



A PEACEFUL PRESENCE

The First Five Years of
the OSCE Special Monitoring
Mission to Ukraine



Contents

4	Foreword	42	Reporting – Leveraging the “Eyes and Ears” on the Ground
6	Acknowledgments	43	Expanded Operations, Expanded Reporting
7	Introduction	46	Challenges in SMM Reporting
8	Establishing the Special Monitoring Mission to Ukraine – Mandate and Early Deployment	48	Technology as a Force Multiplier
9	Negotiating the Mandate	50	Challenges in Technological Monitoring
11	Early Deployment	52	Safety and Security
13	Learning by Doing	53	Safety and Security in the Early Deployment Phase
16	Building Relationships in Turbulent Times	54	Operational Risks in Eastern Ukraine
17	Early Engagement with the Host Country	58	A People-Centred Approach
17	Diplomatic Initiatives and Dialogue Facilitation	59	The Human Face of the Conflict
18	Stakeholders in Eastern Ukraine	62	Activities throughout Ukraine
22	Responding to Turning Points	63	Partnerships in Support of People
23	Abduction of SMM Patrols	64	Gender Mainstreaming
24	Malaysia Airlines Flight MH17	66	Conclusions and Recommendations
26	The SMM’s Contribution to Implementing the Minsk Agreements	67	Mandate and Deployment
28	Reflections from the TCG Working Group on Security Issues	68	Co-ordination and Co-operation
29	Complementary Documents to the Minsk agreements	69	Technology
29	Challenges in Monitoring and Verification	69	Duty of Care
30	Ceasefire	70	A People-Centred Approach
30	Weapons Withdrawal	70	Toward More Resilient Peace Operations
30	Disengagement	71	Annexes
32	An Elusive Search for Compliance	71	Acronyms and Abbreviations
32	From the Negotiation Table to the Field: Bridging the Divide	72	Timeline
33	Supporting the Implementation Process	76	Notes
34	SMM Co-ordination with OSCE Chairmanships		
36	The SMM’s Footprint – Adapting to Changing Needs		
37	Expansion in the Wake of the Minsk Agreements		
38	Diversity Management		
38	Adjusting Operations and Operational Support		

Foreword

Ambassador Tuula Yrjölä
Director of the OSCE Conflict
Prevention Centre



Learning lessons from the past is essential to being prepared for the future. From the first five years of the Special Monitoring Mission to Ukraine, the OSCE was able to identify a wealth of valuable lessons to inform future operations, not only for the OSCE but also for the international community at large.

The Mission's evolution since its initial deployment required complex learning over a short period of time. Alone, the SMM's innovations in the area of technical monitoring were a first within the international community and have already provided many useful lessons. To preserve the Mission's institutional knowledge, this report attempts to capture some of the key lessons from the SMM's operations between March 2014 and May 2019, when its first Chief Monitor, Ambassador Ertuğrul Apakan, handed over the Mission's leadership to his successor, Ambassador Halit Çevik.

During its first five years of operation, the SMM's footprint and activities expanded significantly. The Mission continually adapted its operations to the evolving situation on the ground, including the eruption of armed violence in the Mission's area of operation, the abduction of Mission monitoring officers, the downing of Malaysia Airlines flight 17 over eastern Ukraine and the tragic loss of life of one SMM staff member.

Some of the lessons that had to be learned from the SMM's first five years were challenging indeed. This study examines how the Mission was able to implement its mandate, including additional tasks arising from the Minsk agreements, in a multifaceted and highly volatile security environment, which became more complex over time.

I would like to express my sincere gratitude to everyone who contributed to this study. My particular thanks go to Ambassador Apakan for sharing his indispensable institutional memory and to Ambassador (ret.) Fred Tanner for conducting much of the research and leading the project team. I also gratefully acknowledge the contributions of the project donors – the Netherlands, Slovakia, Liechtenstein, Austria and Turkey – whose financial contributions made this study possible.

I trust that this study will provide important lessons and recommendations, not only for the SMM but for other field operations as well. I hope it will also provide useful inspiration for other international organizations faced with the task of deploying complex peace operations in challenging environments.

Foreword

Ambassador Ertuğrul Apakan Former Chief Monitor of the Special Monitoring Mission to Ukraine

In March 2014, with fewer than two dozen personnel in the country, I wondered – as the newly appointed SMM Chief Monitor – if the Mission was fully suited to address the crisis unfolding around us. While hostilities in the east were yet to come, the uncertainty on the streets of Kyiv and elsewhere reflected not only challenges within Ukraine itself but also a fundamental threat to the stability of the wider continent. At stake was the security architecture built in Helsinki in 1975, upon which half a century of peace and prosperity depended. As we pored over maps in those early days, we felt a heavy sense of responsibility.

However, with the unanimous backing of all 57 OSCE participating States, it was clear that this sense of responsibility was widely shared. As challenges mounted, in particular those related to logistics and security, support was always at hand – from the Swiss and subsequent Chairmanships and from the OSCE Secretariat. As the summer wore on and the years followed, we would increasingly need it.

There were many crises in the ensuing five years that forced us to engage in risk management and decision-making in an unpredictable environment. For me as Chief Monitor, a key task was to build and maintain an effective team that would be capable of working toward a common goal in line with the OSCE's comprehensive approach to security.

With civilian monitors deploying in what was quickly becoming a conflict zone, the SMM was battered from many sides. The hostage-taking of eight monitoring officers and the downing of flight MH17 reflected a wider deterioration of the security situation, one that would ultimately cost thousands of lives, including the life of SMM paramedic Joseph Stone in April 2017.

With the Minsk agreements, a change and expansion in roles and functions was required, both in the number of personnel and in the use of technology. But more than anything, these changes brought about a steep learning curve, as civilians from across the OSCE area pooled their experience and skills to drive this expansion and to deliver on the SMM's mandate, in the midst of an armed conflict. With the sound of each siren, indicating that more destruction lay in wait, the public was understandably impatient with the slow progress of conflict resolution. But the SMM could never do more than facilitate efforts to resolve the conflict.

Nevertheless, the SMM applied all of its resources, relying on the resourcefulness, dedication and courage of its staff. Our SMM team was committed to peace, in line with OSCE principles and commitments. Where bombs and bullets took lives and livelihoods, the SMM facilitated dialogue, enabling, among others, the repair of critical civilian infrastructure upon which millions depended. The SMM worked tirelessly to open spaces for humanitarian intervention in support of affected civilian populations, including vulnerable groups. When measures were agreed to reduce the violence – namely, disengagement, demining and the withdrawal of weapons – the SMM was there on the ground to verify compliance, limited as that may have been.

The Mission's efforts were no less decisive outside eastern Ukraine, where the absence of violence was never a headline. This is in part a legacy of the SMM teams who – day in, day out – monitored and reported on the security situation throughout Ukraine as well as on the respect for human rights and fundamental freedoms. True to core OSCE values, they demonstrated the worth of the SMM as an early warning and containment tool. The trust the SMM built gradually throughout Ukraine and among other stakeholders served as a foundation of the Mission's effective operations.



Despite this, there is still suffering: The ceasefire does not always hold. Many of the guns are still in place, and too often the SMM's mandate is not respected by all actors on the ground. The Mission's work will continue until stability and normality are realities throughout Ukraine. SMM monitoring officers remain committed to the service of peace: As long as civilians are exposed to violence and hardship, the brave women and men of the SMM will continue to serve, as they have done throughout the Mission's first five years. In support of staff, duty of care, safety and security have been priorities, alongside managing diversity, as an important tool for SMM cohesion and identity.

The story of the SMM's first five years is above all one of great personal risk; it is a story of the SMM's staff who have been working tirelessly so that people on the ground – indeed people across all of Europe – might live in peace. Little did I know in March 2014 how well suited and essential they would be to this cause.

Acknowledgments



The authors would like to express their sincere appreciation to those who shared their experiences, insights and expertise during the numerous interviews conducted for this report. A special word of thanks also goes to those who shared their personal stories, which enriched this publication; to Lisa Tabassi, whose contribution underpinned the legal information within the report; to Carlo Giovannone for his early contributions to the reference group; and to colleagues from SMM Head Office, who provided statistics, data and maps.

We would also like to convey our deep gratitude to Ambassador Ertuğrul Apakan, for his extensive contributions and his continuously positive spirit. We are equally grateful to his successor, Ambassador Halit Çevik, for his support to the development of this report. Our heartfelt thanks are also expressed to the former Director of the Conflict Prevention Centre, Ambassador Marcel Peško, and to his successor, Ambassador Tuula Yrjölä, for their support to the project.

Our particular appreciation goes to editor and co-author Heather Cantin, who contributed her vast institutional knowledge in leading the finalization of this report.

Finally, we would like to thank the staff of the SMM – both past and present – for their dedication, commitment and contributions to peace and security in the OSCE area.

Organization for Security and Co-operation in Europe (OSCE)

Project Reference Group and Authors

Ambassador (ret.) Fred Tanner
Senior Advisor and Project Manager
Conflict Prevention Centre

Hilde Haug
Executive Officer
Office of the Secretary General

Tjasa Vendramin
Policy Support Officer
Conflict Prevention Centre

Michael Raith
Senior Operational Support Officer
Conflict Prevention Centre

Małgorzata Twardowska
Deputy Director for Operations Service
Conflict Prevention Centre

Aniek van Beijsterveldt
Project Assistant
Conflict Prevention Centre

Editors

Heather Cantin, Walter Kemp,
Richard Murphy, Nicholas J. Stewart

Design and Layout

Tina Feiertag

Introduction

In early 2014, a fast-moving series of events seemed to be tipping Ukraine into crisis. These developments, including violent protests in Kyiv, were causing growing concern in OSCE capitals – not least in Brussels and Washington, DC. Political tensions between these capitals and Moscow were high, as were tensions between Ukraine and the Russian Federation. Despite the acute political discord, on 21 March 2014, the 57 OSCE participating States managed to adopt – by consensus – Permanent Council (PC) Decision No. 1117¹ on the deployment of the OSCE Special Monitoring Mission to Ukraine (SMM).

Within 24 hours, the first monitors arrived in Kyiv. Within weeks, monitoring teams had established themselves in ten locations across the country and started to develop relations with regional and local interlocutors. Along with the SMM Head Office in Kyiv, monitoring teams were established initially in Chernivtsi, Dnipropetrovsk (renamed Dnipro in May 2016), Donetsk, Ivano-Frankivsk, Kharkiv, Kherson, Kyiv, Lviv, Luhansk and Odesa. SMM monitors came to observe increasingly violent protests in some parts of the country and the occupation of government buildings in eastern Ukraine. Within months, the monitors were observing and reporting on an armed conflict, involving the deployment of tanks, heavy artillery and multiple-launch rocket systems.

More than five years later, the SMM is still active in Ukraine, with roughly 800 civilian monitoring officers from over 40 OSCE participating States and an overall size of approximately 1,400 mission

members. Through daily patrols and the use of technological tools – such as unmanned aerial vehicles (UAVs), satellite imagery and cameras – the SMM continues to monitor the situation throughout Ukraine, including a conflict-affected area in eastern Ukraine that is almost the size of Switzerland.

Since its deployment, the SMM has been reporting every day on the security situation throughout the parts of Ukraine in which it has enjoyed access. Operating under the principles of impartiality and transparency, it provides accurate information on relevant developments, cutting through disinformation to establish and report the facts on the ground.

SMM monitors witness the hopes, frustrations and fears of the civilian population living through a conflict that has now dragged on longer than the Second World War. They play a key role in facilitating local ceasefires: so-called windows of silence that stop the shooting and shelling long enough to enable the repair of critical civilian infrastructure along the contact line.

The Mission's evolution has been a test for the SMM, the OSCE Secretariat and participating States alike. Running a civilian operation in an active conflict zone has created unprecedented security, logistical, legal, operational and personnel challenges, which are examined in this report. Important lessons have also been learned, which may not only assist in the further development of the Mission but also help future OSCE field activities or peace operations deployed by other organizations.

This report tells the story of the SMM's journey over the first five years of its operation, as seen through the eyes of the Mission's staff, its leadership and those who worked to establish, deploy and support the SMM. In doing so, it traces the evolution of the Mission from its mandate negotiation and deployment to the numerous challenges the SMM faced: its rapid expansion, its new responsibilities as a result of the Minsk agreements, the abduction of two SMM monitoring teams, the downing of Malaysia Airlines flight 17 over eastern Ukraine, the tragic death of a mission member, the risks to mission staff and equipment, and the complex and continually changing circumstances on the ground. The report describes the Mission's unique access to both the battlefield and the negotiating table, describing how its staff bridged the operational and diplomatic arenas.

The first five years of the SMM were very much defined by the leadership of the Mission's Chief Monitor, Ambassador Ertuğrul Apakan. This distinguished and unflappable career diplomat was a peaceful presence in the eye of a storm, the likes of which no one could have anticipated when the Mission was deployed in March 2014. Ambassador Apakan has often said that the Mission's presence was important to show the flag of the international community, to report the facts, to protect and reassure the civilian population and to contain the spread of the conflict.

Establishing the Special Monitoring Mission to Ukraine Mandate and Early Deployment

Once a mandate was agreed by consensus,
the Mission was deployed in record time.



The establishment of the SMM in March 2014 vividly reflects the various dilemmas involved in deploying a civilian monitoring mission in a complex environment: balancing political considerations, agreeing a viable and realistic mandate, assessing the mission environment, getting people on the ground, and ensuring the security of staff and assets in a dynamic area of operations. In each of these areas, the SMM met considerable initial challenges. The ways in which the Mission and the OSCE as a whole responded to each of these challenges had a substantial and long-lasting impact on the Mission's evolution.

Several factors are important to successfully launch a crisis response operation: political support, sufficient resources, situational awareness, effective planning, and the ability to deploy rapidly and efficiently so that operations can commence as quickly as possible.² Rapid response is important, but integrated mission planning is equally critical, as is a feasible entry strategy for the operation prior to deployment. Ideally, operational plans should be built on a sound assessment of the mission environment and be based on a solid analysis of prevailing conflict dynamics. A clear and realistic mandate is the foundation of a new operation, as is a convergence of the mandate and the resources allocated for its implementation.

Crises, however, rarely occur in ideal circumstances, often evolving at such a speed that the need for rapid response precludes the time necessary for advanced planning. This was certainly the case with the SMM. From the time mandate negotiations started to the deployment of first responders, only 22 days had passed – likely a record for the planning and deployment of such a mission. Despite limited capacities for planning larger missions, the OSCE Secretariat succeeded in rapidly deploying 100 monitors. However, it could not foresee the violent escalation that occurred in May 2014 in the east of Ukraine or the impact on the Mission's structure and footprint that the Minsk agreements would have from September 2014 onward.

Negotiating the Mandate

Discussions on an OSCE response to the evolving situation in Ukraine began in late 2013.³ At the OSCE Ministerial Council meeting in Kyiv in December 2013, delegates of participating States could see first-hand the signs of an emerging political crisis, including large public protests at Kyiv's Maidan square in particular. However, the then Ukrainian Chairmanship was reluctant to make use of the OSCE's various conflict prevention and early action instruments. On 1 January 2014, Switzerland took over the OSCE Chairmanship and began pursuing the idea of establishing an OSCE monitoring mission as part of a broader OSCE response. This idea started to gain real traction in February when the political unrest in Kyiv and elsewhere in Ukraine began edging toward a full-blown political crisis.

With the departure of then President Yanukovich on 21 February 2014 and the installation of a new interim government of Ukraine, Kyiv's attitude became more positive toward a stronger OSCE involvement on the ground. As the political crisis continued to unfold, the Chairperson-in-Office (CiO) Didier Burkhalter of Switzerland, the OSCE Secretary General Lamberto Zannier, and senior management of the OSCE Conflict Prevention Centre (CPC) continued consultations on ways to de-escalate the situation. As a consequence, during his address to the UN Security Council on 24 February 2014, the Swiss CiO proposed the following:

- To send a special OSCE observation mission to Ukraine
- To create a Contact Group of key OSCE participating States, including Ukraine and the Russian Federation
- To nominate a Special Representative of the CiO on Ukraine.⁴

As developments continued to unfold, including with regard to Crimea and Ukraine's effective loss of control over the peninsula to the Russian Federation, de-escalation was urgently needed. Secretary General Zannier engaged actively in late February and early March in political consultations on behalf of the Swiss Chairmanship and in support of

the CiO's own efforts to ensure an appropriate and effective OSCE response. While many major stakeholders showed keen interest in the idea of creating an OSCE monitoring mission, it was not initially clear what shape such a mission would take. The OSCE already had a presence on the ground, the OSCE Project Co-ordinator in Ukraine (PCU), but the PCU's mandate was limited to project work related to capacity and institution building.

Since early March 2014, political consultations and operational planning had been taking place in parallel. In deliberations between the Secretariat and the Swiss Chairmanship, it was decided to propose a monitoring mission that was separate from the PCU. The first official draft of the SMM mandate presented to participating States on 4 March envisaged a new special mission with a separate and independent mandate. The attribute *special* was to reflect not only the Mission's independent mandate but also the expectation at the time that it would be a short-term mission, established on special conditions owing to developments in Ukraine.

Even after this important decision had been made, negotiating a mandate for the new mission remained a challenge. "The negotiations got stuck several times, risking to derail the entire process and efforts to establish a special monitoring mission", said the Chairperson of the OSCE Permanent Council at the time, Ambassador Thomas Greminger of Switzerland.⁵ At such junctures, talks had to be elevated to the level of ministers for foreign affairs and even heads of state.

A key to the success of the negotiations was the readiness of participating States to agree on important compromises in relation to specific formulations in the mandate, in particular, on diverging views on the scope of the area of operations.⁶ Notwithstanding the often intensive debates in the Permanent Council over the crisis in and around Ukraine, constructive diplomatic ambiguity facilitated the political support necessary to achieve consensus to deploy a monitoring mission. The commitment and political support of participating States has remained firm.

Ambassador Thomas Greminger

– Former Chairperson of the Permanent Council (2014) –

“The idea of deploying a monitoring mission to Ukraine first came up in discussions between the OSCE Secretariat and the Swiss Chairmanship in Vienna in January 2014. Deploying a monitoring mission as a step to de-escalate tensions is a standard approach foreseen in the OSCE’s conflict prevention toolbox.⁷ The possibility of a mission immediately triggered the launch of feasibility work. It was brought up publicly for the first time by the then OSCE CiO, Swiss Minister for Foreign Affairs Burkhalter, when he addressed the UN Security Council in New York on 24 February 2014. Further developments in Ukraine, in particular the departure of President Yanukovich, triggered initial discussions among heads of delegation at the Permanent Council in the Hofburg, which continued in the following weeks, serving as the dialogue platform that involved all major stakeholders.

Amid the turbulent times marked by developments in and around Ukraine, including the escalation of violence in some parts of the country, it was important to convince all participating States to urgently join the negotiations on a mandate. Consultations with the countries led to the conclusion that an OSCE mission should be based on a broad mandate to de-escalate tensions. The mandate was to be flexible and it was agreed that it should contain a dialogue facilitation component. As the Russian Federation initially refused to engage, the Swiss CiO talked to President Putin and was eventually able to convince him of the benefit to the Russian

Federation of such a mission, as it could include the protection of the Russian-speaking minority. At the same time, the interim government of Ukraine, with strong backing from Berlin, was persuaded to agree to an ambiguous definition of the geographical scope of the envisaged mission.



What made the difference in the negotiations back and forth was the unwavering political support of major stakeholders.

Ambassador Thomas Greminger
Former Chairperson of the Permanent Council

The negotiations took almost three weeks, with an intensive schedule and interface between diplomats in the Hofburg and their political masters in capitals; each time new proposals were tabled, the clock had to be reset. What made the difference in the negotiations back and forth

was the unwavering political support of major stakeholders to create a mission to de-escalate the tensions that were at risk of spreading throughout the region. This was the key ingredient for success. This broad political support was essential in achieving consensus on the decision agreed by all 57 participating States.

The negotiations reached an impasse several times that threatened to derail the entire process. Such junctures required that talks be elevated to the level of ministers for foreign affairs and even to heads of state. Fortunately, at the time, the Swiss CiO also held the rotating presidency of the Swiss Confederation so he could talk on equal footing with Chancellor Merkel and President Putin. Moreover, his team in Vienna was helped by the Chairmanship Task Force and by Ambassador Tim Guldemann, who – as the Swiss Ambassador in Berlin and Special Envoy of the CiO to Ukraine – was able to engage the German government, a Troika member, to participate equally on the highest level in efforts to unblock the negotiations. A key to the success of the mandate negotiations was the preparedness of participating States in this emergency situation to agree to a mandate formulation in which divergent views on geography did not block the required consensus. The inclusion of the instrument of interpretative statements allowed concerned participating States to articulate their views and positions after the decision was adopted.



On 21 March 2014, Permanent Council Decision No. 1117 established the SMM mandate. Committed to upholding the principles enshrined in the United Nations Charter and in the Helsinki Final Act, participating States agreed in it to deploy a special OSCE monitoring mission, operating under the principles of impartiality and transparency, among others, to:

- Gather information and report on the security situation
- Establish and report facts, including those concerning alleged violations of fundamental OSCE principles and commitments
- Monitor and support respect for human rights and fundamental freedoms, including the rights of persons belonging to national minorities
- Facilitate dialogue on the ground to reduce tensions and promote a normalization of the situation.

The initial mandate was for only six months, which reflected the hopes that the crisis could be quickly resolved with the Mission’s help. However, the crisis continued, requiring the mandate to be extended yearly since 2015. The substance of the mandate has remained unchanged and continues to form the core of all SMM activities.

The SMM mandate was the product of consensus during a time of high political tension, and it illustrated participating States' ability to compromise even under the most challenging circumstances. The mandate also reflected the urgency with which the Mission had to be deployed, alongside the political concessions made by participating States in order to achieve consensus. While the mandate defines the scope of the SMM's operations, its breadth has allowed the SMM sufficient flexibility to take on new activities in a fast-changing security environment.

Including a dialogue facilitation component in the mandate was crucial for the Mission, allowing its monitors to actively engage and build trust with local stakeholders. Doing so was a deliberate decision, making the SMM different from other kinds of monitoring or observation missions, which are not authorized to intervene to de-escalate situations. This aspect of the mandate reflected calls by participating States in Ministerial Council (MC) Decision No. 3/11 on 'Elements of the Conflict Cycle' that the OSCE should work more toward the peaceful resolution of conflicts through dialogue facilitation and mediation. However, the SMM mandate provided little guidance as to how its various aspects, including dialogue facilitation, should be carried out. It also made no specific reference to United Nations Security Council resolution (UNSCR) 1325 or to gender equality.

The flexibility afforded by the mandate became instrumental as the situation on the ground evolved, enabling the SMM to respond to a substantially different operating context than the one its mandate was designed for. This also allowed the SMM to monitor the implementation of the security-related aspects of the Minsk agreements (see Chapter 'The SMM's Contribution to Implementing the Minsk Agreements').

Based on its mandate, the SMM engaged from the outset in establishing facts and reporting on political and security developments, including protests and demonstrations in different parts of Ukraine – working to defuse tensions and stabilize the security situation. Monitors were also reporting on incidents, including alleged violations of fundamental OSCE principles and commitments,

as well as on human rights and fundamental freedoms, including the rights of persons belonging to national minorities.

Monitoring human-dimension issues formed an integral part of the Mission's activities, but once violence in eastern Ukraine escalated, the SMM's focus shifted toward crisis management and, subsequently, facilitating the implementation of the Minsk agreements. One challenge was to strike the right balance between hard-security aspects – such as the number of ceasefire violations and the weapons used – and human-dimension issues – such as the humanitarian consequences of the fighting in eastern Ukraine and the conflict's impact in other parts of the country.

Early Deployment

In parallel with negotiations over the mandate, the CPC was co-ordinating preparations within the OSCE Secretariat for the SMM's deployment on the ground. As it became clear that there was sufficient political will among participating States to deploy a sizable OSCE field presence in Ukraine, Secretary General Zannier focused on ensuring the Secretariat's readiness to act swiftly as soon as the mandate was adopted.⁸

When planning and deploying the SMM, the Swiss Chairmanship and the Secretariat benefited immensely from guidelines and tools that had been developed by the CPC in 2012 and 2013 to enhance the OSCE's crisis response capacities in line with MC Decision No. 3/11 on 'Elements of the Conflict Cycle'.⁹ To that end, the CPC based its operational planning on the 'Operational Framework for Crisis Response', which served as an important internal reference document on how to respond coherently to an emerging crisis in the OSCE area. The guidance within it was anchored in lessons learned from earlier OSCE crisis responses, such as in Georgia (2008) and in Kyrgyzstan (2010).¹⁰

Moreover, the Secretariat had established the 'Rapid Deployment Roster', consisting of staff and mission members willing to be temporarily deployed in times of crisis, either to help set up a new field operation or to augment an existing one. This roster was used heavily in identifying the initial first responders who were deployed to the SMM.

Another vital asset was the 'Virtual Pool of Equipment' within all OSCE field operations. This electronic inventory of critical assets – including armoured and soft-skinned 4x4 vehicles, satellite phones and flak jackets – allowed the Secretariat's Department of Management and Finance to swiftly identify critical assets that could be loaned to the SMM as part of its initial deployment. The inventory also included OSCE wide lists of window contracts that the Secretariat could use for the rapid procurement of critical assets.

Based on the crisis management tools that had been developed as part of the CPC's practical implementation of MC Decision No. 3/11, the Secretariat was able to react swiftly once the SMM mandate was adopted. Thirty-two first responders from the Secretariat and nine from OSCE field operations were sent to Ukraine within four days to serve as monitors or to take up essential operational and administrative posts in the Mission. By the end of April 2014, most first responders were replaced by staff, including advisers on gender, human rights and national minorities, who were seconded by participating States. These advisers engaged closely with the OSCE institutions – the High Commissioner on National Minorities (HCNM), the Office for Democratic Institutions and Human Rights (ODIHR) and the Representative on Freedom of the Media (RFoM) – on relevant issues, such as the protection of human rights and fundamental freedoms, and the situation of national minorities in Ukraine. To enhance in-house capacities further in the human dimension, a dialogue facilitation officer was later recruited.

The then Director of the CPC, Adam Kobieracki, held the function of Acting Head of Mission until Ambassador Ertuğrul Apakan of Turkey was appointed Chief Monitor on 14 April 2014. The CPC's then Senior Operational Adviser, John Crosby, initially acted as Head of SMM Operations and co-ordinated the deployment of monitors from the SMM Head Office in Kyiv to the ten monitoring locations throughout Ukraine. The Swiss Chairmanship was actively involved through both its delegation in Vienna and the Swiss Embassy in Kyiv. Close co-ordination on operational decisions was ensured through a flexible and effective combination of formal meetings

Ambassador Lamberto Zannier – Former OSCE Secretary General –

“ Signs of a possible crisis in Ukraine appeared in 2013 in connection with the policy of the Ukrainian leadership, declared at a summit in Vilnius in late November 2013, to pursue a path of increased co-operation and to sign an association and a free trade agreement with the EU. In negotiating with the EU, Ukraine stressed its need for space to continue in parallel its economic co-operation with the Russian Federation, a key commercial partner. The EU did not, however, allow flexibility on the future implementation of the free trade agreement, creating open friction between Ukraine and Russia, upon which Ukraine depended for its energy supplies. When, as a result of opposing pressures, President Yanukovich announced around mid-November a delay in implementing his pro-European policies, serious unrest began in the country, along with the Maidan protests.

As Secretary General, I had encouraged the EU to show understanding for the specific needs of Ukraine. Unfortunately, when the situation degenerated and the police were accused of using excessive force against the protestors, Ukraine, as the incumbent Chairmanship, opposed any OSCE involvement.

The Ministerial Council meeting in Kyiv took place in a surreal atmosphere of denial, while I and many other attendees made contact with the protestors on Maidan square, acquainting ourselves first-hand with the unfolding situation.

The next OSCE Chairmanship, Switzerland, had started its preparations at a very early stage but was caught wrong-footed by the developments in Ukraine. In early January 2014, I consulted with the Ukrainians, who continued to argue that the situation was fully under control. I also consulted with the new Swiss Chairperson-in-Office, who strongly felt the OSCE needed a strategy for Ukraine. My view was that, because of the continued push-back from Ukraine, we needed to encourage quiet consultations and to monitor the situation, which was not easy given the restrictive mandate of our existing presence on the ground, the OSCE Project Co ordinator in Ukraine.

I soon concluded that the best option would be to establish a contact group of key players, including the EU and the Russian Federation. I suggested this to the Chairmanship, which initially showed

little enthusiasm, probably fearing that this mechanism might either exclude the OSCE or relegate it to a marginal role. However, I was not discouraged and, on the margins of the Munich Security Conference, I discussed the idea quietly with a number of high-level interlocutors. While Ukrainian Foreign Minister Kozhara tried to discourage me from pursuing this idea, others reactively positively. Following further consultations with the Swiss Chairmanship, I travelled to a number of European capitals to present the proposal – all at a time when developments in Ukraine were beginning to take a worrying turn. Following these consultations, Swiss Chairperson-in-Office Burkhhalter formally proposed the creation of a contact group during his report to the UN Security Council in New York on 24 February 2014.



When the decision on the SMM's mandate was adopted on 21 March 2014, we already had a comprehensive concept for the operation in place.

Ambassador Lamberto Zannier
Former OSCE Secretary General

As developments unfolded with the annexation of Crimea by the Russian Federation and the first signs of unrest in eastern Ukraine, I travelled to Kyiv a number of times. I started thinking with the Chairmanship about a possible additional OSCE presence on the ground in Ukraine, in spite of the opposition of the EU, which seemed to be considering, in close co-ordination with the new Ukrainian leadership, an EU/CSDP mission in the country. However, the fast pace of developments made it clear that any EU

deployment would come too late and that a “western-led” operation might not be welcome in eastern Ukraine. Therefore, the option for an OSCE presence with strong EU support and involvement became increasingly concrete, in spite of apparent Russian opposition. However, the Russians became more open after assurances that, as a member of the OSCE, they would naturally be part of any future presence. The Russian ambassador, in expressing Moscow’s interest to be part of an operation in its immediate neighbourhood, asked how many Russian observers could take part; I replied that the number would be relative to Russia’s contribution to the OSCE budget. This seemed enough to finally lift Russia’s objection and allowed the Chair to request the formal start of operational planning (which, in fact, had already been discreetly ongoing in the CPC).

When the decision on the SMM’s mandate was adopted on 21 March 2014, we already had a comprehensive concept for the operation in place. We had pre-negotiated a memorandum of understanding with Ukraine on privileges and immunities for personnel, and within 24 hours we despatched the first monitors to Kyiv. The Director of the CPC was redeployed to Kyiv to oversee operations for a month until a head of mission could be selected. I myself went to eastern Ukraine a number of times, visiting the camps of displaced persons, offering support and familiarizing myself with the devastating impact of the crisis on everyday people. I also travelled to southern Russia, where I visited a camp of refugees who refused to return to Ukraine and depended entirely on Russian assistance.

It took Ukraine two months to ratify the memorandum of understanding. I met the Speaker of the Verkhovna Rada, Oleksandr Turchynov, to stress the urgency of ratification. By the time this happened, the SMM was already deployed throughout the country and had managed to successfully negotiate the release of a group of monitors who had been held hostage by non-state armed groups for almost a month. At the political level, after a number of failed attempts by the Chairmanship, it was finally decided at a Summit in Normandy to establish a contact group. The Chairmanship offered a highly experienced Swiss diplomat, Ambassador Heidi Tagliavini, as the chief negotiator. ”

and informal communications among the Chairmanship, the Secretary General, the CPC and SMM senior management.

From the outset, OSCE participating States offered considerable operational, financial and human resources to allow the SMM to be built up rapidly and effectively. They continued to provide and even to increase their contributions when the Mission had to adapt and expand its activities.

Chief Monitor Apakan; his deputy chief monitors, Mark Etherington and Alexander Hug; and other SMM senior management arrived in Kyiv in mid to late April. They immediately had to address difficult security challenges created by the constantly shifting mission environment. Thus, they were forced to respond to numerous events under immense time pressure, all the while operating with a comparatively limited number of monitoring officers.

Learning by Doing

To identify key lessons from the SMM's initial deployment, including its restructuring in the wake of the Minsk agreements, the CPC co-ordinated a thorough lessons learning exercise in 2015. This exercise, conducted with the Mission and all relevant parts of the OSCE Secretariat, helped to identify further options to strengthen the OSCE's

crisis response tools. In addition, the CPC prepared an internal analysis of the SMM as a complex OSCE peace operation implemented in a very challenging security environment. Key findings showed that the OSCE's long track record and well-established expertise in deploying civilian field operations can and should be leveraged for crisis response. However, complex OSCE peace operations deployed in an evolving security context – like the SMM – require very robust management and leadership structures from the outset as well as staff with dedicated skills, such as medical, engineering, infrastructure and demining expertise.

In this context, the 2016 German OSCE Chairmanship organized a high-level event on the margins of the 71st Session of the UN General Assembly in New York called 'The Force of Civilian Crisis Management: Strengthening the Capacities of the OSCE as a Chapter VIII Organization'. Exchanges during the event highlighted that conflicts were becoming more complex, with highly dynamic situations on the ground. This new complexity had to be adequately addressed in the establishment of any new peace operation, including OSCE crisis response deployments.

In addition, the German Chairmanship tasked the CPC to use lessons learned from the SMM to produce an internal

compendium of standard operating procedures (SOPs) that could be used for the planning, deployment and operation of future OSCE field presences. Based on this task, the CPC co-ordinated a Secretariat-wide process to develop a compendium of 20 SOPs for effective OSCE action in situations requiring urgent response, which was formally approved by the Secretary General in spring 2017.

The need to learn by doing also affected the SMM's human-dimension monitoring. While the Mission had a solid set of OSCE principles and commitments within the human dimension to build on, the requirement to respond to incidents and rapidly changing developments on the ground left little initial space for conceptual planning. Reflecting back on the initial months after the SMM deployed, one senior SMM official recalled, "In this period, human-dimension activities of the Mission remained underreported and were not very structured."¹¹ The Mission gradually augmented its human-dimension capacity. By the end of 2014, a Human Dimension Unit was created, thereby increasing the SMM's capacities to facilitate dialogue and humanitarian support. With the first SMM Strategic Framework for the Human Dimension approved by the Chief Monitor in spring 2016,¹² the human-dimension work of all monitoring teams became more systematic.

OSCE crisis response instruments

1

Operational Framework for Crisis Response

This operational framework provided important guidance on how to respond coherently to an emerging crisis in the OSCE area. The guidance within it was anchored in lessons learned from earlier OSCE crisis responses, such as in Georgia (2008) and in Kyrgyzstan (2010).

2

Virtual Pool of Equipment

This electronic inventory of equipment allowed for the rapid identification of critical assets, such as armoured vehicles, satellite phones and flak jackets. These were loaned out from other OSCE field operations to support the SMM's initial deployment.

3

Rapid Deployment Roster

Consisting of staff and mission members willing to be temporarily deployed in times of crisis, this roster was used heavily in identifying the initial first responders, who arrived in Ukraine within 24 hours.

John Crosby

– Former Senior Operational Adviser, OSCE Secretariat,
and Acting Head of SMM Operations –

I landed in Kyiv just hours after the Permanent Council decided late on Friday, 21 March 2014 to deploy a special OSCE monitoring mission of international observers to Ukraine. It was to consist initially of 100 civilian monitors deployed in ten specified locations. I was joined over the following weekend by a further 19 “first responders”, with an additional seven joining on Monday, 24 March.

Taking advantage of the premises of the OSCE Project Co-ordinator in Ukraine, we quickly established two lines of complementary activity for the SMM: (1) to receive and train arriving monitors and (2) to equip and deploy trained monitors.

On Tuesday, 25 March, the first four monitoring teams deployed to the south and east of Ukraine, adding a third main line of SMM activity: monitoring and reporting on the situation on the ground. Following further cycles of receiving and training monitors and checking the delivery of equipment, advance monitoring teams – each comprising two persons – were deployed by Saturday, 29 March to all ten locations specified in the PC decision. Again, keep in mind that just over one week had passed from when participating States in Vienna had agreed to deploy a monitoring mission, and monitors were already on the ground throughout the country.

The build-up continued apace. On Wednesday, 2 April, following two days of induction training in Kyiv, an 18 additional seconded monitors were deployed to five locations to join the advance groups. By Saturday, April 5 (two weeks into the deployment), the mission’s strength was already at 78, including 61 trained monitors. Indeed, the number of monitors grew so quickly that we had to relocate from the Project Co-ordinator’s office to rented rooms in the Radisson Hotel. New monitors were arriving every three days. This schedule allowed for two days of training, followed by deployment on the third day. Fortunately, the overall situation in the different regions monitored by the SMM remained generally calm during those first 15 days. But on 6 April the situation changed dramatically.

What happened on that day was a game changer and became the harbinger of the separation of eastern Ukraine that persists to this day. While there had been increasing demonstrations in the preceding days – both pro- and anti-Maidan – that fateful Sunday saw demonstrations in Donetsk, Luhansk and Kharkiv swell in size to thousands of participants and become violent. Police, with many in full riot gear, had been guarding the Donetsk and Kharkiv Regional State Administration buildings as well as the Security Service building in Luhansk. But they were quickly and aggressively overwhelmed, as dozens of demonstrators – many with



A tight line had to be walked between personal safety and being eyes and ears on the ground.

John Crosby

Former CPC Operational Adviser acting as Chief of SMM Operations

face masks or balaclavas to hide their identities – broke into the buildings and barricaded themselves inside. While the Kharkiv Regional State Administration building was later reclaimed by the police, the other two remained firmly in the hands of occupying protestors, their numbers now in the hundreds. On 7 April, the Security Service building in Donetsk was also forcefully captured, before being reclaimed by the police.

All of the above was seen by the SMM monitors on site, and the details reported back to me in Kyiv, often by phone in real time. Reports were occasionally accompanied by requests for guidance on how

the demonstrations should be monitored in practice. Monitors questioned whether or not they should be visibly identifiable as SMM, given that many demonstrators were chanting pro-Russian, and/or anti-Kyiv, anti-US and anti-EU slogans. Over the next days and as we continued to report daily to Vienna, the situation in Donetsk and other areas (Sloviansk, Kramatorsk) deteriorated as tensions increased and other buildings were seized and occupied. The security of SMM monitors in eastern Ukraine increasingly became a worry due to a few incidents of aggressive behaviour towards our teams. A tight line had to be walked between personal safety and being eyes and ears on the ground. Monitoring in a non-benign environment has always faced this dilemma, and it takes a certain resilient mindset to cope.

By the time the permanent command team arrived in Kyiv in mid-April, we were tired. The first responders had not had a day off since arriving; personally, I was getting only four to five hours of sleep per night. The security situation in eastern Ukraine worsened almost daily; buildings were occupied and barricaded in four more towns (Yenakieve, Debaltseve, Horlivka and Mariupol). Monitoring teams tried to gather as much ground truth as possible, talking to both protestors and Ukrainian security forces. At the same time, permanent office space and accommodation had to be found in all locations. Vehicles, flak jackets, phones, SIM cards, SatNav GPS, first aid kits and a whole plethora of other essential equipment also had to be sourced and procured, all according to OSCE procedures. Meanwhile, secondees were constantly being recruited, selected, trained and deployed. All that activity was happening in parallel, and all were priorities.

Looking back dispassionately, we were probably running fast but only just staying still on the treadmill, which is not surprising given that the circumstances did not allow us to establish our footing before setting out on operations. Perhaps that is also a reason why dialogue facilitation did not happen in those early crucial days to the extent envisaged by the national dialogue project.



Lessons Learned and Best Practices

- ▶ In responding to a crisis, like the one in and around Ukraine, efficient and effective co-ordination and decision-making could be greatly enhanced by the early establishment of a task force, including the OSCE Chair, the Secretary General, relevant departments and sections of the Secretariat, and (as relevant to their involvement) OSCE institutions.
- ▶ When negotiating mandates with tight timelines, such as “to deploy advance teams within 24 hours of the adoption of this decision”, participating States should allow the Secretariat sufficient time for operational planning. While rapid deployment might be required due to the situation on the ground, it should not come at the expense of adequate operational preparedness. Ideally, such planning should involve the exploration of possible scenarios and the establishment of a (tentative) mission statement and strategy.
- ▶ The flexibility of its mandate allowed the SMM to remain dynamic and to assume added responsibilities related to the Minsk agreements. However, such flexibility might not be appropriate for all crisis response activities. In other cases, more prescriptive language that addresses specific aspects of mandated activities might be needed to ensure successful mandate implementation.
- ▶ Human-dimension activities carried out by OSCE crisis response operations are highly important but can be very challenging, in particular if they take place in the context of armed conflict. Future field operations deployed in a complex environment should systematically incorporate their human-dimension activities into their overall activities from the start of mandate implementation.
- ▶ Any OSCE field deployment should have explicit references to gender equality in its mandate that are based on UNSCR 1325 (2000) and in line with OSCE commitments, especially the Action Plan for the Promotion of Gender Equality (2004), MC Decision No. 14/05 on ‘Women in Conflict Prevention, Crisis Management and Post-Conflict Rehabilitation’, and MC Decision No. 3/11 on ‘Elements of the Conflict Cycle’. Mandates should clearly state that conflict prevention, crisis management, conflict resolution and peacebuilding activities must be gender-mainstreamed to the extent possible.
- ▶ Gender awareness needs to be promoted from the start of mandate implementation. To that end, first responders must include both a balance of women and men, as well as dedicated experts on gender issues.
- ▶ The SMM has made a large and valuable contribution to OSCE crisis response capabilities and to containing violent conflict. However, there are limits to what an unarmed civilian mission can achieve in an active conflict zone. It is important for any crisis response or peace operation to be clear and open about its mandate and capacities, including its limitations and the challenges it faces. Expectations need to be met but also managed.



SMM monitors setting out on patrol.

Building Relationships in Turbulent Times

An OSCE field activity does not operate in a vacuum. It needs good relations with the host country and relevant stakeholders, key players in relevant diplomatic processes, and other international actors – like the United Nations and humanitarian organizations.



Early Engagement with the Host Country

OSCE field operations are deployed with the consensus of all participating States and at the invitation of the receiving state. Relations between the field mission and the host country are crucial. Therefore, in addition to building up the SMM as rapidly as possible, one of the priorities of SMM senior management was to establish good relations with the Ukrainian authorities as early as possible. From the outset, the Mission also sought to establish contacts with local stakeholders, such as civil society, international organizations and diplomatic presences in the host country.

During the SMM's initial deployment phase, the OSCE made considerable diplomatic overtures to the new Ukrainian interim government. High-level meetings – including between the Ukrainian foreign minister and the CiO, as well as with the Secretary General – were crucial in removing some early obstacles, such as the lack of legal protection for monitors. Furthermore, Swiss CiO Burkhalter had nominated Ambassador Tim Guldemann as his Personal Envoy to Ukraine, emphasizing support to “a fair and inclusive process in the current transition period in Ukraine, taking into account all of the country's territory and population”.¹³

While the new Ukrainian government welcomed the Mission's presence in the country, establishing mutual trust and co-operation with host authorities was a gradual process. The dramatic events of February 2014 that had resulted in a change of government also brought about a considerable turnover in personnel in the Ministry for Foreign Affairs (MFA) and in other Ukrainian ministries and state agencies. The new government was not consolidated until the presidential election of 25 May 2014.

Complicated and time-sensitive legal issues also needed to be addressed. Unlike other international or regional organizations, the OSCE possesses no formal legal personality. It is, therefore, not in a position to sign status of mission agreements with host authorities. Instead, OSCE field operations and their staff

are granted privileges and immunities, including for their protection, through a memorandum of understanding (MoU).

For the SMM, this MoU had to be negotiated with Ukraine as the host country and then approved by the Ukrainian parliament. While negotiations on the MoU and parliamentary approval took only 12 weeks, the SMM was left in a legal limbo during this critical inception phase. Once approved, however, the MoU provided the foundation for all Mission activities throughout the next five years and beyond.

Chief Monitor Apakan and his deputies managed to forge constructive working relations with the MFA and other branches of the host government. The presidential election of 25 May 2014, won by Petro Poroshenko, ushered in a period of greater political predictability in Kyiv. Chief Monitor Apakan met President Poroshenko early after his election, which helped SMM senior management to establish close relations with senior presidential officials in Ukraine.

Outside the capital, the SMM set out to establish relations with various stakeholders at the regional level. However, the situation in spring 2014 remained fluid. Developments across the country saw the seizing of government buildings and a drastic increase of tensions in eastern Ukraine as well as high tensions and clashes between demonstrators in several other cities – most notably in Odesa, Mykolaiv, Dnipro and Kharkiv. Despite these challenges, the Mission was successful in establishing contacts with local authorities in most of its ten monitoring locations. However, as various armed formations gradually took over government structures in parts of eastern Ukraine, challenges began to arise as to how to interact with unrecognized, non-state armed actors.

Diplomatic Initiatives and Dialogue Facilitation

In parallel with the establishment of the SMM, a flurry of diplomatic activities involving the OSCE and its participating States were ongoing at multiple levels with the aim of facilitating a peaceful resolution to the crisis. One such activity was an OSCE national dialogue project,

which was housed under the PCU and launched under the leadership of Croatian Ambassador Hido Bišćević in March 2014. Within the project, a team of 15 international experts was deployed for four weeks to Ukraine to identify areas for further OSCE activities that would help to build confidence between different parts of Ukrainian society.

On the diplomatic front, the first initiative to try to resolve the political crisis in Ukraine was undertaken by the European Union; on 21 February, French, German and Polish foreign ministers brokered an agreement between President Yanukovich and representatives of the Ukrainian opposition on the settlement of the crisis in Ukraine.¹⁴ However, the agreement – which envisaged the creation of a national unity government, constitutional reform and the cessation of violence – eroded on the same day.

A series of diplomatic talks followed and, in Geneva on 17 April, the EU, the Russian Federation, Ukraine and the United States agreed a joint statement (the so-called Geneva statement), which outlined a number of de-escalation measures. The SMM was asked to “play a leading role in assisting Ukrainian authorities and local communities in the immediate implementation of these de-escalation measures”.¹⁵ To this end, the Swiss OSCE Chairmanship called for the SMM's dialogue facilitation role to be strengthened, including through mediation. The Chairmanship's concept note at the time called for the Mission to be expanded.¹⁶ With the necessary strength, it could:

- Promote the establishment of a broad national dialogue
- Monitor and report on violence, intimidation or provocative actions, as well as on expressions of extremism, racism and religious intolerance, including anti-Semitism
- Offer its good offices, facilitation and mediation services with regard to the handover of illegally occupied buildings and public spaces and with regard to disarmament of illegal armed groups
- Observe and verify the implementation of reached agreements on the hand-over of illegally occupied buildings and public spaces.

CiO Burkhalter then presented a roadmap on 12 May 2014, which spelled out, among other steps, the envisaged role of the SMM under the Geneva statement. As such, the SMM would:

- Be expanded to strengthen its monitoring, fact-finding and reporting capabilities
- Step up its efforts to assist the Ukrainian authorities and local communities in the immediate implementation of de-escalation measures
- Offer mediation support in contacts with illegally armed groups
- Maintain a running list of occupied buildings and abducted individuals.¹⁷

The OSCE did not participate in the talks that resulted in the Geneva statement. However, right after the Geneva meeting and under the auspices of the Ukrainian MFA, Chief Monitor Apakan met in Kyiv with ambassadors of the EU and the US, as well as with the Russian chargé d'affaires, to discuss implementation of the Geneva statement.

As part of the roadmap for implementing the Geneva statement, CiO Burkhalter also supported a series of dialogue facilitation initiatives, including national dialogue roundtable discussions owned and led by the Ukrainian government.¹⁸ The CiO appointed Ambassador Wolfgang Ischinger of Germany as the OSCE's representative and co-moderator of the discussions, together with a Ukrainian co-moderator appointed by Kyiv. Three roundtable meetings, also attended by Chief Monitor Apakan, were held in Kyiv on 14 May, in Kharkiv on 17 May and in Mykolaiv on 21 May 2014.



Ambassador Wolfgang Ischinger, the CiO's Representative for National Dialogue Roundtables in Ukraine, speaks to the media about the dialogue process.

Stakeholders in Eastern Ukraine

In the second half of April 2014, Deputy Chief Monitor (DCM) Etherington travelled to eastern Ukraine to get a sense of the response to the measures agreed in the Geneva statement. During this trip, it became apparent how quickly the situation on the ground was evolving. Arriving in the Donetsk region, DCM Etherington encountered masked men wielding sticks from behind tire barricades – men who were gradually taking over administration buildings, prosecutors' offices and police stations in many parts of the region, most notably in Sloviansk.



As soon as the administrative buildings started to be overtaken, it was clear that dialogue facilitation was not enough to overcome the root causes of the conflict.

Marcel Peško

Former Director of the OSCE Conflict Prevention Centre

In line with the reports that were emerging from the SMM's Donetsk Monitoring Team, a senior SMM official observed that "one by one, the surrounding towns [had] started to fall, and checkpoints were [being] erected throughout Donetsk [region]".¹⁹ Meetings with armed formations in occupied buildings made clear that these new actors had no interest in the Geneva statement. They had not been involved in the negotiations and were not signatories to anything. When asked whether they would vacate the buildings, they simply responded with laughter.

Realities on the ground began to catch up with the OSCE. Although specifically mandated to facilitate dialogue, related initiatives were achieving little headway and the situation on the ground was escalating. Over time, dialogue facilitation became instrumental in bridging the nexus between hard-security issues and the human dimension, especially in support of people on the ground in conflict-affected areas. As a senior OSCE official noted, "Dialogue became more of an added value of the Mission. It enabled the Mission to conduct humanitarian referrals, and to facilitate windows of silence, etc."²⁰ (See Chapter 'A People-Centred Approach'.)

In the fluid and complex security environment that engulfed eastern Ukraine in spring and summer 2014, establishing relations with key stakeholders became increasingly challenging. From May 2014, the number of incidents concerning SMM monitoring teams operating in the east continued to grow. Monitoring patrols were held at gunpoint, sometimes for hours. Other international organizations also experienced security incidents. While SMM monitors could observe and report on developments, they were limited in their ability to intervene, even when local citizens reported cases of intimidation. Frustrating for both monitors and civilians, the situation hindered the SMM's ability to build trust with the local population.

However, it was in late May and in mid-July 2014 when the SMM experienced two major incidents that affected the Mission's posture and operations, as well as the situation on the ground. On 26 and 29 May respectively, two SMM patrols of four monitoring officers each were abducted. On 17 July, Malaysia Airlines flight 17 was downed over eastern Ukraine. These incidents represented turning points in the history of the SMM and came to profoundly shape the Mission's interaction with all stakeholders, both on the ground and at the international level.

Legal Issues

The SMM's deployment and operations brought to the fore a number of legal questions. Some resulted from the speed at which the Mission was deployed, while others stemmed from the precarious security situation or operations in areas outside the control of the Ukrainian government. A common aspect of many of these legal challenges was the problematic OSCE legal paradigm of operating without a universally accepted legal status.²¹

Abduction of OSCE officials

In May 2014, two groups of SMM monitors (four in the Donetsk region and four in the Luhansk region) were detained and held captive by unknown individuals for 31 and 26 days, respectively. The detained monitors were seconded nationals of Denmark, Estonia, Germany, the Netherlands, the Russian Federation, Spain, Switzerland and Turkey. No apparent demands were made for their release, which suggested abduction rather than a hostage situation. The Office of Legal Affairs advised the task force, which was established to secure the release of the abducted monitors and to manage their safe return. The task force's work supported OSCE senior management in negotiating with the abductors as well as in liaising with Ukraine and the states of the abducted nationals. The task force also supported senior management in reporting to the Chairmanship, the Troika, the Permanent Council and the press as well as in making the necessary arrangements for receiving, debriefing and providing medical support to the detainees upon their release.

SMM legal capacity, privileges, and immunities

Upon signing the MoU, the Government of Ukraine agreed to the provisional application of all articles, except those related to privileges and immunities. The SMM had been hampered in the first weeks of its operations by its lack of legal status in Ukraine. This prevented it from opening bank accounts, concluding contracts and importing key equipment, especially armoured vehicles. These difficulties had to be resolved on an ad hoc and, thus, suboptimal basis.

Status of the OSCE and its officials in Ukraine

As the OSCE secures privileges and immunities separately for each of its executive structures, the MoU with Ukraine only affords legal status, privileges, immunities and security guarantees to the SMM and its members. Other OSCE officials, including the Secretary General, who travel to Ukraine do not fall within the scope of the MoU. Arguably, they might enjoy protection as official visitors on the basis of courtesy; otherwise, they have tourist status. Because of this, legal risks to the OSCE persisted even after the MoU entered into force. Although reported to OSCE decision-making bodies and to the Informal Working Group on Strengthening the Legal Framework of the OSCE, no concrete outcome has yet been achieved.

Procurement of UAVs

The decision to employ UAVs in support of the SMM's monitoring activities was a legally complicated undertaking. Initially, four countries offered to loan military UAVs to the Mission. However, the ministries of defence of these countries were unable to conclude the necessary agreements due to the lack of clarity on the OSCE's legal status. This impediment could not be overcome with political will. Consequently, the OSCE was obliged to procure UAVs on a commercial basis. Commercial contractual issues were further compounded by operational factors, such as inclement weather, jamming or the downing of UAVs.

Malaysia Airlines flight 17

The tragic downing of passenger flight MH17 over eastern Ukraine in July 2014 killed all on board and scattered debris across areas monitored by the SMM. In its response, the UN Security Council reaffirmed the rules of international law, which prohibit acts of violence that threaten the safety of international civil aviation. It also demanded secure, full and unrestricted access to the crash site for the SMM in assisting the independent international investigation.²²

Engagement with non-recognized entities

The unavoidable interaction with non-recognized entities in areas not under government control raised unique legal questions in the application of the OSCE Common Regulatory Management System. Solutions had to be found to transfer funds to such entities in order to pay for goods and services, such as lodging for SMM monitors in non-government-controlled areas, while remaining fully in line with OSCE financial regulations.

Taxation

Within the MoU with Ukraine, there is a lack of clarity related to tax exemptions for SMM officials of Ukrainian nationality. Application of the 1961 Vienna Convention on Diplomatic Relations *mutatis mutandis* is problematic since the OSCE is an international organization, rather than an embassy. Therefore, OSCE officials are international civil servants, rather than bilateral diplomats or local technical staff. The issue of local staff income tax in general is one that is bitterly disputed among non-taxing and taxing states. This fundamental aspect of employment in the international civil service remains a point of discussion, not only in Ukraine but also in other countries hosting OSCE field operations.

Tragic incident of 23 April 2017

On 23 April 2017, an SMM armoured vehicle on a routine patrol was caught in an explosion, caused most likely by an anti-tank mine, killing SMM paramedic Joseph Stone. The OSCE engaged the good offices of the International Humanitarian Fact-Finding Commission (IHFFC), which dispatched an independent expert team to conduct a forensic post-blast scene investigation. The legal arrangements for the investigation included provisions for independence, confidentiality, legal status, protection, finance, ownership of the results, and SMM logistical support. The report of the independent forensic investigation concluded, *inter alia*, that the indiscriminate placing of an anti-vehicle mine on a road used by civilians violated international humanitarian law.²³

Lisa Tabassi, the former Head of the Office of Legal Affairs within the OSCE Secretariat, contributed to this text.

Lisa Tabassi

– Former Head of the Office of Legal Affairs, OSCE Secretariat –



I joined the OSCE Secretariat as Head of the Office of Legal Affairs in 2014 when the work on establishing the legal framework of the SMM was in full swing. It was orientation-by-fire for me, and SMM legal issues remained a challenge throughout the rest of my five-year term. Such high stakes were unimaginable in the other international organizations I had served in for over 40 years.

The memorandum of understanding (MoU) between Ukraine and the OSCE, which grants status, protection, privileges and immunities, was pending. Negotiations between the OSCE Secretariat and the Ukrainian government began in March 2014. The MoU was signed on 14 April 2014, providing for the provisional application of all articles of the MoU, except those related to privileges and immunities. The MoU was ratified by the Parliament of Ukraine in May 2014. It entered into force in June 2014, following its signature by the president. From start to finish, the process took a total of twelve weeks from the date of the SMM's deployment, which was remarkably swift for an instrument of this type.

Even so, for the first three weeks (from deployment on 22 March until signature and provisional application on 14 April 2014), the SMM was operating with no formal legal status or capacity. And for the first twelve weeks (22 March until the MoU entered into force on 13 June 2014), SMM monitors had no formal privileges or immunities covering their

official activities, nor formal protection of the security guarantees by the host state other than, perhaps, courtesy to official



Although the SMM monitors had not yet been granted privileges and immunities by Ukraine, by virtue of the conclusions of their letters of appointment as OSCE officials in Vienna, they fell within the scope of the Austrian Federal Law on the OSCE, recognizing them with the status of internationally protected persons in Austria at the time of their deployment to Ukraine.

Lisa Tabassi

Former Head of the Office of Legal Affairs,
OSCE Secretariat

visitors or customary special mission treatment. Lacking legal capacity, the SMM was unable to open bank accounts, enter into contracts, issue vehicle number plates or import equipment – some of it vital for security. It is important to keep in mind that during those twelve weeks, the OSCE was in principle accountable for any injury caused. In view of the unclear legal status of the OSCE in Ukraine, the SMM and its members were exposed to uncertain liability for any damages caused. Furthermore, during this period, eight SMM monitors were abducted and held incommunicado for one month by armed groups, giving rise to speculation within the OSCE as to how liability would manifest if injuries were suffered. Until the MoU was signed and provisionally applied, Ukraine was formally under no obligation to afford special protection, other than its obligations as State Party to the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, which provides for protection ex post facto of any incident. Although the SMM monitors had not yet been granted privileges and immunities by Ukraine, by virtue of the conclusions of their letters of appointment as OSCE officials in Vienna, they fell within the scope of the Austrian Federal Law on the OSCE, recognizing them with the status of internationally protected persons in Austria at the time of their deployment to Ukraine. In short, things moved quickly, but for a few weeks we were operating in a legal grey zone.





Lessons Learned and Best Practices

- ▶ OSCE field operations need to establish fruitful relations with host country authorities and local actors on the ground, ideally from the working level to the highest echelons of government. In doing so, the OSCE must maintain its impartiality at all times, which is of key importance when working to address violent conflict.
- ▶ Effective communication is required between the OSCE Chair (including its special and/or personal representatives), the Secretary General and the Head of Mission in interacting with host country authorities and other local actors. Effective communication will ensure that all relevant interlocutors are kept informed and allow for consistency in strategic messaging.
- ▶ OSCE field operations deployed in an emerging or evolving crisis situation must possess, from the outset, internal capacities for planning and for political and policy analysis. Such capacities are required to ensure situational awareness, to undertake mission forward planning, to conduct early warning analyses and to ensure the safety and security of staff and assets.
- ▶ OSCE field operations should ideally have proper arrangements with the host country in place, such as MoUs, well before the first staff arrive in the mission area. This is particularly important for crisis response operations deployed in quickly evolving circumstances. When negotiating such agreements, specific attention must be paid to legal conditions in the host country, such as the need for parliamentary approval, on which the entry into force would depend.
- ▶ The activities of OSCE field operations are firmly based on the mandates agreed by consensus by all 57 participating States. However, as a crisis evolves, new activities might be requested by conflict parties or other stakeholders, such as mediators. OSCE field operations must examine such requests in light of their mandates, under the guidance of the OSCE Chair, the Secretary General and the CPC. Unrealistic expectations need to be addressed early on.
- ▶ When an OSCE field operation is present on the ground during a violent conflict or crisis, the OSCE needs to be included in any political initiative to resolve the crisis. Ensuring the OSCE's involvement will create more effective links between the political and operational levels.
- ▶ Dialogue facilitation, mediation and confidence-building measures are key OSCE tools. Such instruments can and should be used when tensions are escalating and crises are emerging. Designing and applying such instruments should be based on the strategic guidance of the Chair and be underpinned by sound process design, methodological advice and operational support provided by the CPC's Mediation Support Team. At the same time, applying such tools in practice depends on the willingness of relevant stakeholders, who must consent to dialogue or mediation and accept the OSCE's role as a facilitator.
- ▶ Any OSCE field operation deployed in a complex crisis might have to engage with unrecognized entities, de facto authorities or non-state armed actors. Such interactions require a careful approach that is based on sound political and security analyses. Some modalities for engagement with "irregular armed forces" are suggested within the document 'Stabilizing Measures for Localized Crisis Situations'.²⁴ However, the development of more detailed guidance for future OSCE missions confronted with such scenarios would be of use.

An SMM monitor conducts a foot patrol in Deblatseve, December 2015.



Responding to Turning Points

The SMM faced a number of unexpected events that required crisis management, in particular the abduction of its monitors and the downing of flight MH17. These developments forced the Mission to quickly adapt and taught it some important lessons.



Abduction of SMM Patrols

In late May, non-state armed groups abducted two SMM patrols from the Donetsk and Luhansk monitoring teams, before releasing them approximately one month later. This first ever abduction of OSCE staff was a striking event, not only for the SMM but also for the OSCE and its participating States.

The SMM had already identified important lessons from the week-long detention of a German-led Vienna Document inspection team, which had occurred in Sloviansk in late April 2014. Following that incident, the SMM had started to assign the same monitors to the same patrol areas; the goal was to build rapport with local interlocutors at checkpoints as a preventive measure. However, the armed formations proved unpredictable, establishing informal checkpoints without notice and hampering the Mission's preventive efforts.

In the period leading up to the abduction, the atmosphere in eastern Ukraine had been rapidly deteriorating. Armed formations in the Donetsk and Luhansk regions had become more visible, and SMM monitors were regularly held up, sometimes for hours. Patrolling had become difficult, and new checkpoints appeared on a daily basis. But neither the Mission nor Vienna were prepared for the abduction of SMM monitors.

Within the Chairmanship, the Secretariat and the SMM, all efforts turned to the missing monitors. Led by Chief Monitor Apakan, SMM senior management used every available channel to obtain their release. DCM Hug used his contacts in Kyiv, while DCM Etherington – present on the ground in Donetsk – established communication with the armed formations. In this regard, the Mission could make use of its previous encounters and communications with such groups when

the release of the Vienna Document inspectors had been negotiated. After 32 days in captivity, the two groups of SMM monitors were finally released on 26 and 28 June respectively.

In managing the monitors' release, the OSCE largely relied on the triangular relationship between the Chairmanship, the Secretariat and the SMM. The SMM led negotiations with the armed groups involved and handled media information.



The entire Mission was in permanent crisis mode, struggling to build up a sustainable structure while dealing with multiple crises, as well as adjustments to new political initiatives.

Claus Neukirch

Former Deputy Director of the OSCE Conflict Prevention Centre for Operations Service

The Secretariat co-ordinated the flow of information to the MFAs of the participating States whose nationals had been abducted. The Swiss Chairmanship liaised at the highest levels with affected participating States and with Moscow and Kyiv. CiO Burkhalter met Russian President Vladimir Putin and Ukrainian

Foreign Minister Pavlo Klimkin in Vienna on 24 July 2014. In addition, Ambassador Heidi Tagliavini, the CiO's Special Representative in Ukraine, used her leverage and even made a public appeal on television.

These incidents were traumatic for the affected monitors and for the Mission at large. But they were also a reality check for the SMM about the security situation in eastern Ukraine, heavily affecting the Luhansk and Donetsk monitoring teams, from which the monitors had been abducted. The abduction raised numerous legal and duty-of-care questions – including questions about the MoU with the host country, which had not yet been ratified – and heightened concerns among participating States and SMM leadership about the safety of operating in eastern Ukraine. It forced the SMM to take a much closer look at its duty of care and at ways to ensure the safety of its staff in an unpredictable security environment.

The abduction provided an important lesson for future OSCE field operations deployed in a similarly challenging security environment – namely, the need for proper security assessments, involving scenario analyses and an assessment of all possible risks, regardless of how remote they may appear. However, risks were difficult to assess at the time, as the situation was evolving quickly and the numerous non-state armed groups present on the ground were fragmented, with little or unclear centralized control.

About this period, then CPC Deputy Director Claus Neukirch wrote, "The entire Mission was in permanent crisis mode, struggling to build up a sustainable structure while dealing with multiple crises, as well as adjustments to new political initiatives",²⁵ such as the Geneva statement and the peace plan tabled by President Poroshenko on 20 June 2014.

Malaysia Airlines Flight 17

On 17 July 2014, Malaysia Airlines flight 17 (MH17) was shot down over eastern Ukraine while en route from Amsterdam to Kuala Lumpur, causing the deaths of all 298 people on board. The majority were nationals of Australia, the Netherlands and Malaysia.²⁶ The tragedy shocked the international community and drew worldwide attention to the crisis in and around Ukraine.

At the time of the incident, the SMM was still recovering from its abduction crisis. However, as the only international organization with a substantial presence on the ground in eastern Ukraine, the OSCE was uniquely placed to access the area where the aircraft had come down. Although such an incident fell considerably outside the scope of what was imagined when deploying the SMM, monitoring and reporting on activities at the crash site fell clearly within its mandate. The SMM quickly realized that it had to assume a central facilitation role in the initial co-ordination of international efforts to deal with the incident's aftermath.

The downing of MH17 happened in an area of the Donetsk region in which fighting was intensifying. It was the same area from which non-state armed groups had abducted the SMM's monitors only a few weeks earlier, and the SMM's initial visit to the crash site had been its first to the area since the abduction had occurred. The SMM's main role was to monitor and report on

activities at the crash site, to observe efforts to secure the site perimeter and to facilitate access to it for national and international experts. The SMM also played a key role in facilitating the transportation of remains to staging areas, from which they could be repatriated to the Netherlands.

In Kyiv, the SMM was invited to take part in a joint meeting of the International Task Force, which was organized by the Government of Ukraine and chaired by Vice Prime Minister Volodymyr Hroisman. The government praised the OSCE's response to the incident, deciding to include the SMM in the International Task Force, alongside the Government of Ukraine and an international expert group. For the OSCE, it was a unique opportunity to closely assist the host country in an event of the highest international priority, including by facilitating access for the Ukrainian Aviation Incident Response Team to the crash site located in a non-government-controlled area.

A joint criminal investigation was opened by the Netherlands, together with Australia, Belgium, Malaysia and Ukraine. The SMM facilitated access to the site for the investigation teams. The SMM Head Office in Kyiv and the small Donetsk Monitoring Team made the first contacts with the armed groups in effective control in and around the crash site. The Mission deployed an ad hoc rapid response team of 24 SMM staff to Donetsk within 24 hours.

On 21 July 2014, the UN Security Council adopted a resolution deploring the downing of flight MH17, recognized the SMM's role in assisting the investigation and calling on all states and actors in the region to co-operate fully with the international investigation into the incident.²⁷ The SMM acted as the eyes and ears of the international community on the ground throughout the initial recovery period, playing a vital facilitation and co-ordination role between Kyiv, the affected states (particularly the Netherlands, Malaysia and Australia) and the armed groups in control of the crash site.

In the wake of the MH17 incident, the SMM demonstrated its capacity to respond flexibly at short notice to critical incidents on the ground. It had recovered from the abduction crisis and could make use of the contacts it had developed with local counterparts while negotiating the monitors' release. The SMM also gained experience that enabled it to more effectively monitor on the ground and build confidence with the local population as an impartial and trusted interlocutor.

Contacts with Ukrainian counterparts in Kyiv and with local stakeholders in Donetsk intensified substantially when facilitating access to the crash site for experts from the affected countries. By necessity, the SMM's response to the incident was a first test of its efforts to co-ordinate between the various actors on the ground and international agencies.



SMM monitors examine the crash site of Malaysia Airlines flight 17, July 2014.



Lessons Learned and Best Practices

- ▶ While every crisis is different, some of the security risks faced by the SMM in eastern Ukraine were not unique to its area of operation. To be as prepared as possible for all eventualities, field operations deployed in a quickly evolving and complex security environment should make use of relevant standard operating procedures for crisis response and have related capacities in place from the outset.
- ▶ SOPs should also include clear guidelines for records and information management, as an essential, although often overlooked, component of crisis response and management. Such SOPs should include guidance on the handling of information collected during serious security incidents, because such incidents could become the subject of international sanctions and/or criminal investigations and proceedings.
- ▶ Field operations deployed in complex environments also require security staff with experience in managing critical security situations. Security teams should include staff with experience in different types of crisis operations, as well as staff who are able to communicate in local languages and can thus directly engage with local stakeholders.
- ▶ Direct contact with local stakeholders was of immense value during the SMM's response to the downing of flight MH17. Reliable communication with local stakeholders is also particularly important whenever security guarantees need to be established. Security guarantees should be as detailed as possible and be conveyed in local languages to avoid possible misunderstandings.
- ▶ Effective communication between field operations, the Secretariat, the OSCE Chair and participating States is essential in any crisis, particularly if mission members are affected by serious security incidents. Effective lines of communication must be kept open, in particular, to ensure that delegations are informed when their nationals are affected. In the same context, close co-ordination with host country authorities is a good practice – for example, through interagency or inter-ministerial groups. Relevant provisions and co-ordination modalities could be included in the MoUs signed with host authorities.
- ▶ The SMM's experience demonstrated that OSCE personnel operating in hostile and complex security environments cannot depend on the relative protection of their OSCE status. Therefore, they require dedicated training to enhance their security awareness and behaviour.
- ▶ To meet this need, the OSCE established, in the autumn of 2014, training co-operation with the Austrian Armed Forces International Centre (AUTINT) to provide dedicated pre-deployment courses for SMM mission members. These courses are in line with international standards for field security or hostile environment awareness training and include a conduct-after-capture (i.e., hostage taking) exercise. Successful completion of the course is mandatory for SMM monitors, and should be mandatory for future OSCE field operations deployed in complex or hostile environments.
- ▶ The SMM has established a number of good practices with regard to mine awareness, stress management and intensified first-aid training that have been integrated into the Mission's regular capacity building. Future OSCE field operations can benefit from the SMM's experience in this area.
- ▶ The abduction crisis placed a large burden on the SMM's daily operations. Any OSCE field operation deployed in a hostile or complex security environment would benefit from access to experts, such as hostage negotiation specialists, who could be rapidly dispatched in support of operations. Consideration could be given to establishing an OSCE emergency response team to equip field operations with relevant emergency support, including stress counsellors and psychologists to help mission members cope with serious incidents or extreme circumstances.
- ▶ Finally, GPS tracking systems must be installed on all OSCE vehicles being used in hostile and complex security environments.

The SMM's Contribution to Implementing the Minsk Agreements

The diplomatic breakthrough of the Minsk agreements had an important impact on the SMM's monitoring activities and presented some new challenges.

In early June 2014, a new diplomatic initiative, which became known as the “Normandy format”, was launched to address the continuously deteriorating situation in eastern Ukraine. This format included France, Germany, the Russian Federation and Ukraine, and its first discussions were held on 6 June, on the margins of the 70th anniversary of the Normandy D-Day landings.

One of the key outcomes of the 6 June meeting was an agreement to establish the Trilateral Contact Group (TCG) as a means to facilitate a diplomatic resolution to the conflict. The TCG consists of representatives from Ukraine, the Russian Federation and the OSCE – with an OSCE special representative facilitating the negotiation process. On 8 June 2014, Ambassador Tagliavini of Switzerland was appointed as the CiO's Special Representative in Ukraine and in the TCG, and the first TCG round was held between Ukraine and the Russian Federation. In June 2015, Ambassador Martin Sajdik of Austria was appointed as the CiO's Special Representative and served in that role until the end of 2019.

On 20 June 2014, Ukrainian President Poroshenko presented a 15-point peace plan to de-escalate tensions,²⁸ which came to form part of the foundation

of the later Minsk agreements. In the context of the Poroshenko peace plan, the Swiss OSCE Chairmanship began to pursue an option for the OSCE to take on a leading international role in ceasefire monitoring. The first call came on 2 July 2014, when the foreign ministers of the states involved in the Normandy format issued a joint press statement calling for a “ceasefire to be monitored by the SMM in line with its mandate”.²⁹ It is noteworthy that the statement included a reference to the SMM's mandate, thus recognizing it as the core document defining the Mission's tasks and activities.

While the SMM's operations are mandated by Permanent Council Decision No. 1117, the Mission's work was very much affected by the Minsk agreements: The Protocol (5 September 2014),³⁰ the Memorandum (19 September 2014),³¹ and the Package of Measures (12 February 2015).³² All agreements were signed by representatives in the TCG and initialled, in their personal capacities, by two senior members of the armed formations from certain areas of the Donetsk and Luhansk regions of Ukraine.

The Protocol and the Memorandum specified the OSCE's role to monitor a ceasefire regime, the Ukrainian-Russian

state border and “the withdrawal of all foreign armed formations, military hardware, militants, and mercenaries from the territories of Ukraine”. The Memorandum, which required the SMM to deploy to “the zone of cessation of use of weapons” within 24 hours of its adoption, focused more narrowly on the provisions for establishing a ceasefire and the withdrawal of heavy weapons, as outlined in the Protocol. The Memorandum assigned to the OSCE the role of monitoring the withdrawal of weapons with a calibre greater than 100 mm from the then newly established contact line to a distance of no less than 15 km from each side, allowing for the creation of a zone of cessation from the use of weapons of at least 30 km wide.

The Package of Measures, signed on 12 February 2015, was designed to ensure the implementation of the provisions contained in the Protocol and the Memorandum, signed in September 2014. It was endorsed by the UN Security Council in UNSCR 2202 on 17 February 2015 and annexed to the resolution,³³ together with a supporting declaration by leaders in the Normandy format. The Package did not supersede previous documents agreed in Minsk, which together became collectively known as the Minsk agreements.



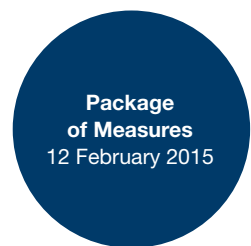
Talks with heads of state in the Normandy format.
Minsk, 11 February 2015.

However, it did establish a broader role for the Mission within the multitude of actors seeking to resolve the crisis and became a key reference document for further negotiations in the TCG and at the level of the Normandy format.

The Package of Measures served to concentrate the SMM's resources toward supporting the implementation of the security-related aspects of the Minsk agreements. It called for monitoring the ceasefire regime and further specified

a role for the OSCE, not only to monitor but also to verify the withdrawal of heavy weapons from the first day of withdrawal. It also specified the use of "all technical equipment necessary, including satellites, drones, [and] radar equipment" in the monitoring process. Also important to note is that, on the political track, the Package of Measures called for local elections to be held in accordance with relevant OSCE standards and to be monitored by ODIHR.

Minsk agreements



The drawing of a contact line



- As of 19 September 2014
- As of 12 February 2015
- As of 12 July 2017 (estimated)

The establishment of a contact line of 482 km by the signatories of the Memorandum in Minsk in September 2014 had a profound impact on the conflict in eastern Ukraine. What emerged was a delineation of government and non-government-controlled areas and a constant pattern of fighting, which took place from trench-like positions at well-defined hotspots along this line. However, the line itself was not static and has been subject to continual shifts on the ground. A general trend saw the sides moving their positions closer to each other in hotspots, increasing the risk of escalation and casualties.

As fighting in eastern Ukraine persisted throughout the autumn of 2014, repeated efforts to sustain the ceasefire, to which the signatories had committed, collapsed in January 2015. Armed formations in Donetsk captured what was left of the Donetsk International Airport and pushed their offensive toward the strategically significant railway and road junction of Debaltseve. This led to a highly contested change to the contact line that had been agreed in the Memorandum of 19 September 2014. Some changes to the contact line have been observed since then, with disagreements between the Minsk signatories on the contact line's location. Pushes against positions on each side of the line and forward movement into areas without effective control have also been observed, but no further large-scale offensives have been launched since the push toward Debaltseve in January and February 2015.

Reflections from the TCG Working Group on Security Issues

To intensify the work of the TCG in implementing relevant aspects of the Minsk agreements, the Package of Measures provided for the establishment of working groups. Four working groups were set up, respectively on security, political, humanitarian, and economic and social issues, and held their inaugural meetings on 6 May 2015. Each working group was headed by an OSCE co-ordinator, who was appointed by the CiO to facilitate the exchanges, held

regularly in Minsk. Apart from TCG representatives, participants from certain areas of the Donetsk and Luhansk regions of Ukraine were invited to take part.

Ambassador Pierre Morel of France was appointed Co-ordinator of the Working Group on Political Issues, and Ambassador Toni Frisch of Switzerland as Co-ordinator of the Working Group on Humanitarian Issues. Mr. Thomas Mirow of Germany served as the Co-ordinator of the Working Group on Economic and Social Issues, before being succeeded by Mr. Per Fischer and later by Ambassador Ulrich Brandenburg, both also of Germany.

Chief Monitor Apakan served as Co-ordinator of the Working Group on Security Issues (WGSII). While the SMM retained its primary function as the eyes and ears on the ground, this additional assignment gave the SMM a more multifaceted role in the political process that sought to contribute to a peaceful resolution to the crisis in and around Ukraine.

The TCG and the SMM had been in close contact since 2014. However, the Chief Monitor's new role as Co-ordinator of the WGSII increased co-ordination

Roles assigned to the OSCE under the Minsk agreements



Monitoring and verification of a ceasefire regime and on the Ukrainian–Russian state border



Facilitating and verification of heavy weapons' withdrawal with support of the TCG



Monitoring and verification of a ceasefire, withdrawal of weapons, including with the use of necessary technical means, such as satellite, UAVs and radar equipment



Monitoring the withdrawal of foreign armed formations, military hardware, militants and mercenaries from the territory of Ukraine



Monitoring local elections by OSCE/ODIHR

and practical co-operation between the TCG and the SMM. The working group was a structured platform to discuss and agree on the implementation of the security-related provisions of the Minsk agreements. Reflecting on his tenure as the first WGSi co-ordinator, Ambassador Apakan said, “It was important for the sides to see that their priority issues were reflected in the work of the group. In essence, the agenda derived from the Package of Measures and the Minsk Memorandum. But the agenda setting and timing were critical to my work as co-ordinator.”³⁴

Since 2015, the agenda of WGSi has focused on a persistent set of objectives, with the overarching priority to achieve a sustainable and comprehensive ceasefire – in other words, a full cessation of hostilities. The reality on the ground, however, was complex.

Ambassador Apakan stated, “The SMM was able to actively contribute to the work of the WGSi by making suggestions and concrete proposals for the elaboration of security arrangements.”³⁵ These included recommitments to the ceasefire, benchmarks for the withdrawal of heavy weapons, detailed projects for disengagement areas and recommendations for humanitarian demining. At the same time, it was a priority for the WGSi to find ways for de-escalation “by preventing misunderstandings and providing a forum for resolving differences before a spiral of retaliation [was] triggered”.³⁶ The work of the WGSi did not happen in isolation, but the timing of initiatives and the creation of space to move them forward had to be co-ordinated with the TCG and with the states involved in the Normandy format. This process was far from easy.

Complementary Documents to the Minsk Agreements

In September 2015 and in March and September 2016, WGSi participants reached agreement on four complementary documents to the Minsk agreements that were signed in the TCG. These documents were negotiated largely in an effort to specify how the security-related measures of the Minsk agreements could be implemented on the ground.

The first complementary document to the Minsk agreements was the Addendum to the Package of Measures (non-public),³⁷ adopted on 29 September 2015. It provided a specific framework for the withdrawal of tanks, artillery up to 100 mm in calibre and mortars up to and including 120 mm. The Addendum is the only document that specifically requires the provision of baseline information and locations of permanent storage sites. The provision of such information was essential for the SMM to verify the withdrawal of these weapons.

Two more complementary documents were agreed by the TCG on 3 March 2016.³⁸ One was a decision on mine action (non-public), which aimed to reduce the threats posed by mines and to facilitate the repair of vital infrastructure. The other was a decision on the full cessation of live-fire exercises (non-public), which called for an end to live-fire training and exercises near the contact line.

A fourth complementary document was signed on 21 September 2016: a framework decision on disengagement of forces and hardware.³⁹ However, initial suggestions to disengage along the entire contact line did not gain sufficient

support. Nonetheless, agreement could be reached on three pilot disengagement areas – Zolote, Petrivske and Stanytsia Luhanska – with the intention to expand disengagement to further areas.

Challenges in Monitoring and Verification

The four complementary decisions to the Minsk agreements did provide some further clarification on how the security-related measures of the Minsk agreements could be implemented. However, the commitments undertaken did not always translate into concrete action on the ground. The necessary political will was often missing, and the lack of compliance with agreed decisions remained a challenge. Within the Minsk agreements themselves, a number of issues were undefined and, thereby, left open for interpretation. With regard to the security-related provisions, Ambassador Apakan recalled, “There were no clauses in the Minsk agreements which would provide for any transitional phases, and the insufficient clarity on the sequencing and timelines created additional challenges.”⁴⁰

Over time, the space for negotiations shrank, and exchanges in the TCG often became acrimonious. Discussions on substantive issues often deteriorated into debates over procedures and formats. Discussions were also challenged by the persistent problem of defining the parties to the conflict and disagreements over the status and roles of TCG participants. Together, these factors created challenges for the SMM in monitoring and verifying the implementation of agreed security-related measures.

Complementary documents to the Minsk agreements



Addendum to the Package of Measures
29 September 2015

Decisions on Mine Action
3 March 2016

Decision on Full Cessation of Live-Fire Exercises
3 March 2016

Framework Decision on Disengagement of Forces and Hardware
21 September 2016

Ceasefire

Agreeing on steps for stabilizing the security situation on the ground through a sustainable and lasting ceasefire remained one of the key priorities of the WGSI. Despite claims by the Minsk signatories that they adhered to the provisions of the ceasefire, the SMM regularly reported hundreds and even thousands of ceasefire violations on a daily basis. Kinetic activity was overwhelmingly concentrated in well known hotspots along the contact line. Over the years, the intensity of fighting at each hotspot continued to ebb and flow.

At regular intervals, the Minsk signatories were able to come to an agreement on a recommitment to the ceasefire. Recommitments were generally made to mark specific events, such as Easter, the harvest period (June), the start of the school year (September), Christmas and the New Year. On each occasion, the SMM observed a reduction in ceasefire violations and brief periods of calm, followed by a gradual increase in armed violence.

This pattern suggested that the sides could adhere to the ceasefire when they had the political will to do so. It also showed that the security-related measures of the Minsk agreements could not be seen in isolation from their other aspects, such as holding local elections or reinstating the government of Ukraine's full control of the Ukrainian-Russian state border.⁴¹ It is worth noting that, in addi-

tion to political gestures of ceasefires, efforts were ongoing by the SMM to reduce tensions and tit-for-tat retaliations. In the words of Ambassador Apakan, "In practice, the SMM's day-to-day work on the ground entailed facilitation and the prevention of small clashes."⁴²

Weapons Withdrawal

Under the Package of Measures and the Addendum, the SMM was asked to monitor the withdrawal of weapons by confirming their presence, monitoring along the contact line and visiting permanent storage sites and other areas assigned for the storage of weapons. The absence of detailed obligations for the withdrawal of heavy weapons in the Package of Measures or of certain technical specifications on how the withdrawal should take place created challenges for the SMM in monitoring compliance with the measures agreed in Minsk.

Failures to provide baseline information, including about the numbers, types and locations of weapons, posed a significant challenge. Without baseline information, the SMM could monitor but not verify weapons declared as withdrawn. This caused concern about the whereabouts and/or rotation of such weapons in areas from which they should have been withdrawn. Despite insistence that weapons had indeed been removed, the SMM continued to observe weapons that were in violation of respective withdrawal lines.

To deal with these challenges, the SMM maintained cumulative inventories of both weapons declared and subsequently identified as in or near areas from where they should have been withdrawn. Chief Monitor Apakan issued numerous letters to the signatories of the Minsk agreements, reiterating the need for a renewed commitment to weapons withdrawal in the form of immediate, specific and objectively verifiable steps, so as to boost compliance and minimize violations. He continued to request baseline information for verification, but even four years after the Package of Measures was signed, such information had still not been provided. To move implementation forward, political impetus from the very highest levels and the establishment of trust remained essential.

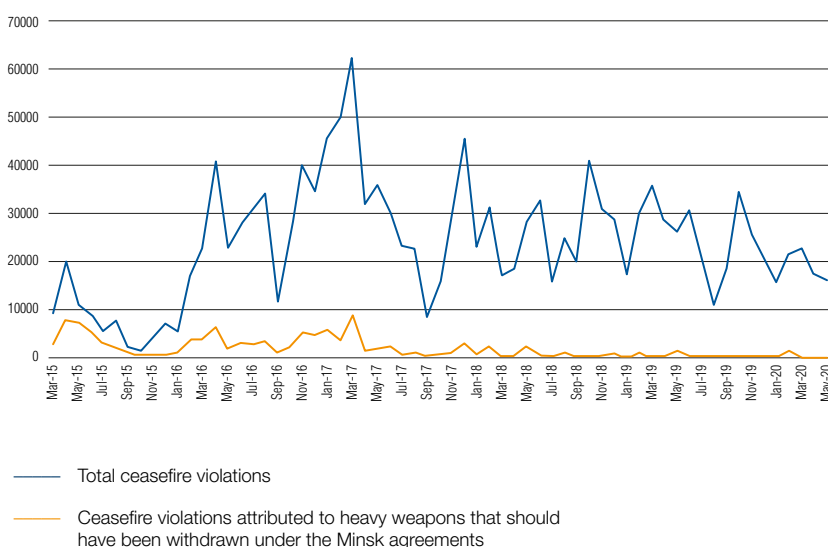
Disengagement

The framework decision on disengagement, agreed in 2016, proved to be the most challenging to implement, and monitoring the three pilot disengagement areas – Zolote, Petrivske and Stanytsia Luhanska – required considerable resources from the SMM.

Monitoring the three pilot disengagement areas started at the end of September 2016. The disengagement process in Zolote and Petrivske was noted by the sides as having been completed by the end of that month, but they later gradually re-engaged in both areas. Between 2015 – when the bridge at Stanytsia Luhanska was destroyed – and the summer of 2019, there was little progress in disengagement from around this strategic bridge, which was the only entry-exit checkpoint (EECP) in the Luhansk region. The pedestrian bridge, with its wooden ramps, became a symbol of the conflict and a major hurdle for the thousands of civilians who needed to cross it on a daily basis.

After initiatives taken by President Volodymyr Zelenskyy in the summer of 2019, discussions gained new momentum, leading to disengagement at Stanytsia Luhanska and the ensuing reconstruction of the footbridge in November 2019. The SMM increased its operational posture to support this process, deploying numerous daily patrols in the area. Thus, the SMM's presence and facilitation efforts led to significant infrastructure improvements in support of the local population.

Ceasefire violations observed by the SMM (2015-2019)



Data for 2014 and 2015 incomplete

Ambassador Martin Sajdik – Former Special Representative of the CiO in Ukraine and in the TCG –

“ We were called “a tandem” in the OSCE Permanent Council. Others spoke of us as the “Austrian-Turkish twins” or as “blood brothers”. Indeed, Ambassador Ertuğrul Apakan and I had a lot in common, including our age, our weight (too much) and our diplomatic careers. We were both ambassadors to the UN in New York before becoming involved in efforts to resolve the conflict in eastern Ukraine. In early 2012, right after being transferred from Beijing to New York, we both waltzed with our wives at the Vienna Ball in the Waldorf Astoria.

Life in Kyiv was completely different, even somewhat monastic. We lived in the same hotel throughout all the years. We rarely had breakfast together, as Ertuğrul often took his morning coffee with visitors, including SMM monitors from the field who were passing through Kyiv on their way to or from home. Unlike the mornings, many evenings were spent together, sitting in the hotel bar area facing each other, with Ertuğrul turning his back to the TV screen and generously tolerating my erratic behaviour as I divided my attention between him and the football game on the screen. Fortunately, European soccer was not on every evening, leaving time for discussions on a wide spectrum of topics.

Our role in efforts to resolve the conflict stood at the centre of our evening conversations. We were both part of the fabric of the Minsk negotiations, me as the main co-ordinator of the TCG and Ertuğrul as Co-ordinator of the Working Group on Security Issues, which reports to the TCG. Not only me, but all four of the working group co-ordinators were

appointed by the OSCE Chairperson-in-Office, every year anew, each being completely independent in their deliberations. Cohesion among the co-ordinators was sought through regular calibration efforts in Minsk in the run-up to each round of negotiations.



Ertuğrul made it clear that his double role – his “double hat” – should not lead to procedural misinterpretations, underlining that the SMM functioned solely on the basis of the OSCE mandate.

Ambassador Martin Sajdik
Former Special Representative of the CiO
in Ukraine and in the TCG

Ertuğrul and I were the only co-ordinators living in Kyiv (the others usually flew to Minsk directly) so we often co-ordinated our approaches before going to the Belarusian capital.

For Ertuğrul, being the SMM Chief Monitor and serving as Co-ordinator of the Working Group on Security Issues at the same time was a considerable challenge. The SMM’s activities in Ukraine relate to the OSCE mandate of March 2014, whereas the Package of Measures form the basis for the work of the TCG and its working groups. From the very beginning, Ertuğrul made it clear that his double role – his “double hat” – should not lead to procedural misinterpretations, underlining that the SMM functioned solely on the basis of the OSCE mandate. But he also laid the ground for the SMM’s involvement in Minsk-related activities, like monitoring the safe rotation of staff to the filter and pumping stations of “Voda Donbasa”, or payments of water bills “across the line of contact” in the Luhansk region, or local ceasefires to carry out repair work on shelled electricity grids.

In addition to numerable ceasefires, Ertuğrul ably negotiated addenda to the Package of Measures on the withdrawal of heavy weapons, on demining and disengagement of forces, and on the halt of military exercises along the contact line. With the start of the Austrian OSCE Chairmanship of 2017, we placed special emphasis on the protection of civilians, leading to a considerable reduction in casualties among the civilian population in conflict-affected areas. In 2019, no children lost their lives due to conflict-related activities!

Whether morning or evening, Ertuğrul was always in a good mood and completely easy to talk to. I remember him being really sad only once: when the SMM lost paramedic Joseph Stone. Ertuğrul personally and truly cared about his people! ”

Although required to monitor the three disengagement areas, the SMM's access was impeded from the start. Monitors faced repeated restrictions on freedom of movement, for example, due to denial of access and the presence of mines. Shelling and shooting in the vicinity of monitors, most often in non-government-controlled areas, was a distinct security threat. SMM assets deployed to assist in monitoring, such as UAVs and cameras, were also regularly jammed, shot at, tampered with or destroyed – creating serious impediments to the SMM's efforts to safely and effectively implement its monitoring mandate.

Monitoring the implementation of security-related issues, particularly disengagement areas, required considerable human and financial resources. In this light and also with the slow progress stemming from the lack of trust to disengage, concerns arose as to how long participating States would find it viable and cost-effective for the SMM to continue expending such significant resources. However, it remained indisputable that the SMM's presence helped to keep violence in check, thereby contributing to crisis management and stabilization of the situation on the ground.

Over the years, while the situation along the contact line became more static – albeit with varying levels of violence – the SMM, and the OSCE more broadly, focused increasingly on measures to reduce the negative consequences of the fighting on the civilian population. This people-centred approach was fully in line

with the SMM's long-standing engagement in facilitating local ceasefires to allow for repairs to critical infrastructure – such as water, gas and electricity – which benefited hundreds of thousands of people on both sides of the contact line in eastern Ukraine.

An Elusive Search for Compliance

The sides' compliance with the measures of the decision on mine action, which called for marking, fencing off and mapping areas near EECs and along the roads leading to them, remained low. So too did compliance with the decision on live-fire exercises. Monitoring compliance with these decisions created security challenges for the SMM. To address these security issues, Chief Monitor Apakan went on the record with the Minsk signatories, requesting detailed and accurate maps of mined areas and the provision of joint plan for clearing all mines and explosive hazards. He was obliged to send a follow-up letter almost a year later. No replies have been received.

One of the key challenges to monitoring and verifying the sides' compliance with the security-related obligations of the Minsk agreements was the absence of a joint accountability mechanism to assign responsibility and to take follow-up action when violations occurred. The absence of such a mechanism meant that there were few consequences for those who broke the rules, even when the SMM provided clear evidence.

From the Negotiation Table to the Field: Bridging the Divide

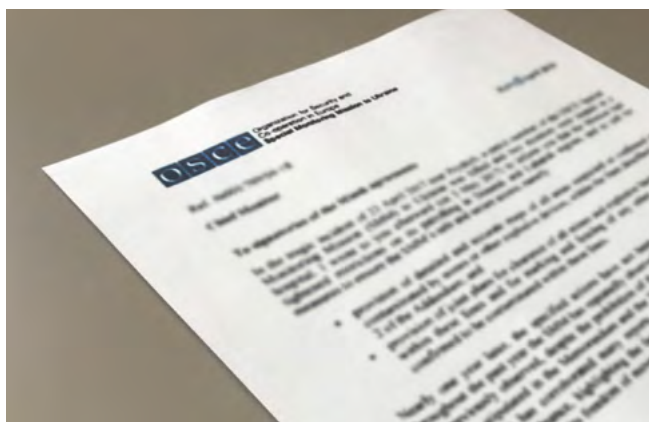
Through Ambassador Apakan's role in TCG WGSI, the SMM was in a unique position of having a role in both the diplomatic arena and in the field. In the words of Chief Monitor Apakan, "The SMM plays a critical role in fostering peace and normalization, both in the negotiating process and on the ground."⁴³

The composition of Minsk-agreement stakeholders is complex, consisting of multiple actors at various levels: High-level political actors involved in the Normandy format as well as representatives from their capitals, the TCG, the JCCC and a multitude of stakeholders on the ground, including the SMM.

From the SMM's first five years, a number of lessons can be learned with regard to co-ordination and co-operation between the various actors involved at different levels in political efforts to find a peaceful resolution to the conflict. One lesson is the need for effective communication. As a senior SMM member acknowledged, the information flow between the SMM, the Secretariat, the Chairmanship and key capitals was at times difficult, especially in the Mission's early days when the conflict was developing dynamically.⁴⁴ On the one hand, effective communication is needed between the Chair, the Secretariat, the SMM and OSCE actors in the TCG; on the other hand, close communication is required between OSCE actors and the Normandy format.

Reflecting on the division of responsibilities and communication lines between the OSCE Chairmanship, the Secretary General, the Normandy format, the TCG and the SMM, a senior Secretariat official noted that establishing a clear architecture for co-operation and co-ordination from the outset would have been helpful. More time should have been spent on defining decision-making and communication lines.⁴⁵

Time was required before the OSCE understood the need for a productive channel between the political process (Normandy format and the TCG) and those responsible for implementing the decisions taken in the political process (the Chairmanship, the Secretariat and the SMM). Indeed, there was at



Letter from Chief Monitor Apakan to the Minsk agreement signatories, 2018

Minsk agreement stakeholders



times a disconnect between the high level discussions within the Normandy format and the OSCE actors who were supposed to help implement the agreements reached. This disconnect was partly alleviated when Germany – a Normandy member – joined the OSCE Troika from 2015 to 2017. However, other OSCE Chairmanships lacked direct access to the Normandy format, which was often a challenge.

The Chief Monitor’s role as Co-ordinator of the WGSJ allowed the SMM to interact closely with key stakeholders at all levels, including direct contacts with Paris and Berlin. These contacts have been indispensable to the SMM, allowing it to bridge the gap between the political level and the field, where the SMM was monitoring and facilitating compliance with the implementation of agreed measures. This level of contact is noteworthy, as it is unusual for a monitoring mission to directly interact on the political level. A senior SMM official described this interaction as one that made it possible to bring “the dust from the field” to the negotiation table.⁴⁶

Supporting the implementation of the Minsk agreements increased the SMM’s relevance, but squaring the talks in Minsk with developments on the ground was sometimes a challenge. A senior SMM member noted, at times “the TCG’s fortnightly rhythm seemed distant from the dynamic situation on the ground ... ultimately, a dynamic mediation process is needed when the conflict itself is dynamic”.⁴⁷ Other senior SMM officials also noted that many issues became more politicized when brought to the table in Minsk, thus making it more

challenging to find localized solutions. Means should be further explored to ensure the flexibility necessary to implement confidence-building measures on the ground.

Co-ordination and communication between various interlocutors was particularly important during incidents and flare-ups. During incidents, communication took place through informal but well-established channels with interlocutors from all sides at various levels.⁴⁸ Local and international stakeholders would, in such situations, often contact the SMM directly. In some cases of heavy shelling in eastern Ukraine, the Ukrainian presidential administration would contact SMM senior management, asking the Mission to facilitate a window of silence for the delivery of humanitarian relief or for the repair of critical infrastructure. The Mission would also receive queries from capitals. In such cases, the SMM would inform key interlocutors, including the Chairmanship, the Secretariat and the TCG, and ensure co-ordination with relevant stakeholders on the ground.

Without a functional accountability mechanism to assign responsibility and to take follow-up action when violations occurred, the SMM had to find innovative ways to deal with realities on the ground. Attempts were made to build some measures into the complementary documents agreed in the WGSJ, which could be made use of when incidents occurred. For example, the Addendum and the framework decision on disengagement both contained references to the possibility to call emergency TCG meetings in cases of escalations or violations of agreements.

Supporting the Implementation Process

With regard to its role in the implementation process, the SMM benefited from its intimate knowledge of the situation on the ground, along with its ability to follow up with interlocutors on the decisions made in the WGSJ. The SMM’s ability to provide direct first-hand reports from the field allowed the TCG to make well-informed decisions based on impartial information. The SMM also played a useful role in facilitating access to eastern Ukraine for the CiO, the CiO Special Representative in Ukraine and in the TCG, and other TCG working group co-ordinators.

Ambassador Apakan’s dual role as both Chief Monitor and Co-ordinator of the WGSJ also helped to ensure the Mission was not assigned tasks by the TCG without the SMM’s input. For the SMM, it was clear that the Mission could only take on Minsk related tasks if they fell within the mandate agreed by participating States – a position that was strongly supported by the OSCE Secretariat. SMM leadership was often in direct contact with the four countries in the Normandy format, but it took great care to follow the directions conveyed by the Chairmanship from all 57 participating States. Fortunately, the breadth of the SMM mandate enabled it to carry out Minsk-related activities, with no need for renewed negotiations over its tasks and responsibilities.

Joint Centre for Control and Co-ordination (JCCC)

The JCCC was established on 26 September 2014 based on an agreement between the presidents of Ukraine and the Russian Federation. This bilateral initiative between Ukrainian and Russian General Staff originally consisted of approximately 75 Russian and 75 Ukrainian military officers. The original JCCC headquarters was in Debaltseve but later moved to Soledar (both in the Donetsk region).

The JCCC had the potential to contribute to reducing tensions and fostering peace, yet it proved ineffective, owing to political and institutional challenges and its lack of a clear terms of reference. In fact, the JCCC had not been set up to fulfil the role of a joint military commission as seen in other conflict contexts, and its intended role was never clarified.

However, in a number of the complementary documents to the Minsk agreements, the JCCC was assigned specific responsibilities to facilitate their implementation. These included the JCCC's assistance in ensuring the ceasefire, in facilitating the co-ordination of activities, in ensuring the safety and security of SMM monitors and in responding rapidly to impediments experienced by the Mission.

Co-ordination between the Russian and Ukrainian JCCC officers deteriorated over time, becoming less joint and increasingly parallel, with each contingent located on a respective side of the contact line. In January 2015, as the security situation deteriorated on the ground, the JCCC not only was unable to prevent this downward spiral but was directly affected by it when

its headquarters in Debaltseve came under shelling.

In April 2016, the SMM set up a liaison team to improve co-ordination and communication between monitoring teams, the SMM Head Office in Kyiv and the JCCC, noting some positive changes in the dynamics. This co-ordination was designed, *inter alia*, to provide a more effective response to incidents and to contribute to the implementation of decisions taken in Minsk, given the roles attributed to the JCCC. However, the JCCC only had limited success in following up on incidents and ceasefire violations, in providing security guarantees for



repair work or in addressing freedom of movement restrictions for the SMM.

The SMM continued to liaise with the JCCC, and efforts were made in Minsk to provide the JCCC with clear responsibilities for ensuring security guarantees and following up on incidents. However, on 19 December 2017, the Russian Federation's JCCC contingent left Ukrainian territory. The discontinuation of the JCCC in its original composition not only affected the security situation on the ground but also hampered the repair and maintenance of civilian infrastructure.

To respond to the operational and security concerns caused by the sudden change within the JCCC, the SMM stepped up its dialogue facilitation role. Increasingly, the SMM has had to facilitate windows of silence to enable necessary repair work and the maintenance of civilian infrastructure.

SMM Co-ordination with OSCE Chairmanships

During Chief Monitor Apakan's tenure, both the Mission and the TCG enjoyed strong support from all OSCE chairmanships: Switzerland (2014), Serbia (2015), Germany (2016), Austria (2017), Italy (2018) and Slovakia (2019). Nevertheless, the approaches, styles and priorities of each Chair differed.

When Serbia took over the Chairmanship in 2015, with the motto of being an honest broker, it received considerable support from its fellow Troika members, Switzerland and Germany. The use of the Troika mechanism intensified during this period.⁴⁹ Troika ministers met on the margins of the Ministerial Council meeting in Belgrade in December 2015, where they agreed that the SMM's capacities to mediate and broker localized ceasefires should be strengthened.⁵⁰

When Germany – a member of the Normandy format – began its Chairmanship in 2016, it paid close attention to the political process. As a senior SMM official noted, the German Chairmanship “really wanted to achieve progress on the security situation during its year as OSCE Chair”.⁵¹ This drive for progress resulted in more direct requests for the SMM to follow up on security-related issues and to provide non-papers and background analyses. These helped to prepare discussions in the Normandy format, including the summit in October 2016. During this time, ideas for disengagement and withdrawal of weapons were developed, and an updated concept was prepared for the SMM to monitor areas adjacent to the Ukrainian-Russian border.⁵² “The German Chairmanship asked the SMM to focus on the politico-military activities of the Mission”, and SMM senior management “regularly got high-level calls from Berlin”.⁵³

As the ongoing fighting took an increasing toll on the civilian population, the 2017 Austrian Chairmanship focused its priorities strongly on humanitarian issues and the impact of the armed conflict on civilians (see Chapter ‘A People-Centred Approach’). The local population was increasingly suffering: People could not cross the contact line; they experienced shelling in populated areas; and they lost access to their pensions, health care and humanitarian aid. Austria, therefore, prioritized support to people on the ground and drew public attention to environmental challenges arising from the conflict.

The 2018 Italian Chairmanship also maintained this focus on civilians, which became integrated into the SMM’s com-

prehensive monitoring and was reflected in multiple thematic reports linking the security and humanitarian situations. In addition, it was during the Italian Chairmanship that the SMM advanced the use of long-range UAVs (see Chapter ‘Technology as a Force Multiplier’).

Like Austria, the 2019 Slovak Chairmanship also focused strongly on the impact of the conflict on civilians in eastern Ukraine, proposing to launch a set of concrete confidence-building measures. These included protecting civilian infrastructure, conducting mine action for humanitarian purposes, exchanging detainees, opening additional EECs, addressing potential ecological challenges, improving healthcare and resuming passenger communication across

the contact line. Also during the Slovak Chairmanship, progress on disengagement finally allowed for repairs to the critical pedestrian bridge at Stanytsia Luhanska.

Except for Germany, all chairmanships faced a recurrent challenge in their limited access to the Normandy format and to the TCG. However, co-operation and communication between the various stakeholders improved through more regular interactions with the Chairmanship. Thus, the respective Chairmanship could support the SMM with their leadership, experience and commitment in working toward comprehensive security and stability in Ukraine.



Lessons Learned and Best Practices

- When a multitude of actors are involved in conflict settlement issues, clear lines of communication and co-ordination need to be established as early as possible among all stakeholders, from the political level to the operational level on the ground.
- In relation to official negotiation processes involving the OSCE – like the TCG and its working groups – making use of the CPC’s mediation-support capacities is a good practice, providing that relevant stakeholders are willing to do so. For example, the CPC’s Mediation Support Team facilitates high-level mediation retreats that have enhanced interaction among the CiO Special Representative in Ukraine and in the TCG, the TCG working group co-ordinators, SMM and Secretariat senior management, and the OSCE Troika.
- Through the CiO Special Representative and the Chief Monitor as Co-ordinator of the WGSJ, the OSCE has played a key role in facilitating the implementation of the Minsk agreements. However, the OSCE itself is not part of the Normandy format, where political-level discussions on settlement issues take place. Should the OSCE be involved in similar conflict-resolution efforts in the future, consideration should be given to ensuring the OSCE’s representation in all relevant discussions, especially if it is present on the ground. Including the OSCE would facilitate stronger coherence and more effective links between political decision-making and operational implementation in the field.
- The OSCE has dedicated considerable resources to supporting the implementation of the Minsk agreements. The dual role in which the Chief Monitor also serves as Co-ordinator of the WGSJ could be replicated in the context of future processes, as it has:
 - Afforded the SMM a valuable opportunity to interact at the political level, thus bridging the gap between the political level and the field
 - Enhanced the SMM’s ability to monitor and facilitate compliance and the implementation of agreed measures
 - Increased understanding at the negotiation table of the realities on the ground, allowing up-to-date information on dynamic developments in the field to be provided at the political level.
- The SMM’s experience in an active conflict area shows the need for an effective mechanism to hold parties accountable and to end impunity for ceasefire violations. Without such mechanisms in place, the safety and security of SMM staff is at risk when monitoring the implementation of agreed measures. A well-functioning mechanism may also reduce the need for international monitors to be present in high-risk situations.

The SMM's Footprint

Adapting to Changing Needs

Deployed initially as a small mission to observe the unfolding political and security developments throughout Ukraine, the SMM quickly expanded its footprint, developing into a major civilian peace operation.

- Monitoring team (Donetsk & Luhansk also patrol hubs)
- Patrol hub
- Forward patrol base
- Liaison team
- Long-range UAV base



From autumn 2014, the locus of SMM operations shifted eastward as the dynamics of the crisis evolved and the fighting in eastern Ukraine escalated. Taking on the task of monitoring the security-related aspects of the Minsk agreements acted as a catalyst for this shift. With an increasing number of SMM civilian monitors operating in a high-risk security environment, the SMM began to gradually take the shape of a civilian peace operation.

To monitor the security-related aspects of the Minsk agreements and to ensure effective patrolling on both sides of the contact line, the SMM extended its footprint in eastern Ukraine. From September 2014 until the end of the SMM's second mandate period on 31 March 2015, the SMM worked to expand the number of monitors from the initial 100 to 500.⁵⁴ By the end of 2014, 358 monitors were active on the ground throughout Ukraine.

Expansion in the Wake of the Minsk Agreements

Immediately after the Package of Measures was signed in February 2015, the SMM transferred many of its monitors to eastern Ukraine, and the Donetsk and Luhansk monitoring teams grew exponentially. With Permanent Council Decision No. 1162 of 12 March 2015, participating States agreed to extend the SMM's mandate and authorized an expansion of up 1,000 civilian monitors, "as necessary and according to the situation".⁵⁵ At this time, the mandate duration was increased to one year instead of six months.

The SMM's initial target was 700 monitors. Since then, the SMM has continued to expand its footprint in all ten locations, but the number of monitors has remained at around 800. In the expansion process, the Secretariat –

particularly the CPC, the Department of Human Resources and the Department of Management and Finance – mobilized all available resources to aid the SMM, providing basic training to incoming monitors, acquiring key assets and facilitating the deployment of monitors and equipment to destinations throughout Ukraine. While the recruitment of

.....

We placed the people at the centre of these efforts. As a matter of fact, the expansion of the SMM, including the establishment of hubs and forward patrol bases, had multiple positive impacts. The continuous presence of monitors appears to have diminished the firing and shelling in certain hotspots in the vicinity of populated areas, while also creating a more protective atmosphere for civilians.

.....

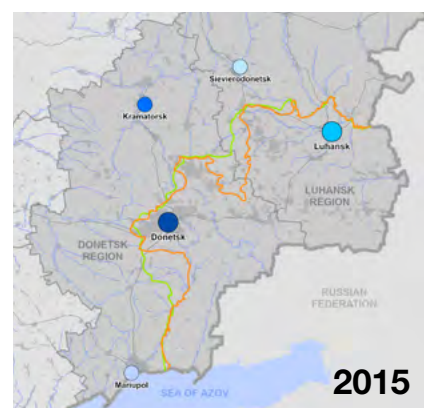
Ambassador Ertuğrul Apakan
Former Chief Monitor of the Special Monitoring Mission to Ukraine

additional monitors focused on expanding the teams in eastern Ukraine, recruitment also aimed to ensure that the SMM monitoring teams operating in the eight other locations throughout Ukraine had sufficient resources to fulfil the Mission's mandate.

As the teams in the east grew larger, patrol hubs were opened for the Donetsk Monitoring Team in Mariupol and Kramatorsk and for the Luhansk Monitoring Team in Sievierodonetsk. These hubs allowed the teams to work in both government- and non-government-controlled areas. The SMM also took additional

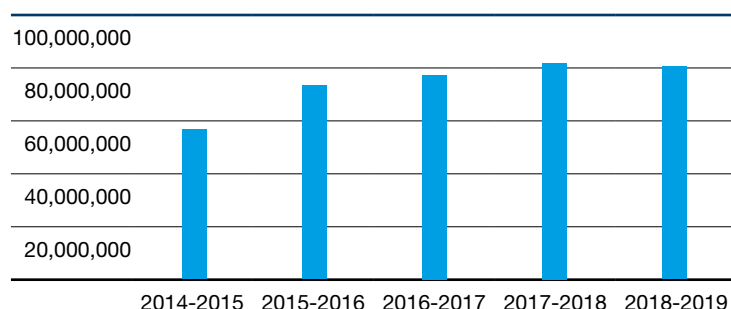
steps to increase its geographical reach by opening forward patrol bases near the contact line where monitors could reside and operate on rotation. These bases helped to ensure more effective monitoring of the ceasefire regime and the withdrawal of heavy weapons, and allowed the Mission to be closer to local communities. Since opening its first two forward patrol bases on 26 September 2015 in Volnovakha and Novoaidar, the SMM expanded them to a total of ten by the time it opened the forward patrol base in Popasna on 24 June 2017.⁵⁶ However, some bases were never occupied due to a lack of security guarantees, and monitors were temporarily relocated from others because of safety and security risks.

SMM footprint in eastern Ukraine



- Monitoring team/patrol hub
- Patrol hub
- Donetsk
- Luhansk
- Kramatorsk
- Mariupol
- Sievierodonetsk
- As of 19 September 2014
- As of 12 February 2015
- - - As of 31 March 2019 (estimated)

Approved budget per mandate year in EUR



As the number of monitors grew and tasks became more complex, the need arose for more sophisticated vehicles, equipment and logistical support as well as for better medical and stress-management capacities (see Chapter ‘Safety and Security’). The introduction of technological monitoring assets to complement regular monitoring, in particular camera systems installed along the contact line and UAVs, also expanded the SMM’s monitoring and reporting capacities (see Chapter ‘Technology as a Force Multiplier’). These assets were particularly helpful in monitoring high-risk areas and for monitoring during the night, when the Mission could not actively patrol due to the lack of security guarantees. This increased the SMM’s ability to gather information on a 24/7 basis, especially at night when ground patrols could not operate and a high number of ceasefire violations were often observed. The deployment of UAVs also enabled the Mission to monitor areas where access for physical monitoring was limited, in particular, due to security risks and freedom of movement restrictions.

Diversity Management

The profile of SMM monitors also changed over time in line with the evolving security situation and newly emerging tasks. The first monitors were largely from civilian backgrounds, with experience from other international or diplomatic missions in areas like human rights and policy advice. As the SMM’s area of operations became more high risk and the SMM took on tasks related to ceasefire monitoring, seconding participating States started to provide the SMM with an increasing number of monitors with military or international policing backgrounds.

One persistent challenge that had affected the Mission from its first days on the ground was the low number of women monitoring officers, particularly in eastern Ukraine. Gender disparity among monitors was exacerbated further when operations became more high risk and the job profile shifted toward a more military-style background. While women serve in leadership roles and in all teams and hubs, they remained underrepresented during the SMM’s first five years of operation.

To increase the number of women monitors, the SMM took a number of steps

in co-operation with the Secretariat’s Department of Human Resources. These included ensuring the participation of both women and men in recruitment processes; conducting SMM-specific and OSCE-wide human resource surveys related to the gender dimensions of recruitment; working to retain women staff and to ensure a professional working environment; and using gender-sensitive language in vacancy notices. Chief Monitor Apakan also made several ap-



More female candidates, please: The SMM mandate was adopted in March, the same month we marked International Women’s Day, which back in 2014 also featured a discussion on the importance of having more women in the politico-military dimension. However, following the adoption of the SMM mandate, participating States put forward very few female candidates.

Ambassador Rasa Ostrauskaite
Permanent Representative of the European Union to the OSCE

peals to participating States to nominate more women to the SMM.

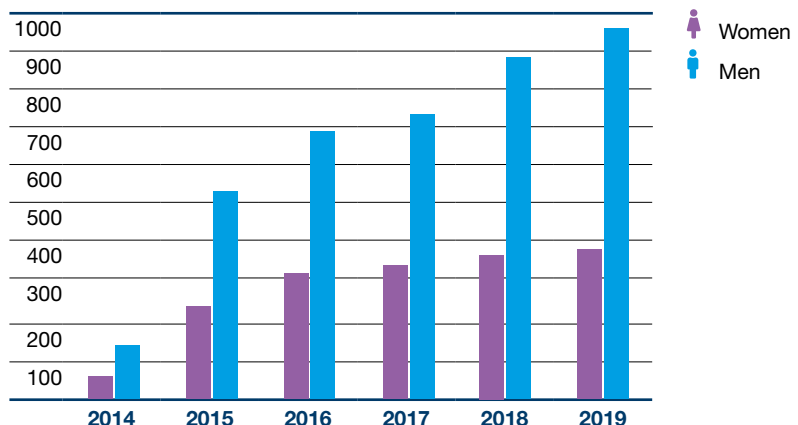
Although gender parity has not yet been achieved, the SMM undertook much work related to gender mainstreaming, ensuring that all monitoring teams consisted of both women and men (see Chapter ‘A People-Centred Approach’). The presence of women in all teams affected how the SMM was perceived at the local level and increased the information the Mission was able to gather, because some local civilians were only willing to share their concerns with women monitors.

As the tasks of the Mission expanded further over time, the SMM again sought to recruit monitors with a more diversified skillset to cover the various aspects of monitoring and reporting. As tasks became increasingly complex, expertise was required in mine action, geographic information systems, information management, and imagery analysis.

Adjusting Operations and Operational Support

As the Mission and its tasks expanded and the deployment of most of the SMM’s resources shifted to the east of Ukraine, its functional structures (the Head Office, monitoring teams, hubs, patrol groups and forward patrol bases) also had to be adapted. It took some time to establish different levels of management, each supporting the other. The focus remained on establishing middle management structures in the large teams in eastern Ukraine, because those teams had been heavily centralized, with one team leader managing up to 400 monitors. Furthermore, the team leaders had insufficient authority, relying instead on guidance from Head Office.

Mission members



Ambassador Ertuğrul Apakan – Former SMM Chief Monitor –

“ During my tenure as the Turkish Permanent Representative to the UN, I actively engaged with UN Security Council colleagues in a discussion around the 10th anniversary of UNSCR 1325 on Women, Peace and Security. These were valuable exchanges, but reflecting back on them now, it was my experience in Ukraine that truly drove home the importance of the Women, Peace and Security agenda.

This experience brought me a deeper understanding of the key contributions women can – and already do – make to peace and security. I saw women in the settlements and towns around the contact line, often far past their retirement age, who were heavily involved in humanitarian initiatives, in ensuring healthcare and education, and in reaching out to colleagues, friends, and family elsewhere. They were always making meaningful but often unrecognized contributions to maintaining some sense of normality, stability and a peace-promoting narrative.

Of course, it is not that men's contributions do not matter. Rather, our goal should be to create a level playing field in which both men and women play an influential role in shaping the future of their communities. At the end of the day, inclusive peace and security are simply more sustainable.

Although the SMM mandate does not explicitly reference gender equality nor UNSCR 1325, the understanding was very much present, both in Vienna and Kyiv, that a comprehensive approach to security, human rights and dialogue required a particular focus on gender mainstreaming.

Thus, I personally worked closely with the Mission's subsequent gender advisors and the Secretariat's Gender Section – an experience that taught me a lot. Had we not done so, we would not have created a level playing field, nor would we have sufficiently recognized the benefits that women's views and experiences bring to the table and to patrols for that matter.



**At the end of the day,
inclusive peace and
security are simply more
sustainable.**

Ambassador Ertuğrul Apakan
Former Chief Monitor of the OSCE Special
Monitoring Mission to Ukraine

In 2015, the Mission also established a network of gender focal points that consisted of both women and men, which in my view set an example when it came to their civil society engagements, and also regarding co-operation across the different teams. The network was small but active, and I made sure to meet with the focal points every time they gathered in Kyiv. The network's recommendations

on gender issues subsequently led, for example, to the thematic report 'Gender Dimensions of SMM Monitoring' being published.⁵⁷

The network also put forward practical recommendations to improve the gender balance within the Mission. The results were mixed, as we did not manage to achieve gender balance, despite the participating States that continuously underlined the need to put forward more women candidates. But it was very inspiring to see women in leadership positions, especially in the field teams, and to acknowledge women's participation in all spheres and at all levels – from UAV operators and hub leaders to a deputy chief monitor and beyond.

Looking back, some of the best discussions I had during my years in Ukraine came from engaging with women's groups. Our colleagues provided briefings to women from different regions of Ukraine: women engaged in supporting IDPs, women advocating for human rights and women involved in dialogue initiatives, etc. After these briefings, we had the opportunity to frankly share our experiences and thoughts; these women often shared their requests with me, including with the hope of finding entry points into the discussions in Minsk.

I feel content that the OSCE and the SMM were able to provide a platform and to amplify the voices of these courageous women; ultimately, my time in Ukraine left me convinced that women's views and contributions should be better integrated into peace processes.



Aleska Simkic

– Former SMM Deputy Chief Monitor –

“ The SMM gave me three of the most challenging yet rewarding years of my life. Looking back at the numerous levels of engagement that needed to be juggled, I recall so many discussions and arguments with the 57 OSCE participating States and their common, yet differing views on goals, the mandate and budget. I remember talks with the host country that (understandably) had its own perspective on matters of substance and administration, and exchanges with colleagues in the Secretariat dealing with a Mission of unknown proportions, both numerical and political. I recall managing expectations from colleagues in Mission Head Office and in the field, in the east and elsewhere, and last but not least, observing and communicating with the people on the ground, both victims and actors in the conflict. All of these tasks required different approaches, but having the same level of conviction that what we were doing or were planning to do was correct and helpful.

I started in the SMM 18 months after its establishment, and when I finished three years later, work on the Mission and on its setup had still not ended. Indeed, it continues to be a work in progress, posing challenges in terms of predictability and routines but, at the same time, allowing it to adapt to changing and unpredictable circumstances. Throughout my time in

the SMM, I often wished for a moment to take a breath in order to make possible adjustments to the Mission’s operations or processes – to be even more proactive. However, fast moving events on



Two issues took a lot of energy from all of us in the Mission, particularly those of us in decision-making posts: security and communications.

Aleska Simkic
Former SMM Deputy Chief Monitor

the ground or requirements from the participating States almost always needed an immediate reaction, sometimes even a change in course. So this took priority.

Two issues took a lot of energy from all of us in the Mission, particularly those of us in decision-making posts: security and communications. With the first, the sheer number of judgement calls on operations, accommodation, equipment, types of insurance, contacts with local players and duty-of-care matters was considerable. With the second, our priority was to give accurate and timely messages to the monitors and other staff, and to manage diversity. At the same time, it was essential to communicate effectively with the participating States that cared a lot about the Mission, its members and its functioning – beyond mandate implementation or reporting.

What would I change if I could do it all again? I would probably insist more strongly on the civilian character of the Mission and invest more in the political analysis of Ukrainian politics and in the politics of all interested actors. I would invest more in the bigger picture and adapt operational activities accordingly, rather than let military dynamics or the security situation on the ground dictate events, as often seemed to be the case.

Now with time to take a breath, I can only wish this unprecedented OSCE operation on the ground continuous success and support; it certainly deserves it. ”

The expansion of the SMM’s footprint also had an impact on the management structures and reporting lines within the SMM Head Office. As the SMM expanded and consolidated its operations, more robust reporting lines were required between the field and Head Office and within Head Office itself. Establishing better management structures became essential to co-ordinate monitoring activities and responses to emerging needs, most of which occurred hundreds of kilometres from Kyiv. Doing so required the establishment of a considerable number of communication channels, such as daily operational briefings with team leaders, regular senior management meetings and retreats, and frequent visits to the field.

One senior SMM official argued that the SMM’s approach tended to focus a bit too much on ceasefire monitoring and hard-security issues in eastern Ukraine at the expense of other topics. Another challenge was the need to integrate human dimension and gender issues into operations. In this connection, some senior SMM managers highlighted the need for strategic planning with regard to mandate implementation. Accordingly, they argued the SMM’s strategic planning capacities, which were integrated only later into the Office of the Chief Monitor, should have been built into the Mission at the time of its deployment.

Indeed, the Mission had been operating in a reactive manner, forced to respond –

either at the request of the Chairmanship, the Secretariat or on its own initiative – to unforeseeable events and the constantly changing situation on the ground. The rapidly changing operating environment created a long-term challenge for the Mission to shift from a reactive to a forward-looking modus operandi. One senior official stated that hiring personnel with strategic planning experience from the outset, especially at senior management levels, could have contributed to a more strategic direction of the Mission’s work and a better integration of the different dimensions into operations. Another senior official noted that a clearer division of labour and responsibilities between the two deputy chief monitors could also have aided this process.



Lessons Learned and Best Practices

- ▶ The evolving nature of the SMM's tasks and operations affected the Mission's structure and size, requiring creative and flexible solutions. Mission forward planning and setting priorities in line with the evolving situation on the ground is key in responding to evolving tasks. Conducting strategic planning exercises and developing strategic mission documents are good practices.
- ▶ The increasing size of the SMM and the growing complexity of its internal structures and reporting lines also demonstrated the importance of clearly delineated functions and responsibilities, including line management between Head Office and the field. Effective and efficient communication lines between Head Office and field teams are especially critical in a volatile security environment.
- ▶ The SMM's experience shows that when a field operation has to expand swiftly and bring on board new staff with various types of specific expertise, it may not always be possible to hire people with previous OSCE experience, or prior knowledge of the OSCE's working culture and code of conduct. Accordingly, thorough induction training is required, which covers not only job-specific aspects but also a detailed introduction to the OSCE as an organization, including its founding principles and commitments, its comprehensive approach to security, the role of OSCE institutions and the specific mandate and modus operandi of field operations.
- ▶ To fulfil the Mission's additional tasks and increasingly complex objectives, staff with diverse skills and highly specific expertise were required, often at short notice. Based on the SMM's experience, the OSCE should increase its access to expert pools or rosters maintained by participating States or partner organizations.
- ▶ As the SMM expanded in size, senior management had to deal with complex logistical and human resources issues, including the rotation of staff operating in hazardous areas. The SMM's experience in addressing such matters is important for future OSCE field operations and must be captured to the extent possible.
- ▶ Extended deployments in a high-risk security environment are coupled with psychological pressure and stress, which must be managed. Lessons from the practical use of the SMM's stress management policies and tools would be of benefit to future OSCE missions deployed under similar circumstances.
- ▶ Gender parity is an important element of mission effectiveness. The support of participating States and seconding agencies is crucial in nominating a sufficient number of women to ensure a balanced representation of women and men.
- ▶ Staff motivation and morale must be maintained, especially when staff operate under challenging circumstances. OSCE officials are at all times required to conduct themselves at the highest personal and professional level, as set out in the OSCE Code of Conduct. Senior and middle management have a special role to play in this regard and must lead by example.

The Secretariat too was affected. In providing operational support to the largest OSCE mission deployed in over a decade, its resources were stretched to the limit. Enhancing the Secretariat's policy and operational support capacities – especially a clear role for CPC's Eastern Europe Desk to provide technical support and political guidance – was recommended by many of the officials interviewed for this study.



SMM monitors on patrol in the Luhansk region, January 2016.

Reporting

Leveraging the Eyes and Ears on the Ground

Reporting is at the heart of the SMM's mandate and is one of its chief activities. Thus, the SMM became the eyes and ears of the international community in eastern Ukraine.

As of 20 September 2017

STATUS Report



LATEST NEWS

- The SMM registered a 30% increase in the level of violence in the week of 18-19 September 2017, followed by a 10% decrease the next week. On 19 September, 50% of ceasefire violations were recorded by SMM cameras during the day.
- OSCE SMM monitors contributed to the improvement of the humanitarian situation by facilitating and monitoring localized adherence to the ceasefire through co-ordinated maintenance works. From 4 to 17 September, OSCE SMM monitors co-ordinated by the Joint Centre for Control and Co-ordination allowed for repair and maintenance works to the thermal power plant in the Petrivske area near Kyzhyntse, Zolote and Popasna in Luhansk region, and the Petrivske pumping station in Artema, water pipeline between the Petrivske pumping station and the water pipeline near Kyzhyntse, and water pipeline near Kyzhyntse. The Mission conducted repairs and maintenance works on both sides of the contact line to support repairs and maintenance workers of the Voda Donbass company. The Mission conducted patrols on both sides of the contact line to support repairs and maintenance workers of the Voda Donbass company. The Mission conducted patrols on both sides of the contact line to support repairs and maintenance workers of the Voda Donbass company.
- Following the start of the new school year, the Mission continued to monitor the situation at schools. From 4 to 17 September, SMM monitors visited 60 schools on both sides of the contact line. The Mission noted a lack of sufficient number of teachers, in a number of schools located close to the contact line. The SMM note a lack of sufficient number of teachers, in a number of schools located close to the contact line. The SMM note a lack of sufficient number of teachers, in a number of schools located close to the contact line.

THEMATIC REPORT

Gender Dimensions of SMM Monitoring

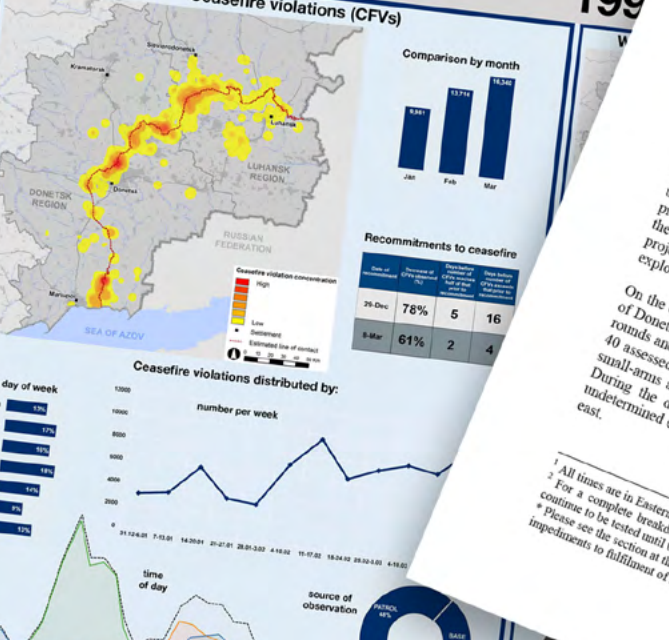
1 January 2017 –



OSCE Organization for Security and Co-operation in Europe
Special Monitoring Mission to Ukraine

Trends and observations JAN-MAR 2019

83,047 ceasefire violations including **199** explosions



OSCE Organization for Security and Co-operation in Europe
Special Monitoring Mission to Ukraine

Spot Report 23/2017

OSCE SMM camera at Donetsk Filtration Station

SEC.FR/588/17
10 August 2017
OSCE+
ENGLISH only

OSCE Organization for Security and Co-operation in Europe
Special Monitoring Mission to Ukraine

Daily Report 16/2018

20 January 2018

(Based on information received from the Monitoring Teams as of 19:30¹, 19 January)

The SMM recorded fewer ceasefire violations in Donetsk region and more in Luhansk region compared with the previous reporting period. The Mission continued monitoring the disengagement areas near Staruytina Luhanska, Zolote and Petrivske; it recorded ceasefire violations near the Petrivske disengagement area. The SMM's access remained restricted in all three areas and elsewhere, including at a heavy weapons holding area outside of government control. The SMM saw weapons in violations of the withdrawal lines on both sides of the contact line. The Mission again facilitated and monitored repairs to a fibre optic cable near Shchastia; as a result, mobile telecommunications services were restored in non-government-controlled areas of Luhansk region. The SMM visited a border area outside of government control. In Dnipro, it followed up on reports of damage to the office building of a political party.

In Donetsk region, the SMM recorded fewer ceasefire violations², including, however, more explosions (about 340), compared with the previous reporting period (about 200 explosions).

In continuation of the sequence of ceasefire violations recorded in the early evening of 18 January (see [SMM Daily Report 19 January 2018](#)), the SMM recorded an outgoing artillery illumination flare in flight from west to east, a projectile in flight from east to west, and three undetermined explosions, followed by a total of seven undetermined explosions and ten projectiles in flight from east to west and three from west to east, all 0.5-1.5km south during the day on 19 January, the camera recorded, in sequence, an undetermined explosion, 13 explosions in flight from east to west, a projectile from west to east and an undetermined explosion, all 0.5-1.5km south.

On the evening of 18 January, while in government-controlled Svitlodarsk (57km north-east of Donetsk), the SMM heard about 420 assessed as outgoing and their subsequent impacts, rounds and their subsequent impacts, five assessed as outgoing and about 210 shots and bursts of small-arms and heavy-machine-gun fire, all 2-7km at directions ranging from east to north. During the day on 19 January, while at the same location, the SMM heard about ten undetermined explosions and six bursts of heavy-machine-gun fire, all 2-5km east and south-east.

¹ All times are in Eastern European Time.
² For a complete breakdown of the ceasefire violations, please see the annexed table, which continues to be tested until the end of January 2018.
³ Please see the section at the end of this report entitled "Restrictions of access to the contact line" for impediments to fulfilment of its mandate.

In the SMM mandate, reporting is at the centre of Mission activities to provide thorough and accurate information on the situation on the ground. To that end, the SMM produces daily and weekly reports, spot reports related to incidents or major developments and thematic reports on specific topics. The Chief Monitor also reports, through the OSCE Chair, to the Permanent Council. All reports provide an impartial and detailed account of the Mission's observations by establishing facts and corroborating them directly and through multiple sources.

While its mandate is clear on the importance of reporting, the SMM had to establish the most effective way to report the facts on the ground to participating States. Within standard OSCE reporting procedures, most field operations report on their activities once per month. However, owing to the dynamic situation on the ground in Ukraine and to the high level of interest in accurate information, the SMM decided not only to issue reports on a daily basis but also to make these reports available to the public. The SMM's daily reporting on its activities was unprecedented among OSCE field operations. The SMM's daily reports provided the broader public with unparalleled transparency regarding the dynamics of armed violence and its impact on the civilian population in conflict-affected areas. Consequently, daily reports became the SMM's most visible product.

On 14 April 2014, the SMM issued its first daily report to participating States and the public at large. Due to the high level of visibility, the Mission was fully aware of the need to adhere to the principles of impartiality and transparency in both its reporting and other activities. In the first weeks of reporting, the focus was largely on political developments and protests in the country, including the number of protesters when available. Reports were composed in a dry, factual style and referred to what monitors had witnessed in the regions where they were present.

When the SMM reports about specific developments of major importance, it issues a spot report. OSCE spot reports are generally used to convey urgent and important information and are thus instrumental in keeping the Chair and participating States informed about critical developments. Within the SMM, a spot report is generally initiated by an internal incident report, or INCREP, and one of the first SMM spot reports was issued in July 2014, when monitors visited the crash site of Malaysia Airlines flight 17. The Mission issued a further spot report on 22 July, detailing the situation at the crash site and the retrieval of remains. SMM spot reports also fulfil an early warning function. For example, the Mission's spot report of 4 September 2014 described shelling and heavy fighting around Mariupol, with the observation that "local residents are nervous and fear that Mariupol may be attacked soon".⁵⁸

.....
*The OSCE became the eyes
and ears of the international
community in Ukraine.*
.....

Ambassador Ertuğrul Apakan
Former Chief Monitor of the
Special Monitoring Mission to Ukraine

As reporting can have political implications, especially when dealing with highly politicized topics, the Chairmanship bears the ultimate responsibility for all field operation reports issued to participating States and to the public, providing overall guidance and clearing every report prior to distribution. From its earliest days, the Mission was under constant time pressure to deliver reports for clearance by the Chairmanship, via the CPC. Ensuring timely reporting requires rapid work by the SMM, but also in Vienna, where reports are expeditiously checked by the CPC and the Chair for clarity and for errors prior to distribution.

Within the SMM, daily, weekly and spot reports are drafted by the Mission's Reporting and Political Analysis Unit (RPU) in Head Office. However, the reporting process is a collective SMM effort, as it has been within the Mission from its early days. All ten monitoring teams as well as the Human Dimension Unit, the Information Management Cell and the Operations Unit, among others, systematically feed information to the RPU. The RPU then swiftly collates and reviews the input provided into the complex reporting cycle. The SMM also integrates a gender perspective throughout the entire monitoring and reporting cycle, because gender-sensitive monitoring and reporting is key to understanding how conflict affects women, men, girls and boys differently.

Expanded Operations, Expanded Reporting

SMM reporting took on additional relevance with the signing of the Protocol and the Memorandum in 2014. Since the OSCE was the main international actor in eastern Ukraine, SMM reports became the most important source of information in relation to the situation on the ground and progress in implementing the Minsk agreements. As the Mission grew in size, deploying more and more monitors to the east of the country, SMM patrols began to report on the movements of troops and armed formations, as well as the types of equipment observed. With the escalation of armed violence in the east, the SMM also began reporting on what it heard; for example, shots of a certain type of weapon coming from a certain direction:

At 10:45hrs, the SMM heard incoming sniper shots from the area on the ridge above Shchastya (25 km north of Luhansk), which lasted for two minutes. At 15:00hrs, the SMM heard outgoing heavy machine gun fire from the direction of Shchastya, which lasted for two minutes. (2 October 2014).⁵⁹

After the JCCC was established in September 2014, SMM reports increasingly referred to interactions with Ukrainian and Russian members of the JCCC, particularly in following up on ceasefire violations. Furthermore, by early 2015, as the activity of armed formations increased in certain areas of the Luhansk and Donetsk regions, and as SMM monitors became better able to identify equipment, SMM reports became more detailed about the movements and composition of unusual military activities. References to interactions between SMM monitors and members of the armed formations in the areas outside of government control in the Donetsk and Luhansk regions also became more frequent. These interactions were not always friendly. An increasing number of spot reports detailed incidents of harassment or denial of access.

After a highly volatile period in 2014 and 2015, positions on both sides of the contact line became more entrenched. The sides' behaviour and actions became somehow more predictable, particularly retaliatory exchanges of fire around certain hotspots. These were also reflected in daily reports, noting the latest ceasefire violations and trends. Reporting on ceasefire violations was challenging because of the complex security situation, but monitors were tasked to record "what they heard and saw". They were, quite literally, counting explosions and weapons fire, in line with the internal methodology developed by the SMM for ceasefire monitoring. To enhance monitors' expertise in assessing type of weapons, the SMM invested extensively in specialized training. To better enable ceasefire verification and

the monitoring of weapons withdrawal, participating States provided specialized courses as in-kind contributions. As training is a key enabler of operations, the SMM also later established a training centre in Kramatorsk.

Positioned in government-controlled Avdiivka (17 km north of Donetsk) during the day the SMM heard 25 undetermined explosions, numerous bursts of small arms and heavy-machine-gun fire at distances ranging between 3 and 5 km south, south-south-east and south-east of its position. (11 August 2016).⁶⁰

In the context of monitoring the impact of the armed conflict on the civilian population, the SMM began in 2017 to develop a more systematic approach to reporting on civilian casualties. They also reported on damage to civilian infrastructure, such as houses (often by shelling) and damage to gas, electricity and water connections. Daily reports regularly featured information on the withdrawal of weapons, on military vehicles and personnel in the security zone, on mines and unexploded ordnance, and on the situation at EECs. Reports also referred to respect for human rights and fundamental freedoms in conflict-affected areas. Increasingly, the SMM became one of the few points of contact between the international community and civilians in non-government-controlled areas. SMM reports of civilian hardship provided a rare glimpse into the suffering of civilians affected by the conflict.

With the growing focus on eastern Ukraine, the monitoring teams in central and western Ukraine had to strive for

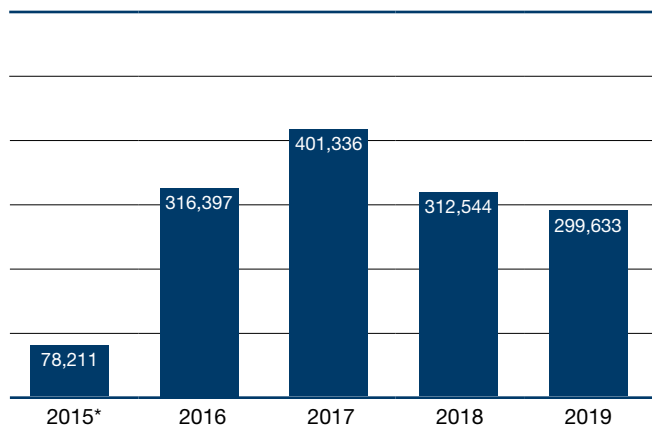
more space in SMM reporting, including on human-dimension issues. Although human-dimension monitoring had not yet been standardized, monitors nevertheless continued to establish relations with relevant stakeholders on the ground and to observe and collect information, for example, related to human rights and fundamental freedoms, national minorities and internally displaced persons (IDPs). Monitoring and reporting on human-dimension issues remained an important aspect of SMM's activities. However, as human-dimension issues must be reported with appropriate context, they were not always well suited to the public daily report.

One feature of daily reports was a list of all the times and places at which SMM patrols were denied access or had their freedom of movement restricted on that day. Such restrictions became so common that the Mission began to add, from early 2015, specific references to them in its daily reports. It became necessary to continually remind the Minsk signatories that the SMM's mandate provides for safe and secure access throughout Ukraine. Indeed, all signatories of the Package of Measures agreed on the need for this safe and secure access, and restrictions of the SMM's freedom of movement constituted a violation in need of rapid remedial action.

SMM daily reports proved to be an effective tool for situational awareness that could be used for early warning, conflict prevention and crisis management. They became a unique tool for keeping track of the implementation of the Minsk agreements, acting as a barometer of the security situation and of the intensity of armed violence in eastern Ukraine. They also helped the SMM to monitor and report on levels of compliance with decisions reached in the TCG – for example, on mine action and on disengagement. Most of all, they kept attention on the fact that the armed hostilities were still ongoing, reporting day after day on developments on the ground at times when the international community's focus had moved on to other conflicts and regions.

In addition to daily reports, the SMM also prepared weekly reports, with the first issued on 17 April 2014. These weekly reports were more analytical in nature and synthesized the main observations of the week. They also included

Ceasefire violations observed by the SMM by year



*Data for 2015 is incomplete

SMM activities 2014 to 2019

133,923

2014 – 2019
Patrols conducted



2014 – 2019
Reports published

2,075

1,408,121

2015 – 2019*
Ceasefire violations recorded



2017 – 2019*
**Windows of silence
facilitated and monitored**

2,743

6,700 patrols deployed for a total of 278 repair projects

5,300

2018 – 2019*
UAV hours flown



statistics, charts and images related to ceasefire violations, disengagement or damage to critical civilian infrastructure; maps of hotspots, patrol routes and UAV flights; and details on freedom of movement restrictions and instances of UAV jamming. Distribution of these reports is restricted to participating States.

The Mission also began to issue thematic reports, often covering a period of several months to a year. These comprehensive reports provided a more analytical review of a specific topic, aiming to raise awareness and increase the understanding of the context within which the SMM implemented its mandate. The topics of such reports typically reflected the priority areas of a given chairmanship and provided more context to complex issues – in particular, those within the human dimension that put a human face on the conflict. For

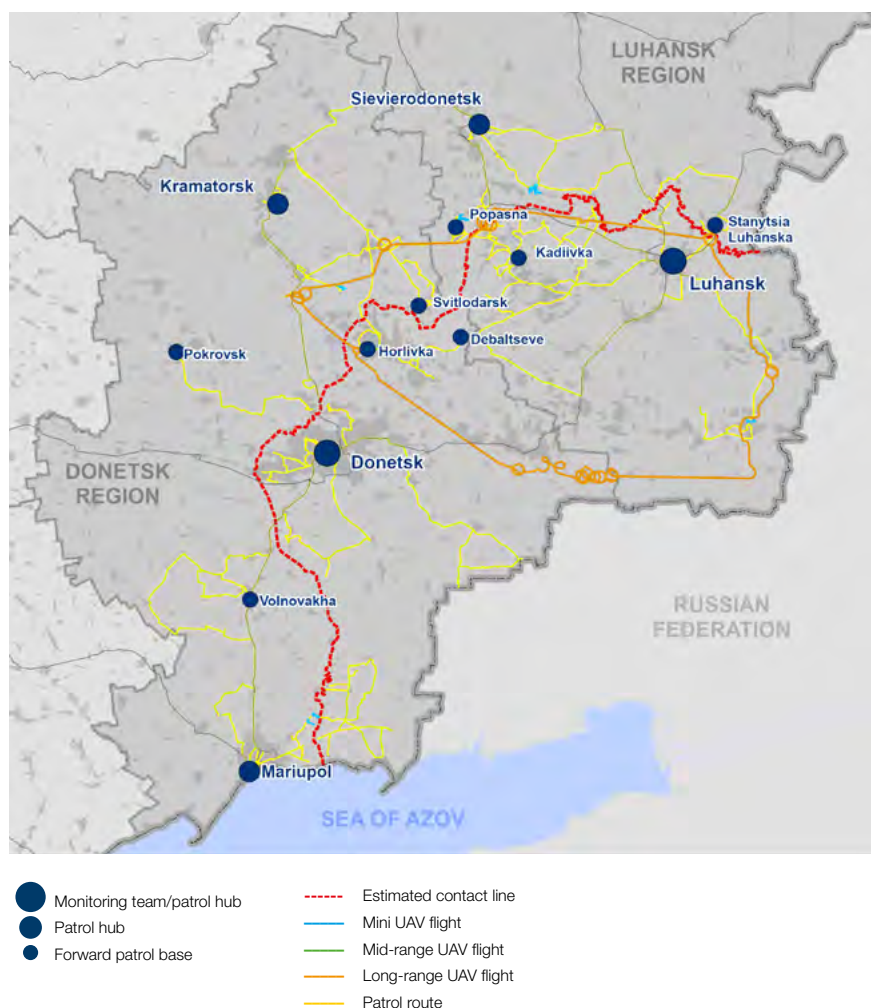
example, the SMM's very first thematic report in August 2014 presented the views and expectations of IDPs in Ukraine. Over the next five years, 15 of the SMM's 23 thematic reports dealt with human-dimension issues, such as civilian infrastructure repair, EECPs along the contact line, gender, protection of civilians and respect for fundamental human rights, as well as the hardship of civilians in conflict affected areas.⁶¹

Within its thematic reporting, the SMM paid close attention to gender issues – including the implementation of UNSCR 1325, conflict-related trends in gender-based violence and gender-related impacts of the conflict on the civilian population. For example, an SMM thematic report on the impact of mines on civilians in eastern Ukraine found that, between January 2018 and October 2019, mines and other explosive

objects killed and injured more men than women: out of 133 civilian casualties, 73 were adult men, 29 were women, 26 were boys and five were girls.⁶² The SMM also published two dedicated thematic reports in 2015 and 2018 respectively that focused on the gender-related aspects of the Mission's work.

In addition to SMM written reporting, the Chief Monitor reported, through the Chairmanship, to the Permanent Council and other Mission-related developments. Such reporting usually occurred every three months and was based on the information and analysis gathered in daily, spot, weekly and thematic reports. When necessary, the Chief Monitor (often together with the Special Representative of the CiO in Ukraine and the TCG) would brief the Permanent Council at short notice, either in person or via video link. Senior SMM personnel also provided regular informal briefings to participating States on the security situation and on topics of interest, such as the use of technology or on human-dimension observations.

Example of one day of SMM patrols and UAV flights in eastern Ukraine



Challenges in SMM Reporting

The SMM's daily reports are crucial to providing impartial information as quickly and as widely as possible and to enabling participating States to make informed decisions. Therefore, it is self-evident that they are scrutinized closely. Despite the impartiality of SMM reporting, it has led to intense debates in the Permanent Council, with participating States citing SMM reports to lay blame for violations.

In this context, it was fundamental for the Mission to ensure its reporting was accurate while maintaining full impartiality. This impartiality dictated that the SMM should provide every relevant detail that it could factually establish but could not act as an arbiter or ascribe responsibility for particular incidents. Despite this, some participating States felt that the Mission was not sufficiently specific in ascribing weapons fire to specific sources, calling on the SMM to attribute direct blame for the violations or the incidents it reported. A further challenge was that, despite agreement that specific violations registered by the SMM would be rapidly addressed, remedial action by Minsk agreements signatories

was rare – even when incidents endangered SMM staff and assets, and when the responsibility for violations was clear.

Occasionally, concerns were expressed that the SMM paid more attention to one side of the contact line than the other. Consequently, the Mission faced criticism and pressure regarding the content of its reports. It met this challenge by investing considerable effort in ensuring its reports were coherent, impartial and factually accurate, thereby upholding the credibility and integrity of the SMM and the OSCE at large. The OSCE's reputation as a trusted and impartial source of information on the crisis in and around Ukraine has been acknowledged by many participating States, the Normandy format countries, the UN Security Council, international media and academics.

External factors – such as security risks, freedom of movement restrictions and other impediments to mandate implementation – often hampered the SMM's ability to establish facts, thereby delaying reporting. To overcome this, the Mission

began to employ technological means, such as UAVs, to access areas where it could not monitor with ground patrols (see Chapter 'Technology as a Force Multiplier'). When its access was hindered or denied, the SMM documented the restrictions it faced, providing this important information to participating States.

Reporting on ceasefire violations was also an imperfect science. The Mission could not be present in all areas at all times to produce a comprehensive account of violations. Therefore, the Mission's observations were, by necessity, indicative. Nevertheless, they did show the main clusters of armed violence and trends in increasing or decreasing numbers of ceasefire violations.

Other reporting challenges included the need to balance competing priorities, incompatible expectations and new tasks. A related challenge was how to ensure the timely delivery of reports without sacrificing accuracy. The sheer volume of information gathered from monitoring patrols and technological monitoring

means – such as UAVs, satellite imagery, and cameras – created an enormous strain on the resources available to process data. The Mission's large size and turnover in staff also created challenges in maintaining institutional memory and thus a uniform application of the reporting methodology. The Mission mitigated this by instructing staff on Mission reporting requirements through written guidance, continuous training, information-sharing, field visits and exchanges.

As the conflict dragged on, a certain reporting fatigue set in, both for those preparing the reports and for those reading them. Some felt that the reports were too formalistic and dry and that the attention of readers was dwindling. The SMM therefore adjusted its reporting methodologies to improve reader friendliness, keeping reports relevant by diversifying the format and the content. For example, the daily report narrative was streamlined, and new infographics and visual content were added. Analytical elements were also enhanced, for example, by adding UAV imagery to weekly and thematic reports.



Lessons Learned and Best Practices

- ▶ In any crisis, impartial and regular reporting that is internationally mandated represents an important contribution to de-escalation and crisis management. In this regard, the SMM's reporting set important standards that can be followed by future international monitoring missions. Any similarly mandated mission must adhere to the principle of impartiality – reporting the facts without attributing blame.
- ▶ The frequency and detail of reporting needs to take into account the limitations posed by the extensive amount of information gathered by a large monitoring mission. Such information requires proper analysis and corroboration, which may not always be feasible on a daily basis. In addition, non-experts may not easily understand highly detailed content that requires contextual knowledge. Therefore, sufficient time should be provided to ensure that information is both credible and understandable for broader audiences.
- ▶ The SMM's use of technological monitoring assets – such as UAVs, satellite imagery and cameras – greatly enhanced its capacity to capture information, thereby enriching the breadth and substance of Mission reporting. Field operations deployed in complex environments can learn invaluable lessons from the SMM in the use of technology for monitoring and reporting.
- ▶ Technological monitoring assets generate a mass of data that must be managed for use in reporting. Therefore, information-management structures must be operational from the start of technological monitoring and be adapted to new technologies as they evolve. Information gathered by ground patrols and through technical means also need to be collated for comprehensive analysis. Such tasks can be supported through advanced technical solutions, such as Enterprise Geospatial Information Systems. Future monitoring missions can learn from and build on the SMM's experience in information management and analysis.

Technology as a Force Multiplier

The SMM employs cameras, UAVs and satellites to augment the information gathered by its ground patrols. Within five years, technology significantly enhanced the OSCE's monitoring capability in conflict-affected areas in eastern Ukraine.



When the SMM was deployed in March 2014, it only had a small number of rented and borrowed soft-skinned vehicles. Monitors were carrying basic equipment, such as cameras, binoculars and mobile phones as well as radios, satellite phones, flak jackets and helmets. But within five years, the Mission was employing some of the most sophisticated monitoring and surveillance technology on the market, including thermal cameras, satellite imagery, acoustic sensors and UAVs. Becoming what was – most probably – the first civilian monitoring mission to make use of such advanced technology required a steep learning curve, not only for the Mission but also for the OSCE Secretariat.⁶³ However, the investment was worthwhile, as the procurement and use of such advanced technology significantly enhanced the OSCE's overall crisis response capacities.

No mission in OSCE history had employed UAVs until the SMM added them to its monitoring assets in late 2014. The Mission was authorized to use UAVs in article 7 of the Memorandum of 19 September 2014, which stated that UAV flights were prohibited with the exception of those used by the OSCE.⁶⁴ Paragraph 3 of the Package of Measures of 12 February 2015 also allowed for the OSCE's use of "all technical equipment necessary, including satellites, drones, radar equipment, etc." to ensure effective monitoring and verification of the ceasefire regime and the withdrawal of heavy weapons.

The OSCE possessed no internal experience in the procurement or use of UAVs, but was under considerable political pressure to explore and deploy advanced technical solutions to enhance the Mission's monitoring capacities. Therefore, the SMM and the Secretariat had to learn by doing in the shortest possible time. They made use of expertise from private sector and the United Nations, but even the UN's experience with UAVs was limited.⁶⁵ Considerable commercial research and contract negotiations were required, which led the OSCE to procure turnkey solutions to outsource external technical services and expertise.⁶⁶

The CPC and the SMM had initially explored the possibility to acquire UAVs in June 2014, when President Poroshenko proposed the creation of a 10 km wide buffer zone along the Russian-Ukrainian border. This buffer zone was supposed to facilitate the withdrawal of illegal armed formations.⁶⁷ At the time, the Swiss Chairmanship and the host country suggested that the SMM make use of technical surveillance equipment (long-distance and night observation devices, UAVs and satellite images) for this purpose.

Moreover, after the Protocol was agreed on 5 September 2014, several participating States had offered to deploy unarmed reconnaissance drones to support the SMM's monitoring efforts. However, these offers included a military protection component with armed and uniformed staff. As associating military contingents with the SMM would undermine its civilian character, major questions were raised as to the applicability of such offers. Accepting them would have required a new SMM mandate through a decision of the Permanent Council and a status of forces agreement to be ratified by the Ukrainian parliament. Therefore, the use of participating States' national reconnaissance drones was not a feasible option.

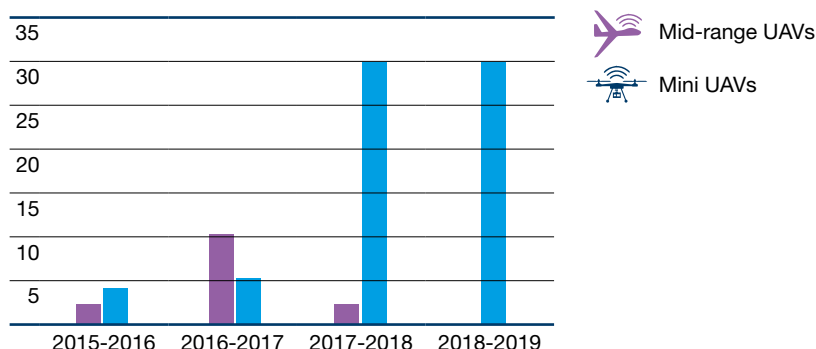
Without sufficient time to develop the required in-house technical expertise, the Swiss Chairmanship decided on a civilian commercial UAV option, under the direct control of the SMM. It included a package agreement with a private company that, at the outset, provided

two ground control stations, four long-range UAVs, six operators and three maintenance staff. This solution enabled the SMM to deploy UAVs roughly six weeks after the Protocol was signed.⁶⁸ However, it was only after the first four long-range UAVs were put into operation that the SMM was able to gain a more complete picture of this technology. It had certain limitations – such as weather constraints, jamming, and limited mobility – and required specific technical and operational expertise within the Mission.

Nevertheless, UAVs were a welcome asset, enabling monitoring in areas where ground patrols were limited – for example, in areas near the Russian-Ukrainian border, including the 409 km stretch not controlled by the Ukrainian government. As the long-range UAVs could travel roughly 200 km, the Mission could cover much more of the vast distances it was mandated to monitor. For these reasons, Chief Monitor Apakan considered the addition of technological monitoring tools to be a force multiplier. However, he continued to stress that direct observations by SMM monitors and their capacity to interact with the local population remained the backbone of the SMM's work. Technological assets were to complement the Mission's daily patrols, expanding their reach and enhancing the safety of staff operating on the ground.

A further enhancement was the addition, from November 2015, of mini UAVs (quadcopters), with a range of 3 to 5 km, and medium range UAVs (fixed

Mini and mid-range UAV capabilities



Number of mini and mid-range UAVs deployed by the SMM per mandate year. In addition to mini and mid-range UAVs, the Mission also has a long-range UAV capability.

wing), with a range of 15 to 30 km. To operate the growing fleet, the Mission trained existing staff and hired several dozen technical monitoring officers. The mini UAVs had the advantage of being relatively inexpensive, easy to transport and easy to operate without extensive training. As a result, all monitoring teams in eastern Ukraine were soon equipped with mini UAVs.

These technological assets enhanced the SMM's ability to monitor when access was limited – for example, because of freedom of movement restrictions and ongoing fighting or due to the presence of mines, unexploded ordnance and explosive remnants of war. All UAVs were equipped with high definition cameras, but a further improvement was the acquisition of thermal cameras, which the SMM started mounting on long-range UAVs as early as 2016. These cameras enabled the SMM to conduct UAV flights at night, further enhancing the Mission's monitoring capacities.

To further increase the Mission's ability to monitor at night, the SMM also installed thermal cameras on the ground in strategic locations, particularly around hot-spots. These complemented the CCTV cameras the Mission had installed, alongside acoustic sensors, which the Mission tested in 2017 and 2018. The SMM also gained access to commercial satellite imagery provided by the US and the EU, which helped to corroborate the information collected by other means, and supported the planning of opera-

tions – particularly, the selection of patrol routes and UAV flights paths.

Technology has enhanced the SMM's ability to be the eyes and ears of the international community in eastern Ukraine. For example, an estimated half of the weapons in violation of the Minsk agreements that the SMM observed in 2019 were spotted by (mostly long-range) UAVs. The use of UAVs was also instrumental in monitoring the movement of civilians at EECPs and the repair of critical infrastructure. For example, during disengagement processes (such as around the Stanytsia Luhanska bridge in the summer of 2019), the Mission regularly deployed UAVs to verify compliance; UAV flights also served as a confidence-building measure, as the Mission was able to show the progress being made. The SMM increasingly used UAVs to highlight its presence and posted UAV imagery on its social media channels to ensure transparency with the public about the Mission's observations.

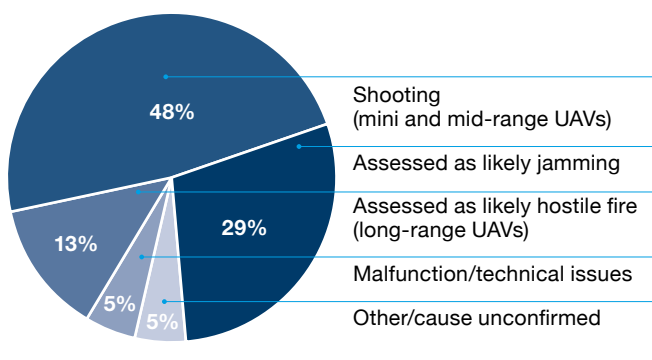
Challenges in Technological Monitoring

The Mission's use of technological means was not without challenges; SMM assets, in particular UAVs and cameras, have been frequently targeted and destroyed. UAVs have been deliberately jammed with sophisticated signal interference on both sides of the contact line. In the Mission's first five years of operation, nine of the SMM's long-range UAVs were lost or shot down. These de-

liberate attempts to destroy costly Mission assets were in clear violation of the Minsk agreements and aimed to hinder the Mission from fulfilling its mandate. Another challenge arose from the need to store, analyse, and make effective use of the vast volume of information collected through human and technological means. An impressive wealth of image data from satellites, cameras, and UAVs had to be analysed and interpreted, along with up to 60 patrol reports submitted each day. Developing the capacities to process the information gathered was a challenge for the Mission, requiring much time to establish a robust and secure information management system. Moreover, getting access to satellite and UAV imagery often took too long for monitors to use it effectively in patrol planning and implementation.⁶⁹

To meet these challenges, the SMM established its Information Management Cell in 2017, which is staffed with imagery analysts and geographic information experts, as well as information and database managers.⁷⁰ The Cell's task is to translate the data, thus enabling its use for situation awareness and reporting. Furthermore, to comprehensively manage the wealth of data gathered from patrols, UAVs, satellites, and cameras, much work has been done to develop an Enterprise Geospatial Information System. This system will use "state-of-the-art reporting and mapping tools – well known in the mine actor sector – to improve the flow of information between SMM's field teams and its headquarters".⁷¹

UAVs lost/damaged* 2014-2019 per type of incident



Between the first UAV flight in October 2014 and 31 March 2019, the SMM lost 29 UAVs. Of these, 67% were lost over non-government-controlled areas, 31% over government-controlled areas, and 2% over the contact line.

*Includes only those cases where SMM UAVs were irrecoverable



Lessons Learned and Best Practices

- ▶ The use of technological monitoring assets, in particular UAVs and cameras along the contact line, has enhanced the SMM's monitoring capacities, specifically in high-risk areas and during night hours. While the use of technological monitoring assets should complement but not replace in-person monitoring, these assets have made a significant contribution to increasing the safety and security of SMM staff in conflict-affected areas. In addition, the use of thermal cameras, both on long-range UAVs and on the ground, increased the Mission's ability to detect violations of the Minsk agreements.
- ▶ Based on the SMM's experience, future OSCE monitoring missions should incorporate technological assets to achieve their strategic objectives. However, the use of technological monitoring assets must go hand in hand with robust information management capacities that are capable of processing large volumes of data. To that end, lessons from the SMM's experience must be systematically collected, both in the Mission and in the Secretariat. From those lessons, generic SOPs on information management should be developed for future OSCE monitoring missions.
- ▶ To ensure rapid access to technological skills and expertise for current and future OSCE field operations, the Secretariat should consider establishing a roster of experts who are proficient in procuring, deploying and using technological monitoring assets.
- ▶ Information gathered through technological monitoring can be also of use to other international actors; for example, those engaged in complementary crisis response actions or in delivering humanitarian assistance. For example, UAV imagery could be used in addressing natural or human-made disasters. Therefore, lessons from the use of technological monitoring for humanitarian purposes could help new and existing field operations in assisting host-country responses to, for example, earthquakes or severe flooding.
- ▶ Sharing expertise and good practices with other international stakeholders that employ technological monitoring assets is vital in enhancing OSCE technological capacities. To that end, the OSCE could conduct lessons-learning workshops with its international partners.

SMM monitors demonstrate UAV operations during a visit to Kramatorsk by Secretary General Zannier and Chief Monitor Apakan, September 2016.



Safety and Security

The SMM operates in a complex and hazardous environment. Security has been both a priority and challenge for the Mission.



Ensuring the safety and security of SMM staff, especially those operating in high-risk areas, was a challenge from the Mission's early days. SMM senior management faced a constant dilemma over how to meet expectations for reporting from the ground, while preventing staff exposure to undue risks. Several OSCE officials recalled this dilemma, noting that some participating States accepted a high threshold of risk, while at the same time holding the Mission to the highest duty-of-care standards.

The security environment in which the SMM operated evolved over time, changing the threat landscape to which staff were exposed. When the SMM's mandate was agreed in March 2014, the operating environment was relatively benign. The Mission was under intense political pressure to get boots on the ground, but it lacked the strategic capacity to assess and mitigate risks. During its first two years, the SMM was largely reactive and responded to incidents as they occurred, leaving little time to adjust to evolving circumstances. By necessity, the Mission had to increase its ability to respond more robustly to security threats.

Safety and Security in the Early Deployment Phase

From a security point of view, the operating environment in which the SMM was deployed in March 2014 did not differ significantly from those of other OSCE field operations. After all, the Mission had been deployed in response to a political crisis, and all participating States agreed that monitors would "have safe and secure access throughout Ukraine to fulfil their mandate".⁷² But unforeseen during mandate negotiations for a civilian mission was the rapid escalation of violence that would occur in the Luhansk and Donetsk regions in spring and summer of 2014. Suddenly, teams in the east found themselves monitoring increasingly violent incidents, including the occupation of administrative buildings by unidentified armed groups and the increasing use of military means, including heavy weapons.

The security arrangements in place at the Mission's outset were not appropriate for operations in a hostile environment. Protection and surveillance equipment were limited. The Mission possessed few armoured vehicles, it had

Duty of Care

The 1949 Advisory Opinion of the International Court of Justice on 'Reparations for Injuries Suffered in the Service of the United Nations' articulates the principle that international organizations have a duty to take appropriate steps to protect their officials. In the OSCE, this principle is reflected in the OSCE Staff Regulations and Staff Rules, in particular Staff Regulation 2.07, which states that "OSCE officials shall be entitled to the protection of the OSCE in the performance of their duties within the limits specified in the Staff Rules".

Within the OSCE, duty of care encompasses seven basic elements:

- Maintaining a healthy working environment
- Carrying out adequate assessment of risk
- Enforcing standards of conduct
- Pursuing sound administration and due process
- Providing access to emergency medical services
- Carrying out appropriate training
- Securing diplomatic protection.⁷³

Under international administrative law and the OSCE Staff Regulations and Staff Rules, the OSCE is accountable for exercising due diligence to meet its duty of care. Thus, the evolving concept of duty of care has been mainstreamed into OSCE policies. It is reflected in the OSCE's social security package; its security management and risk assessment frameworks; the training it provides to staff; their access to the OSCE Ethics Co-ordinator, the Office of Internal Oversight and the internal justice system; and the legal arrangements concluded with States hosting OSCE structures.

Primarily, the OSCE Secretary General is responsible for duty of care, by ensuring that OSCE Staff Regulations and Rules are upheld and by facilitating appropriate decisions to be taken by senior management, the Permanent Council and the Ministerial Council. In the case of seconded officials, their seconding States may also bear a duty of care, depending upon the legal relationship established with the secondees.

Duty of care aims are met to the extent that the OSCE has sufficient human and material resources to do so and are based on the assumption that the OSCE – or the executive structure responsible – is recognized as a legal entity in the jurisdiction in which it is operating. Consequently, the unclear status of the OSCE's legal personality is a matter of serious concern. Moreover, risk assessment is compounded by the fact that the OSCE is a civilian organization, conducting operations in complex security environments.

Within the SMM, two serious incidents resulted in internal and external assessment of the OSCE's adherence to duty of care: the 2014 abduction of eight SMM members by non-state armed groups and the tragic incident of 23 April 2017, in which SMM paramedic Joseph Stone was killed and two other monitoring officers injured. Subsequently, a number of measures were taken to address duty-of-care concerns:

- Adding to SMM vacancy notices the requirement for resilience in high stress environments with limited infrastructure
- Maintaining the status of the SMM area of operations as a non-family duty station
- Concluding contracts for medical evacuation and medical-support services
- Reviewing and enhancing insurance policies
- Introducing mandatory hostile environment awareness training for all staff, with a requirement for successful completion prior to deployment
- Rigorously applying the staff regulation on medical fitness, including working to establish a medical clearance policy and standards of fitness appropriate to performance in a high stress environment
- Establishing a curfew and specific conditions for housing SMM mission members in hazardous areas
- Creating posts for a psychologist, medical doctor and ethics officer
- Enhancing physical infrastructure for data protection, including medical records
- Developing a mandatory leave policy for officials serving in hazardous areas.

Lisa Tabassi, former Head of the Office of Legal Affairs, OSCE Secretariat, contributed to this text.

no evacuation plans in place, and few staff had the requisite security training. Mission members had been recruited for their expertise in monitoring and reporting, human rights or dialogue facilitation. But when violence escalated and the Mission was expected to facilitate the implementation of the security-related provisions of the Minsk agreements, the focus shifted toward recruiting staff with military or police backgrounds and with previous experience in hostile environments.

Following the abduction of the SMM's monitoring teams in 2014, the Mission started to enhance its security capacities in order to operate more safely in a highly volatile conflict environment. A Secretariat-led lessons-learned exercise identified the need to enhance OSCE capacities to deal with abductions and hostage situations. It also recommended that the Mission develop and improve its operational instructions and policies related to both physical and information security.

Based on these recommendations, the Mission began to upgrade its material resources, including its armoured vehicle fleet. It also increased the number of security staff to be better able to conduct security risk assessments and introduced hostile environment awareness training, which became mandatory prior to deployment. The SMM also developed duty-of-care capacities – for instance, by strengthening procedures for medical evacuation, by introducing stress management advisers in the monitoring teams in eastern Ukraine and by increasing its medical assistance capacities, both at Head Office and in the field.

Operational Risks in Eastern Ukraine

As the focus of SMM activities shifted to the east and to monitoring the ceasefire and the security-related aspects of the Minsk agreements, the Mission faced a wider range of security risks. The SMM's freedom of movement was often restricted, particularly in non-government-controlled areas. Monitors operated close to active fighting and were at times caught in the crossfire. Weapons were fired near or in the direction of SMM patrols, and there were numerous cases of aggressive behaviour toward SMM monitors. Mission assets, such as UAVs and cameras, were intentionally targeted, damaged or destroyed. Chief Monitor Apakan made many public appeals for such behaviour to stop and for the SMM's freedom of movement to be respected – as agreed by all participating States in the Mission mandate. He continued to draw attention to restrictions on the Mission's freedom of movement in his regular reports to the Permanent Council.

Mines also posed a grave danger, both to civilians and to SMM monitors, especially those present near the contact line. The lack of mine clearance and unanswered requests for mine information by Minsk signatories hindered the SMM's ability to monitor and verify the withdrawal of weapons, as set out in the Minsk agreements. The lack of mine action also seriously impeded the SMM's ability to facilitate the repair of civilian infrastructure.

Participating States also had different thresholds of acceptable risk. Some were in favour of more high-risk activities, like maintaining an active presence

around critical civilian infrastructure, conducting patrols at night and opening forward patrol bases. Other States were more cautious. These different national approaches at times created challenges for the Mission in planning and conducting operations. The situation was further complicated by the fact that some participating States publicly supported an active presence by the SMM in high-risk areas, while being highly protective of their own nationals at the same time. Judgement calls on security also needed to take into account the field perspective – as seen by patrol or hub leaders – as opposed to the views from SMM Head Office, the Secretariat or the capitals of participating States. These issues were challenging to balance for Chief Monitor Apakan, especially as the situation on the ground continued to shift.

However, it was on 23 April 2017 when the realities of a civilian monitoring mission operating in an active conflict zone became tragically clear: An SMM armoured vehicle on patrol was caught in an explosion, caused most likely by an anti-tank mine, in a non-government-controlled area of Ukraine. Joseph Stone, an American SMM paramedic, was killed in the blast, while two other SMM monitors were injured. This incident shook the entire OSCE community, prompting the Permanent Council to issue a declaration on 27 April. In the declaration, participating States conveyed their unwavering support to the brave women and men of the SMM, reaffirmed the SMM's mandate to have safe and secure access throughout Ukraine, called for this safe access to be respected, and condemned any threats against SMM monitors and damage of SMM assets.⁷⁴

Threats and risks to monitors



Indirect fire, crossfire from small arms or artillery



Mines, unexploded ordnance, booby traps, improvised explosive devices



Abduction, kidnapping, hostage taking



Crime, robbery, burglary, theft, damage to person or property



Opposition, freedom of movement restrictions, attacks in the media, protests against SMM

Olga Scripovskaia

– Former Team Leader of Donetsk Monitoring Team –

“ My experience in the SMM began in spring 2015 when I was deployed to the Donetsk Monitoring Team as Team Leader. Around that time, the SMM began to grow and strengthen gradually, as its permanent presence in the field was widely expanded. Along with the Mission as a whole, the Donetsk Monitoring Team became more advanced over time. However, this growth phase was neither easy nor rapid; it took considerable time and patience, while many steps and new strategies were implemented.

Amidst all of this change, what remained constant during those first years was human tragedy. Each of our days on patrol was filled with the sadness, sorrow and anxiety of civilians facing the horrors of war, losing loved ones, having their houses destroyed and losing hope. The SMM registered civilian casualties every day, with local people from both sides of the contact line being killed and injured from shelling, having their houses damaged and experiencing considerable suffering and hardship.

It was very difficult to work in such an emotional environment and to keep focus. The local population often accused the SMM of inaction and of having a one-sided mandate. They expected our direct participation, concrete action and an immediate impact. We very often faced situations in which people became angry, sabotaged our patrols, protested in front of our office or hotel, or demanded a stop

to the war. In the face of constant adversity, what helped us to keep focused on our work was our desire to move forward and make a difference, to maintain our



The safety and security of SMM personnel was always my first priority while working in such an operational environment.

Olga Scripovskaia
Former Team Leader
Donetsk Monitoring Team

presence on the ground, to uphold our strong desire to support the people and to contribute to peace and stability.

The safety and security of SMM personnel was always my first priority while working in such an operational environment. It was important for me to look into the eyes of my team and always speak

openly and honestly with them. They had to trust me as a leader – this was not a given, and I was conscious that it had to be earned. Before patrols were sent out, it was critically important for me to delve into all operational details, to make comprehensive assessments, to take all factors into account and to identify all potential risks and challenges that our patrols could face. Every day was a test for us. We faced situations where we could not follow our approved plans. We had to change our setup quickly and make decisions promptly. We had to act rapidly to evaluate the situation. We had to deploy or redirect patrols immediately. And we had to follow up and report on critical situations in a timely fashion. We learned how to be reactive and proactive, and ascertained how to maintain a high level of interoperability, while remaining operationally efficient and safe at the same time. It was our humanity, care, balance and wisdom that made us a strong team and better people.

I am very grateful to my team for their hard work. I strongly believe in the professionalism, competence, integrity and commitment of each and every one of them. Together, we reached such a level of team cohesion that we could handle any task, always maintaining our focus to support civilians and to report facts swiftly. It helped us to remain effective and responsive and to make an invaluable contribution to the Mission's work. ”

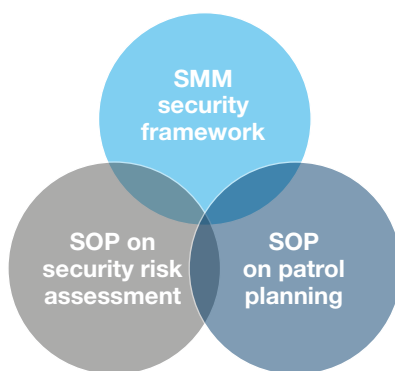
The tragic death of Joseph Stone intensified the debate – not only among participating States but also within the SMM and the Secretariat – about how to ensure the safety of a civilian peace operation deployed in a de facto war zone. Questions were raised about acceptable levels of risk, about duty of care and about the shared responsibility among the Secretary General, the Chief Monitor, or participating States for seconded nationals working in a hostile environment.

A few days after the fatal incident, the Secretary General launched an internal investigation. Led by the Secretariat's Office of Internal Oversight, it set out to review the SMM's security and operational procedures and response mechanisms on the ground. In co-ordination with the Chairmanship, the Secretary General also commissioned an independent forensic investigation by the International Humanitarian Fact-Finding Commission to complement the internal review. As a result of these processes, the SMM adapted its security procedures and operational posture, including a five-month pause on deploying new monitors to the east and limiting patrols to hard-surface roads.

Although necessary, these measures created new challenges for the SMM. It became more difficult to monitor certain heavy-weapons holding areas or to repair those cameras that were only accessible by soft-surface roads. Vehicle-based ground patrolling became restricted in areas close to the contact line where roads were not paved. To

compensate, the Mission increased its use of technological monitoring assets, enabling it to continue reporting on conflict hotspots. But importantly, Chief Monitor Apakan granted some exceptions to the hard-surface rule after a thorough case-by-case analysis. This allowed the Mission to continue its engagement with local communities, especially elderly civilians in areas lacking basic infrastructure.

Task force on aligning operational and security issues with management processes in the SMM



A further outcome of the internal review process was the establishment of a task force to align operational and security issues with management processes in the SMM. Established by the Chief Monitor in November 2017, the task force included staff from SMM Head Office and the Mission's two monitoring teams in

eastern Ukraine, as well as representatives from the CPC and the Secretariat's Security Management Unit. The task force's work led to the development of key SMM security documents, including a security framework and SOPs on patrolling and security risk assessment. Authorized for use in April 2018, these protocols are still in force, and remain essential elements of the SMM's risk-assessment and patrol-planning processes.

In late 2018, in close co-ordination with the Chief Monitor, the Secretariat also began work with the SMM toward developing a programme criticality framework to determine levels of acceptable security risk (see Chapter 'A People-Centred Approach'). Based on international best practices, this framework intends to establish a structured approach to ensuring that activities involving OSCE personnel are balanced against the risks identified in security risk assessments.

Despite these efforts to strengthen the SMM's security framework, the Mission still faced grave operational risks without the full respect for security guarantees. The SMM's freedom of movement and unhindered access remain essential for mandate implementation. Therefore, a clear understanding is needed of the risks and limits of monitoring in hostile environments. A shared responsibility for these risks is also required among participating States, the OSCE Chair, the Secretariat and the SMM. But ultimately, the safety and security of OSCE staff operating on the ground must come before all else.



Mines pose a grave danger, both to SMM monitors and civilians.



Lessons Learned and Best Practices

- ▶ While the expectation of a risk-free mission is unrealistic, prevailing and potential security risks must be mitigated to the greatest extent possible.
- ▶ No matter the political imperatives for rapid deployment, sufficient time is required to conduct thorough risk assessments, which must be integrated into mission planning processes and mandate implementation. With regard to safety and security, the SMM's experience forced the OSCE to learn a number of important lessons that will better equip it in the planning and deployment of future crisis response operations.
- ▶ When engaging in strategic planning, missions deployed in high-risk security environments should conduct programme criticality assessments to determine levels of acceptable security risk. By doing so, political expectations can be weighed against security risks to identify what is operationally feasible, while ensuring the safety and security of staff and assets.
- ▶ Field operations deployed during emerging crises or in high-risk security environments need adequate security management capacities (both human resources and material assets) at different levels (at head office and in the field). Capacities should include both day-to-day security management and long-term analysis, allowing field operations to anticipate emerging risks and to adapt their modus operandi in line with emerging trends and challenges on the ground.
- ▶ Duty-of-care measures need to be put in place from the earliest possible moment in order to reduce risk and ensure the safety and security of staff. The OSCE needs to develop a comprehensive duty-of-care framework that can be applied in all working environments and that includes a shared responsibility between the OSCE and its participating States.
- ▶ Security and wider duty-of-care issues need to be understood in a multidimensional manner, in line with the OSCE's comprehensive approach to security. Issues to be covered include threats from mines and unexploded ordnance, exposure to environmental and ecological hazards, and stresses on mental and physical health, among others. Duty-of-care approaches must also be gender mainstreamed to the extent possible.
- ▶ Field security and hostile environment awareness training are key elements of pre-deployment to hostile or hazardous areas. Such capacity building should be mandatory for deployments to OSCE field missions operating in complex or hostile environments.

SMM monitors assess the situation in the Donetsk region, August 2016.



A People-Centred Approach

The SMM supports people on the ground in conflict-affected areas and monitors the political and socio-economic impact of the conflict throughout Ukraine as well as the overall protection of fundamental freedoms and human rights.



The Stanytsia Luhanska pedestrian bridge with its wooden ramps, became a symbol of the conflict and a major hurdle for the thousands of civilians who needed to cross it on a daily basis.

The SMM's mandate is deeply rooted in the OSCE's comprehensive and cross-dimensional approach to security, which encompasses the politico-military, the economic and environmental, and the human dimensions. The essence of this approach is that human rights and fundamental freedoms, and economic and environmental issues are as important to sustainable peace and security as developments in the politico-military field. Underlying this concept is the objective that all citizens of the OSCE's 57 participating States live in secure, stable and peaceful societies, and that lasting security cannot be achieved without respect for human rights and fundamental freedoms.

Within its mandate, the SMM integrates cross-dimensional issues into all aspects of its monitoring and reporting. In the human dimension, it monitors human rights and fundamental freedoms as well as the situation of ethnic, linguistic and religious minorities, among others. To address localized tensions, it monitors the political and socio-economic impact of the conflict countrywide. In conflict-affected areas, the Mission facilitates dialogue to enable local ceasefires. Such windows of silence help to ensure the delivery of humanitarian assistance as well as the repair and maintenance of critical infrastructure, including to prevent ecological hazards.

For Chief Monitor Apakan, people were at the heart of the SMM's mandate and operations. Thus, SMM activities aimed to address the wide-ranging needs of people on the ground. However, doing so required a careful balance, as the humanitarian imperative to address the wide-ranging effects of the conflict at times required monitors to engage in high-risk operations. Without a fully maintained ceasefire by the sides, the Mission was compelled to accept higher levels of risk in order to support civilians on the ground.

.....
The SMM increasingly put people in conflict-affected areas at the core of our activities, building synergies with other international organizations. In monitoring the situation at EECPs, focusing on humanitarian mine action, or facilitating efforts for the repair of critical civilian infrastructure, we highlighted the suffering of men and women, children and the elderly, who were simply trying to go about their daily lives in peace.

Ambassador Ertuğrul Apakan
 Former Chief Monitor of the
 Special Monitoring Mission to Ukraine

The Human Face of the Conflict

When the SMM was established, its human-dimension activities were largely envisioned in line with those of other OSCE field operations: for example, monitoring long-term developments related to human rights, national minority issues, freedom of religion and the rule of law. However, with the violent escalation in eastern Ukraine, urgent attention was required with regard to civilian casualties, vulnerable groups, IDPs, and missing and detained persons. As violence persisted, the SMM's human-dimension activities had to be adapted to realities on the ground.

In early 2015, a dedicated Human Dimension Unit was created at SMM Head Office, thereby increasing the number of staff with experience in human-dimension issues. In addition, the SMM Strategic Framework for the Human Dimension, developed in 2016, helped to standardize human-dimension monitoring and reporting and to make it more systematic.

While monitoring human-dimension issues formed an integral part of the Mission's activities, once violence in eastern Ukraine escalated, the SMM's focus shifted toward crisis management and, subsequently, facilitating the implementation of the Minsk agreements. As

Permanent Council Decision No. 1117

PC Decision No. 1117 mandates the SMM to:



Gather information and report on the security situation



Establish and report facts, including those concerning alleged violations of fundamental OSCE principles and commitments



Monitor and support respect for human rights and fundamental freedoms, including the rights of persons belonging to national minorities



Facilitate dialogue on the ground to reduce tensions and promote a normalization of the situation

the Mission took on more tasks related to ceasefire monitoring, and operations became more high risk, more monitors were needed from hard-security backgrounds, such as the military or police. However, they were often less versed in human rights monitoring and reporting than their civilian counterparts.

Therefore, one challenge was to strike the right balance between monitoring hard-security issues – such as the number of ceasefire violations and the types of weapons used – and human-dimension issues – such as the humanitarian consequences of the fighting in eastern Ukraine and the conflict’s impact in other parts of the country. To strike this balance, the SMM had to reconceptualize how it incorporated human-dimension issues into its monitoring and reporting, and had to consider how it could best support people on the ground.

Thus, as one of the few international actors operating in non-government-controlled areas, the SMM gradually began to focus more on the protection of civilians in eastern Ukraine and their human rights in the midst of violence. As Chief Monitor Apakan observed, “The deterioration of the humanitarian situation in the affected areas harmed large numbers of civilians, including children, the elderly, displaced persons, and others. The villagers couldn’t work on their

farms; children couldn’t enjoy schooling; the victims of shelling were mostly elderly women; boys were mainly victims of exploding mines.”⁷⁵

Indeed, the fighting in eastern Ukraine severely affected civilians residing in or near conflict-affected areas. For example, by 2015, movement across the nearly 500 km-long contact line had been restricted to a mere five EECPs in Donetsk region. In the Luhansk region, the destroyed bridge at Stanytsia Luhanska became the only EECP for civilians, who could only cross on foot. Thus, hardship increased for civilians, especially those needing to cross the contact line to collect pensions, to access health care and medicine, and to visit family and friends.

The presence of mines, including near EECPs, further increased risks to the civilian population. Therefore, in addition to monitoring the safety and security of people crossing EECPs, the SMM began to facilitate dialogue to encourage the opening of new EECPs, to normalize the procedures for crossing and to improve checkpoint facilities.

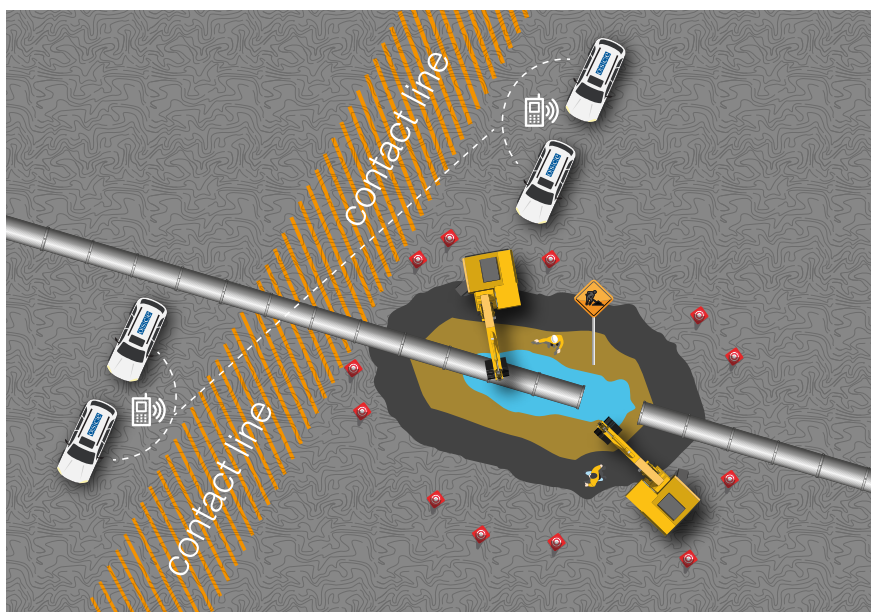
Fighting at hotspots along the contact line frequently damaged civilian infrastructure, such as houses and roads. Gas and power lines were repeatedly hit, disrupting access to basic services.

The SMM monitored such situation closely, facilitating dialogue and brokering localized windows of silence where possible to enable the repair of critical infrastructure.

One of the SMM’s major accomplishments was facilitating repairs to the Shchastia power plant north of Luhansk city. When attempts to fix the plant in 2014 and 2015 failed, the risk grew that residents would be left without power. At plant’s request in April 2016, SMM monitors stepped in, conducting mirror patrols for 15 days while repair works were carried out.

Moreover, repeated shelling near the Donetsk Filtration Station and the Vasylivka Pumping Station not only jeopardized the safety of essential workers but also threatened water security for more than one million people in the Donetsk region. For example, in early February 2017 intense shelling damaged the power lines that supply electricity to the Donetsk Water Filtration Station as well as to the Avdiivka Coke and Chemical Plant. In the freezing winter, plans were ongoing to evacuate some 22,000 people left without heat or water. The SMM engaged in intensive negotiations under high risk to enable workers to reach the heavily mined area on the contact line and to conduct repairs.⁷⁶

Example of a mirror patrol to facilitate civilian infrastructure repair works during a window of silence.



Mirror patrols are simultaneous patrols on both sides of the contact line, in which ground patrols on each side maintain radio contact to monitor a temporary cessation of hostilities. In this way, the SMM’s presence increases confidence that windows of silence are not being used for forward movement or to construct defensive positions. The risk of conflict is thus reduced, increasing the safety of workers and enabling them to conduct critical infrastructure repairs.

Alexander Hug

– Former SMM Principal Deputy Chief Monitor –

“ War stories, abduction negotiations, a plane-crash follow-up, using technology for monitoring purposes and having strange encounters with those responsible for the armed violence – these memories from my four years with the SMM will certainly stay with me. But my strongest memory is that of the people of Ukraine.

When armed violence engulfed eastern Ukraine at galloping speed in 2014 and 2015, the SMM was in the midst of it. The OSCE labelled the violence as “conflict in and around Ukraine”, while politicians in the involved capitals referred to a “language divide”, an “internal conflict”, a “geopolitical impasse between East and West”, or later “aggression” when referring to the artillery and gunfire in eastern Ukraine.

For the Ukrainians who found themselves on two opposite sides of an artificially drawn line, such turns of phrase did not matter: The conflict for them was violent, life changing and life ending. To understand their suffering from afar was not easy. Misinformation, social media posts that went viral and heavily polarized politics laid a thick layer of fog over the reality of war in eastern Ukraine.

With violence spreading, high-level talks began in Normandy, New York, Vienna, Washington DC and Minsk. While agreements to solve the crisis were being signed, we had a choice to make: to resign our fate to the violence and become a distant observer and commentator or, notwithstanding the risks and complexities, to try to utilize the mandate to assist the efforts to contain and end the violence, not least by highlighting the human side of the evolving conflict.

With a strong mandate, an increasing number of monitors and the help of technology, we decided to provide a transparent and public account of the violence – like holding a mirror up to the menacing reality – by establishing and reporting facts. These facts provided OSCE participating States, politicians and generals with a reliable basis for decision-making. They dispelled rumours and myths, and were vital for countering propaganda and hybrid

warfare. Furthermore, these facts held us accountable to the people of Ukraine by giving them information about what we observed going on in their country.

To be able to do this, we needed to be present. Our presence enabled the monitors to establish the facts first-hand. The facts revealed non-compliance: injured and killed civilians, new minefields, destroyed civilian infrastructure and a multiple rocket launch system next to a school. These facts made uncomfortable reading for those who had committed themselves to ending the bloodshed.



Our work at the contact line meant a lot for the affected population.

Alexander Hug

Former SMM Principal Deputy Chief Monitor

Establishing the facts required a firm commitment and consistent determination by all of us to work against the odds and to push through the many obstacles put in our way. Rather than avoiding the many risks, we attempted to mitigate and manage them in order to be able to implement our mandate. Although it was sometimes dangerous, we chose to engage and not to turn away from real or perceived threats. Although it was sometimes controversial, we talked to everyone without precondition. That meant engaging with Ukrainian and Russian officers, with members of the armed formations and with civilians. As a result, maintaining a credible presence on both sides of the line was itself an achievement and arguably helped to contain the violence.

Our work at the contact line meant a lot for the affected population. We were able to listen to their suffering, their fears and their wishes. Like Anna and her sister Galina from Vulytsya Myru (Peace Street) in Shyrokyne, who were now displaced in Mariupol and wanted to return to their Azov seashore home. Or Sofiia in Pisky, who was collecting pencils for the day she might again see her granddaughter living in Russia. Or Valeryi in Yakovlivka, who could not understand why those who signed the Minsk agreements were not implementing them. Or the fearless women who were risking their lives every day to make the Donetsk Water Filtration Station work for the benefit of civilians on both sides of the contact line “because someone has to do it”. Or the group of women in the Trudivski area of Donetsk city, who were dreaming of a three-hundred-meter-long festive table at the end of their street on the contact line, so they could celebrate the end of the conflict together with their neighbours on the other side.

The many questions of these people, their fears, their incredible resilience and their hope are ultimately what kept us going. These civilians were a source of motivation and inspiration for us not to lose hope and not to accept the abnormal as the new normal. In our daily reports, spot reports, thematic reports and briefings, we aimed to ensure that their accounts were on the table when decisions were made. Our reports were an instrument to hold policymakers accountable to them, the people. The numerous references to the information provided by the SMM in readouts of meetings of the Normandy format, the UN Security Council, and the OSCE Permanent Council are a testament to the importance of these facts.

Facts matter because people matter. Through its reports, the SMM gave the conflict a human face. This work remains essential. Continuing to ensure a presence and a detailed public record of the violence will remain key in finding a resolution to this conflict. In this way, living up to the expectations of the affected civilians will ensure that the Mission’s work remains relevant for the peace process.



In addition to shelling, the presence of mines and unexploded ordnance represented a considerable hazard to people in conflict-affected areas. In July 2017, the JCCC and the SMM worked closely with demining teams to enable repairs and maintenance to high voltage lines between Mykhailivka and Almanza in non-government-controlled areas. Repairs to these lines, which had been knocked out for three years, improved electricity supplies for over 150,000 people.

A particular danger to the civilian population was fighting in highly industrialized areas, where the potential for humanitarian and ecological disaster was high on both sides of the contact line. For example, on 24 February 2017, a shell hit the chlorine-storage area of the Donetsk Filtration Station. If even one of these almost one-tonne chlorine tanks had exploded, deadly gas would have been released, causing widespread humanitarian and ecological disaster. Thus, regular monitoring of the fragile security situation around the Donetsk Filtration Station became a key element of supporting people on the ground, exemplifying the cross-dimensional considerations behind the Mission's facilitation efforts.

In 2019 alone, the SMM facilitated and monitored 1,441 local ceasefires for 112 infrastructure repairs to provide water, electricity, gas and mobile communication to more than five million people. However, despite the security guarantees obtained or requested, the SMM continued to record ceasefire violations in areas close to repair sites, which put

local workers and SMM monitors at risk. The deployment of such high-risk patrols required a careful weighing of the risk to SMM staff against humanitarian needs, such as the safety of people on the ground and their access to basic services. This operational imperative highlighted the need for a programme criticality framework to determine acceptable levels of risk. Such a framework would also help to address the joint responsibility for the safety and security of SMM staff involved in high-risk operations, in line with the OSCE's duty-of-care responsibilities and those of participating States toward their own seconded staff.

Activities throughout Ukraine

The SMM's activities were not limited to conflict affected areas, in particular, as developments in eastern Ukraine had a considerable impact on the rest of the country. Therefore, the Mission maintained its focus on monitoring the political and socio-economic impact of the conflict countrywide – working to address local tensions and the concerns of communities in all three dimensions of security.

For example, in the Kerch Strait on 25 November 2018, three Ukrainian naval vessels en route from Odesa to Mariupol were involved in an incident with vessels of the Russian Federation. The attention of participating States was high, as were expectations for the SMM to monitor the situation. While the Mission could not monitor at sea, it could enhance its monitoring of the security situation on shore, using resources






and technical assets from the Donetsk, Odesa and Kherson monitoring teams. However, the SMM was denied access to the areas outside government control along the coast of the Sea of Azov, impeding its monitoring activities in the southern Donetsk region.

The SMM focused on possible socio-economic effects of developments related to the Sea of Azov by establishing a co-ordinated and consistent monitoring regime in coastal areas. Accordingly, SMM monitors followed up on reports of tensions in the area, including those stemming from interruptions to commercial shipping in Mariupol and Berdiansk. They also reported on economic and trade disruptions as well as their effects on the local population. To that end, the Mission maintained regular communication with representatives of the Coast Guard, relevant agencies and other affected parties – including harbours, ship crews and the businesses that relied on maritime supplies.

Across Ukraine, the Mission also continued to report on developments with regard to freedom of expression, freedom of the media and freedom of assembly, and worked to establish and document facts related to violent attacks against journalists, civil society and human rights activists. The rights of persons belonging to national minorities, too, remained strongly in focus. For example, following incidents involving the Hungarian community in Ukraine, the SMM increased its monitoring activities in the Zakarpattia region in December 2017.

Infrastructure repairs facilitated by the SMM in eastern Ukraine

September 2018 – June 2019

	Donetsk	Luhansk
 Windows of silence	836	457
 Mirror patrols conducted to facilitate infrastructure repairs	2,500	1,000
 Water repairs	1,900	815
 Electricity repairs	194	178
 Gas repairs	70	2

Moreover, following incidents in February 2018, including arson attacks targeting representatives of the Hungarian community, the Ivano-Frankivsk Monitoring Team introduced rotating patrols in the city of Uzhhorod. These patrols allowed for a continued presence and monitoring of the security situation in the area, as well as for regular outreach to the local community – including national minority groups, local administrations, law enforcement, relevant NGOs and consulates.

Similarly, the SMM monitored developments related to the establishment of the autocephalous Orthodox Church of Ukraine, which prompted numerous demonstrations across the country starting in autumn of 2018, both for and against the proposed change, as well as some vandalism of buildings belonging to religious communities. As people changed their Church affiliation, monitors followed up on reports of tensions within communities in Kyiv and in other regions throughout Ukraine. While monitoring the overall security situation and the protection of human rights and fundamental freedoms, the SMM engaged with communities to better understand their concerns and to help defuse tensions.

Thus, the SMM’s engagement with people on the ground was instrumental in improving mutual understanding. In doing so, the Mission developed contacts with a wide spectrum of interlocutors, including local authorities, civil society, religious and community leaders, IDPs and other stakeholders. These contacts helped monitors to engage in dialogue facilitation in a context specific manner, according to the needs of local populations.

Partnerships in Support of People

The SMM was increasingly sought out by people in need of humanitarian assistance. Although humanitarian relief is not part of its mandate, the SMM could not ignore the plight of people on the ground, particularly those in conflict-affected areas. Therefore, the SMM co-operated closely with local relief agencies, NGOs and other international organizations, such as the United Nations High Commissioner for Refugees (UNHCR), the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), and the International Committee of the Red Cross (ICRC). In Kyiv, Chief Monitor Apakan and human-dimension staff regularly met with interlocutors from international humanitarian agencies, co-ordinating closely on relevant issues.

Such organizations made use of the Mission’s access to crucial situational awareness information – for example, related to IDPs, demining and the repair of critical infrastructure. In return, the SMM could pass on humanitarian-assistance requests to those organizations better placed to assist. In 2019 alone, the SMM made over 120 such referrals, both individual and collective, to various humanitarian actors.

SMM referrals enabled civilians to receive support in a broad spectrum of areas, including health, shelter, education, protection, education and legal aid. The SMM also referred cases of alleged human rights violations and, with the victim’s consent, individual cases of gender-based violence, conflict-related sexual violence, or risks of human trafficking.

Key international partners



United Nations High Commissioner for Refugees (UNHCR)



OCHA

United Nations Office for the Coordination of Humanitarian Affairs (OCHA)



ICRC

International Committee of the Red Cross (ICRC)



SMM monitors listen to the concerns of women in Betmanove (formerly Krasnyi Partyzan) village in the Donetsk region, August 2017.

Gender Mainstreaming

Given that gender inequality is often exacerbated by conflict, the SMM sought to ensure that all of its activities were systemically gender-mainstreamed. Moreover, conflict prevention, crisis management and conflict resolution are more effective when the differing needs of women, men, boys and girls are taken into account. Therefore, the SMM worked to systemically integrate a gender perspective into its monitoring and reporting.

To that end, the SMM invested considerably into capacity building, including by incorporating human rights and gender issues into the induction training for all new staff. Participating States also supported the Mission with specialized gender training as an in-kind contribution. Dedicated capacity building was also provided on human rights violations in conflict contexts⁷⁷ and, together with UNHCR, on monitoring displacement issues, including their differing impact on women, men, boys and girls.⁷⁸

The Mission also established a gender focal point network in 2015, including a focal point in each monitoring team. The focal points developed networks with local interlocutors related to gender equality and protection issues. As requests increased from the monitoring teams for gender-related advice, training and outreach, the SMM published two gender equality action plans in 2016 and 2018, respectively, and established the Gender Unit in 2018. In 2019, a Gender Point of Contact Network was established at head-office level to enhance implementation of the SMM's gender equality action plans.

In eastern Ukraine, the SMM observed that networks of women play an active role in reducing tensions, mitigating conflict-related social risks and ensuring access to humanitarian assistance, education and healthcare on both sides of the contact line.

Therefore, the SMM regularly organized outreach and awareness-raising events countrywide. These events helped to facilitate dialogue on gender issues among various stakeholders, such as the UN, NGOs, government and law enforcement officials and the general public.

In addition to raising awareness and facilitating dialogue, these gatherings helped to increase support to individuals, families and local communities. For example, some local assistance providers noticed an increase in requests for support following SMM events held in their regions. And one event on respons-

es to gender-based violence, held in Zhytomyr in 2018 resulted in proposals to help combat domestic violence.

The Mission also endeavoured to create a professional working environment, where women and men enjoyed the same rights, had access to the same resources and opportunities, and could contribute equally to fulfilling the Mission's mandate. However, attentiveness to gender issues varied considerably between the monitoring teams. One underlying cause may have been the high turnover in staff, which limited the reach of capacity building on gender issues. Nevertheless, the SMM strove to raise awareness among staff about gender issues, including by gender mainstreaming the SMM's internal policies and procedures. These efforts gradually contributed to a better understanding of gender issues in all parts of the Mission.

Women, Peace and Security

The OSCE is committed to promoting and supporting the implementation of the women, peace and security (WPS) agenda.⁷⁹ Key resolutions in this area recognize the importance of women's full and equal representation and participation in peace and security governance at all levels. They call for special measures to protect women and girls from gender-based violence in situations of armed conflict.

The WPS agenda is supported by key OSCE documents, particularly, MC Decision No. 3/11 on 'Elements of the Conflict Cycle'; MC Decision No. 14/05 on 'Women in Conflict Prevention, Crisis Management and Post Conflict Rehabilitation'; and the Action Plan for the Promotion of Gender Equality (2004).

A priority area of the Action Plan is to encourage women's participation in conflict prevention, crisis management and post-conflict reconstruction. To this end, OSCE participating States tasked executive structures, as appropriate within their mandates, to promote the implementation of UNSCR 1325 in these areas. OSCE structures are also requested to assist participating States, as appropriate, in developing programmes and projects that bring about equal opportunities for women to participate in the promotion of peace and security, including those conducted at grass roots and regional levels.



Lessons Learned and Best Practices


- ▶ Future OSCE crisis response operations should ensure that the scope and level of their human-dimension activities is not only in line with their mandate but also based on guidance by the OSCE Chair. Specific skills and knowledge should be developed and employed in close co-ordination with subject-matter experts in the Secretariat, OSCE institutions and other field operations.
- ▶ Strategic framework documents related to human-dimension activities must be available from the start of mandate implementation. Accordingly, guidance on human-dimension activities should be determined by mission senior management and be communicated to all staff in a transparent manner.
- ▶ Future OSCE crisis response operations with an explicit mandate for dialogue facilitation should have sufficient resources from the start of mandate implementation. To that end, mission members with relevant expertise must be recruited, but good use should also be made of the CPC's mediation-support capacities. Field operations conducting dialogue facilitation in support of their mandates should establish networks of dialogue facilitation focal points.
- ▶ The SMM's people-centred approach is anchored in the OSCE's comprehensive approach to security. The Mission's experience in facilitating humanitarian assistance, including brokering local ceasefires for the repair of critical infrastructure, has been vital in improving the lives of people in conflict-affected areas. As addressing the plight of civilians can also have wider benefits as confidence-building measures, lessons and good practices should be systematically collected in this area for the benefit of OSCE field operations.
- ▶ A systematic approach to gender and gender-sensitive leadership is also required to ensure that a gender perspective is properly integrated into all mission activities. To that end, field operations should ensure that their gender advisers have appropriate access to senior management and are involved in the development of new mission policies. By doing so, they can ensure that a gender perspective is included in all activities, from the strategic level to the field.



SMM monitors meet residents of the village of Pisky, October 2015.

Conclusions and Recommendations

The SMM's experience can serve as a source of learning for future field deployments, both by the OSCE and other international organizations.



Civilians cross a repaired section of the Stanytsia Luhanska bridge. The SMM's monitoring and verification of the disengagement process from around this strategic bridge led to significant infrastructure improvements in support of the local population.

Mandate and Deployment



A product of consensus during a time of high political tension, the SMM's mandate is an illustrative example of participating States' ability to compromise even under the most challenging circumstances. At the same time, the SMM's deployment and evolution reflects the realities of a civilian mission operating in a complex environment and demonstrates how such a mission can adapt to developments on the ground.

A crucial enabling factor has been the Mission mandate, which provided the SMM sufficient flexibility to move from a preventive role to crisis management. While this benefited the SMM, such flexibility might not be appropriate for all peace operations deployed in an evolving crisis context. There are no one-size-fits-all solutions, and the right balance must be struck between flexibility and clearly prescribed objectives and tasks. To that end, a thorough pre-deployment analysis of the prevailing circumstances is critical, even if such an analysis is challenging to conduct due to quickly evolving situations on the ground.

The SMM's experience demonstrated that, despite political imperatives, rapid deployment should not come at the expense of adequate operational preparedness. The SMM's deployment was made possible by existing OSCE crisis response tools. However, sufficient time is still required for operational planning, including robust security assessments. Political, operational and thematic aspects must be brought together from

the start of any crisis response, and the OSCE Secretariat plays the key role in that regard. In addition, OSCE field operations should have proper arrangements with the host country in place before staff arrive on the ground – something of particular importance for crisis response operations deployed in rapidly evolving circumstances.

Any OSCE field operation deployed in an emerging or evolving crisis must also possess capacities for political and policy analysis in order to establish situational awareness, both for early warning and for increasing safety and security. Moreover, engagement may be required with unrecognized entities, de facto authorities or non-state armed actors. If so, a careful approach must be followed that is based on sound political and security analyses.

Monitoring and reporting are key components of the SMM's mandate. However, the Mission was also tasked to facilitate dialogue in order to reduce tensions and to promote a normalization of the situation. These tasks remained at the centre of the SMM's work throughout its first five years. However, due to the changing situation on the ground and the outbreak of an armed conflict in eastern Ukraine, mandated tasks had to be largely re-focused in line with developments. A key lesson in this regard is the need for missions operating in complex environments to engage in regular strategic planning exercises. Moreover, they should develop strategic mission documents outlining the mission's overall objectives, not only according to the mandate but also taking into account dynamics on the ground.

As reflected in SMM reporting, impartiality was essential for the Mission, both before and after violence escalated in eastern Ukraine. In this regard, the SMM set important standards for future international monitoring missions: reporting the facts without attributing blame and balancing hard-security issues with the humanitarian, political and socio-economic consequences of the conflict.

When the Mission took on new tasks related to ceasefire monitoring and verification and expanded the number of monitors operating in a high-risk security environment, participating States started to provide an increasing number of candidates with military or international policing backgrounds. In addition, the Mission enhanced its monitoring capacities by introducing a wide range of technological assets. Key lessons can be drawn in these areas. One is that the use of sophisticated technological assets requires staff with specific skill sets. Building on the SMM's experience, the OSCE should develop its own expert roster and increase its access to external expert pools, such as those of participating States. Another lesson relates to the rapid acquisition of new staff from various backgrounds, which necessitates thorough induction training that enables all mission members to gain a proper understanding of the OSCE's guiding principles and diverse activities. Finally, in recruiting seconded staff for peace operations, participating States must nominate a sufficient number of women as an essential aspect of achieving gender parity.

Co-ordination and Co-operation



In the SMM's first year of operation, key platforms were established to facilitate a peaceful resolution to the crisis in and around Ukraine. Most notably, these included the Normandy format and the TCG. The OSCE was given key roles within the TCG and with regard to the implementation of the Minsk agreements; however, the OSCE as an organization was not formally represented in the Normandy format, which created some co-ordination challenges. An important lesson is that when the OSCE is involved in conflict resolution efforts – especially with a presence on the ground – it should also be included in all formats in which decisions that affect its role are discussed and taken. Moreover, when a multitude of actors are involved in conflict resolution processes in different formats and at various levels, clear lines of communication and co-ordination must be established among them at the earliest possible stage.

The Mission's operations were much affected by the Minsk agreements, as the SMM had to take on new tasks that had not been envisaged when it was deployed in March 2014. Adapting to these new tasks was possible because of the breadth of the Mission's mandate and because the OSCE and its participating States dedicated considerable human and financial resources to support the Mission's expanded role. Thus, flexibility and robust support are key requisites for crisis operations, in particular, when deployed in rapidly evolving contexts.

Through its direct engagement in the TCG, the SMM was also closely involved in negotiating and implementing the complementary documents to the Minsk agreements related to the ceasefire, the withdrawal of weapons, disengagement and mine action. The SMM's capacity to facilitate agreement on these issues was augmented by its monitoring activities in eastern Ukraine, which enabled the Mission to bring "the dust from the field" to the negotiation table. A key lesson, therefore, is the need to tie political conflict-resolution efforts to the operational aspects of crisis response. Thus, the dual role of Ambassador Apakan – as Chief Monitor and Co-ordinator of the WGSI – allowed the SMM to support negotiations toward stabilizing the situation on the ground, especially in the absence of sufficient political will among Minsk signatories to fulfil their commitments.

However, there were no clear timelines or clauses on transitional phases related to respective provisions of the Minsk agreements and their sequencing was often under dispute. These factors created challenges at the negotiation table in Minsk, on the ground in eastern Ukraine and for the SMM in facilitating the implementation of the Minsk agreements. The absence of effective mechanisms to hold parties accountable for ceasefire violations further demonstrated the limitations of a civilian monitoring mission operating in an active combat zone. With regard to future OSCE crisis management operations, such limitations have to be carefully weighed against expectations, in particular, as they directly affect the safety and security of staff monitoring the implementation of agreements reached.

In the case of serious security incidents, the SMM's experience demonstrated the criticality of effective communication and co-ordination with stakeholders, both on the ground and the strategic level. In such situations, lines of communication must be kept open with the OSCE Chair, senior management and participating States – especially those States whose nationals may be affected. Close co-ordination with the host country is also key, and co-ordination modalities could be included in the MoUs signed with host authorities to that end.

From the first day of its deployment, the SMM worked to establish trustful and co-operative relations with host authorities, from the working level to the highest echelons of government. As OSCE field operations are deployed on the invitation of the receiving state, such relations are crucial. In addition, the Mission built relations with a wide variety of local stakeholders, including with civil society and other international actors on the ground. These relationships helped to share information and expertise and to establish divisions of labour – for example, in delivering humanitarian assistance.

The trust the SMM inspired throughout Ukraine and among its stakeholders created a strong basis for its credibility, unity of purpose and sustainability. Political and financial support provided by participating States remained strong, including support from Ukraine as the host country. These two conditions remain essential for successful mandate implementation. Therefore, in working with different counterparts, OSCE field operations must remain impartial and communicate effectively, keeping all relevant interlocutors informed and ensuring that strategic messaging is consistent.

Technology



The SMM became likely the first civilian monitoring mission to make use of advanced monitoring and surveillance technologies.

These assets acted as a force multiplier, significantly enhancing the Mission's monitoring capacities, specifically in high-risk areas and during night hours. Deploying such assets placed both the Mission and the Secretariat on a steep learning curve, and future monitoring missions can benefit from the OSCE's ground-breaking work in this area. At the same time, technological monitoring assets can only complement but not replace in-person monitoring. SMM monitors serve as more than the OSCE's eyes and ears on the ground. They are also the OSCE's face vis-à-vis the local population, facilitating dialogue and supporting people in conflict-affected communities.

Moreover, technological monitoring assets generate massive amounts of data that must be processed and analysed to be of effective use in mandate implementation. Any peace operation deploying such assets must set up robust and secure information management capacities, which employ staff with the requisite technical skills. Lessons from the SMM's experience in this area must, therefore, be systematically collected to develop helpful guidance for future OSCE monitoring missions.

Although intended for ceasefire monitoring and verification, SMM UAVs have also been instrumental in alleviating some of the humanitarian consequences of the fighting in eastern Ukraine. For example, they have helped in monitoring EECPs and in assessing damage to critical infrastructure and facilitating repairs. Other OSCE field operations – both present and future – can learn from this experience, employing technological assets for peaceful purposes. For example, UAVs can be used to monitor the impact of natural disasters and in assisting host countries in their responses. There is still much that can be learned related to technological monitoring. To that end, expertise and good practices should be shared with other international stakeholders that employ technological monitoring tools.

Duty of Care



Within the OSCE, ensuring duty of care means that risks to safety and security are assessed and properly managed or mitigated, and

that standards of conduct are enforced for all staff. It also means that staff enjoy a healthy working environment, emergency medical services, privileges and immunities, sound administration, due process and appropriate training.

As the SMM was deployed in a rapidly changing operating environment, it was forced to learn a number of important lessons about duty of care, safety and security. The security situation into which the SMM was originally deployed deteriorated rapidly, in particular in eastern Ukraine. The Mission's original security arrangements were not suitable for the high-risk environment that emerged. It was thus a challenge to meet participating States' expectations for reporting from the ground, while preventing the exposure of staff to undue risks. In that context, safety and security must be a shared responsibility between the OSCE and its participating States.

Indeed, the SMM learned that OSCE staff operating in complex environments cannot depend on the relative protection of their OSCE status. Therefore, they require dedicated field security training – including mine awareness and conduct after capture – as a pre-requisite to deployment. Moreover, OSCE field missions operating in complex security environments must conduct robust security assessments and have security teams in place that possess experience in managing critical security situations. Psychological pressure and stress must also be managed, while at the same time preserving staff motivation and morale.

Large field operations like the SMM, especially when deployed in a complex environment, must also be able to manage the complexity of their internal structures, which requires clearly delineated functions and responsibilities. In that context, duty-of-care measures must also go hand in hand with mission planning. To that end, the OSCE requires a comprehensive duty-of-care framework that can be applied in all working environments and across all phases of the conflict cycle, from conflict prevention through crisis management to post-conflict contexts. Duty-of-care approaches must also be gender-mainstreamed toward creating professional working environments where women and men enjoy the same rights and can contribute equally to fulfilling the mission's mandate.

A People-Centred Approach



The SMM's experience shows the importance of putting people at the centre of crisis management, in particular, the

protection of civilians in conflict-affected areas. A key lesson for future OSCE crisis operations is the need for guidance and political support for people-centred activities, including from the OSCE Chair and participating States. Such guidance has to be complemented with tailored operational and technical assistance from OSCE executive structures that support the building of related capacities and expertise in OSCE missions.

The SMM's work further shows the added value of dialogue facilitation as a key element of crisis response, which must be systematically integrated into OSCE missions from the start. To that end, field operations should make use of the methodological support provided by the CPC's Mediation Support Team.

The SMM's human-dimension activities also had to adapt to the changing situation on the ground, not only to facilitate the implementation of the Minsk agreements but also to put people at the heart of operations. An important lesson in this context is that ceasefire monitoring and verification can go hand in hand with the facilitation of humanitarian assistance, thereby helping to alleviate the plight of conflict affected communities.

Toward More Resilient Peace Operations



The SMM's rapid deployment was made possible by the extensive work done to enhance OSCE crisis response capacities following

the adoption of MC Decision No. 3/11. Future field operations will also be able to make use of these crisis management instruments, including the 'Operational Framework for Crisis Response', the 'Virtual Pool of Equipment' and the 'Rapid Deployment Roster'. In addition, they will be able to draw on the wealth of lessons identified from the SMM's experience during its first five years of operation in a complex environment. However, work must still be done to identify and codify the SMM's experiences, learning the lessons that will help to create more resilient peace operations.

Planning for future missions, in particular in a crisis context, must balance operational aspects with political imperatives, relying on a robust assessment of risk. An OSCE-wide programme criticality framework is needed to weigh security risks against what is operationally feasible. Such a framework would have to be applied in a context specific manner, including in situations of high political pressure to conduct activities in high-risk environments. Expecting the unexpected is easier said than done, but by standardizing procedures, future missions will be better equipped for all eventualities.

Therefore, key lessons from the SMM's experience should be used to update existing SOPs and to develop new ones – for example, on the use of monitoring and surveillance technologies and the information they gather. Also relevant to future missions could be reporting and information-sharing protocols, among others.

Resilience should also be strengthened through further dedicated capacity building, including related to conflict analysis, situational awareness and early warning, mission forward planning, strategic reviews, safety and security, and monitoring human rights and fundamental freedoms in crisis situations.

The role of the CPC and the wider Secretariat are crucial in supporting field operations, including in preserving institutional memory, in identifying lessons, and in developing crisis response guidance from the lessons learned. The SMM has grown exponentially over the years, while the Secretariat has not. To ensure that future peace operations, in particular complex ones like the SMM, receive robust and dedicated assistance, the Secretariat's capacities to provide operational, technical, and policy support must be further strengthened. Much work has been done since the adoption of Decision No. 3/11, and with sufficient resources, much more can be achieved.

That being said, there are clear constraints as to what a civilian peace operation can achieve in the context of armed conflict. Accordingly, any civilian crisis response actions must be undertaken with a sober assessment of both capacities and limitations. Key questions will have to be addressed case by case, including those related to acceptable levels of risk, duty of care, and the shared responsibility of all actors involved. These issues are broader than the OSCE Chair, field operations or the Secretariat, and must be addressed with participating States. The SMM's experience can be used to foster such exchanges toward creating more resilient peace operations for the benefit of all.

Acronyms and Abbreviations

CiO	OSCE Chairperson-in-Office
CPC	OSCE Conflict Prevention Centre
DCM	Deputy Chief Monitor
EECP(s)	Entry-Exit Checkpoint(s)
IDP(s)	Internally Displaced Person(s)
JCCC	Joint Centre for Control and Co-ordination
MC	Ministerial Council
MFA	Ministry of Foreign Affairs
MH17	Malaysia Airlines flight 17
MoU	Memorandum of Understanding
PC	Permanent Council
PCU	OSCE Project Co-ordinator in Ukraine
SMM	OSCE Special Monitoring Mission to Ukraine
SOP(s)	Standard Operating Procedure(s)
TCG	Trilateral Contact Group
UAV(s)	Unmanned Aerial Vehicle(s)
UNHCR	United Nations High Commissioner for Refugees
UNSCR	United Nations Security Council resolution
WGSi	Working Group on Security Issues

ANNEXES

Timeline 2014

21 FEBRUARY

President Yanukovich is voted out of office by Parliament; new government is formed



24 FEBRUARY

OSCE Chairperson-in-Office Burkhalter addresses UN Security Council on crisis in and around Ukraine

3 MARCH

Ukraine requests the deployment of an OSCE mission

5 – 20 MARCH

30 OSCE participating States send 56 unarmed military personnel to Ukraine, following its request under Chapter III of the Vienna Document 2011, to help dispel concerns about unusual military activities

6 MARCH – 17 APRIL

At the request of Ukraine, OSCE/ODIHR and HCNM conduct independent missions to assess compliance of the human and minority rights situations with OSCE commitments and international standards⁸⁰



14 APRIL

OSCE CiO appoints Ambassador Ertuğrul Apakan of Turkey as SMM Chief Monitor; SMM publishes first daily report

21 APRIL – 3 MAY

German-led inspection team visits Ukraine under Chapter X of the Vienna Document and is detained for one week in Sloviansk, eastern Ukraine; SMM helps to negotiate the inspectors' release

17 APRIL

Ukraine, Russia, EU and US agree joint Geneva statement; SMM is asked to assist in immediate de-escalation measures

2014

January

February

March

April

May

21 MARCH

OSCE Permanent Council decides to deploy the SMM to Ukraine; first responders arrive within 24 hours



20 MARCH

OSCE launches national dialogue project, deploying 15 international experts to Ukraine to identify ways to help build confidence between different parts of Ukrainian society

6 APRIL

Protesters seize administration buildings in eastern Ukraine

MAY

Violence escalates in eastern Ukraine

14 – 21 MAY

Ukraine holds national dialogue talks in Kyiv, Kharkiv and Mykolaiv, supported by CiO Representative, Ambassador Wolfgang Ischinger of Germany

26 AND 29 MAY

Non-state armed groups abduct two SMM patrols from the Donetsk and Luhansk monitoring teams, before releasing them approximately one month later



6 JUNE

France, Germany, Russia and Ukraine hold talks within the Normandy format; agree to establish TCG to facilitate a diplomatic resolution to the conflict

25 MAY

Election Day is observed by OSCE/ODIHR and the Parliamentary Assembly; Petro Poroshenko is elected President of Ukraine



17 JULY

Malaysia Airlines flight 17 is shot down over eastern Ukraine, killing all 298 people on board; SMM monitors and reports on activities at the crash site, facilitating access to it and repatriating remains



24 JULY

OSCE Permanent Council decides to deploy OSCE observers to the two Russian border checkpoints of Donetsk and Gukovo, on the invitation of the Russian Federation⁸¹

20 JUNE

Ukrainian President Poroshenko tables 15-point peace plan to de-escalate tensions, which form part of the later Minsk agreements

8 JUNE

CiO appoints Ambassador Heidi Tagliavini of Switzerland as Special Representative in Ukraine and in the TCG



23 OCTOBER

SMM begins long-range UAV operations

19 SEPTEMBER

TCG signs Memorandum in Minsk; SMM deploys monitors within 24 hours to the zone of cessation of use of weapons

26 SEPTEMBER

Joint Centre for Control and Co-ordination (JCCC) is established, consisting of Russian and Ukrainian military officers

5 SEPTEMBER

TCG signs Protocol in Minsk specifying, *inter alia*, the OSCE's role to monitor a ceasefire regime

June

July

August

September

October

November

December



Timeline 2015 – 2019

← 2015

12 FEBRUARY

TCG signs Package of Measures on implementation of the Minsk agreements

17 FEBRUARY

UN Security Council endorses Package of Measures

22 JUNE

CiO appoints Ambassador Martin Sajdik of Austria as Special Representative in Ukraine and in the TCG



6 MAY

TCG holds inaugural working groups meetings on security, political, humanitarian, and economic and social issues; SMM Chief Monitor is appointed Co-ordinator of the Working Group on Security Issues

12 MARCH

OSCE Permanent Council decides to expand the SMM up to 1,000 monitors and to extend its mandate from six months to one year⁸²

29 SEPTEMBER

TCG signs Addendum to the Package of Measures in Minsk, providing framework for withdrawal of heavy weapons

3 MARCH

TCG agrees decisions on mine action and on full cessation of live-fire exercises

21 SEPTEMBER

TCG agrees framework decision on disengagement of forces and hardware from three pilot disengagement areas – Zolote, Petrivske, and Stanytsia Luhanska; SMM begins monitoring disengagement areas the following day



APRIL

SMM monitors conduct mirror patrols for 15 days, facilitating repairs to the Shchastia power plant north of Luhansk city



2017

FEBRUARY

SMM facilitates repairs to electricity lines supplying the Donetsk Water Filtration Station and Avdiivka Coke and Chemical Plant

23 APRIL

SMM armoured vehicle is caught in an explosion in a non-government-controlled area of Ukraine, killing SMM paramedic Joseph Stone and injuring two other SMM monitors

JULY

SMM and JCCC work with demining teams to enable repairs to high voltage lines between Mykhailivka and Almanza in non-government-controlled areas; repairs improve electricity supplies for over 150,000 people



19 DECEMBER

Russian contingent leaves the JCCC

2018

APRIL

Chief Monitor authorizes SMM security framework and SOPs on patrolling and security risk assessment, developed in response to tragic incident of 23 April 2017

2019

21 APRIL

Volodymyr Zelenskyy is elected President of Ukraine

20 NOVEMBER

Refurbished Stanytsia Luhanska pedestrian bridge is opened, easing the lives of thousands of civilians needing to cross the contact line



17 JULY

TCG agrees on the repair of the Stanytsia Luhanska pedestrian bridge; SMM's facilitation leads to significant infrastructure improvements in support of the local population



31 DECEMBER

In 2019, SMM facilitates and monitors 1,441 local ceasefires for 112 civilian infrastructure repairs to provide water, electricity, gas and mobile communication to more than five million people

Notes

1. Organization for Security and Co-operation in Europe, Permanent Council, Decision No. 1117, "Deployment of an OSCE Special Monitoring Mission to Ukraine", PC.DEC/1117, 21 March 2014, <https://www.osce.org/pc/116747>.
2. United Nations, Panel on United Nations Peace Operations, Report of the Panel on United Nations Peace Operations, A/55/305-S/2000/809 (21 August 2000), <https://www.un.org/ruleoflaw/files/brahimi%20report%20peacekeeping.pdf>.
3. An internal CPC paper exploring options for OSCE engagement proposed, among other options, to establish "a formal fact-finding mission under the Helsinki 1992 Documents, a dedicated long-term Mission or a Special Rapporteur mission".
4. Heidi Grau, "The 2014 Swiss OSCE Chairmanship: Between 'Routine' and 'Crisis'", Institute for Peace Research and Security Policy at the University of Hamburg / IFSH (ed.), *OSCE Yearbook 2014*, Nomos 2015, 28.
5. Thomas Greminger, "Wie die OSZE-Beobachtermission in der Ukraine zustande kam", *Swiss Peace Supporter*, vol. 2, 2014, 25.
6. Interpretative statements annexed to PC Decision No. 1117 allowed concerned participating States to articulate their views and positions.
7. See, e.g., Conference for Security and Co-operation in Europe, "Helsinki Document 1992, The Challenges of Change", 9–10 July 1992, <https://www.osce.org/mc/39530>.
8. Interview conducted by the project reference group on 16 April 2020.
9. Claus Neukirch, "The Special Monitoring Mission to Ukraine: Operational Challenges and New Horizons", Institute for Peace Research and Security Policy at the University of Hamburg / IFSH (ed.), *OSCE Yearbook 2014*, Nomos 2015, 185–86.
10. Interview conducted by the project reference group on 31 March 2020.
11. Interview conducted by the project reference group on 5 May 2020.
12. OSCE/SMM, "SMM Human Dimension Strategic Framework", 18 April 2017 (non-public).
13. Swiss Chairperson-in-Office, Letter of Appointment (CIO.GAL/31/14, 26 February 2014, OSCE+).
14. Press release of the German Foreign Ministry, "Agreement on the solution of the crisis in Ukraine", 21 February 2014, <https://www.auswaertiges-amt.de/en/newsroom/news/140221-ukr/260128>.
15. Ministry of Foreign Affairs of Ukraine (website), "Geneva Statement of 17 April 2014", 18 April 2014, <https://mfa.gov.ua/en/news/1050-zhe-nevskyka-zajava-vid-17-kvitnya-2014-roku>.
16. Concept Note on the Expansion of Special Monitoring Mission to Ukraine in light of the Geneva Statement on Ukraine, 22 April 2014 (CIO.GAL/64/14, 23 April 2014, OSCE+).
17. Didier Burkhalter, "A Roadmap for concrete steps forward: The OSCE as an inclusive platform and impartial actor for stability in Ukraine", Speech at the Foreign Affairs Council of the European Union, Brussels, 12 May 2014 (CIO.GAL/78/14), <http://www.osce.org/cio/118509>.
18. "Swiss Chairperson-in-Office receives positive responses to OSCE Roadmap, says implementation is well underway", News and Press Releases, OSCE, 12 May 2014, <https://www.osce.org/cio/118479>.
19. Interview conducted by the project reference group on 23 April 2020.
20. Interview conducted by the project reference group on 15 May 2020.
21. See Mateja Steinbrück Platise, Carolyn Moser and Anne Peters (eds.), *The Legal Framework of the OSCE*, Cambridge University Press, 2019.
22. UN Security Council, Resolution 2166, Deploring the downing of Flight MH17, S/RES/2166, (21 July 2014), https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2166.pdf.
23. Executive Summary of the Report of the Independent Forensic Investigation in relation to the Incident affecting an OSCE Special Monitoring Mission to Ukraine (SMM) Patrol on 23 April 2017, Resources, OSCE, 7 September 2017, <http://www.osce.org/home/338361>.
24. Adopted at the 49th Plenary Meeting of the Special Committee of the CSCE Forum for Security Co-operation in Vienna on 25 November 1993, <https://www.osce.org/fsc/41316>.
25. Neukirch, "SMM Operational Challenges", 190.
26. The full list of those aboard flight MH17 includes nationals from Australia, Belgium, Canada, Germany, Indonesia, Malaysia, the Netherlands, New Zealand, the Philippines and the United Kingdom.
27. UN Security Council, Resolution 2166, Deploring the downing of Flight MH17, S/RES/2166, (21 July 2014), https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2166.pdf: "Expressing serious concern that armed groups in Ukraine have impeded immediate, safe, secure and unrestricted access to the crash site and the surrounding area for the appropriate investigating authorities, the Organization for Security and Co-operation in Europe (OSCE) Special Monitoring Mission in Ukraine, and representatives of other relevant international organizations assisting the investigation in accordance with ICAO and other established procedures ..."
28. Peaceful plan of the President of Ukraine on the settlement of the situation in eastern regions of Ukraine, Press Office of the President of Ukraine, 20 June 2014, <https://web.archive.org/web/20140622072027/http://www.president.gov.ua/en/news/30566.html>.
29. "Joint Declaration by the Foreign Ministers of Ukraine, Russia, France and Germany", 2 July 2014, <https://www.auswaertiges-amt.de/de/newsroom/-/263460>.
30. Protocol on the results of consultations of the Trilateral Contact Group with respect to the joint steps directed toward the implementation of the Peace Plan of the President of Ukraine, P. Poroshenko, and the initiatives of the President of Russia, V. Putin, 5 September 2014, <https://www.osce.org/home/123257>.
31. Memorandum on implementation of the provisions of the Protocol on the results of consultations of the Trilateral Contact Group, concerning steps aimed at implementation of the Peace Plan of the President of Ukraine, P. Poroshenko, and the initiatives of the President of Russia, V. Putin, Resources, OSCE, 19 September 2014, <https://www.osce.org/home/123806>.
32. "Package of Measures for the Implementation of the Minsk Agreements", Resources, OSCE, 12 February 2015, <https://www.osce.org/cio/140156>.
33. UN Security Council, Resolution 2202, Endorsing the Package of Measures, S/RES/2202, (17 February 2015), https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2202.pdf.
34. Interview conducted by the project reference group on 28 September 2020.
35. Ibid.
36. Ibid.
37. Addendum to the Package of Measures for the implementation of the Minsk agreements from 12 February 2015 in part concerning the withdrawal of tanks and artillery pieces with calibre up to 100 mm and mortars with calibre up to 120 mm (inclusive) (29 September 2015) (non-public).
38. "Chief Monitor of OSCE Mission to Ukraine welcomes decisions on mine action and prohibition of live-fire exercises by Trilateral Contact Group", News and Press Releases, OSCE, 3 March 2016, <https://www.osce.org/ukraine-smm/225566>.
39. "Framework Decision of the Trilateral Contact Group relating to disengagement of forces and hardware", Resources, OSCE, 21 September 2016, <https://www.osce.org/cio/266266>.
40. Interview conducted by the project reference group on 14 January 2020.
41. Disagreements over the sequencing of the implementation of these measures has contributed to the "Minsk conundrum". Cf. Duncan Allan, *The Minsk Conundrum: Western Policy and Russia's War in Eastern Ukraine* (London: Chatham House, May 2020).
42. Interview conducted by the project reference group on 28 September 2020.
43. Interview conducted by the project reference group on 11 November 2019.

44. Interview conducted by the project reference group on 3 June 2020.
45. Interview conducted by the project reference group on 15 May 2020.
46. Interview conducted by the project reference group on 23 April 2020.
47. Interview conducted by the project reference group on 3 June 2020.
48. Ibid. To a large extent, this happened through the relations built with interlocutors in the SMM's early days. Such relations were honed, for example, when the SMM facilitated the repatriation of the remains from flight MH17 out of the conflict zone or when negotiating the release of the abducted monitors.
49. Switzerland and Serbia put forward their candidacy for consecutive OSCE chairmanships in 2011, with the agreement that Serbia would receive support from Switzerland. This support became more important when the crisis in and around Ukraine emerged in 2014. The third Troika member, Germany, as a member of the Normandy format, was also strongly engaged in matters relating to Ukraine.
50. For more information, see OSCE press release, "OSCE Troika meets at Ministerial Council in Belgrade, calls for further measures to strengthen ceasefire in Ukraine", News and Press Releases, OSCE, 3 December 2015, <https://www.osce.org/cio/206396>.
51. Interview conducted by the project reference group on 5 May 2020.
52. Concept Note on Proposed Enhanced Monitoring of Areas of the Ukrainian-Russian State Border by the OSCE Special Monitoring Mission to Ukraine, 6 September 2016 (CIO.GAL/153/16, RESTR.).
53. Interview conducted by the project reference group on 5 May 2020.
54. The Geneva statement had already opened possibilities for a potential increase of monitors beyond 100, but the abduction of SMM monitors in June of that year led to a temporary halt in recruitment. Concept Note on the Expansion of Special Monitoring Mission to Ukraine in light of the Geneva Statement on Ukraine, 22 April 2014 (CIO.GAL/64/14, 23 April 2014, OSCE+).
55. Organization for Security and Co-operation in Europe, Permanent Council, Decision No. 1162, "Extension of the Mandate of the OSCE Special Monitoring Mission to Ukraine", PC.DEC/1162, 12 March 2015, <https://www.osce.org/files/f/documents/3/b/144996.pdf>.
56. See, e.g., the OSCE Story "Forward Patrol Bases: Two Years on the Contact Line", Stories, OSCE, 26 September 2017, <https://www.osce.org/stories/forward-patrol-bases-two-years-on-the-contact-line>.
57. OSCE, SMM Thematic report, "Gender Dimensions of SMM Monitoring" (OSCE SMM, December 2018), https://www.osce.org/files/Gender%20En_0.pdf.
58. See OSCE, SMM Spot Report, 4 September 2014, issued on 5 September 2014, <https://www.osce.org/ukraine-smm/123254>.
59. See OSCE, SMM Daily Report, 2 October 2014, issued on 3 October 2014, <https://www.osce.org/ukraine-smm/125107>.
60. See OSCE, SMM Daily Report, 11 August 2016, issued on 12 August 2016, <https://www.osce.org/ukraine-smm/259316>.
61. See, generally, Thematic Reports from the Special Monitoring Mission to Ukraine, <https://www.osce.org/special-monitoring-mission-to-ukraine/156571>.
62. OSCE, SMM Thematic report, "The Impact of Mines, Unexploded Ordnance and Other Explosive Objects on Civilians in the Donetsk and Luhansk Regions of Eastern Ukraine" (OSCE SMM, December 2019), https://www.osce.org/files/f/documents/8/8/441170_1.pdf.
63. Marcel Peško, "The OSCE's Engagement in Response to the Crisis in Ukraine: Meeting New Challenges with New Solutions", Institute for Peace Research and Security Policy at the University of Hamburg / IFSH (ed.), *OSCE Yearbook 2016*, Nomos 2017, 23.
64. "From the moment of adoption of this memorandum, prohibition of flights by military aircraft and foreign unmanned aerial vehicles (UAVs), with the exception of UAVs used by the monitoring (Observer) OSCE mission, along the whole line of contact of the sides in the zone of the cessation of the use of weapons at least 30km in width."
65. It took the United Nations years to be able to procure UAVs deployment in peacekeeping missions. See Walter Dorn, *Keeping watch: Monitoring, technology and innovation in UN peace operations*, (United Nations University Press, 2011), <https://collections.unu.edu/eserv/UNU:2526/ebinary9789280811988.pdf>
66. Peško, "OSCE's Engagement", 30.
67. The Memorandum signed on 19 September 2014 also makes reference to UAVs to monitor the safety zone.
68. For more information, see OSCE press release, "OSCE Special Monitoring Mission to Ukraine successfully completes the first flight of its Unarmed/Unmanned Aerial Vehicles", News and Press Releases, OSCE, 23 October 2014, <https://www.osce.org/ukraine-smm/125813>.
69. Cono Giardullo, Walter Dorn, and Danielle Stodilka, "Technological Innovation in the OSCE: The Special Monitoring Mission in Ukraine", Institute for Peace Research and Security Policy at the University of Hamburg / IFSH (ed.), *OSCE Yearbook 2019*, Nomos 2020, 129.
70. Peško, "OSCE's Engagement", 31.
71. Ambassador Stefano Toscano, "Interviews With HMA Directors: Ambassador Stefano Toscano", *Journal of Conventional Weapons Destruction* 23 no. 1 (April 2019): 2. <https://commons.lib.jmu.edu/cgi/viewcontent.cgi?article=2848&context=cisr-journal>.
72. OSCE, "Special Monitoring Mission to Ukraine", PC.DEC/1117.
73. See A. de Guttry, M Frulli, E. Greppi, C. Macchi (eds.), *The Duty of Care of International Organizations Towards Their Civilian Personnel: Legal Obligations and Implementation Challenges*, TMC Asser Press, 2018, including the chapter by D. Russo, "Implementation of the Duty of Care by the OSCE," 265–92.
74. Organization for Security and Co-operation in Europe, Permanent Council, "Declaration of Support for the Special Monitoring Mission to Ukraine Following the Tragic Incident That Occurred on 23 April 2017", PC.DOC/1/17, 27 April 2017, <https://www.osce.org/files/f/documents/f/1/315006.pdf>.
75. Interview conducted by the project reference group on 17 August 2020.
76. Walter Kemp, "Civilians in a War Zone: The OSCE in Eastern Ukraine", Institute for Peace Research and Security Policy at the University of Hamburg / IFSH (ed.), *OSCE Yearbook 2017*, Nomos 2018, 120-21.
77. This specialized training was designed in cooperation with the Secretariat and ODIHR and addressed potential human rights violation situations in conflict contexts.
78. Based on the OSCE-UNHCR Protection Checklist, "Addressing Displacement and Protection of Displaced Populations and Affected Communities along the Conflict Cycle: a Collaborative Approach", Resources, OSCE, 18 February 2018, <https://www.osce.org/secretariat/111464>.
79. The Women, Peace and Security Agenda refers to ten United Nations Security Council resolutions adopted since 2000: UNSCRs 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2010), 1960 (2011), 2106 (2013), 2122 (2013), 2242 (2015), 2467 (2019), and 2493 (2019). It covers four thematic pillars: participation, protection, prevention, and relief and recovery.
80. See ODIHR/HCNM report, "Ukraine, Human Rights Assessment Mission: Report on the Human Rights and Minority Rights Situation, March-April 2014", Resources, OSCE, 12 May 2014, <https://www.osce.org/odhr/118476>.
81. Organization for Security and Co-operation in Europe, Permanent Council, Decision No. 1130, "Deployment of OSCE Observers to two Russian Checkpoints on the Russian-Ukrainian Border", PC.DEC/1130, 24 July 2014, <https://www.osce.org/pc/121826>.
82. Organization for Security and Co-operation in Europe, Permanent Council, Decision No. 1162, "Extension of the Mandate of the OSCE Special Monitoring Mission to Ukraine", PC.DEC/1162, 12 March 2015, <https://www.osce.org/pc/144996>.

Published by
OSCE Conflict Prevention Centre
Wallnerstr. 6, 1010 Vienna, Austria
Tel: + 43 1 51436 6664
Fax: + 43 1 51436 6299
email: cpc@osce.org

© 2021 OSCE Conflict Prevention Centre

This document is issued for general distribution by the OSCE Conflict Prevention Centre. All rights reserved. The contents of this publication may be freely used for educational and other non-commercial purposes, provided that any such reproduction is accompanied by an acknowledgement of the OSCE as the source.

The views, findings, interpretations and conclusions expressed do not represent the official position of the OSCE and/or its participating States. To the extent permitted by law, the OSCE does not accept any liability in connection with the use of information contained in this publication.

Maps are provided for illustrative purposes only. Their content is not warranted to be error-free, and they do not imply endorsement or acceptance by the OSCE.

Map sources: Administrative boundaries – OCHA; Roads, rivers – OpenStreetMap; Sea – VLIZ (2005); Sea areas – IHO; Other – OSCE.
Co-ordinate system: WGS84 UTM Zone 37N

Photos: OSCE, Shutterstock, Alamy

The Organization for Security and Co-operation in Europe (OSCE) is a pan-European security body whose 57 participating States span the geographical area from Vancouver to Vladivostok. Recognized as a regional arrangement under Chapter VIII of the United Nations Charter, the OSCE is a primary instrument for early warning, conflict prevention, crisis management and post-conflict rehabilitation in its area. Its approach to security is unique in being both comprehensive and co-operative: comprehensive in that it deals with three dimensions of security – the human, the politico-military and the economic/environmental. It therefore addresses a wide range of security-related concerns, including human rights, arms control, confidence- and security-building measures, national minorities, democratization, policing strategies, counter-terrorism and economic and environmental activities.

PARTICIPATING STATES: Albania | Andorra | Armenia | Austria | Azerbaijan | Belarus | Belgium | Bosnia and Herzegovina | Bulgaria | Canada | Croatia | Cyprus | Czech Republic | Denmark | Estonia | Finland | France | Georgia | Germany | Greece | Holy See | Hungary | Iceland | Ireland | Italy | Kazakhstan | Kyrgyzstan | Latvia | Liechtenstein | Lithuania | Luxembourg | the former Yugoslav Republic of Macedonia | Malta | Moldova | Monaco | Mongolia | Montenegro | Netherlands | Norway | Poland | Portugal | Romania | Russian Federation | San Marino | Serbia | Slovakia | Slovenia | Spain | Sweden | Switzerland | Tajikistan | Turkey | Turkmenistan | Ukraine | United Kingdom | United States of America | Uzbekistan

ASIAN PARTNERS FOR CO-OPERATION : Afghanistan | Australia | Japan | Republic of Korea | Thailand
MEDITERRANEAN PARTNERS FOR CO-OPERATION: Algeria | Egypt | Israel | Jordan | Morocco | Tunisia

