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A Stronger OSCE for a Secure Europe
**Further Strengthening OSCE Capabilities and Capacities across the
Conflict Cycle**
**Report by the German OSCE Chairmanship 2016 to the Ministerial
Council**

I) The Need for Civilian Crisis Engagement in Turbulent Times: A Structured Dialogue on the Conflict Cycle

As a civilian, inclusive and values-based organisation, the OSCE plays a key role in civilian crisis engagement in Europe. Its capabilities were much needed during the German Chairmanship in 2016, which once again proved to be a turbulent year on the international stage. The Chairmanship was actively involved in international efforts within established formats to find solutions to regional conflicts in the OSCE area. Throughout the year, OSCE Chairperson-in-Office, Foreign Minister Frank-Walter Steinmeier, was personally involved in these efforts and also travelled to conflict regions. He visited Ukraine twice in 2016, including a visit to eastern Ukraine jointly with his French counterpart, and also held substantive talks in Armenia, Azerbaijan, Georgia, Moldova and other countries.

The volatility of some of these conflicts underlined that it is vital to tackle challenges in all phases of the conflict cycle in order to foster sustainable security in Europe through effective measures in the fields of early warning, early action, dialogue facilitation, mediation support and post-conflict rehabilitation. The rapid establishment and operation of the OSCE Special Monitoring Mission to Ukraine (SMM) highlighted the OSCE's crucial role in this regard and, at the same time, demonstrated the need for a "lessons learned" process. Impetus for this process came from the interim report by the OSCE Panel of Eminent Persons published in June 2015.

Building on this work and with a view to further strengthening the OSCE's capabilities across the entire conflict cycle and, in particular, to further enabling it to fulfil its role in civilian crisis management as a regional organisation under Chapter VIII of the UN Charter, the

German OSCE Chairmanship conducted a structured dialogue with participating States throughout the year.

Four roundtable discussions on mediation, dialogue facilitation and mediation support, early warning and early action, OSCE responses to complex crisis and strategies for sustainable peace, which were co-organised with the OSCE Secretariat, were complemented by an internal workshop to discuss practical questions at expert level and an Ambassadorial Retreat. In addition, various other events throughout the year provided forums for exchange on relevant issues related to the conflict cycle. These included:

- A high-level side event, The Force of Civilian Crisis Management – Strengthening the Capacities of the OSCE as a Chapter VIII Organisation, on the margins of the 71st UN General Assembly
- The OSCE Annual Security Review Conference
- The Informal Working Group on Strengthening the Legal Framework of the OSCE
- The two Chairmanship Conferences on the OSCE as a Mediator and on Combating Violence against Women in the OSCE Region
- The conference, A Case for Inclusive Peace and Security: How to Accelerate the Implementation of UNSCR 1325?, organised by the Federal Foreign Office and the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth.

The Chairmanship Food-for-Thought Paper on Further Strengthening OSCE Capabilities and Capacities across the Conflict Cycle provided a basis for discussion at the Ambassadorial Retreat and was based on suggestions and ideas voiced during these meetings. It also took into account the debates and results of work done in earlier years and proposed steps on the strategic and operational level to further strengthen OSCE capabilities and capacities across the conflict cycle with a particular focus on ensuring the Organization's ability to respond quickly and effectively to complex crises.

Based on this paper and subsequent discussions, the German OSCE Chairmanship conducted consultations on a Ministerial Document on further strengthening OSCE capabilities and capacities across the conflict cycle and worked with the OSCE Secretariat on concrete steps in this regard.

This report sums up the conclusions of this work and suggests further steps, taking into account measures that have been initiated by the German Chairmanship in 2016:

- OSCE co-operation with UN by establishing the post of a liaison officer in Vienna should be deepened;
- The OSCE's planning capacity and ability to deal with new technologies such as the use of UAVs should be further strengthened. The temporary secondment of an additional operational planner by Germany in 2016 and the work done by the Conflict Prevention Centre in developing a flexible mechanism for the establishment of a temporary in-house planning capacity provide a good basis in this respect.

- The work initiated under the German Chairmanship on creating a set of OSCE Standard Operating Procedures and developing a regulation for fast-tracking of administrative procedures in crisis situations should be continued.
- The issue of legal personality needs to be addressed with a view to overcoming the operational impediments for rapid deployment.
- OSCE mediation capacities should be further strengthened.

II) Chairmanship Conclusions: A Stronger OSCE for a Secure Europe

Building on Ministerial Council Decision 3/11

Five years after the adoption of Ministerial Council Decision No. 3/11 in Vilnius on elements of the conflict cycle – and mindful of the lessons learned from the OSCE’s response to the crisis in and around Ukraine – concrete steps are needed to **adapt the Organization** to the new and potential future challenges of multidimensional and complex conflict situations. For example, the OSCE needs to improve its ability to operate in volatile environments and at the same time to provide adequate safety and security for its staff. It also needs the capability to operate complex surveillance and other technologies for monitoring, verification and early warning.

At the same time, the decisions, principles, commitments and expectations contained in **Ministerial Council Decision No. 3/11** on elements of the conflict cycle and in the OSCE and UN documents referred to in this Decision remain fully valid and the important work done in implementing the Decision needs to continue in order to ensure its **ongoing comprehensive implementation**.

The Rationale of the OSCE: Conflict Prevention and Conflict Resolution

The ultimate goal of OSCE activities across the entire conflict cycle remains to **prevent the outbreak of violent conflicts** and to work towards **lasting solutions to existing conflicts** in the OSCE area in a peaceful and negotiated manner, within agreed formats, the equal application of agreed principles, and in full observance of the UN Charter, the Helsinki Final Act and international law. While the OSCE constantly offers instruments and formats for conflict resolution, their use depends exclusively on the political willingness of the participating States.

Making the Best Use of Existing Tools: Field Operations, Institutions, Secretariat and OSCE Parliamentary Assembly

With the Secretariat and its dedicated units, its network of field operations, the Personal and Special Representatives of the Chairmanship, the High Commissioner on National Minorities, the Office for Democratic Institutions and Human Rights, and the Representative on Freedom of the Media the OSCE, has at its disposal a wide array of **tools** for providing multidimensional responses to tensions and conflicts in the OSCE area from early warning and conflict prevention to crisis management and post-conflict rehabilitation. The OSCE Parliamentary Assembly’s contribution to mediation and effective response to crisis and conflicts should also be recognised and OSCE executive structures should be encouraged to make the best use of the OSCE’s parliamentary dimension when addressing the conflict cycle.

Further Developing Early Warning

Over the past years, the OSCE has developed a solid system for collecting, collating, analysing and communicating **early warning** signals and has made considerable progress towards developing a corporate early warning culture. However, discussions have shown that

the available mandates, tools and processes are not always fully used and that gaps continue to exist, particularly in areas without a permanent OSCE field presence. OSCE executive structures should be encouraged and given support to take full advantage of their respective early warning mandates and to provide the Chairmanship and – as appropriate – participating States including at the Permanent Council with timely information on emerging crises and conflicts affecting the OSCE area. Moreover, the Secretary General could make proposals on how to further improve analytical capabilities for early warning-related purposes, in particular with regard to areas where the OSCE does not have a field presence.

In line with Ministerial Council Decisions No. 18/06 and No. 3/11 contributing to the debates on relevant agenda items, including the review of current issues, and participating in such debates by, inter alia, providing background information, analysis and advice, and bringing to the attention of the Permanent Council any situation involving emerging tensions and conflicts in the OSCE area, the German OSCE Chairmanship invited the **Secretary General to report to the Permanent Council** under a separate agenda item before current issues on any pressing issue he would like to bring to the attention of the participating States. The Secretary General made use of this standing invitation for the first time on 17 November 2016.

Further Strengthening Mediation

The need to strengthen the role of **mediation** in the peaceful settlement of disputes, conflict prevention and resolution, as well as the important role of regional organisations in the field of mediation, has been expressed inter alia by the UN General Assembly in Resolutions 68/303 of 31 July 2014 and 70/304 of 9 September 2016. The appointment of the OSCE Parliamentary Assembly's first Special Representative on Mediation is to be welcomed. The OSCE should continue the valuable work done in this respect over the past years.

Apart from further strengthening its own structures for mediation and dialogue facilitation across the entire Organization, the OSCE should also support the development of local and national capacities for mediation and dialogue facilitation.

Like Switzerland and Serbia in 2014/2015, Germany and Austria have agreed to the consecutive appointment of OSCE Special/Personal Representatives of the OSCE Chairperson-in-Office. Future Chairmanships should be encouraged to consider such consecutive appointments in order to provide these representatives with a multi-year mandate.

Increasing Confidence-building and Reconciliation

Confidence-building measures applied in all phases of the conflict cycle and across the three dimensions, as well as future-oriented **reconciliation** processes aimed at overcoming divisive memories and feelings of hatred in order to reduce tensions, prevent the recurrence of new conflicts and rebuild trust are important in preventing the (renewed) outbreak of violence and in achieving just and sustainable peace. The OSCE is able to play a useful role in supporting such processes within existing mandates when societies need and want external facilitation.

Building on the OSCE's civilian and comprehensive approach

Without prejudice to provisions on **peacekeeping** contained in the Helsinki 1992 Document, The Challenges of Change, and the mandate of the High-Level Planning Group, the OSCE's strength lies in its civilian and comprehensive approach, demonstrated not least by its current engagement in the crisis in and around Ukraine.

Addressing the Issue of Legal Personality

The practical limitations to effective conflict prevention and crisis management stemming from the lack of a **legal personality** need to be further addressed, in particular with regard to their implications for operational developments, i.e. UAVs etc. This could be achieved inter alia by taking adequate national measures and continuing the dialogue on strengthening the OSCE's legal framework.

Establishing an Effective Crisis-funding Mechanism

Discussions this year reconfirmed that readily available funds are needed to deploy fact-finding and/or needs-assessment teams or otherwise provide a rapid response to emerging crises or conflicts. To this end, the German OSCE Chairmanship has tabled a draft Permanent Council Decision on establishing a **conflict-prevention fund**, which would combine the need for quickly available crisis funding with the need to respect the consensus principle.

Deliberations on this proposal should continue in a constructive manner, also taking into account that the Chairmanship otherwise needs to advance funds, something that is not foreseen in the system. Alternatively, proposals could be developed to establish a mechanism of this type based on voluntary contributions. However, preference should be given to solutions that put the costs of crisis response measures collectively on the shoulders of the 57 participating States.

Putting Staff and Equipment on the Ground

The OSCE has made good progress over the past years as regards improving its ability to deploy qualified staff and necessary equipment to the ground quickly. However, further work on improving rosters and other tools to ensure such timely deployments is still needed. The establishment of a **Crisis Roster of National Experts** and increased cooperation among participating States with a view to improving their ability to select and train experts and staff should also be further explored.

Improving Command and Control

Effective **crisis response** requires an efficient decision-making process, which in turn requires proactive and close coordination and cooperation between the Chairmanship, the Secretary General, the Conflict Prevention Centre and the respective field operation. To this end, the Conflict Prevention Centre should be authorised to provide operational guidance to field operations in line with their respective mandates and in close coordination with the Chairmanship.

Developing a Flexible Mechanism for In-house Planning Capacity

In the context of discussions in 2016 on a possible OSCE contribution to the security of local elections to be held in line with the Minsk Agreement, the Secretariat developed a flexible mechanism to allow for the establishment of a temporary OSCE Secretariat in-house **planning capacity**, making best use of the expertise available within relevant OSCE executive structures. It would be worthwhile pursuing the development of a general mechanism on this basis.

Preparing the Inclusion of Police

In the same context, the Secretariat developed a set of questions on the principal legal issues to be explored at the national level with regard to the potential deployment of **police** units (armed or unarmed) and/or individual police officers (collectively, “police”) under an OSCE mandate.

Given the past experience of integrating police into OSCE field operations and the potential use of police in other contexts, in the future it would be worthwhile studying the answers to this set of questions and developing proposals for the arrangements needed to allow the effective inclusion of police units or individual police officers in OSCE field operations. Such preparatory work, which would be without prejudice to an eventual consensus decision to deploy police, would strengthen the OSCE’s abilities to respond promptly and adequately to relevant challenges.

Adjusting Rules and Regulations to New Challenges

At the request of the German OSCE Chairmanship, the OSCE Secretariat analysed the OSCE **Common Regulatory and Management System** this year and developed concrete suggestions for changes to the Organization’s set of regulations, aimed at strengthening OSCE capabilities for responding rapidly and effectively to emerging conflicts. These suggestions include a new set of rules that would allow the OSCE to fast track early action procedures in a transparent and regulated manner. The Secretariat further developed a set of Standard Operational Procedures on crisis response actions, such as establishing fact-finding missions. This work should continue and include steps to further improve and refine available rosters and other tools and to ensure that qualified staff and equipment can be deployed quickly to the field. Putting these changes into practice will help to make the OSCE fit for purpose and further strengthen its ability to react quickly and flexibly to emerging crises and conflicts.

Building on International Cooperation

Over the past years, the OSCE has developed closer ties to the United Nations (UN), including through the establishment of joint work plans between both organisations' mediation support teams and concrete exchanges on crisis response and security procedures. Cooperation between the OSCE and the **UN, as well as other relevant international and regional organisations**, should be developed further with the aim of strengthening the OSCE's capabilities across the conflict cycle, including by enabling the Organization to draw on their expertise, staff and equipment for its activities in the fields of early warning, conflict prevention, crisis response, conflict management and post-conflict rehabilitation. In this context, the high-level side event on the margins of this year's UN General Assembly provided a forum for political dialogue on this issue. Seventeen Foreign Ministers from participating States underlined the OSCE's unique strength in the field of civilian crisis engagement at this event.

Striving for inclusivity

OSCE activities across the conflict cycle should be carried out in accordance with the principle of **inclusivity**. Chairmanships and OSCE executive structures should take into account the value of contributions by women and civil society in all phases of the conflict cycle and across conflict areas in the OSCE region as agreed by participating States directly concerned in order to enhance the prospects for preventing violent outbreaks and achieving lasting resolution of conflicts and disputes;

The Chairmanships should appoint more women as lead mediators and participating States should include more female participants in their delegations to negotiation processes and make qualified female mediators available to the OSCE.

Preventing violence against women in conflict situations

Greater efforts are also needed in the implementation in conflict situations of Ministerial Council Decisions No. 15/05 and No. 7/14 on preventing and **combating violence against women**, including during and after armed conflict.