The OSCE’s Partner for Co-operation Afghanistan is one of the countries where this problem occurs in a very serious form: one per cent of its police force consist of women (around 1,500), but almost all of them have been the victims of harassment and even rape by their male colleagues and supervisors, as a recent UN report revealed.

5. The OSCE and the Afghan Presidential elections

4 IWPR Caucasus Reporting Service, Issue 705.


5 <http://www.osce.org/baku> as of the 20th of January 2014.

6 See: <http://www.osce.org/odhr/105490>.

Afghanistan remains a permanent item on the OSCE agenda. Since the international forces will be drastically downsized or even completely withdrawn at the end of 2014, the fear is that this will lead to greater instability in the country which will have a direct impact in particular on the Central Asian OSCE participating states. Over the years, therefore, efforts have been made to have the OSCE engage in Afghanistan, but since it is not a full 'member state' of the organization, some countries have strongly resisted this 'out of area' involvement. Only in the area of election observation and assistance has the OSCE had a presence in Kabul itself. In October last year the Permanent Council decided to dispatch a group of OSCE observers who will monitor the Presidential and Provincial Council elections in April this year.

The OSCE's Election Support Team has been organized by the OSCE ODIHR and includes up to 20 election staff. The team will closely coordinate with national, regional and international representatives, and will prepare a report on the electoral process, including a set of recommendations for the government to implement in the post-election period, aimed at enhancing the conduct of future elections and improving Afghanistan's legal framework and procedures.





This article was first published with Brill | Nijhoff publishers, and was featured on the Security and Human Rights Monitor (SHRM) website.

Security and Human Rights (formerly Helsinki Monitor) is a journal devoted to issues inspired by the work and principles of the Organization for Security and Cooperation in Europe (OSCE). It looks at the challenge of building security through cooperation across the northern hemisphere, from Vancouver to Vladivostok, as well as how this experience can be applied to other parts of the world. It aims to stimulate thinking on the question of protecting and promoting human rights in a world faced with serious threats to security.

Netherlands Helsinki Committee
Het Nutshuis
Riviermarkt 4
2513 AM The Hague
The Netherlands

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