

The 21st OSCE Ministerial Council Meeting in Basel

Reaffirming the OSCE's role as the main forum for dialogue between East and West

Stephanie Liechtenstein
Website Editor of this Journal

DOI: [10.1163/18750230-02504009](https://doi.org/10.1163/18750230-02504009)

Abstract

This article analyses the outcome of the 21st OSCE Ministerial Council (MC) meeting, held in Basel, Switzerland, on 4 and 5 December 2014. The larger political context is taken into account, especially the crisis in and around Ukraine and the renewed confrontation between the West and Russia. The article provides an extensive analysis of all adopted decisions in the three security dimensions as well as of a number of draft documents that failed to reach consensus. The main documents that are analyzed include declarations on the Helsinki+40 process and on protracted conflicts, and decisions on countering kidnapping for ransom and terrorist foreign fighters, preventing corruption, improving disaster risk reduction, and on combating violence against women. The article concludes that the Swiss OSCE Chairmanship helped to reaffirm the OSCE's role as the main forum for political dialogue between East and West.

Keywords

Basel OSCE Ministerial Council – Swiss OSCE Chairmanship – Helsinki+40 process – East-West relations – protracted conflicts – OSCE response to the crisis in Ukraine – countering kidnapping for ransom – countering terrorist foreign fighters – arms control issues – disaster risk reduction – the prevention of torture – countering violence against women – OSCE Youth Action Plan

Introduction

On 4 and 5 December, Switzerland hosted the 21st OSCE Ministerial Council (MC) meeting in Basel.¹ The Basel MC meeting took place amid a worsening crisis in and around Ukraine and against the backdrop of the most serious East-West confrontation since the end of the Cold War. Given the urgency of the situation, the Swiss OSCE Chairmanship made extensive efforts to use the OSCE MC meeting as a platform for dialogue on a high level between East and West. While MC meetings are usually an opportunity for the foreign ministers of the 57 OSCE participating States to discuss the Organization's yearly achievements and future work, the MC meeting in Basel was not business as usual. This was underlined by the high number of participants. In fact, the meeting drew a record 53 ministers and 1300 delegates. While the atmosphere at the meeting venue in Basel was at times tense and polarized, all participants seemed to recognize that the Basel MC meeting offered a unique opportunity to come together and conduct a dialogue on an equal footing during times of crisis.

Indeed, the MC plenary hall at the conference centre in Basel was decorated with huge letters reading the word "dialogue", even if at times there was a general impression that the plenary meeting consisted more of a series of monologues outlining the different views of participating States. However, most ministers spent little time in the plenary hall. Instead, they could be seen rushing around in the corridors, making their way into one of the many bilateral meetings that took place on the margins of the MC. In fact, the bilateral meetings offered the possibility for a frank exchange of views and genuine dialogue as they took place behind closed doors. In addition, Switzerland hosted a dinner on the eve of the MC meeting as well as an informal lunch for ministers on the first day of the MC in order to enable informal discussions.

Political tensions in Ukraine had already been visible during the previous OSCE MC meeting, held in Kiev on 5 and 6 December 2013.² Massive protests took place in Maidan square in Kiev, caused by the unexpected decision by the Ukrainian government on 21 November 2013 to suspend talks with the European Union (EU) on an Association

1 All documents of the 2014 OSCE Basel Ministerial Council meeting are available at: http://www.OSCE.org/event/MC_2014.

2 For a more detailed account of the 2013 Kiev OSCE Ministerial Council meeting, see Stephanie Liechtenstein, 'The 2013 OSCE Ministerial Council Meeting in Kyiv: Addressing Persistent Dividing Lines', in *Security and Human Rights*, 2014, Vol. 24, Issue 3–4, pp. 307–324.

Agreement and a deep free trade agreement and to resume instead “an active dialogue”³ with the Moscow-led Eurasia Customs Union. In the days preceding the Kiev OSCE MC meeting, the police violently dispersed peaceful protesters. Yet, at that time no one would have expected the crisis to take on such a dramatic scale, leading to the most serious East-West confrontation since the end of the Cold War.

A series of events led to a further escalation in Ukraine at the beginning of 2014. President Viktor Yanukovich was ousted from power in February 2014, Russia illegally annexed the Crimean Peninsula, and a separatist movement – backed by Russia – began to operate in eastern Ukraine. Switzerland in its capacity as the OSCE Chairmanship-in-Office suddenly had to take up the role of an active crisis manager. Throughout 2014, the Swiss OSCE Chairmanship succeeded in acting as a neutral and honest broker between all sides in the conflict, and it helped to provide the OSCE with renewed relevance and visibility, strengthened the Organization’s capacity to act, applying the OSCE toolbox efficiently and flexibly.⁴ The OSCE under Swiss leadership successfully stepped in and filled a void in the high-level management of the Ukraine conflict. Other international organizations such as the EU or the UN were increasingly ruled out as the former was seen to lack neutrality and the latter was considered as being blocked by Russia. The OSCE demonstrated its relevance by agreeing on sending a Special Monitoring Mission (SMM) to Ukraine, its first large-scale mission in over a decade. SMM monitors were among the first on the scene of the Malaysia Airlines mh17 disaster, and used contacts on both sides of the conflict to facilitate an expert investigation of the crash site.

In addition, the Permanent Council agreed on 24 July 2014 to deploy an OSCE Observer Mission to the Russian Checkpoints in Gukovo and Donetsk, following a request to the OSCE by Russia’s government.

In his capacity as the OSCE Chairperson-in-Office (OSCE CiO), the Swiss President and Foreign Minister Didier Burkhalter showed leadership by actively mediating between the conflicting parties and proposing solutions for de-escalation, such as the Swiss Roadmap for the implementation of the Geneva Joint Statement of 17 April 2014. He actively pushed for an OSCE role in the management of the Ukraine crisis, both on ministerial and presidential level. The Swiss Chairmanship also initiated national dialogue roundtables to help stabilize the situation in Ukraine prior to the 25 May 2014 presidential elections. In addition, the Trilateral Contact Group under the able guidance of Swiss diplomat Heidi Tagliavini brokered the (fragile) September 2014 ceasefire in eastern Ukraine.

OSCE institutions also contributed to the overall effort of helping to defuse the Ukraine crisis. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed 900 short-term observers (the largest-ever OSCE election observation mission) to monitor the 25 May 2014 presidential elections in Ukraine, the OSCE High Commissioner on National Minorities (HCNM) and the OSCE Representative on Freedom of the Media (RFoM) paid frequent visits to the region to meet with key interlocutors and issued recommendations. Furthermore, the OSCE Secretary General regularly travelled to Ukraine to consult with the government. He also paid a visit to a camp for

3 Press Release, Department of Information and Communication of the Secretariat of the Cabinet of Ministers of Ukraine (CMU), Government Adopted Resolution on Suspension of Preparation Process to Conclude Association Agreement with EU, Kiev, 21 November 2013. Retrieved 10 March 2015, http://www.kmu.gov.ua/control/en/publish/article?art_id=246866213&cat_id=244314975.

4 For a more detailed account of the OSCE’s activities regarding Ukraine in 2014, see for example: Stephanie Liechtenstein, ‘Renewed Relevance and Visibility – Switzerland’s Chairmanship of the OSCE’, Security Watch, International Relations and Security Network, eth Zurich, 10 November 2014. Retrieved 10 March 2015, <http://www.isn.ethz.ch/Digital-Library/Articles/Detail/?id=185301>. Christian Nünlist and David Svarin (Eds), ‘Overcoming the East-West Divide: Perspectives on the Role of the OSCE in the Ukraine crisis’, Center for Security Studies (CSS), eth Zurich and fora – Swiss Forum on Foreign Policy, Zurich, December 2014. Retrieved 10 March 2015, <http://www.css.ethz.ch/publications/pdfs/Perspectives-on-the-Role-of-the-OSCE-in-the-Ukraine-Crisis.pdf>. Lamberto Zannier, ‘Ukraine and the Crisis of European Security’, in Horizon Journal of International Relations and Sustainable Development, January 2015, Issue No. 2. Retrieved 10 March 2015, http://www.cirsd.org/uploads/magazines/pdf/Lamberto%20Zannier.pdf_1421939854_english.pdf.

internally displaced persons in Ukraine as well as to a camp for refugees from eastern Ukraine in the Rostov region of Russia.

The MC meeting in Basel was thus the conclusion of a particularly challenging and eventful year for the OSCE. Many ministers praised the OSCE's operational response to the crisis in Ukraine and underlined the increased value of the OSCE as a forum for political dialogue during times of crisis. The United States (us) Secretary of State John Kerry stressed that “[t]he organization has proven to the world the value of collective security and human rights instruments [...]”⁵ Federica Mogherini, the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission, noted that “events in and around Ukraine have demonstrated the value of OSCE field operations.”⁶ She expressed support for the work of the SMM to Ukraine, commending its “reporting activities and its ability to adapt to changing circumstances.”⁷

Naturally, the Ukraine crisis also dominated debates among ministers in Basel. In the course of the debates, it became clear that participating States held diverging views and assessments on the root causes of the crisis. For most OSCE participating States, the Ukraine crisis is the result of Russia's illegal annexation of Crimea and its destabilizing actions in eastern Ukraine. Most states view these actions as flagrant violations of basic OSCE principles and commitments, as enshrined in the 1975 Helsinki Final Act and the 1990 Paris Charter. For the Russian Federation, on the other hand, the Ukraine crisis is the result of a broader crisis of the Euro-Atlantic and Eurasian area.

Statements made at the first plenary session of the Basel MC meeting are indicative in this context. Federica Mogherini stressed that “Russia needs to assume and exercise its responsibility.”⁸ She went on by emphasizing that “[t]he inflow of weapons, equipment and troops from across the Russian border must be halted.”⁹ She also emphasized that “Russia's illegal annexation of Crimea and Sevastopol and destabilizing actions in eastern Ukraine have seriously violated the basic OSCE principles and commitments, as enshrined notably in the Helsinki Final Act and Paris Charter.”¹⁰ In her view, “[t]he existing principles have provided a solid cornerstone for European security for many years and they continue to be valid.”¹¹ us Secretary of State John Kerry underlined that “[...] the crisis that we have experienced in Europe this past year is not the fault of the international system. It stems from the unwillingness of individual actors to abide by the rules and the principles of that system. When rules are broken, they need to be enforced, not rewritten.”¹²

The Ukrainian Foreign Minister Pavlo Klimkin referred in his statement, *inter alia*, to the 1994 Budapest Memorandum on Security Assurances, stressing that “the credibility of this document, providing assurances for preserving Ukraine's security, territorial integrity and political independence in exchange of [Ukraine's] voluntary renouncement of

5 Remarks by Secretary of State John Kerry at the OSCE Ministerial Plenary Session, MC.del/24/14, 4 December 2014.

6 Statement by Federica Mogherini, High Representative of the Union for Foreign Affairs and Security Policy and Vice President of the European Commission, MC.del/3/14, 4 December 2014.

7 Ibid.

8 Ibid.

9 Ibid.

10 Ibid.

11 Ibid.

12 MC.del/24/14, 4 December 2014.

the world's third largest nuclear weapons arsenal, was destroyed this year by one of the signatories, namely by Russia."¹³

By contrast, the Russian Foreign Minister Sergey Lavrov stated that “[w]hat is happening in Ukraine is the result of a systemic crisis in the OSCE region that has been brewing for a long time. Its roots lie in an inability to ensure true unity in the Euro-Atlantic area on the basis of recognition of the equal rights of all participating States, respect for the legitimate interests of each of them, and non-intervention in internal affairs.”¹⁴ In Russia’s view, the unity has been undermined by “unilateral actions” such as “NATO expansion, the creation of United States anti-missile defence facilities in Europe, the aggressive promotion of the concept of Eastern Partnership while refusing to even recognize Eurasian integration, and the erection of artificial barriers to contacts between people.”¹⁵

Against this backdrop, this article will analyze the outcome of the Basel MC meeting, assess the decisions adopted in the three OSCE security dimensions and also explain why certain drafts failed to reach consensus. It will be shown that – despite the Ukraine crisis and the polarized atmosphere – the Swiss OSCE Chairmanship was able to follow up on most of its original priorities and managed to broker a balanced package of decisions. All in all, 21 decisions were adopted by ministers in Basel, reflecting priorities in all three OSCE security dimensions. This shows that despite the significant differences over Ukraine, participating States adopted a pragmatic approach and were able to build consensus on a number of issues of common concern. This proves the value of the OSCE as a forum for dialogue between East and West.

This article will also show that the Ukraine crisis did have a negative impact on certain topics, such as conventional arms control in Europe, protracted conflicts in the OSCE area, the Helsinki+40 process, as well as on issues related to the Forum for Security Cooperation. Substantial progress in these areas was not possible. There were also a number of other draft decisions – for example, on combating torture and on enhancing mediation capacities – that had to be aborted because of other reasons, unrelated to the Ukraine crisis.

Before going into the details of the various decisions and deliberations, it should be clarified that Switzerland’s OSCE Chairmanship priorities were presented as early as July 2013, when Swiss President and Foreign Minister Didier Burkhalter addressed, together with his Serbian counterpart, the OSCE Permanent Council (pc) in Vienna. On this occasion, Switzerland and Serbia presented the “joint workplan” of their consecutive Swiss-Serbian OSCE Chairmanship.¹⁶ The aim was to identify topics that could be maintained throughout 2014 and 2015 in order to improve continuity in the OSCE’s work.¹⁷ Swiss President and Foreign Minister Didier Burkhalter came back to address the OSCE pc on 14 January 2014 and provided a comprehensive outline of Switzerland’s OSCE

13 Statement by Minister of Foreign Affairs of Ukraine Pavlo Klimkin at the 21st Meeting of the Ministerial Council of the OSCE, MC.del/34/14, 4 December 2014.

14 Statement by Mr. Sergey Lavrov, Minister for Foreign Affairs of the Russian Federation, at the Twenty-First Meeting of the OSCE Ministerial Council, MC.del/10/14, 4 December 2014.

15 Ibid.

16 See Federal Department of Foreign Affairs FDFA, Address by Mr Didier Burkhalter, Vice President of the Swiss Federal Council and Head of the Federal Department of Foreign Affairs, Creating a Security Community for the Benefit of Everyone. Priorities of the Swiss OSCE Chairmanship. Special Meeting of the Permanent Council of the OSCE, pc.del/575/13/Rev.1, 2 July 2013. Retrieved 11 March 2015, <http://www.OSCE.org/pc/103262?download=true>. Republic of Serbia, Statement by H.E. Mr. Ivan Mrkic, Minister of Foreign Affairs of the Republic of Serbia at the 958th Special Meeting of the OSCE Permanent Council, pc.del/617/13, Vienna, 2 July 2013. Retrieved 16 March, <http://www.OSCE.org/pc/103261?download=true>.

17 For a more detailed background on the consecutive Swiss-Serbian Chairmanship, see Christian Nünlist, Security and Human Rights Blog, Switzerland’s OSCE Chairmanship in 2014, 9 January 2014. Retrieved 1 March 2015, http://www.shrblog.org/blog/Switzerland_s_OSCE_Chairmanship_in_2014.html?id=437.

Chairmanship priorities.¹⁸ They included, *inter alia*, reconciliation and cooperation in the Western Balkans, dialogue and confidence-building in the South Caucasus, exchanging ideas on conventional armscontrol, improving the management of natural disasters, combating transnational threats (such as terrorism), strengthening mediation capacities and enhancing the involvement of civil society. Indeed, as will be shown, Switzerland was able to implement most of these initial priorities.

Political Declaration on Ukraine

Similar to previous OSCE MC meetings, the participating States again failed to adopt a political declaration by consensus in Basel.¹⁹ The Swiss Chairmanship tabled a draft 'Basel Ministerial Declaration on the Role of the OSCE in Addressing the Crisis in and Around Ukraine'. The document made clear in unambiguous language the views of a vast majority of states on the Ukraine crisis, indicating that the crisis "is the result of the pressure of one participating State on another", meaning Russian pressure on Ukraine. Most states supported the declaration. But given Russia's diverging views on the Ukraine crisis (as explained in the introductory part of this article), this document could not be adopted.

Yet, the Swiss Chairmanship found a good alternative to communicate the views of the vast majority of states. OSCE CiO Didier Burkhalter publicly read out a statement at the end of the first day of the Basel MC meeting that summed up the views of most OSCE states. In fact, the statement is almost a verbatim account of the draft political declaration on Ukraine. In the statement, CiO Burkhalter deplored the lost lives and human suffering and expressed shock at the downing of Malaysia Airlines flight mh17. Furthermore, Burkhalter emphasized that "[m]any participating States held the view that (i) the crisis is the result of the pressure of one participating State against another; (ii) the so-called referendum held in the Autonomous Republic of Crimea and the city of Sevastopol on 16 March 2014 was not authorized by Ukraine and therefore in contradiction with the Ukrainian constitution; (iii) the steps subsequently taken regarding the status of Crimea, including by the Russian Federation, are in breach of fundamental OSCE commitments, incompatible with international law and contradict the Helsinki Final Act; (iv) and that with reference to the responsibility of participating States to adhere to the Helsinki Declaration on Principles Guiding Relations between participating States, the territorial integrity, political independence and unity of Ukraine within its internationally recognized borders must be respected."²⁰ As Christian Nünlist analyses, "[w]ith this summary statement, Swiss diplomacy found an inventive way to make public the fault lines at Basel that prevented unity behind closed doors."²¹ It thus became apparent that Russia was isolated in its views on the Ukraine crisis.

Statements on Protracted Conflicts

Although the Basel MC failed to adopt a political declaration on Ukraine, ministers succeeded in agreeing on a 'Ministerial Statement on the Negotiations on the Transdniestrian Settlement Process in the 5+2 Format'. Similar to previous statements on Transdniestria adopted in 2012 and 2013, the statement calls for a peaceful settlement of the

18 See the Address by Mr Didier Burkhalter, Chairperson-in-Office of the OSCE, Head of the Swiss Federal Department of Foreign Affairs. Into the Swiss Chairmanship: Seizing Opportunities to Create a Security Community for the Benefit of Everyone. Special Meeting of the OSCE Permanent Council, Vienna, cio.gal/9/14, 16 January 2014. Retrieved 16 March 2015, <http://www.OSCE.org/pc/110326?download=true>.

19 The last political declaration dates back to the 2002 OSCE Porto MC meeting.

20 Federal Department of Foreign Affairs FDFA, Summary by the Chairperson-in-Office of the Discussions of Day 1 at the OSCE Ministerial Council, Basel, 4 December 2014. Retrieved 16 March 2015, <https://www.news.admin.ch/message/index.html?lang=de&msg-id=55531>.

21 Christian Nünlist, Summing Up Switzerland's 2014 Chairmanship of the OSCE, Blog Post, International Relations and Security Network, eth Zurich, 23 December 2014. Retrieved 11 March 2014, <http://isnblog.ethz.ch/international-relations/summing-up-switzerlands-2014-chairmanship-of-the-osce>.

Transdniestrian conflict “based on the sovereignty and territorial integrity of the Republic of Moldova with a special status for Transdniestria.”²² In addition, the statement emphasizes “the importance of increasing the frequency of meetings” and encourages the sides to agree at the beginning of the year on a “calendar of the official negotiations.”²³ This is a new suggestion which was made by the Swiss OSCE Chairmanship in order to improve the structure of the negotiation process and to create a more reliable and less ad-hoc negotiation framework.

Concrete progress at the 5+2 talks was however limited in 2014. Chisinau’s engagement at the talks was limited given the parliamentary elections in Moldova, held on 30 November 2014. Also, the political and security situation caused by the Ukraine crisis had a negative impact on the 5+2 talks. Russia’s illegal annexation of Crimea in March 2014 created fears in Chisinau and other capitals that Moscow could use its troops stationed in Transdniestria to follow a similar strategy, especially in light of Moldova’s signature of an Association Agreement with the EU in June 2014. Yet, the adoption of the ‘Ministerial Statement on the Negotiations on the Transdniestrian Settlement Process in the 5+2 Format’ at the Basel MC meeting should be seen as a clear signal that parties are willing to continue negotiations in the agreed format.

In addition, the Heads of Delegation of the OSCE Minsk Group Co-Chair countries – Foreign Minister of the Russian Federation Sergey Lavrov, Secretary of State of the United States John Kerry, State Secretary for European Affairs of France Harlem Desir – issued a statement on the margins of the MC meeting on the Nagorno-Karabakh conflict. In their statement, the Minsk Group Co-Chairs regret “the upsurge in violence in the past year.”²⁴ The Co-Chairs express their willingness “to work closely with the sides to reach a lasting settlement and open a new chapter of peace,” but stress that “the primary responsibility to end the Nagorno-Karabakh conflict rests with the leaders of Armenia and Azerbaijan.”²⁵

Although this clearly signals the willingness of the OSCE Minsk Group Co-Chairs to continue the negotiations in the agreed format, the year 2014 saw no concrete progress regarding a lasting and comprehensive settlement of the conflict. In July and August 2014, several clashes occurred along the Line of Contact and Armenia-Azerbaijan border with an increase in casualties. In addition, in November 2014 a military helicopter was shot down along the Line of Contact. These were the most fatal incidents since the 1994 ceasefire agreement. This was seen as particularly damaging, also in light of the fact that the year 2014 marked the 20th anniversary of the Nagorno-Karabakh ceasefire agreement. Nevertheless, three meetings between the Presidents of Armenia and Azerbaijan were held during 2014 in Sochi, Newport and Paris. This can be seen as an improvement as previously (in 2012 and 2013) the Presidents met only once per year.

By contrast – despite continuous efforts within the Geneva International Discussions – a ministerial statement on Georgia was again not possible. (The last time that the OSCE MC had adopted a statement on Georgia was at the 2005 Ljubljana MC meeting.)²⁶ The brief war between Georgia and Russia over South Ossetia in 2008 was a turning point in this regard. Although the war ended after only five days with the French EU presidency succeeding

22 OSCE, Ministerial Council, Basel 2014, Ministerial Statement on the Negotiations on the Transdniestrian Settlement Process in the “5+2” Format, MC.doc/2/14, 5 December 2014.

23 Ibid.

24 OSCE Press Release, Joint Statement by the Heads of Delegation of the OSCE Minsk Group Co-Chair Countries, Basel, 4 December 2014. Retrieved 11 March 2015, <http://www.OSCE.org/mg/129421>.

25 Ibid.

26 See OSCE, Ministerial Council, Ljubljana, 2005, Statement on Georgia, MC.doc/4/05, 6 December 2005. Retrieved 16 March 2015, <http://www.OSCE.org/MC/36575?download=true>.

in brokering a ceasefire agreement, it also led to the recognition by Moscow of both South Ossetia and Abkhazia as independent states. Ever since, international discussions have been ongoing in Geneva, bringing together participants from Tbilisi, Moscow, Washington, Tskhinvali and Sukhumi. The discussions are co-chaired by the EU, the UN and the OSCE.

In fact, 2014 saw further destabilization in the South Caucasus. Russia and Abkhazia signed a Treaty on Alliance and Integration on 24 November 2014 in which they agreed to set up a new joint military force (Russia has stationed troops in Abkhazia ever since the region broke away from Georgia in 1992/3) and to harmonize foreign and defence policies. According to the Kremlin, “Russia and Abkhazia will focus on developing their alliance and strategic partnership through coordinating foreign policy, developing a common defence and security space, establishing a common social and economic space, assisting Abkhazia in its socioeconomic development, and preserving a common cultural, spiritual and humanitarian space.”²⁷ In addition, Moscow has agreed to provide Abkhazia with financial support to develop its education and healthcare system, thus tying the region financially and economically closer to Russia. Furthermore, Moscow is preparing a similar treaty with South Ossetia which aims to give Russia more control over “defence and security, social, cultural and other areas of cooperation.”²⁸

These agreements are generally seen as a reaction by Moscow to the signing of an Association Agreement (which includes a Deep and Comprehensive Free Trade Area) between Georgia and the EU in June 2014. In addition, they are meant to increase Russian influence in the region, especially in the Black Sea region which is strategically important to Moscow.

Hence, no significant progress was made in 2014 in finding lasting settlements to the protracted conflicts in the OSCE area. Quite to the contrary, it seems that with the crisis in and around Ukraine another such conflict emerged in the OSCE area. The declared Swiss priority of improving dialogue and confidence-building in the Southern Caucasus was thus hampered by events in Ukraine. Nevertheless, the Swiss diplomat Ambassador Angelo Gnädiger will remain the OSCE Special Representative for the South Caucasus in 2015 and thus continue his efforts to mediate between the conflict parties.

Helsinki+40 Process

Before going into the details of the Helsinki+40 process and the related document that was adopted at the Basel MC meeting, it is helpful to clarify the origins of this process. In this context, the development of East-West relations and their impact on the OSCE are of significance.

Since the end of the Cold War, East-West relations have gone through good and bad phases. As OSCE Secretary General Lamberto Zannier analyzes, the nature of these relations “have been reflected within the OSCE and affected its capacity to deliver.”²⁹ After the fall of the Berlin Wall and the dissolution of the Soviet Union, East-West

27 President of Russia, Official Web Portal, Press Release, Meeting with President of Abkhazia Raul Khadzhimba, Sochi, 24 November 2014. Retrieved 16 March 2015, <http://eng.kremlin.ru/news/23278>.

28 The Ministry of Foreign Affairs of the Russian Federation, Official Website, Comment by the Information and Press Department on South Ossetian Foreign Minister Dmitry Sanakoyev's Visit to Russia, 17 February 2015. Retrieved 16 March 2015, http://www.mid.ru/brp_4.nsf/0/0B91DCFF062645FB43257DEF004B404C

29 Christian Nünlist and David Svarin (Eds), 'Overcoming the East-West Divide: Perspectives on the Role of the OSCE in the Ukraine Crisis', Center for Security Studies (CSS), ETH Zurich and FORA – Swiss Forum on Foreign Policy, Zurich, December 2014, p. 7.

relations moved “from confrontation to cooperation.”³⁰

The 1990s are thus generally regarded as a time of positive cooperation during which the Conference on Security and Cooperation in Europe (CSCE) transformed into the OSCE (1995), established permanent institutions and deployed its wide network of field operations in South-Eastern Europe, Eastern Europe, the Caucasus and Central Asia.

Yet, from approximately 1999/2000 onwards, East-West relations began to deteriorate and with this, the OSCE's ability to deliver became increasingly hampered. In addition, as Wolfgang Zellner analyses, Russia “(...) had to accept that its original intention to use the OSCE to partially balance NATO had completely failed (...)”³¹ The long-lasting Russian interest in the OSCE “concerned the establishment of treaty-based European security order with the OSCE as its central element, perceived as a crucial instrument of Russia’s integration into Europe. However, Western policies that preferred to develop European security relations by enlarging existing Western organizations rather than creating a new pan-European structure made it impossible for Russia to achieve this aim.”³² When NATO started its bombing campaign in Serbia in 1999 “[i]n the Russian view, the OSCE had been instrumentalised by NATO to allow a military intervention not based on a UN Security Council resolution and strongly opposed by Russia.”³³ This experience was a turning point in how Russia viewed the OSCE.

In the following years, Russia also became increasingly unhappy with repeated criticism by the OSCE/ODIHR of Russian Duma elections and with what it views as a shift in focus on the human dimension at the expense of the politico-military and economic and environmental dimensions. Furthermore, P. Terrence Hopmann mentions that Russia considered the closing of the OSCE missions in Estonia and Latvia at the end of 2001 as “premature”, and states that Russian “anger was further increased by the speed with which these two former Soviet republics, along with Lithuania, were brought into full membership in NATO and the European Union, the first former Soviet republics to enter either of these Western multilateral institutions as full members.”³⁴ The OSCE missions were serving Russian interests as they were mandated to help ethnic Russians gain basic political and minority rights in the Baltic countries.

The year 2008 can be seen as a further milestone in the context of East-West relations and the role of the OSCE. In a speech at a meeting with German political, parliamentary and civic leaders, then Russian President Dmitry Medvedev proposed a new European Security Treaty. A closer look at Medvedev’s speech from a present-day perspective is revealing. He suggested taking “the next step” by “drafting and signing a legally binding treaty on European security in which the organisations currently working in the Euro-Atlantic area could become parties.”³⁵ Medvedev emphasized that

30 Opening Speech by NATO Secretary General Manfred Wörner, Verbatim Record of the North Atlantic Council Meeting with the Participation of Heads of State and Government (c-vr(90)36), London, 5 July 1990. Retrieved 11 March 2015, http://www.nato.int/nato_static_fl2014/assets/pdf/pdf_archives/20141218_C-VR-90-36-PART1.PDF.

31 Wolfgang Zellner, ‘Russia and the OSCE: From High Hopes to Disillusionment’, in Cambridge Review of International Affairs, 2005, Vol. 18, Issue 3, p. 393.

32 Ibid, p. 390.

33 Ibid, p. 393.

34 P. Terrence Hopmann, ‘Intergovernmental Organizations and Non-State Actors, Russia and Eurasia: The OSCE’, in M.R. Freire, R.E. Kanet (eds.), Key Players and Regional Dynamics in Eurasia: The Return of the Great Game, Palgrave Macmillan, Hampshire, United Kingdom, New York, United States, 2010, pp. 258.

35 President of Russia, Official Web Portal, Statements on Major Issues, Speech at Meeting with German Political, Parliamentary and Civic Leaders, Berlin, 5 June 2008. Retrieved 16 March 2015, http://archive.kremlin.ru/eng/speeches/2008/06/05/2203_type82914type82914type84779_202153.shtml.

in Russia's view the OSCE was suffering from an "incomplete institutional development"³⁶ and was therefore prevented from becoming the basis of such a new treaty. In addition, he stressed that "[i]t is hard to escape the conclusion that Europe's current architecture still bears the stamp of an ideology inherited from the past."³⁷ In Russia's view the main problem was that certain states are "continuing the old line of bloc politics."³⁸ He warned of the consequences of "marginalizing and isolating countries, creating zones with differentiated levels of security and abandoning the creation of general regional collective security systems."³⁹ He also resented NATO enlargement to the East. This shows that Russia had given up the idea of using the OSCE as the basis of a pan-European security organization and was instead proposing a new treaty.⁴⁰ NATO enlargement and EU enlargement to the East was seen (and continues to be seen) as a threat to Russia's own security and economic interests and as undermining its political influence in the South Caucasus and Eastern Europe.

As a reaction to this Russian proposal, the OSCE initiated a series of political consultations.⁴¹ As of 2012, these consultations came to be known as the Helsinki+40 process, which was originally designed to provide a roadmap with the ultimate aim of redefining the role of the OSCE and setting up a genuine security community by 2015, the year that marks 40 years since the signing of the Helsinki Final Act.

While concrete progress within the Helsinki+40 discussions was limited during past years, the significance of this process was brought to light during 2014 by events in and around Ukraine. Despite Russia's illegal annexation of Crimea and its destabilizing actions in eastern Ukraine, Russia is key in solving the protracted conflicts and the present conflict in and around Ukraine. Russia is also needed to improve strained East-West relations in general. Therefore, a format is needed that includes Russia on an equal footing and that discusses and takes into account both Russian and Western security interests. This cannot be achieved within the context of other Western institutions such as the EU or NATO as Russia is not a full member of either of these institutions. Therefore, the OSCE Helsinki+40 process has become a highly relevant process on the future of Euro-Atlantic security and on reestablishing trust and confidence. The aim of the process to create a genuine Euro-Atlantic and Eurasian security community could be ultimately in the interest of both, the West and Russia. In addition, the process includes Russia, together with all EU countries, Ukraine, the US, and all former Soviet Union states on an equal footing.

At the Basel MC meeting, participating States adopted a 'Declaration on Further Steps in the Helsinki+40 Process' and committed themselves to "continue to use the OSCE as a platform for addressing European security."⁴² With this, participating States have the possibility to use the Helsinki+40 process to address the crisis in and around Ukraine and to find a common solution as to how European, Euro-Atlantic and Eurasian security should be organized in the future. Nevertheless, contrary to the Helsinki+40 decisions adopted in 2012 and 2013, the 2014 declaration is much

36 Ibid.

37 Ibid.

38 Ibid.

39 Ibid.

40 Note that Russia had already abandoned its plan to turn the OSCE into a treaty-based pan-European security organization in around 1999. See for example in this context Andrey V. Zagorski, 'Russia's OSCE Policy in the Context of Pan-European Developments', in Institute for Peace Research and Security Policy at the University of Hamburg / IFSK (Ed.), OSCE Yearbook 1997, Nomos Verlagsgesellschaft, Baden-Baden, Germany, 1997.

41 For a more detailed background on the political consultations within the OSCE since 2008, see for example Stephanie Liechtenstein, Security and Human Rights Blog, The Helsinki+40 Process: Determining the Future of the OSCE, 23 September 2013. Retrieved 16 March 2015, http://www.shrblog.org/blog/The_Helsinki_40_Process_Determining_the_Future_of_the_OSCE.html?id=401.

42 OSCE, Ministerial Council, Basel 2014, Declaration on Further Steps in the Helsinki+40 Process, MC.doc/1/14, 5 December 2014.

shorter and does not contain any references to core commitments contained in the 1975 Helsinki Final Act, the 1990 Charter of Paris or the 2010 Astana Commemorative Declaration. This is a result of the Ukraine crisis and of general disagreement among participating States as to the meaning of these commitments.

Furthermore, the original aim of the Swiss Chairmanship was to launch by consensus in the context of this declaration a 'Panel of Eminent Persons' that would complement and support efforts within the Helsinki+40 process. Although the Swiss Chair's initiative of a Panel of Eminent Persons received broad support from participating States, a group of states had reservations and doubts about its usefulness. One of the main concerns was that such a Panel of Eminent Persons could distort the role of the OSCE as the main forum for political dialogue on European security. In addition, there were fears that Russia might misuse the Panel and use it as an excuse to discontinue the dialogue within the OSCE. One of the more legitimate concerns was that the Panel would be perceived as too independent and as disconnected from the OSCE, rendering its recommendations less relevant for OSCE participating States.

As a consequence, the Panel was commissioned by the Swiss Chairmanship with the support of the incoming Serbian Chairmanship as well as the incoming Troika member Germany. Switzerland took the initiative to launch the Panel during a working luncheon with foreign ministers on the margins of the Basel MC meeting on 4 December 2014. The Panel was tasked with elaborating recommendations on how to reconsolidate European security as a "common project".

Recommendations from this Panel will be of the utmost importance as in 2015 the OSCE will mark the 40th anniversary of the 1975 Helsinki Final Act. This is also the deadline that OSCE participating States have set themselves to come up with a meaningful document that – on the basis of recommendations from the Panel of Eminent Persons outlines the future of Euro-Atlantic security and the role of the OSCE therein.

The Politico-Military Dimension

Within the politico-military dimension, Switzerland was particularly successful in adding two new topics in the area of anti-terrorism to the OSCE agenda. When presenting the joint Swiss-Serbian workplan to the OSCE PC in July 2013, Swiss President and Foreign Minister Didier Burkhalter brought up the topic of countering the practice of kidnapping for ransom as one of the main priorities for the Swiss OSCE Chairmanship.⁴³ As Christian Nünlist states, "[i]n early 2014, the Swiss Chairmanship added the topic of returning Jihadist foreign fighters as a second priority."⁴⁴

For this purpose and in accordance with the "OSCE Consolidated Framework for the Fight Against Terrorism,"⁴⁵ which calls for annual OSCE-wide counterterrorism conferences, Switzerland hosted an international conference in Interlaken, Switzerland, on 28–29 April 2014. The conference focused on the two topical issues of kidnapping for ransom and returning Jihadist foreign fighters and issued a comprehensive set of recommendations.⁴⁶ These recommendations formed the basis for the two ministerial anti-terrorism decisions that were adopted in Basel.

43 pc.del/575/13/Rev.1, 2 July 2013.

44 Christian Nünlist, Summing Up Switzerland's 2014 Chairmanship of the OSCE, ISN BlogPost, The International Relations and Security Network, eth Zurich.

45 OSCE, Permanent Council, Decision No. 1063 OSCE Consolidated Framework for the Fight Against Terrorism, pc.dec/1063, 7 December 2012. Retrieved 17 March 2015, <http://www.OSCE.org/pc/98008?download=true>.

46 For more information, see The Chairmanship Interlaken Recommendations, Counter-Terrorism Conference Interlaken, 28–29 April 2014. Retrieved 11 March 2015, <http://www.OSCE.org/cio/118156?download=true>.

Despite the fact that the positions of participating States on the no-payment policy in the field of kidnapping for ransom vary considerably, a ‘Declaration on the OSCE Role in Countering Kidnapping and Hostage-Taking Committed by Terrorist Groups in the Context of the Implementation of UN Security Resolution 2133’ was adopted by consensus in Basel. In the spirit of United Nations Security Council Resolution (UNSCR) 2133 on Countering Kidnapping for Ransom, the declaration stresses the need to “prevent terrorists from benefiting directly or indirectly from ransom payments or from political concessions and to secure the safe release of hostages.”⁴⁷ The declaration also emphasizes the importance of encouraging the business community to prevent kidnappings of their employees and to develop national assistance programmes for victims of terrorist kidnapping.

The declaration provides a good basis for the OSCE executive structures to take the first steps in assisting participating States in developing good practices based on the Global Counterterrorism Forum’s Algiers Memorandum, facilitating the exchange of experiences and best practices, and promoting capacity-building for practitioners. The OSCE executive structures are thus given the mandate to develop individual projects (based on extra-budgetary contributions) for interested participating States. Hence, the declaration is a first step and it adds a new topic to the OSCE agenda that can be further developed in the coming years.

Consensus could also be found on the proposed decision on foreign terrorist fighters. This proves that anti-terrorism initiatives continue to offer common ground even during times of heightened East-West confrontation. The ‘Declaration on the OSCE Role in Countering the Phenomenon of Foreign Terrorist Fighters in the Context of the Implementation of UN Security Council Resolutions 2170 (2014) and 2178 (2014)’, *inter alia*, calls upon states to “deny safe haven to and bring to justice foreign terrorist fighters, on the basis of the principle ‘extradite or prosecute’; to prevent the movement of foreign terrorist fighters through effective border controls; and to enhance international cooperation to counter the use of the Internet for the purpose of inciting violent extremism and radicalization that lead to terrorism.”⁴⁸ Furthermore, the declaration calls upon OSCE executive structures to draw up capacity-building projects and to organize regional events “to identify potential weaknesses in international legal and operational co-operation mechanisms.”⁴⁹ The issue of foreign terrorist fighters became particularly relevant during 2014, with an estimated 2000⁵⁰ foreign fighters from OSCE participating States taking part in the war in Syria alone. Hence, the declaration provides a much needed basis for additional work to be done on this topic in the coming years.

Both declarations provide a basic mandate to the OSCE executive structures to draw up workshops, conferences and capacity-building projects that help states to devise counter-terrorism policies without giving in to terrorists’ demands and to deal with the increasing phenomenon of foreign terrorist fighters, who pose a real threat not only to the state to which they travel but also to their state of origin.

In addition, participating States adopted a ‘Decision on Small Arms and Light Weapons and Stockpiles of Conventional Ammunition.’ This document is very similar to previous decisions on this issue. It recognizes “the importance of OSCE measures aimed at combating the illicit trafficking of small arms and light weapons (SALW) in all

47 OSCE, Ministerial Council, Basel 2014, Declaration on the OSCE Role in Countering Kidnapping and Hostage-Taking Committed by Terrorist Groups in the Context of the Implementation of UN Security Council Resolution 2133 (2014), MC.doc/6/14, 5 December 2014.

48 OSCE, Ministerial Council, Basel 2014, Declaration on the OSCE Role in Countering the Phenomenon of Foreign Terrorist Fighters in the Context of the Implementation of UN Security Council Resolutions 2170 (2014) and 2178 (2014), MC.doc/5/14, 5 December 2014.

49 Ibid.

50 Number cited in OSCE Press Release, Swiss OSCE Chairperson-in-Office Didier Burkhalter Opens International Conference in Interlaken on Fight Against Terrorism, Interlaken, Switzerland, 28 April 2014. Retrieved 12 March 2015, <http://www.OSCE.org/cio/118051>.

its aspects.”⁵¹ It also takes note of activities undertaken by the Forum for Security Cooperation (FSC) during 2014 and tasks the FSC with continuing its work in this regard in 2015.

Although the decision is modelled on past years’ documents, participating States negotiated the text until the last moment as they continued to have divergent views on language related to the Arms Trade Treaty (ATT) as well as to UNSCR 1325.

A number of OSCE participating States have not signed the ATT, which entered into force on 24 December 2014. The landmark treaty, which is designed to regulate the global trade in conventional arms, including small arms, battle tanks, combat aircraft and warships, aims to ensure that arms do not end up being used for human rights abuses. The states which have not signed the ATT argued that the OSCE ‘Decision on Small Arms and Light Weapons and Stockpiles of Conventional Ammunition’ should not mention a treaty to which they are not party. While the draft OSCE decision contained strong language on welcoming the treaty’s entry into force, the final document merely “[takes] note of the upcoming entry into force of the Arms Trade Treaty.”⁵²

Another sticking point was the explicit reference to UNSCR 1325 on ‘Women, Peace and Security’. UNSCR 1325 reaffirms “the important role of women in the prevention and resolution of conflicts and in peace-building”⁵³ The Russian Federation argued that an explicit reference to UNSCR 1325 – which is mostly focused on the role of women in the prevention and resolution of conflicts is not appropriate in the context of an OSCE decision on SALW. Although there is no explicit reference in the final decision to UNSCR 1325, Russia agreed to the adding of a paragraph which tasks the FSC to exchange views “on the impact of illicit SALW on women and children as well as on creating equal opportunities for women’s participation in policymaking, planning and implementation processes to combat illicit SALW.”⁵⁴

In addition, the Basel MC adopted by consensus a ‘Declaration on the Transfer of Ownership to the Parties to the Agreement on Sub-Regional Arms Control, Annex 1-B, Article iv of the General Framework Agreement for Peace in Bosnia and Herzegovina’ (commonly referred to as the Dayton Peace Agreement). In the declaration, participating States welcome that the Parties take ownership of the agreement that has been implemented in a “spirit of cooperation, trust and confidence.”⁵⁵ Consensus on this declaration was reached early on in the pre-negotiation process in Vienna at the end of October.

Article iv of the Dayton Peace Agreement provided the framework for negotiations on a sub-regional arms control agreement. This agreement was concluded in Florence on 14 June 1996 between the three parties within Bosnia and Herzegovina as well as Croatia and the Federal Republic of Yugoslavia (which later became the State Union of Serbia and Montenegro and in 2006 split into the two republics of Montenegro and Serbia). The agreement was negotiated under the auspices of the OSCE, which then also helped the parties to implement it through the designation (in 1995 at the Budapest Ministerial Council) of a Personal Representative. In the arms control

51 OSCE, Ministerial Council, Basel 2014, Decision No. 10/14 on Small Arms and Light Weapons and Stockpiles of Conventional Ammunition, MC.dec/10/14, 5 December 2014.

52 Ibid.

53 United Nations, Security Council, Resolution 1325 (2000), S/res/1325 (2000), 31 October 2000. Retrieved 11 March 2015, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?OpenElement>.

54 MC.dec/10/14, 5 December 2014.

55 OSCE, Ministerial Council, Basel 2014, Declaration on the Transfer of Ownership to the Parties to the Agreement on Sub-Regional Arms Control, Annex 1-B, Article iv of the General Framework Agreement for Peace in Bosnia and Herzegovina, MC.doc/4/14, 5 December 2014.

agreement the parties aimed at achieving “a stable military balance based on the lowest levels of armaments”⁵⁶ in order to help prevent the return of conflict. The agreement takes many definitions for armaments limitations from the Treaty on Conventional Armed Forces in Europe (the CFE Treaty) and it also includes an extensive exchange of information as well as inspections.

The fact that ownership of the agreement could be transferred to the parties 18 years after it was concluded is a real success story. The OSCE assisted the parties throughout this time with the help of six different Personal Representatives. In addition, the adoption of the declaration on the transfer of ownership at the Basel MC was a success for the Swiss Chairmanship, which had presented ‘enhancing co-operation and reconciliation in the Western Balkans’ as one of its main priorities. According to the OSCE, “[a] total of 10,069 heavy armaments have been destroyed in the last nineteen years. More than 1,300 OSCE personnel in the field participated in more than 700 inspections, with the support of the 29 OSCE participating States.”⁵⁷

Furthermore, the Basel MC adopted a ‘Commemorative Declaration on the Occasion of the Twentieth Anniversary of the OSCE Code of Conduct on Politico-Military Aspects of Security.’ This code of conduct is a regime for the democratic control of armed forces, thus combining the politico-military and human dimension of the OSCE. It came into effect as a politically-binding document on 1 January 1995. It defines norms and principles and thereby regulates the conduct of armed forces at the national and international level. In addition, it commits OSCE participating States to exchange information on the status of the democratic control of their armed and security forces. In the commemorative declaration, the 57 OSCE participating States “recall the Code of Conduct as a unique, norm setting document.”⁵⁸ Although the declaration does not contain any reference to the Ukraine crisis, it does “reaffirm the undiminished validity of the guiding principles and common values of the Helsinki Final Act, the Charter of Paris and the Helsinki Document 1992, embodying responsibilities of States towards each other and of governments towards their people (...).”⁵⁹ This unambiguous restatement of core OSCE principles and documents is important as it is absent from other political documents of the Basel MC meeting, such as the decision on the Helsinki+40 process.

On a more negative note, a decision on ‘Issues Relevant to the Forum for Security Cooperation’ could not be adopted for the third year in a row. While last year the main contentious issue related to the “modernizing and updating” of the Vienna Document on Confidence and Security-Building Measures, the main stumbling block this time had to do with the Ukraine crisis. According to experts present during the talks, negotiations broke down after only one round. This had to do with the divergent views on the root causes of the Ukraine crisis (as explained in the introductory part of this article) and on how to reflect these in the decision.

Furthermore, Germany informally submitted a proposal for a draft decision on ‘engaging on military security, confidence building and arms control’. However, this draft was never negotiated officially. Arms control was an issue of major disagreement between Russia and the West already prior to the Ukraine crisis. Russia unilaterally

56 United Nations, General Assembly, Security Council, General Framework Agreement for Peace in Bosnia and Herzegovina, A/50/790, S/1995/999, 30 November 1995. Retrieved 11 March 2015, http://peacemaker.un.org/sites/peacemaker.un.org/files/BA_951121_DaytonAgreement.pdf

57 OSCE, Press Release, Bosnia and Herzegovina, Croatia, Montenegro and Serbia Take Ownership of Regional Arms Control, Dayton Peace Agreement Article iv Annex 1/B: Mission Accomplished, Basel, 4 December 2014. Retrieved 11 March 2015, <http://www.OSCE.org/cio/129436>

58 OSCE, Ministerial Council, Basel 2014, Commemorative Declaration on the Occasion of the Twentieth Anniversary of the OSCE Code of Conduct on Politico-Military Aspects of Security, MC.doc/11/14, 5 December 2014.

59 Ibid.

suspended the CFE Treaty in 2007, as the West continued to insist on a Russian military withdrawal from Moldova and Georgia (Istanbul commitments) in exchange for the ratification by NATO countries of the Adapted Treaty on Conventional Armed Forces in Europe. That said, the Ukraine crisis made negotiations on arms control even more difficult. Hence, the priority of the Swiss Chairmanship to exchange ideas on conventional arms control and to modernize the Vienna Document became a victim of the Ukraine crisis.

It should however be noted that the Vienna Document was applied in 2014 during the Ukraine crisis. Military observers visited Ukraine under Chapter iii of the 2011 Vienna Document, which allows for the voluntary hosting of visits to dispel concerns about unusual military activities. With reference to this provision, Ukraine requested all OSCE participating States to send military representatives to Ukraine in March 2014.

The Economic and Environmental Dimension

Two decisions of significance were adopted by the Basel MC within the economic and environmental dimension that add new topics and tasks to the OSCE agenda.

First, a decision on 'Prevention of Corruption' was adopted, which welcomes "the fact that almost all participating States have ratified or acceded to the United Nations Convention against Corruption (UNCAC)."⁶⁰ In comparison with the 2004 Sofia Ministerial 'Decision on Combating Corruption' (MC.dec/11/04) this present document is more substantive in nature. While the 2004 decision was mainly of a declaratory character and was focused on encouraging participating States to ratify the UNCAC, the Basel MC decision puts anti-corruption efforts more into the focus of the OSCE's work. Furthermore, as compared to the 2012 Dublin Ministerial 'Declaration on Strengthening Good Governance and Combating Corruption, Money-Laundering and the Financing of Terrorism' (MC.doc/2/12), the Basel MC decision on 'Prevention of Corruption' prioritizes anti-corruption efforts for participating States and also tasks the OSCE to look into developing additional anti-corruption capacities.

The Basel decision on 'Prevention of Corruption' *inter alia* calls on states to further develop and implement anti-corruption legislation and policies; to take measures to enhance transparency in public administration; to adopt systems that prevent conflicts of interest in the public sector; to promote a culture of integrity, transparency and accountability, across all sectors of society; to recognize the important role that whistleblowers play in identifying and preventing corruption; to establish and implement effective sanctions to penalize corruption; and to support measures to strengthen the integrity of the judiciary.

In addition, the decision tasks the OSCE Economic and Environmental Committee (an informal subsidiary body of the OSCE pc) with presenting a report to the OSCE pc by 1 June 2015, with the help of input from the OSCE Secretary General and field operations. This report should provide "options for strengthening the current OSCE capacity on combating and preventing corruption and for enhancing coordination among the OSCE executive structures in that field (...)."⁶¹ With this task, participating States, together with the OSCE Secretary General and field operations, are responsible for developing suggestions for additional OSCE capacity in the area of combating and preventing corruption.

Second, the Basel MC adopted a 'Decision on Enhancing Disaster Risk Reduction'. The decision is the result of the Swiss Chairmanship's priority of 'more reliable management of natural disasters'. It draws upon the conclusions

60 OSCE, Ministerial Council, Basel 2014, Decision No. 5/14 Prevention of Corruption, MC.dec/5/14, 5 December 2014.

61 Ibid.

and recommendations of the 22nd OSCE Economic and Environmental Forum and its two preparatory meetings, which were held in the course of 2014. While the 2013 Kiev Ministerial Council decision was focused on the protection of energy networks from natural and man-made disasters (MC.dec/6/13), the 2014 decision links disaster risk reduction to confidence building. It emphasizes the importance of co-operation in the area of disaster risk reduction among states in conflict zones as a means of confidence building. In addition, the decision links natural disasters to climate change and notes in this context “the importance of climate change mitigation and adaptation to effectively reducing disaster risk.”⁶² The reference to climate change was a matter of particular controversy given the different policies that participating States have on this issue. It can therefore be regarded as a success that the ‘Decision on Enhancing Disaster Risk Reduction’ links disasters to climate change and also refers to the importance of “ongoing global negotiations on climate change.”⁶³ The decision also tasks the Office of the Coordinator of OSCE Economic and Environmental Activities (OCEEA), in cooperation with OSCE field operations, to assist states in preparing for “cross-border implications of disasters, with a view of building trust and confidence among states.”⁶⁴ The OCEEA and field operations are also tasked to strengthen the exchange of knowledge in the areas of water management, flood risk management, and fire management and to assist states in raising disaster risk awareness.

With the adoption of this decision, the Swiss Chairmanship has succeeded in adding the topic of disaster risk reduction and prevention to the OSCE agenda. The floods in Bosnia and Herzegovina, Serbia and Croatia which occurred in May 2014 made the topic even more relevant and illustrated in a very tragic way the connection between natural disasters, conflict and security. The floods also underlined the importance of cross-border cooperation when dealing with natural disasters. In this context, Switzerland organized field visits for experts from OSCE states to the Canton of Valais where they could learn first-hand about Swiss-Italian cross-border cooperation in managing natural disasters in mountainous regions as well as about the management of natural disasters in connection with industrial accidents.

The Human Dimension

One of the declared priorities of the Swiss OSCE Chairmanship was to strengthen the implementation by participating States of existing commitments in the human dimension. Swiss President and Foreign Minister Didier Burkhalter already mentioned this priority in July 2013 when outlining the joint workplan of the consecutive Swiss and Serbian Chairmanships at a special meeting of the pc in Vienna. He called it a “duty” to live up to pledges made by participating States within the human dimension.⁶⁵

Human rights issues are considered an integral part of the Helsinki Final Act, which acknowledges as one of its ten guiding principles “respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief.”⁶⁶ This makes the OSCE unique in the sense that it follows a comprehensive approach to security, in which human rights are included on an equal footing with politico-military and economic and environmental issues. In addition, the 1991 Moscow Document clearly stresses that “commitments undertaken in the field of the human dimension of the CSCE [Conference on Security and

62 OSCE, Ministerial Council, Basel 2014, Decision No. 6/14 Enhancing Disaster Risk Reduction, MC.dec/6/14, 5 December 2014.

63 Ibid.

64 Ibid.

65 pc.del/575/13/Rev. 1, 2 July 2013.

66 Conference on Security and Cooperation in Europe, Final Act, Helsinki, 1975, p. 6. Retrieved 11 March 2015, <https://www.OSCE.org/MC/39501?download=true>.

Co-operation in Europe] are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned.”⁶⁷ This commitment has most recently been reconfirmed in the 2010 Astana Commemorative Declaration. Therefore, the degree of implementation of human rights commitments is a common concern of all participating States that can be discussed openly.

As a novelty, the consecutive Swiss and Serbian OSCE Chairmanships have decided to present a self-evaluation with regard to their own implementation of OSCE human dimension commitments.⁶⁸ This was considered particularly useful, as the OSCE Chairmanship should lead by example.

Within the human dimension, the Basel MC meeting adopted a ‘Declaration on Enhancing Efforts to Combat Anti-Semitism’ by consensus. The declaration is based on recommendations issued by Switzerland at a conference on Anti-Semitism, held together with Germany in Berlin on 12 and 13 November 2014.⁶⁹ This conference was held as a high-level commemorative event, ten years after the first Berlin conference on Anti-Semitism. In the declaration, participating states are, *inter alia*, called upon to “encourage political leaders and public figures to speak out strongly and promptly when anti-Semitic incidents occur; to promote educational programs for combating anti-Semitism [...]; and to investigate effectively, promptly and impartially acts of violence motivated by anti-Semitism and prosecute those responsible.”⁷⁰ ODIHR is asked to support states in their efforts to combat anti-Semitism through, for example, offering them best practices and assisting them in collecting data on anti-Semitic hate crimes. As a tasking for future Chairmanships, the declaration encourages states “to elaborate Ministerial Council Declarations on enhancing efforts to combat intolerance and discrimination, including against Muslims, Christians and members of other religions.”⁷¹ The ‘Declaration on Enhancing Efforts to Combat Anti-Semitism’ thus signifies a clear recommitment by participating States to combat anti-Semitism, and it ensures that in the future similar declarations will be adopted regarding Muslims, Christians or members of other religions.

Apart from this, several other human dimension drafts were negotiated, but failed to reach consensus.

In the run-up to the Basel MC meeting, Switzerland tabled a draft decision on the prevention of torture and other cruel, inhuman or degrading treatment or punishment. However, it was not possible to reach consensus on this document. The draft decision was a substantive document that reaffirmed the importance of freedom from torture, calling it a “non-derogable right under international law.” The draft document also noted with satisfaction that all OSCE states are parties to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT). It called upon states to respect the absolute prohibition of torture, fully implement their obligations under UNCAT, ensure that the prohibition against torture is incorporated in their criminal codes, take effective legislative measures to prevent torture, protect victims of torture, and support civil society working to prevent torture.

67 Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, Moscow, 3 October 1991, p. 29. Retrieved 11 March 2015, <http://www.OSCE.org/odihr/elections/14310?download=true>.

68 The results of this self-evaluation exercise can be found at: Self Evaluation OSCE Chairmanship, Swiss Center of Expertise in Human Rights (SCHR), Bern, 24 October 2014. Retrieved 11 March 2015, http://www.skmr.ch/cms/upload/pdf/141204_Self-Evaluation_OSCE_Chairmanship_Updated_Version.pdf.

69 See 10th Anniversary of the OSCE’s Berlin Conference on Anti-Semitism, High-Level Commemorative Event, Swiss OSCE Chairmanship Conclusions, Berlin, 12–13 November 2014. Retrieved 11 March 2015, <http://www.OSCE.org/odihr/126710?download=true>.

70 OSCE, Ministerial Council, Basel 2014, Declaration on Enhancing Efforts to Combat Anti-Semitism, MC.doc/8/14, 5 December 2014.

71 Ibid.

During the negotiations on this draft decision, the Swiss Chair was in favour of creating the position of a focal point on the prevention of torture within ODIHR in order to better support states in implementing their relevant OSCE commitments. A focal point would have enabled the ODIHR to follow up on the issue of the prevention of torture with concrete projects and events. Also, the aim was to achieve a document that would go beyond a merely declaratory character.⁷² EU states supported this suggestion and requested that additional resources should be made available for such a focal point position. Yet, this suggestion was met with opposition from Russia, Azerbaijan and Uzbekistan, which are against strengthening ODIHR capacities in general. In addition, EU states insisted on adding to the decision new commitments related to “enforced disappearances”. As consensus could not be found on these issues, negotiations on this draft decision had to be aborted. However, the topic of the prevention of torture continues to be on the OSCE agenda and will be followed up in 2015.

Another draft document that failed to reach consensus was a draft declaration on the involvement of civil society in the work of the OSCE. This was one of the original priorities of the Swiss Chair, already presented in July 2013, when Swiss President and Foreign Minister Didier Burkhalter emphasized at the pc in Vienna the importance of a “more systematic involvement of civil society.”⁷³ The draft declaration was focused on ensuring an environment in which civil society can operate without hindrance and insecurity. It encouraged OSCE executive structures to allow for a systematic engagement of civil society and to hold inclusive consultations with civil society. However, it became clear early on in the negotiations that consensus on this document would not emerge. The Swiss Chairmanship was not willing to water down previously agreed-upon human dimension commitments.

Nevertheless, Switzerland was successful throughout 2014 in including more systematically civil society and the voice of the NGO community in the work of the OSCE. For example, Switzerland organized a conference on 10 and 11 June in Bern on the protection of human rights defenders and their vital role in helping to ensure respect for human rights.⁷⁴ In addition, the Civic Solidarity Platform presented a set of recommendations to the Basel MC meeting.⁷⁵ Many of the recommendations are based on the results of the work of regional OSCE civil society workshops held throughout 2014 in Belgrade, Vienna, Dushanbe, and Tbilisi. The recommendations relate to respect for human rights and fundamental freedoms, democracy and the rule of law in the OSCE region. They address the freedom of assembly, expression and association. They speak about the security of human rights defenders and the prevention of torture. But they also address more recent problems such as the right to privacy and the protection of personal data.

The EU also tabled draft decisions on freedom of expression and freedom of assembly that were co-sponsored by more than 40 participating States but failed to reach consensus early on in the negotiation process.

Cross-Dimensional Decisions

On 10 and 11 July 2014, the first ever Gender Equality Review Conference was held in Vienna with the aim of marking the ten-year anniversary of the adoption of the 2004 Action Plan for the Promotion of Gender Equality (MC.dec/14/04). At the conference, participants took stock of the progress made so far and also identified gaps in the

72 The 2009 Athens Ministerial Council adopted a Declaration on the Occasion of the 25th Anniversary of the Adoption of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, MC.doc/4/09, 2 December 2009. Retrieved 15 March 2015, <http://www.OSCE.org/cio/40697?download=true>.

73 pc.del/575/13/Rev. 1, 2 July 2013.

74 For more information see the conference website: <http://www.OSCE.org/cio/118637>.

75 See Civic Solidarity, Civil Society Recommendations to the Participants of the OSCE Ministerial Council Meeting in Basel, cio.gal/229/14, 5 December 2014. Retrieved 1 March 2015, <http://www.OSCE.org/cio/129836?download=true>.

implementation of commitments over the past ten years. The conference was a success as it drew high-level participants from both Western and Eastern states and resulted in a comprehensive set of conclusions, jointly issued by Switzerland and Serbia.⁷⁶

The conference also gave impetus to the idea of developing an Addendum to the 2004 Gender Action Plan, with the aim of broadening the original document. The draft Addendum contained several sections, including an introductory part on relevant institutional reform within the OSCE Secretariat as well as sections on gender equality commitments in all three OSCE security dimensions. It also contained a separate section on combating violence against women.

Since agreement on the draft Addendum could not be found in time for the MC meeting in Basel, participating States tasked themselves in a 'Decision on the Addendum to the 2004 OSCE Action Plan for the Promotion of Gender Equality' to elaborate the Addendum in 2015 and to adopt it in 2015 on the level of the pc. In the run-up to the Basel MC meeting, discussions mainly circled around the Swiss suggestion to elevate the post of the Senior Gender Advisor in the OSCE Secretariat and to merge it with the post of the Special Representative of the Chairmanship on Gender Issues. Yet, this suggestion was met with opposition from the Holy See, Russia and Azerbaijan.

Since the topic of violence against women (originally part of the Addendum) was of particular importance to the Swiss Chairmanship and as it had gained increased support over the year among participating States both east and west of Vienna, Bern decided to table a separate draft decision on this topic. In the 'Decision on Preventing and Combating Violence Against Women' participating States expressed deep concern at "the persistence of violence against women as one of the most pervasive human rights violations in the OSCE area, manifested as physical, sexual, and psychological violence" and reiterated "the particular need to take more vigorous measures in preventing and combating violence against women, to which gender inequality can be among the major contributing factors."⁷⁷ The decision is a substantive document as it calls on participating States to take a list of measures related to their legal framework such as considering the signature and ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, improving preventive measures, enhancing the protection of victims, strengthening the prosecution of perpetrators, and developing partnerships with law enforcement, parliaments, national human rights institutions, social services and civil society.

OSCE executive structures are tasked to assist participating States – "upon their request" – in their efforts to implement the provisions of the decision. In this context, the EU made an interpretative statement clarifying its view that "on the basis of the Helsinki Document from 1992, ODIHR has a general mandate to assist OSCE participating States in the implementation of their human dimension commitments. In the implementation of this mandate, ODIHR, as an autonomous institution, can develop guidelines, handbooks, organize workshops and other activities without the request of participating States."⁷⁸ In making this statement, the EU wanted to make clear that ODIHR had the mandate to assist participating States, irrespective of whether they made a "request" to the ODIHR or not.

76 OSCE Gender Equality Review Conference, Chairmanship Conclusions, Swiss OSCE Chairmanship and Incoming Serbian OSCE Chairmanship, Achieving Gender Equality in the OSCE Region: A Roadmap, [cio.gal/135/14](http://www.OSCE.org/cio/121794?download=true), 24 July 2014. Retrieved 11 March 2015, <http://www.OSCE.org/cio/121794?download=true>.

77 OSCE, Ministerial Council, Basel 2014, Decision No. 7/14 Preventing and Combating Violence Against Women, MC.dec/7/14/Corr.1, 5 December 2014.

78 MC.dec/7/14/Corr. 1, Attachment 2, 5 December 2014.

The MC in Basel also adopted a 'Declaration on Youth'. The declaration is the result of the Swiss Chairmanship's priority of including young people in the work of the OSCE and of highlighting their contribution to the economic, political and social developments within participating States. For this purpose, the Swiss Chair organized a Model OSCE three-stage simulation sequence during which 57 young people from across the OSCE region negotiated in simulated OSCE bodies the Model OSCE Youth Action Plan.⁷⁹ This Model OSCE Youth Action Plan was presented by the 'Youth Ambassadors' to the OSCE participating States at an informal meeting in September 2014. In addition, the Youth Ambassadors were invited by the OSCE CiO to come to the OSCE MC and to present their Model OSCE Youth Action Plan to the ministers of the 57 OSCE participating States. The plan contained recommendations to the OSCE participating States and OSCE executive structures, including very topical issues such as measures against the radicalization of young people, fighting terrorism, and improving education and employment opportunities.

The 'Declaration on Youth' acknowledges "the potential of young people to contribute to economic, political and social developments" and also highlights the fact that they can "support participating States in the implementation of commitments in all three dimensions of the OSCE."⁸⁰ Yet, it does not contain an explicit reference to the Model OSCE Youth Action Plan and its specific recommendations. While the draft declaration on youth contained a reference to the incoming Serbian Chairmanship's readiness to continue working on the topic of youth and to consider developing an OSCE Action Plan on Youth, this explicit reference was deleted from the final document. Nevertheless, Serbia will continue to work on this topic during 2015 and will also be the first country to appoint two Special Representatives on Youth and Security to assist in promoting youth participation in the OSCE.⁸¹

Furthermore, Switzerland wanted to build on its previous efforts in the area of enhancing OSCE mediation capacities. This was already a topic of interest for Switzerland prior to its OSCE Chairmanship in 2014. In this regard, Switzerland financially supported the establishment of a Mediation Support Team within the Conflict Prevention Centre of the OSCE Secretariat in Vienna. In addition, during 2014, the OSCE Secretariat prepared a 'Reference Guide on Mediation and Dialogue Facilitation in the OSCE', which was officially presented on the margins of the OSCE MC in Basel on 3 December. Furthermore, Switzerland, Finland and Turkey jointly launched an OSCE Group of Friends of Mediation in March 2014. The Co-chairs of the OSCE Group of Friends of Mediation also organized a high-level conference on mediation in the OSCE area, held on 10 October 2014 in Vienna, jointly with the Finnish non-profit organization Crisis Management Initiative (CMI).

During its OSCE Chairmanship, Switzerland's aim was to take OSCE efforts in the area of mediation one step further. Therefore, the Swiss Chair submitted a draft decision on further enhancing mediation and dialogue facilitation in the OSCE. The draft decision recognized the important role of the OSCE in the Ukraine crisis and especially its efforts in the area of dialogue facilitation and mediation. The draft decision aimed at strengthening OSCE engagement in conflict mediation and at securing increased funding (through the Unified Budget) for the support and conduct of OSCE mediation and dialogue facilitation efforts. The draft decision received wide support but eventually consensus could not be reached. This had to do with a disagreement between Turkey and Armenia, unrelated to the topic of the draft decision. Thus, the declared priority of Switzerland to strengthen mediation capacities could

79 See Model OSCE, Youth Action Plan, 10 July 2014. Retrieved 12 March, <http://model-osce.ch/wp-content/uploads/2013/12/Model-OSCE-Youth-Action-Plan.pdf>.

80 OSCE, Ministerial Council, Basel 2014, Declaration on Youth, MC.doc/3/14, 5 December 2014.

81 See the Address by His Excellency Mr. Ivica Dačić, Chairperson-in-Office of the OSCE, First Deputy Prime Minister and Minister of Foreign Affairs of the Republic of Serbia at the Special Meeting of the OSCE Permanent Council, Vienna, 15 January 2015. Retrieved 12 March, <http://www.OSCE.org/cio/134801?download=true>.

not be fulfilled completely. Nevertheless, the OSCE can continue to work on mediation-related topics, on the basis of the 2011 Vilnius MC decision on ‘Elements of the Conflict Cycle, Related to Enhancing the OSCE’s Capabilities in Early Warning, Early Action, Dialogue Facilitation and Mediation Support, and Post-Conflict Rehabilitation’ (MC.doc/3/11).

Declarations on Cooperation with Mediterranean and Asian Partners

The MC in Basel also adopted a ‘Declaration on Cooperation with the Mediterranean Partners’ as well as a ‘Declaration on Cooperation with the Asian Partners’.⁸²

The adoption of both declarations is a restatement of the importance that participating States and Partners attach to their regular dialogue and of their mutual belief that they can benefit from the partnership. This is also reflected in the fact that almost all other MC decisions and declarations contain a provision that encourages the Partners to voluntarily implement the provisions of the decision in question. Hence, it is widely recognized that cooperation with the Partners is important as “the security of the OSCE area is inextricably linked to that of adjacent areas, notably in the Mediterranean and in Asia.”⁸³

In the ‘Declaration on Cooperation with the Mediterranean Partners’, participating States recognize the fact that “the changes unfolding in the Mediterranean region reflect a profound and complex process that may have enormous consequences for security and human rights in the OSCE region and beyond.”⁸⁴ The declaration reaffirms the importance of the OSCE Mediterranean Partnership as well as of the Contact Group (which celebrated its 10-year anniversary in 2014) as the main forum for regular dialogue between OSCE participating States and Partner states. Indeed, the Contact Group, chaired by Serbia as the incoming OSCE Chairmanship, held six meetings during 2014 focusing on different topics, such as election observation, refugees, combating trafficking in human beings, migration and combating terrorism.

The ‘Declaration on Cooperation with the Asian Partners’ notes “with appreciation the generous contribution of Asian Partners to OSCE extrabudgetary projects and relevant OSCE activities, inter alia the support from Japan, Australia, the Republic of Korea and the Kingdom of Thailand for the establishment of the Special Monitoring Mission to Ukraine.”⁸⁵ States also reaffirm their “long-term commitment” with Afghanistan and call for continued work “on border cooperation between the OSCE states and Afghanistan on bilateral and multilateral levels beyond 2014.”⁸⁶ In the declaration, states also “note with satisfaction the deployment of ODIHR election support teams to the Afghan elections in recent years and encourage the Afghan Government to make good use of the recommendations made.”⁸⁷ The Contact Group with the Asian Partners for Co-operation, chaired by Ukraine, held five meetings throughout 2014 and discussed issues related to elections, women’s issues, foreign terrorist fighters, and border security.

82 The OSCE maintains special relations with the following six Mediterranean countries: Algeria, Egypt, Israel, Jordan, Morocco, and Tunisia. It also maintains relations with the following five Asian countries: Japan, South Korea, Thailand, Afghanistan, and Australia.

83 OSCE, Summit Meeting, Astana 2010, Astana Commemorative Declaration: Towards A Security Community, sum.doc/1/10/Corr.1, 3 December 2010. Retrieved 18 March, <https://www.OSCE.org/cio/74985?download=true>.

84 OSCE, Ministerial Council, Basel 2014, Declaration on Co-operation with the Mediterranean Partners, MC.doc/9/14, 5 December 2014.

85 OSCE, Ministerial Council, Basel 2014, Ministerial Declaration on Co-operation with the Asian Partners, MC.doc/10/14, 5 December 2014.

86 Ibid.

87 Ibid.

Although the OSCE is not mandated to carry out activities outside the OSCE area, Partners for Cooperation can still enjoy OSCE support through, for example, participation in OSCE training programmes, financed mainly through extra-budgetary contributions and the OSCE Partnership Fund.

Both declarations contain identical paragraphs in which participating States strongly condemn terrorism in all its forms and manifestations. Participating States welcome dialogue with the Partners on efforts on how to “suppress the flow of foreign terrorist fighters” and on how to “ensure that no funds, financial assets or economic resources are made directly or indirectly available to fund the terrorist activities.”⁸⁸ The issue of foreign terrorist fighters is thus restated in both declarations of the Partners, underlining the significance of this topic to OSCE participating States. The restatement of the condemnation of terrorism in all its forms reflects the growing concern of participating States of the worsening situation in Iraq and Syria throughout 2014. In this context, Libya’s application for OSCE Partnership⁸⁹ could again not be followed up in 2014, given the worsening situation in the country and the region at large.

Decisions on Future Chairmanships

Finally, the Basel MC meeting took two important decisions on future Chairmanships, thus providing for continuity in the OSCE political leadership. The OSCE will be chaired by Germany in 2016⁹⁰ and by Austria in 2017.⁹¹ This is an encouraging sign since both countries are strong OSCE supporters and are willing to help ease East-West tensions. It is hoped that Germany and Austria will coordinate some of their respective Chairmanship priorities in order to enable a better follow-up and increased continuity.

Conclusion

The OSCE MC meeting in Basel took place against the backdrop of the most serious East-West confrontation since the end of the Cold War. Indeed, it seemed ironic that the year 2014 marked 25 years since the Cold War’s ending, and at the same time saw a resurgence of this old confrontation.

The Basel MC meeting highlighted the cleavages between the Russian Federation, on the one hand, and the vast majority of OSCE participating States, on the other. It became clear that most states held the view that the Ukraine crisis is the result of Russia’s illegal annexation of Crimea and the destabilizing actions in eastern Ukraine, signifying a serious violation of the basic OSCE principles and commitments, as enshrined notably in the Helsinki Final Act and the Charter of Paris. By contrast, for the Russian Federation, the Ukraine crisis is the result of a more systemic crisis of the Euro-Atlantic area.

Because of these fundamental differences, OSCE bodies (especially the OSCE pc) throughout 2014 were increasingly dominated by heated debate and adversarial rhetoric. In this context, there were fears ahead of Basel that the MC meeting could end in failure.

Yet, the OSCE MC proved its value as a platform for dialogue between East and West. This was underlined by the

88 MC.doc/9/14, MC.doc/10/14, 5 December 2014.

89 Libya officially applied for OSCE Partnership in June 2013. Official partnership status will be granted to Libya only following a formal consensus decision by all 57 participating States. For more information see Stephanie Liechtenstein, Security and Human Rights Blog, Libya Applies to Become an OSCE Partner for Cooperation, 25 June 2013. Retrieved 18 March 2015, http://www.shrblog.org/blog/Libya_applies_to_become_an_OSCE_Partner_for_Cooperation_.html?id=384.

90 See OSCE, Ministerial Council, Basel 2014, Decision No. 3/14 OSCE Chairmanship in the Year 2016, MC.dec/3/14, 5 December 2014.

91 See OSCE, Ministerial Council, Basel 2014, Decision No. 4/14 Chairmanship in the Year 2017, MC.dec/4/14, 5 December 2014.

record high number of ministers and delegates who attended the official plenary sessions but also the many bilateral meetings on the margins of the MC meeting. The OSCE's role was also reconfirmed by the large number of decisions adopted in the three OSCE security dimensions. A total of 21 decisions were adopted by ministers in Basel reflecting priorities in all three OSCE security dimensions, including on topical issues such as countering kidnapping for ransom and terrorist foreign fighters, preventing corruption, improving disaster risk reduction, and combating violence against women. In addition, declarations on combating anti-Semitism as well as on strengthening the engagement of youth were adopted. In addition, a commemorative declaration⁹² on the occasion of the 70th anniversary of the end of the Second World War was adopted. The MC also adopted several statements on protracted conflicts, which confirmed the OSCE's role in helping to settle the conflicts and affirmed the parties' willingness to continue negotiations in the agreed formats.

Finally, the adoption of the declaration on the Helsinki+40 process underlined the willingness of participating States to continue to use the OSCE as a platform for addressing European security. This offers a real opportunity to address the underlying problem of how to shape the Euro-Atlantic and Eurasian security architecture and to define the role of the OSCE in this context. The Panel of Eminent Persons has an important task in this regard, as it has to provide recommendations to participating States on how to reconsolidate European security as a common project. The Panel's recommendations should become the basis of a final document that has to be adopted at the 2015 Belgrade MC meeting.

In 2015 under the Serbian Chairmanship, the OSCE will mark the 40th anniversary of the Helsinki Final Act, its founding document. The basic provisions of this landmark document have been violated and significantly challenged throughout 2014. In order for this anniversary to be a success, participating States will have to reconcile their views on how to shape the European, Euro-Atlantic and Eurasian security architecture. In this endeavour, the OSCE offers the best forum for bridging differences, improving trust and confidence and finding common solutions.


As Frank-Walter Steinmeier, Federal Minister for Foreign Affairs of the Federal Republic of Germany stated, "we must reconnect with the understanding of the OSCE that pertained when it was set up 40 years ago: as a forum to promote security and co-operation in Europe through dialogue, collaboration and confidence-building measures. We must refocus on this core task. The equation 'monologue plus monologue equals dialogue' doesn't work – as we are discovering every day."⁹³

About the Author

The author is currently pursuing a PhD in political science at the University of Vienna, focusing on negotiation strategies in the OSCE. She held several positions in the OSCE Secretariat in Vienna (Office of the Secretary General, Conflict Prevention Centre, Conference Services) between 2003 and 2008.

92 OSCE, Ministerial Council, Basel 2014, Ministerial Commemorative Declaration on the Seventieth Anniversary of the End of the Second World War, MC.doc/7/14/Corr.1, 5 December 2014.

93 Statement by Mr. Frank-Walter Steinmeier, Federal Minister for Foreign Affairs of the Federal Republic of Germany, at the Twenty-First Meeting of the OSCE Ministerial Council, MC.dec/4/14, Basel, 4 December 2014.



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

© Netherlands Helsinki Committee. All rights reserved.

www.nhc.nl