



# Ukrainian OSCE Chairmanship in 2013: Taking stock and looking beyond

December 2013

- Ukrainian Chairmanship in the OSCE in 2013 demonstrated that the state while being able to perform serious tasks, is yet not ready for increased responsibility and proactiveness in the international arena
- Ukraine managed to secure balance between three baskets of the OSCE activities, although the political-military dimension of the Organization can be considered as more successful.
- Concentration on some issues (for example, the Transnistrian settlement) did not allow to focus on other priorities (including conflicts in the Southern Caucasus states), as well as lack of international ambitions, experience and weight – to promote ideas of the OSCE reforming, cybersecurity, disarmament, coordination of activities with other international organizations, etc.



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## INTRODUCTION

In 2013 Ukraine took the Chairmanship of the Organization for Security and Cooperation in Europe (OSCE). This could empower the country to implement its foreign policy priorities, to advance its influence and prestige in the international arena or to turn into a purely procedural role.

During this year both internal political processes inside the country and external factors, such as, among others, competition of some states over main issues of the Organization's activities, as well as current necessity to reform the OSCE structure influenced the Ukrainian Chairmanship. In addition, at the end of the year the process of European integration of Ukraine, including Eastern Partnership Summit in Vilnius, had a serious impact. Despite the call of some states to relocate Ministerial Council meeting from Kyiv to Vienna due to the recent events in Ukraine, its carrying confirmed that the participating states still perceive OSCE as a key platform for dialogue in the area from Vancouver to Vladivostok, and also have highly appreciated efforts which the Ukrainian Chairmanship made in 2013.

The aim of this policy paper is to analyze the Ukrainian OSCE Chairmanship, in particular, by comparing declared priorities and completed tasks, as well as to provide recommendations on possible continuation of these priorities implementation in the Ukrainian foreign policy. This paper consists of three integral parts according to the OSCE activities' dimensions – political-military, economic-environmental and humanitarian. Each part answers the following questions: What priorities were declared? What additional priorities had been recommended by the expert community? What was achieved? What was not achieved (in case it's possible to identify, what were the reasons)?

It is worth mentioning that apart from the priorities in three dimensions of the OSCE work, the Ukrainian Chairmanship set as its goal some organizational tasks, including

furthering the ways for mutually beneficial co-operation between the OSCE and its Asian and Mediterranean partners, as well as reinforcing OSCE's effectiveness and efficiency. Attendance of many Asian and Mediterranean states of the Ministerial Council meeting in Kyiv in December 2013 can be an evidence of success of this priority. Regarding reinforcement of the OSCE effectiveness, which, among others, included budget planning process, promotion of a dialogue on strengthening the OSCE legal framework and positive involvement and co-operation with other international organizations, it should be noted that these priorities were worked out on the procedural level within the OSCE Secretariat.

In general, it is possible to state that Ukraine has managed to secure a balanced approach to all three baskets of the OSCE. At the same time, the political-military dimension can be considered as more successful than others due to the biggest amount of the adopted documents. This situation confirmed the common approach of the participating states to the activities of this Organization, when economic-environmental dimension escapes attention of the OSCE to be considered in the framework of other international institutions. Human rights traditionally are among priorities of every chairmanship's agenda; however they have the greatest attention within the special offices of the OSCE (High Commissioner on National Minorities, Representative on Freedom of the Media and Office for Democratic Institutions and Human Rights, etc.) and are the most controversial for adopting joint statements and decisions at the annual Ministerial meeting.

General conclusions of the authors of the present paper are that the Ukrainian OSCE Chairmanship can be considered as rather successful, but such, which has not used all existing potential and entrusted to it expectations. For example, concentration on some issues (Transnistrian settlement) did not allow to focus on other priorities (conflicts on the territory of the South Caucasus states), as



well as lack of ambitions, experience and international weight disabled the Chairmanship to promote ideas of the OSCE reforms, cybersecurity, disarmament, coordination of activities with other international organizations, etc. The Ukrainian Chairmanship has demonstrated that the state is able to fulfill serious tasks, but, at the same time, is not ready for greater responsibility and initiatives in the international arena.

Starting points for the preparation of this policy paper were Priorities of the Ukrainian Chairmanship<sup>1</sup>, announced by Leonid Kozhara, Minister of Foreign Affairs, Chairman-in-Office, on the 17th of January 2013 in Vienna, and Recommendations to the priorities elaborated and presented by Ukrainian experts in Kyiv in the framework of the project “Setting Agenda of the Ukrainian Chairmanship of the OSCE in 2013”<sup>2</sup> in November 2012.

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<sup>1</sup> Priorities for Action. 2013 Ukraine’s Chairmanship of the OSCE / Ministry of Foreign Affairs of Ukraine – Online at [mfa.gov.ua/mediafiles/sites/russia/files/priorities\\_eng.doc](http://mfa.gov.ua/mediafiles/sites/russia/files/priorities_eng.doc), available 17 January 2013

<sup>2</sup> Position Paper on Agenda of the Ukrainian Chairmanship of the OSCE in 2013 / National Institute for Strategic Studies, Odessa Branch – Online at <http://od.niss.gov.ua/content/articles/files/rec-osce-eng-62cd7.pdf>, available November 2012

## POLITICAL-MILITARY DIMENSION

### What priorities did Ukrainian Chairmanship declare?

- Ensuring greater military stability, transparency and predictability, including arms control, disarmament, confidence and security building measures.
- Completing the update of 1994 OSCE Principles Governing Non-proliferation.
- Destruction of surplus stocks of small arms, light weapons and ammunition.
- Facilitating resolution of protracted conflicts. Focus on re-energizing existing negotiating formats and making use of other possibilities that are acceptable to all parties concerned, promotion of confidence-building measures and addressing of humanitarian needs on the ground.
- Addressing common threats to security such as terrorism, trafficking in drugs and human beings, cybercrime.
- In-depth discussion of the new challenges and threats that have a direct impact on the OSCE states bordering Afghanistan, because of the withdrawal of the International Security Assistance Forces in 2014.

### What additional priorities had been proposed by the expert community?

- To propose a complex of principles for establishment of the regional security regime in Eastern Europe, including coordination procedures in crisis situations, as well as confidence-building measures in this area.
- To propose and to confirm on the level of the OSCE a definition and principles of a non-block state, if possible with concrete guarantees.
- To boost coordination between the OSCE and other international organizations in conflict resolution and other crisis situations.
- To raise a question on possibility to sign a Convention on international legal



personality, legal capacity, privileges and immunities of the Organization, as well as perspectives of the OSCE Charter elaboration.

- To support initiatives, connected with the change of the peacekeeping format in Transnistria (transformation from a military to a police mission).

- To support necessity to withdraw Russian military (except peacekeepers) and rest of ammunition according to the commitments which Russia undertook at the Istanbul Summit of the OSCE in 1999.

- To initiate a launch of the standing Civil Society Forum on Transnistrian conflict settlement.

- To discuss a possibility of the EUBAM experience implementation on the Russian-Georgia and the Azerbaijan-Armenian borders under the joint auspices of the EU and the OSCE.

- To conduct a conference on the Treaty on Conventional Armed Forces, aimed to stimulate discussion in the sphere of disarmament.

- To raise a question on forming an international mechanism based on the modern European concept of the integrated border management, unified rules and principles of the border management.

#### What was achieved in 2013?

As a matter of fact, we can state that Ukraine has continued implementation of the procedural level of the main priorities of the OSCE activities in the first dimension. However, by the results of the Annual Ministerial Council Meeting, the political-military dimension can be considered as the most successful by a number of the adopted decisions and statements.

Activities on border control issues continued. For example, on the 2 December 2013 the OSCE organized conference on transnational threats and border security in Dushanbe. Also, the work on disposal of hazardous substances and small arms were continued; events on

transport and marine security were supported. On the 10th of October the conference on the fight against terrorism was held in Kyiv.

The next priority was a work towards settlement of the conflicts in the post-Soviet space. Despite some difficulties, which could be witnessed in the Transnistrian settlement at the time of the Chairmanship, Ukraine has managed to secure a steady dialogue between two parties involved in the framework of the "small steps" approach. As a result not only high-level contacts were resumed, but also concrete agreements signed, including decision on the dismantling of the industrial cable car at the towns of Rybnitsa and Rezina, Protocol decision regarding the draft joint action plan on environmental issues and sustainable use of natural resources, Protocol decision on the project of reconstruction of waste processing facilities in the cities of Dubasari and Criuleni, agreement on pensions and social assistance, as well as Protocol decision on freedom of movement. At the time of the Ministerial Council meeting in Kyiv on the 5-6 December 2013 the Ministerial Statement on the Work of the Permanent Conference on Political Issues in the Framework of the Negotiation Process for the Transdnistrian Settlement in the "5+2" Format was adopted.

Moreover, at the time of the Kyiv Ministerial Council meeting the following decisions were adopted:

- Ministerial Statement on Nagorno-

Karabakh (such a document was adopted for the first time in the history of the Organization, despite the fact that it, similar to the Transnistrian conflict Statement, is not something new or break-through, but should be seen more as a dialogue continuation between the parties and confirmation of the agreed principles of conflict settlement).

- Decision on Small Arms and Light Weapons and Stockpiles of Conventional Ammunition.

- Ministerial Declaration on the Update of the OSCE Principles Governing Non-Proliferation.



- Decision Combating Trafficking in Human Beings.

- Ministerial Declaration on Strengthening the OSCE's Efforts to Address Transnational Threats, a particularity of which is that the states considered not only traditional threats, including drugs trafficking, terrorism and border security, etc., but also conflict stemming from the use of information and communication technologies.

Most of these documents have a declarative nature, though taking into account the consensus principle of the decision-making within the OSCE and existing contradictions between the main actors of the international relations system, the very fact of the adopted statements and accent on a discussion of the certain questions is an evidence of a positive tendency and success of the chairing state.

#### What was not achieved?

Ukraine was not able to achieve a serious progress in the "Helsinki +40" process, de facto leaving this topic for the Swiss Chairmanship, despite the adoption of the Declaration on Furthering the Helsinki+40 Process at the Ministerial Council in Kyiv and respective thematic meeting at the Annual OSCE Parliamentary Assembly meeting in Istanbul in July 2013. It happened not least because of the absence of the concrete goals of the "Helsinki +40" process being set; about what, in particular, it was said in the Istanbul Declaration of the PA OSCE. The discussion is still taking place whether this process should include all three dimensions and changes in the organizational structure of the Organization or to concentrate mostly on the questions of the classical security.

At the same time conflicts on the territory of the Caucasus states got less attention than Transnistrian settlement. In particular, Nagorno-Karabakh has mostly been managed by the OSCE Minsk Group, and Georgia – in the framework of the Geneva discussions. This happened both due to the primary attention to the Transnistrian conflict, and due to the existing mechanisms in the framework of which sides are continuing discussions on conflict resolution, and unwillingness to change them.

In addition to this, the Declaration on Afghanistan failed to be adopted at the Ministerial Council, according to unofficial information because of the contradictions between some Central Asian states on certain propositions on the possible Organization's activities. However, many participants of the Kyiv Meeting in their final statements emphasized on their hope to adopt the document in the near future by a silence procedure.

The issue of the border control is still going on the level of the conducting regular trainings, seminars, etc. without elaboration of the joint principles of work and enhancing principles of the integrated border management.

Despite the announced priority, the issues of cybersecurity also didn't receive enough attention, which become a priority of the Swiss Chairmanship in 2014. One of the reasons for this can be little experience of Ukraine in such questions, thus inability of an adequate preparation of the relevant decisions.

#### ECONOMIC-ENVIRONMENTAL DIMENSION

##### What priorities did Ukrainian Chairmanship declare?

On the eve of the Ministerial Council meeting in Dublin in December 2012, Ministry of Foreign Affairs of Ukraine had clearly indicated its priority in the economic-environmental dimension of the OSCE. This priority should be an issue close to energy, but focusing on environmental protection: "Impact of the storage and transportation of the energy resources on the environment". At the same time, among the priorities of the Ukrainian OSCE Chairmanship, which were presented by Mr. Kozhara, the Chairman-in-Office, Minister of Foreign Affairs of Ukraine in January 2013, enough attention was not paid to issues of the environmental security. Environmental issues are not mentioned among other transnational threats, such as terrorism, organized crime, human beings, drugs and arms trafficking, etc. By and large the modern perceptions of the sustainable





development, according to which environmental security, protection and sustainable use of natural resources are the integral parts of stability, security and development, were not reflected in the Ukrainian OSCE Chairmanship priorities.

If to compare economic-environmental dimension of the OSCE with other dimensions, so it is possible to trace a slight decrease in interest of the international community to this issue.

As a matter of fact, the official priorities of the Chairmanship were reflected only in the following points:

- Improvement of the OSCE economic and environmental activities effectiveness, in particular, through development of institutionally strong second dimension of the OSCE, furnished with effective instruments capable of providing participating States with necessary assistance and expertise;
- Adaptation of 2003 Maastricht Strategy Document for the Economic and Environmental dimension to the evolving economic and environmental situation;
- Ways of increasing the OSCE's role in the development of existing and establishment of new trade and transport corridors;
- Conducting events on improving the environmental footprint of energy related activities in the OSCE region.

What additional priorities had been proposed by the expert community?

- To pay more attention to the environmental security and environmental rights, which can become a constructive element to overcome the credibility crisis in the OSCE, appeared due to the considerable controversy between the EU and the Russian Federation on high priorities of the Organization's work.
- To call upon Parliaments of the OSCE participating states, which have not ratified Aarhus Convention, Espoo Convention and

Protocol on Strategic Environmental Assessment to the Espoo Convention, first of all Russia and the USA, with a proposition to do so as soon as possible.

- To initiate at a session of the OSCE Parliamentary Assembly a separate resolution on strict observance of citizens' rights in the decision-making process on projecting, governmental expertise conduction, and construction of the Atomic Energy Stations.
- To develop policies and identify areas for compliance of solidarity and openness principles by the OSCE participating states when elaborating and implementing the economic policy.
- To update the Maastricht Strategy of the OSCE (2003). Among the recommendations were the propositions of:
  - Separation and paying special attention to the energy part of the Strategy, not limiting to several theses in the economic bloc;
  - Clear definitions and introducing joint propositions on shale gas extraction;
  - Legislative framework on anticorruption activities;
  - Recommendations to improve cooperation on the legislation between the OSCE participating states in the spheres of good governance, economy and environment;
  - Special attention to energy transportation and increasing security in the respective regions;
  - Use of the environmental law as a component of the different spheres of economy modernization;
  - Recommendation on atomic energy and its impact on the regional security.

What was achieved in 2013?

Ukraine in general fulfilled a procedural role in preparation and conducting the annual XXI Economic and Environmental Forum on the theme "Increasing stability and security: Improving the environmental footprint of energy



related activities in the OSCE region”, which took place 11-13 September 2013, in Prague. Ukraine conducted competent discussions in the economic-environmental dimension and during the year managed to secure compromise, not facing criticism and blocking of its positions. As for today, inside of the OSCE different states have contradicting positions in energy issues, that is why focusing on environmental issue could provide positive results and become a first step for the further cooperation. The theme was set as “Increasing stability and security: Improving the environmental footprint of energy related activities in the OSCE region”. Setting the topic at the first preparatory conference of the OSCE Economic-Environmental Forum in Vienna and second one in Kyiv in April, the main attention was paid to sustainable energy resources and new possibilities for “green” energy. If to compare it with the agenda of the XXI Forum, which took place in September in Prague, so yet one sub-theme was added - discussion on storage of energy resources.

International Conference “Energy security and sustainable development” took place under the OSCE auspices on the 17-18 of October in Ashgabat.

In addition, training of the border officers and environmental inspectors to detect radioactive materials, seminars on environmental awareness in different states were organized. In some countries attention also was paid to the current work in the sphere of green economy (Central Asia), oil spillover protection, water management (Central Asia), energy efficiency (Caucasus), and toxic burial sites (Armenia), etc.

As a positive moment one can consider enhancement of cooperation between the MFA of Ukraine and expert community, in particular, organization of discussions and elaboration of recommendations for the update of the Maastricht Strategy Document of the OSCE for the Economic and Environmental dimension, which were presented in April 2013 in Kyiv and in September 2013 in Prague. Important feature

of this document was an opinion of the Ukrainian experts not on Ukraine's implementation of its obligations, but a possibility to propose practical recommendations in the economic and environmental spheres to all 57 OSCE participating states. Moreover, in November 2013 in Vienna the Economic-Environmental Committee meeting took place. The meeting was dedicated to the discussion of the Maastricht Strategy, where keeping document in a current form was considered as more effective, and focusing attention on the thematic blocs and practical results of the adopted decisions - as necessary ones. Reporters recommended not to reject the Strategy, but to restrain to the amendments. In this sense, for our opinion, taking into consideration propositions of the civil society is important, as well as continuation of the consultations with the international expert community.

At the Ministerial Council in Kyiv on 5-6 December 2013 two documents were adopted:

- Decision on Improving the Environmental Footprint of Energy-Related Activities in the OSCE Region.
- Decision on Protection of Energy Networks from Natural and Man-Made Disasters.

#### What was not achieved?

There is an opinion among the experts' community and diplomatic corps that it is more effective to manage most of the issues of the second dimension through other international organizations, where legal responsibility of the member states exists. Though, from the practical side, the compromise in making decisions in the second dimension is seen more often, that gives a possibility every year in December at the Ministerial Council to adopt relevant decisions.

Strategic priority of the OSCE in the sphere of energy policy and alternative to the consumption of fossil energy sources is energy saving and renewable sources. Astana Declaration of the PA OSCE in 2008 calls upon the OSCE participating states to take





obligations to transform global energy in a direction of the use of the renewable energy, implementation of energy efficiency, maximum use of energy at the place of its production, implementation of the energy-saving technologies and access to energy by local communities. In Monaco Resolution of the PA OSCE in 2012 on "Promotion and Use of New and Renewable Sources of Energy", the accent was made on the fact that co-operation with private sector and civil society should play more significant role in promoting use of the renewable energy and energy saving. The Resolution stressed that peripheral areas on the perimeters of Europe, which have the greatest capacity to produce wave, wind, tidal and solar energies, organic waste, traditionally suffer from economic depression and unemployment, so need primary investments in energy saving and "green" economy. In our opinion, the Ukraine's OSCE Chairmanship was not sufficiently oriented at this direction of the OSCE energy policy and did not demonstrate positive examples of such policy inside of the country.

So, at the XXI OSCE Economic-Environmental Forum the report on the theoretical possibilities of the risks reduction from not traditional gases production, which are not renewable energy, in Europe was presented on the Ukrainian initiative by the Center for Globalistics "XXI Century". However, when at the OSCE Forum such theoretical discussions were taking place, in Ukraine, working projects of two transnational companies "Shevron" and "Shell" on unconventional gas extraction method of hydraulic fracturing in Olesky and Yuzivskiy fields have been developed.

Information on implementation of the PA OSCE Monaco Resolution on Sharing Expertise in Reclaiming Water Resources in Order to Strengthen Global Food Security during 2013, according to which it was asked to continue efforts towards improving food security by recognizing the problems of desertification, water scarcity, rural and desert livelihoods, etc. is absent.

There is no data in the official information sources about the initiative of the Ukrainian Chairmanship on fulfilling by the governments of the OSCE participating states their obligations in the sphere of the climate change

and enhancing efforts in signing legally binding post-Kyoto agreement.

Moreover, the Agreement on the cooperation between Moldova and Ukraine in the sphere of protection and sustainable development of the River Dniester basin, which had been developed under the OSCE auspices and signed by the sides in November 2012, still has not come into force.

The concept of the environmental rights is not mentioned at all in the context of the OSCE work in the sphere of human rights monitoring in 2013. Thus an actualization of ideas of environmental rights, their perception through the prism of the modern human rights concept is an important factor for mobilization citizens' and states' efforts on environmental security as an integral part of general security.

In addition, an attention was not paid to new decisions in transport infrastructure, anti-corruption initiatives, etc. that is a result of ignoring by the Ukrainian Chairmanship issues of economic cooperation in the OSCE area and absence of an adequate example inside of the chairing state on using of the anticorruption mechanisms. Concerning other issues of economic cooperation, a number of the OSCE participating states, think that there are more specialized, for their opinion, international organizations and mechanisms, than OSCE.

## HUMANITARIAN DIMENSION

### What priorities did Ukrainian Chairmanship declare?

The following priorities of the Ukrainian Chairmanship in the third basket were announced:

- Combating all forms of human trafficking;
- Free media ensuring free and fair elections;
- Promotion of tolerance and non-discrimination through human rights education for youth;



- Freedom of association and assembly;
- Protection of the rights of persons belonging to national minorities;
- Effective remedy for human rights violations;
- Freedom of movement;
- Access to quality education for Roma and Sinti;
- Gender equality;
- Inter-religious dialogue in promoting freedom of religion or belief;
- Democratic elections and election observation.

#### What additional priorities had been proposed by the expert community?

It is worth mentioning that most of the recommendations that the civil society had proposed for the third basket related to the improvement of the situation in this sphere within Ukraine. However, the expert community in addition recommended adhering to common standards, which applied in the OSCE arena, including:

- Implementation of Good Governance practices;
- Facilitation of the civil society development;
- Respect to the freedom of speech;
- Introduction in the field missions and local coordinator's offices of the OSCE a post of the expert on gender and minority rights;
- Introduction of the steady monitoring of human rights in the sphere of combating discrimination and intolerance;
- Elaboration and implementation of the pilot projects on monitoring of the situation in the states with high potential of the law-intense conflict development on ethnic and religious ground;

- Guaranteeing rights of migrants and asylum seekers, as well as cooperation between the OSCE participating states in their efforts to integrate migrants to host communities.

Among others, in the sphere of strengthening electoral process, it was recommended to integrate into electoral monitoring missions a bigger amount of observers from the states, where democracy needs to be improved. On a Ukrainian example, it was proposed to do so by elaborating a transparent mechanism of the selection of the citizens of Ukraine for a work as observers in the OSCE missions as a result of cooperation between the MFA and the OSCE Project coordinator in Ukraine.

Within the freedom of media activities it was recommended the Ukrainian Chairmanship to continue activity in directions initiated by the Irish and Lithuanian Chairmanships on security and safety of journalists, expression of freedom of opinion, including in electronic media, to facilitate implementation of the Manual on good practices of media activity, etc.

#### What was achieved in 2013?

On 10-11 June 2013 High-level OSCE Conference on trafficking human beings took place in Kyiv, where, proposed by the Ukraine's Chairmanship, Addition to the Action Plan for the fight against human trafficking was adopted. Moreover, at the Ministerial Council in Kyiv in December 2013 the Decision on Combating Trafficking in Human Beings was agreed.

Several events for youth education in the sphere of the human rights and fighting trafficking in human beings, including OSCE Youth Summit in Artek (July 2013) and special trainings for educators to teach human rights and non-discrimination to schoolchildren were conducted.

Organizational compromise was reached on renewed cooperation between the ODIHR and PA OSCE in the elections' observation sphere.

With the support of the Ukraine's Chairmanship the "Review of Electoral Legislation and



Practice in OSCE Participating States” in the OSCE area (based on the election mission reports from 1990 to 2012), was published in October 2013. This report is a solid basis for electoral legislation improvement which is necessary in the OSCE participating states according to the OSCE standard.

Conditions for the reappointment of the Representative on Freedom of the Media were created. To reach goals of this priority direction, several conferences of media freedom in the OSCE area took place, including round tables on media reforms in Kazakhstan, Hungary, Armenia, Bosnia and Herzegovina, etc., as well as 25th Medienforum “Changing Media, Changing Society” in Germany and IV Regional forum on Internet development in Central Asia organized in Kazakhstan.

Ukrainian Chairmanship in some cases was quite quick in reaction to the crisis situation in the OSCE participating states. It is worth noting Ukrainian Chairmanship participation in the settlement of the border incident between

Kyrgyzstan and Uzbekistan. Also, the Chairman-in-Office and his special representatives took part in the events on combating discrimination, preventing xenophobia and intolerance. Themes of the statements within such events were gender equality, religious and national intolerance, etc.

In the framework of its Chairmanship, Ukraine demonstrated some progress in the questions of the national minorities, Roma and Sinti rights, combating discrimination and xenophobia. In particular, Ukraine adopted so called Roma Strategy (action plan to ensure the rights of the Roma).

Furthermore, at the Ministerial Council in Kyiv in December 2013, for the first time in three years the decisions on humanitarian dimension were adopted, in particular, Decision on Freedom of Thought, Conscience, Religion or Belief and Decision on Enhancing OSCE Efforts to Implement the Action Plan on Improving the Situation of Roma and Sinti Within the OSCE Area, With a Particular Focus on Roma and

Sinti Women, Youth and Children. Adopted decisions intend to promote open and transparent interfaith and interreligious dialogue and partnerships, aim to prevent intolerance, violence and discrimination on the basis of religion or belief; encourage the inclusion of religious and belief communities in public discussions of pertinent legislative initiatives; promote dialogue between religious or belief communities and governmental bodies, including, where necessary, on issues related to the use of places of worship and religious property; take effective measures to prevent and eliminate discrimination against individuals or religious or belief communities on the basis of religion or belief by public officials in the conduct of their public duties; adopt policies to promote respect and protection for places of worship and religious sites, religious monuments, cemeteries and shrines against vandalism and destruction.

Cabinet of Ministers of Ukraine transmitted to the Parliament of Ukraine “Concept of the Ethnonational Policy of Ukraine, which had been elaborated with the experts’ participation. However, it is necessary to point out that the progress demonstrated by Ukraine in these issues, by and large was a result of the state will to sign the Association Agreement with the European Union.

Chairman-in-Office raised the question of the national minority rights at his bilateral negotiations and meetings during his diplomatic visits to Tajikistan, Moldova, etc., as well as High Commissioner on National Minorities visits to Kyrgyzstan, Kosovo, Serbia, Moldova, Hungary, etc.

Issues related to the rights of national minorities were also raised within the negotiations on the first dimension. Important achievement of the Ukraine’s Chairmanship was a decision, taken in 2013 at the latest round of negotiations on Transnistrian settlement, on conditions for free movement of people living permanently on the left bank, including holders of Ukrainian passports.



One of the main achievements within the Ukrainian Chairmanship in the sphere of the national minorities' rights' protection was decision on a new candidate for the post of the OSCE High Commissioner on National Minorities. It is worth mentioning those positive evaluations that international experts gave to the activity of the Chairman-in-Office on the organization of the selection process and candidates' nomination. In July 2013 by a consensus decision of all 57 OSCE participating states, the Finnish diplomat and a specialist in the migration issues Astrid Thors was appointed as a High Commissioner.

Organization of the Supplementary Human Dimension Meeting on the freedom of movement and facilitation of the greater human contacts in April 2013 in Vienna, where for the first time not only questions of the right for leaving countries were raised, but also for entering them, meaning those related to visa barriers, is considered as a serious success.

#### What was not achieved?

Despite certain achievements in the sphere of human rights and political freedoms, it is controversial absence of the Ukraine's position towards cases of the political rights violations in the OSCE participating states. For example, absence of the Ukrainian Chairmanship position on crackdown of the peaceful demonstrations in Azerbaijan in May 2013 raised certain questions.

It is also necessary to emphasize that during the Ministerial Council in 2013 the Declaration on the Protection of Journalists was not adopted, as it was blocked by the Russian Federation due to the contradictions whether online resources should be included to the media list. However we cannot perceive this as a fail of the Ukrainian Chairmanship.

In addition, the following issues are still topical:

- Implementation of the Handbook on best practices of media activities.

- Limitation of censorship by the governments towards internet-media (including social networks, forums) in some OSCE participating states. For example, such cases are witnessed in Transnistria, where websites which had demonstrated position opposing to the government were closed («Transnistrian social forum» forum-pmr.net, websites: forum.dnestra.com, forum-pridnestrovie.ru, forum-pmr.com, forum-pmr.ru) in May 2013.

- Legislative regulation of the issue of the transparency of media owners, and publishing their names.

- Decriminalization of defamation in the legislation of some states in the OSCE area.

- Legislative support of the right of journalists not to reveal sources.

- Legislative recognition of the right to access public information and its publishing in media.

- Ensuring transparency of the election process in the OSCE area, especially in the countries, where political regimes are in the democratic transit, ensuring participation in the elections of women, representatives of national minorities.

- Enhancing credibility of the OSCE election missions and their rights.

Question of non-discrimination, prevention of xenophobia and intolerance, the rights of national and other minorities have not become priorities of the Ukraine's OSCE Chairmanship in 2013. Issue on combating intolerance, which had been discussed as one of the possible priorities, disappeared from the list of priorities at the last moment. Instead, wider statement on youth education in the sphere of the human rights appeared.

Moreover, Ukrainian Chairmanship was not able to fulfill one of the main experts' recommendations – to organize International Forum on restoration of the Crimean Tatars rights. Support to such an event had been expressed by a number of the international organizations, as well as former OSCE High Commissioner on National Minorities Knut Vollebaek.



Yet one topic which did not get appropriate implementation, despite the announced priority, was gender equality. The possible success of this priority had been doubted from the very beginning, as for the last years Ukraine is on the 151 place in ratings by the number of women in parliament (according to the World Bank data) and on the 116 place in the world by the opportunities for women (by the World Economic Forum data).

## RECOMMENDATIONS FOR UKRAINE

### Political-military dimension:

- To continue a dialogue on the Transnistrian settlement both on the official level with a possibility to move forward to political issues, and on the civil society level, including in the framework of the Civil Society Forum.
- To initiate in the framework of the OSCE a discussion on enhancing efficiency of the field missions, as those which should quickly react on a possible crisis in the participating states.
- To continue work on promoting best practices in border control.
- In the framework of the OSCE Troika to endure discussion on improving climate of trust and stability in the OSCE area.
- Actively involve to the activities on enhancing cybersecurity in the OSCE area, in the framework of the Swiss OSCE Chairmanship priorities.
- Within the process of the OSCE reforming, including “Helsinki +40” to raise an issue of the mutual dependence of security aspects of all three dimensions of the OSCE work.
- To promote an idea to improve cooperation between different regional organizations in the OSCE area, first of all the UN, the EU, BSEC, CIS, CSTO, NATO, etc.

- To facilitate strengthening of the role of the civil society institutions in the process of the decision-making in the OSCE in the process of the “Helsinki +40”.

### Economic-environmental dimension:

- To continue work on adopting decision on non-nuclear critical energy infrastructure protection.
- To establish cooperation with experts and business community on the issues of the renewable energy and energy security.

### Humanitarian dimension:

- To promote youth education in the sphere of human rights and combat human trafficking by establishing relevant discussion sites.
- To strengthen activity in the legislative and practical ensuring of the freedom of thoughts, media, security of the journalists’ activity, introduction of the common standards in the OSCE area. Taking into account the necessity of all types of media freedom and increasing significance of the internet-communications and internet-media, to facilitate the legislative recognition of the electronic media work security.
- To facilitate greater inclusion of the Ukrainian observers to the election missions of the OSCE.
- To continue work on implementation of the key recommendations in the sphere of combatting discrimination, proposed by the Ukrainian experts in 2012.
- As part of combatting xenophobia, racism, expression of religious and other types of intolerance, as well as aiming to prevent conflicts on their early stages, it is necessary to facilitate organization of the International Forum on restoration of the Crimean Tatars rights.

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